

FALL RIVER COUNTY APPROVED MINUTES OF SEPTEMBER 7, 2021

The Fall River Board of County Commissioners met in regular special on September 7, 2021. Present: Les Cope, Joe Falkenburg, Heath Greenough, Deb Russell and Sue Ganje, Auditor. Joe Allen was absent.

The Pledge of Allegiance was given, and the meeting called to order at 9:00 a.m.

The agenda was reviewed for conflicts; none were noted. ALL MOTIONS RECORDED IN THESE MINUTES WERE PASSED BY UNANIMOUS VOTE, UNLESS OTHERWISE STATED. The full context of the meeting can be found on the county website under Commissioners at <http://fallriver.sdcounties.org>, or, under Fall River County Commission, SD at <http://www.YouTube.com>.

Motion made by Greenough, seconded by Cope, to approve the agenda as written.

Allen joined the meeting at 9:02 a.m.

The second reading was held on Ordinance 2021-01. State's Attorney Lance Russell reviewed the ordinance with the board, noting questions on the 1000' distance from certain existing uses for a Cannabis Establishment. State's Attorney Russell responded to questions by commissioners, addressing a new home built, or owner living within the 1000' rule. There would not be an issue as there would not be a complaint. Discussion was also held on that the state may implement rules relating to the ATF license on the application, and if there is more than one applicant for the dispensary license, the county has discretion on how it is issued. If one dispensary is offered in the unincorporated portion of the county, people would not be able to grow cannabis on their own. The state has primary requirements on building codes, but local governments can assert local decisions. This ordinance is following zoning statutes.

Motion made by Greenough, seconded by Russell, to approve the second reading of Ordinance 2021-01, an ordinance amending Ordinance #2021 – 01 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.

No public comment was heard.

Motion made by Russell, seconded by Greenough, to enter executive session, as per SDCL 1-25-2 (1) for personnel purposes and as per SDCL 1-25-2 (4) for negotiations at 9:12 a.m.

The board came out of executive session at 9:39 a.m.

Motion made by Greenough, seconded by Russell, to adjourn at 9:40 a.m.

/s/Joe Falkenburg
Joe Falkenburg, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor