

# **BUTTE COUNTY PLANNING COMMISSION**

## **BELLE FOURCHE, SOUTH DAKOTA 57717**

### **Planning Commission Meeting- June 8, 2021**

The regular meeting of the Butte County Planning Commission was held on June 8th at 7:00 P.M. in the Commissioner's Room at the Butte County Courthouse, Belle Fourche, SD.

Present were Planning Board Chairman Commissioner Harms, Planning Board Members, Heidi Lewis, , Darren Alexander and DOE Director Lisa Nelson. Present as guests were Cassie Wendt, Butte County States Attorney, Les Hermann, Kevin Petterborg, Cory Muhm, Leroy Gonzales, Marty Pedersen, Carmen Drieling, Amy Welles, Diane Jones, Fred Scheid, Stacy Scheid, Erica Hight, Shawn Hight, Callie Peterson, Greg and Debbie Hutchison, Alan Kindsfater, Greg Perceovich, Wayne Eaton, Shadow Jones, and Randy Deibert with Professional Mapping & Surveying.

Chairman Harms called the meeting to order at 7:00 P.M.

Motion made by Darren Alexander to approve the agenda. Seconded by Heidi Lewis. Vote unanimous. Motion carried.

Motion made by Darren Alexander to approve the May 11, 2021 meeting minutes. Seconded by Heidi Lewis. Vote unanimous. Motion carried.

#### **PUBLIC**

Owner: Kindsfater Farm LLC (Ponderosa Land Surveys LLC)

Tracts K1, K2 and K3 of Kito Place Estates Located in Section 12, T8N, R2E, BHM, Butte County, South Dakota. Commissioner Harms asked if there was anyone for or against. Alan Kindsfater was for, there were no other comments.

Owner: Diversified Incomes, LLC (Professional Mapping & Surveying)

Hay Creek Ranch Subdivision Located in SW4 of Section 17, E2SE4 of Section 18, NE4NE4, SE4NE4 less Tract A of Section 19, and N2NW4 less Tract A of Section 20, all in T8N, R2E, BHM, Butte County, South Dakota. Commissioner Harms asked if there was anyone for or against. There were several Landowners from the surrounding area that wanted more clarification and need questions answered. Commissioner Harms asked that the person speaking keep it to 5 minutes. Commissioner Harms said we will come back to the Public Hearing after we approve the Final for Kindsfater.

#### **FINAL PLAT**

Owner: Kindsfater Farm LLC (Ponderosa Land Surveys LLC)

Tracts K1, K2 and K3 of Kito Place Estates Located in Section 12, T8N, R2E, BHM, Butte County, South Dakota. Motion made by Heidi Lewis to approve Final Plat and move to Commissioners. Second by Darren Alexander. Vote Unanimous. Motion carried.

## **PUBLIC CONTINUED FOR HAY CREEK SUBDIVISION:**

Commissioner Harms resumed the Public Hearing for Hay Creek Ranch. Randy Deibert with Professional Mapping & Surveying brought forth some housekeeping updates regarding the North side, along with road updates, Utilities, and a Letter of Credit that the Commissioners approved. He also explained that there will be no access from Belleview Drive and the Hay Creek Covenants have been updated.

Kevin Peterborg came forth with concerns of not having a double access for Fire Safety. He is also concerned about the traffic Halle Rae is going to get. County does not plow to the last house, and he was wondering why. He is also not for Commercial lots.

Les Hermann said he paid Melvin Eaton to help pave Halle Rae and he does not support using Halle Rae for in and out traffic. He thought there was a Road District for Bearlodge Addition #2. He will try and find his paperwork.

Amy Wells had concerns as well and wants some answers.

Carmen Drieling from the Belleview Acres subdivision would have liked more notification sooner. They have already started construction.

Heidi Lewis from the Planning Board asked Carmen if there was an HOA at Belleview Acres. Carmen said they all pay but it is mostly a verbal agreement. County does not service the road, it is a private road.

Randy Deibert spoke on the Lots that they designated as Commercial. He said Lot 1-3 will be the Commercial lots. The Floodplain is a Zone A and unstudied. They are working with FEMA to get those changed. He explained to the Landowners of Belleview that the Belleview Road will not be involved, and that change was made on the updated map. Randy mentioned that the Approach permits have been approved by the County Highway Authority.

Amy Wells said she would like to see more research done before the plan for the North side is approved.

Shawn Hight asked about the Covenants and would like to see them.

Heidi Lewis suggested that we wait to approve the Final Plat for the South side of Hay Creek until questions are answered.

Randy requested the Board move forward.

Cassie Wendt the County's States Attorney advised the Board she will investigate the Halle Rae Road and provide more information at the next meeting.

Greg Hutchison has a lot of concerns about the South end of the Hay Creek Subdivision.

Randy Deibert went over Special Assessments and County funds regarding County Roads.

Carmen Drieling asked about Perc tests and Lisa Nelson Director of Planning explained what the Board decided at the last Board meeting.

Questions were asked about Dust Control, Water Pressure, and Wayne Eaton answered.

Greg Hutchison asked Randy about being incorporated into the city. Randy Deibert explained.

Heidi Lewis would like to see the updated Covenants since they were not presented to the Board.

Darren Alexander with the Planning Board said we need to have Transparency; this is very important to the Landowners and to the Planning board.

Randy asked if there could be a Special meeting with the Planning Board in two weeks.

Heidi Lewis made a motion to hold a Special meeting with Public Comment on June 22, 2021, to go over the information that the States Attorney provides, updated Covenants, and to go over the Final Plat for the South end of Hay Creek Subdivision. Darren Alexander seconded. Vote unanimous. Motion carried.

**FINAL PLAT**

Owner: Diversified Incomes, LLC (Professional Mapping and Surveying)  
Plat of Lot 1 thru 18, and Lot 26 of Hay Creek Ranch. All located in T8N, R2E, B.H.M., Butte County South Dakota. Motion made by Heidi Lewis to table to June 22, 2021. Darren Alexander seconded. Chairman Harms opposed. Motion passes

**Old Business:** None.

**New Business:** Public Hearing and Preliminary will be held on July 13, 2021, for the North side of Hay Creek Subdivision.

**Adjournment:** Daren Alexander moved to adjourn. Seconded by Heidi Lewis. Vote Unanimous. Motion carried. Meeting adjourned at 8.20 P.M.

Respectfully Submitted: \_\_\_\_\_

Lisa Nelson

Butte County Equalization and Planning Director