

Tuesday, August 31, 2021  
Special Meeting

The Deuel County Commissioners met in special session on Tuesday, August 31<sup>st</sup> at 9:00 a.m. in the Commission Room of the Courthouse. Those present were Commissioners DeJong, Jaeger, Homan, and Kreutner. Commissioner Rhody was absent. Also present was Auditor Korth, Zoning Officer Jodi Theisen, State's Attorney Jared Gass and members of the Deuel County Zoning and Planning Commission. The meeting began with prayer and pledge of allegiance and Chairman DeJong called the meeting to order. 1) Kreutner moved, seconded by Homan to approve the agenda as presented meeting jointly with the Deuel County Planning Commission. All voted yes and the motion carried.

**9:00 Joint Public Hearing/First Reading with Zoning Board on Ordinance #B2004-01-35C An Ordinance to Regulate Medical Cannabis Within Deuel County An Ordinance Amending Ordinance #B2004-01-35B (Existing Zoning Ordinance) and All Amendments Thereto, in Accordance with the Provision of Chapter 11-2, 1967 SDCL, and Amendments Thereof and for the Repeal of all Resolutions and Ordinances in Conflict Therewith** A joint public hearing with the Deuel County Planning Commission was held on Ordinance #B2004-01-35C An Ordinance to Regulate Medical Cannabis Within Deuel County An Ordinance Amending Ordinance #B2004-01-35B (Existing Zoning Ordinance) and All Amendments Thereto, in Accordance with the Provision of Chapter 11-2, 1967 SDCL, and Amendments Thereof and for the Repeal of all Resolutions and Ordinances in Conflict Therewith. The public hearing was opened. There were no proponents or opponents present for comments from the public for the hearing. After much discussion, The Planning Commission voted to recommend approval of this ordinance to the County Commissioners. Upon roll call vote the motion carried. The Planning and Zoning Commission then called for a recess.

The Commissioners then held the first reading of Ordinance #B2004-01-35C An Ordinance to Regulate Medical Cannabis Within Deuel County An Ordinance Amending Ordinance #B2004-01-35B (Existing Zoning Ordinance) and All Amendments Thereto, in Accordance with the Provision of Chapter 11-2, 1967 SDCL, and Amendments Thereof and for the Repeal of all Resolutions and Ordinances in Conflict Therewith. The second reading will be held at the September 8<sup>th</sup> regular Commission meeting at 10:45 a.m. Further discussion was held on the setbacks in the proposed ordinance among the Board of Commissioners.

**9:30 Public Hearing/First Reading on Ordinance M2021-01 An Ordinance Creating Licensing Provisions for Cannabis Establishments** A public hearing was held on Ordinance M2021-01 An Ordinance Creating Licensing Provisions for Cannabis Establishments. There were no proponents or opponents present for comments from the public for the hearing. Discussion was held on licensing fees among all the Board members present. After much discussion, the Commissioners then held the first reading of Ordinance M2021-01 An Ordinance Creating Licensing Provisions for Cannabis Establishments. The second reading will be held at the September 8<sup>th</sup> regular Commission meeting at 10:45 a.m. following the second reading of Ordinance #B2004-01-35C.

The Deuel County Zoning Board and Planning Commission ended the recess and again was called to order by the Chair.

**10:00 Joint Public Hearing/First Reading on Request of request of Wayne Viessman to Rezone from Agricultural District to Lake Park District for the following described property: Lot 2 Cook's Point Third Addition in the NE1/4 of the SE1/4 of 4-114-47, Norden Township, Deuel County, South Dakota**

A joint public hearing with the Zoning Board was held upon the request/petition of JWRR Wayne Viessman to issue a change in zoning classification for property that is described above in 4-114-47, Norden Township from Agricultural to Lake Park District. This will encompass the entire property owned by Viessman to Lake Park District rather than a portion of it being Agricultural. The Deuel County Zoning Board stated the property meets all the requirements of the ordinance. The Planning Commission voted to recommend approval of this ordinance to the County Commissioners. Upon roll call vote the motion carried. The Planning and Zoning Commission adjourned.

The Commissioners continued the public hearing for questions on the rezoning classification. No public was present for comments or questions.

The Commissioners then held the first reading of Ordinance B2004-01-36A. The second reading will be held at the September 8<sup>th</sup> regular Commission meeting at 9:45 a.m.

**Executive Session per SDCL 1-25-2(3) for the Purpose of Consulting with Legal Counsel**

2) Jaeger moved, seconded by Kreutner to move into executive session per SDCL 1-25-2(1) for the purpose of consulting with legal counsel. All voted yes and motion carried.

3) Jaeger moved, seconded by Kreutner to have Chairman DeJong declare the meeting out of executive session at 10:49 a.m. All voted yes and motion carried.

**Adjournment**

There being no further business 4) Kreutner moved, seconded by Homan to adjourn the meeting. All voted yes and motion carried.

Gary DeJong, Chairman  
Deuel County Commission

ATTEST:

Mary Korth

Deuel County Auditor

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