

# MARSHALL COUNTY PLANNING & ZONING COMMISSION

## Proposed Agenda

Regular Scheduled Meeting

November 10, 2022– 9:00 AM

Marshall County Courthouse, Commissioners Chambers

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Review & Approval of Minutes from October 18, 2022
- V. Matters for Board Discussion
- VI. Open
- VII. Disclosure of Conflicts/Ex Parte Communication
- VIII. New Business
  - A. Rezone permit #55 – 1<sup>st</sup> Reading (Westby)**
    - 1) Staff report by E. Collins-Miles
    - 2) Open Public hearing
      - a) Testimony from applicant
      - b) Testimony from proponents and opponents
      - c) Applicant back up for questions (if needed)
    - 3) Close public hearing
    - 4) Board Discussion
      - a) Questions for audience (No new topics to be discussed)
    - 5) Motion and roll call vote for recommendation to County Commission
    - 6) County Commission to hold 1<sup>st</sup> Reading (if recommended by P&Z Board)
  - B. Variance – Westby**
    - 1) Staff report by E. Collins-Miles
    - 2) Open Public hearing
      - a) Discuss new developments
      - b) Testimony from applicant
      - c) Testimony from proponents and opponents
      - d) Applicant back up for questions (if needed)
    - 3) Close public hearing
    - 4) Boards Discussion
      - a) Questions for audience (No new topics to be discussed)
- IX. Building Permits
- X. Other
- XI. Old Business

XII. Adjourn

MARSHALL COUNTY PLANNING & ZONING BOARD  
PO BOX 9  
BRITTON, SOUTH DAKOTA  
UNAPPROVED MINUTES  
October 18, 2022

The Marshall County Planning & Zoning Board met at 9:00 AM, October 18, 2022, at the Marshall County Courthouse. Present at the hearing were the following Board members; Doug Medhaug, Matthew Schuller, LeRon Knebel, Lynda Luttrell and Kevin Jones. Commissioner Medhaug Presided. Others present at the hearing were Erin Collins-Miles, Planning & Zoning, Megan Biel, Auditor, Ryan Patterson, Earl Steen, Alan Benda and Victor Rapkoch, Marshall County States Attorney. Shelby Thompson, Sandy Dinger, Kalissa Stelzer, Tim Gronseth and Dustin Hofland were present via zoom and conference call.

**AGENDA:**

Knebel motioned; Schuller seconded to approve the agenda. All members voted aye. Motion carried.

**MINUTES:**

Jones motioned; Luttrell seconded to approve the minutes from October 4, 2022. All members voted aye. Motion carried.

**DRAINAGE:**

Pertaining to a drainage application for Patterson Farm, Inc.; Discussion was held and concerns were heard on the matter. Tim Gronseth, adjacent landowner, did not sign and submit a waiver for the project but gave verbal consent during the hearing. The Board advised Tim Gronseth to speak to the township about his concerns. Knebel motioned; Jones seconded to approve an application to drain on the property described as the NE1/4 of Section 22, T127N, R57W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 31st, 2026. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Medhaug – Aye, Schuller – Aye, Knebel – Aye, Luttrell - Aye Jones - Aye. Motion carried.

Pertaining to a drainage application for Patterson Farm, Inc.; Discussion was held and concerns were heard on the matter. The Board advised Tim Gronseth to speak to the township about his concerns. Luttrell motioned; Schuller seconded to approve an application to drain on the property described the NE1/4 EXC.LOT 1 OF PATTERSON FARM INC. of Section 21, T127N, R57W. Conditions to this permit are as follows; to make the construction completion date as seen on permit application; December 31st, 2026. Applicant must reapply after said date. Applicant must follow all applicable laws. A roll call vote was taken; Medhaug – Aye, Schuller – Aye, Knebel – Aye, Luttrell - Aye Jones - Aye. Motion carried.

**PLATS:**

Schuller motioned; Luttrell seconded to approve the following plat contingent upon receiving the proper filing fees. All members voted aye. Motion carried; Plat of Jim Johnson Addition in the County of Marshall, South Dakota Located in the Southeast Quarter (SE1/4) of Section 26, T125N, R53W of the 5th P.M., Marshall County, South Dakota Containing 15.28 Acres, more or less, of which 0.95 acre, more or less, is section line right of way.

**BUILDING PERMITS:**

Jones motioned; Schuller seconded to accept a building permit for the following applicants: Rudina Alihajdaraj on behalf of Fullerton Engineering/T-Mobile and Terry Monson. All members voted aye. Motion carried.

**OTHER:**

Updates to the Drainage ordinance and application as well as other matters were discussed. Erin Collins-Miles, Zoning/Drainage Administrator, and Victor Rapkoch, Marshall County States Attorney, will be working on

implementing these changes in the coming weeks. Other Zoning issues were discussed with the intent to follow up on said matters in the coming weeks. FEMA has now released a notice in the Marshall County Journal informing the public of the 90-Day appeal period for the preliminary Flood Insurance Rate Map (FIRM), and where applicable, Flood Insurance Study (FIS) report, reflecting proposed flood hazard determinations within Marshall County, South Dakota and Incorporated Areas.

**ADJOURN:**

Knebel motioned; Jones seconded to adjourn as Planning and Zoning Board and convene as Marshall County Commission at 9:59 AM. All members voted aye. Motion carried.

**ATTEST:**

Erin Collins-Miles  
Marshall County Planning and Zoning Administrator  
Marshall County, South Dakota  
Published at the approximate cost of.....