

**Custer County Special Commission Meeting
Monday, September 23, 2019
420 Mount Rushmore Rd.
Commission Meeting Room
Custer, SD 57730**

A. Call to Order at 9:00 AM

1. Pledge of Allegiance

B. Approval of Agenda

C. Conflict of Interest Declaration

D. Bid Opening

1. Opening of bids for Search & Rescue Building Addition

E. Planning

1. Plat of Lintz Subdivision Lot 4, (Formerly a Portion of the S2SW4 of Section 2) Located in the S2SW4 of Section 2, T3S, R7E, B.H.M., Custer County, South Dakota

F. Executive Session

1. SDCL 1-25-2(1) Personnel
 - a. Human Resource
2. SDCL 1-25-2(3) Consult with legal counsel - none
3. SDCL 1-25-2(4) Contract Negotiations - none

G. Adjourn

1. Adjourn the meeting

Next Meeting Dates: October 9th & 23rd, 2019

Custer County fully subscribes to the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of accommodations, please notify the Commissioners' Office at (605) 673-8173 at least 24 hours prior to the meeting so that appropriate services and auxiliary aids are available.

CUSTER COUNTY COMMISSIONERS MEETING
September 23rd, 2019

STAFF REPORT

Agenda Item No. 1

FINAL PLAT OF:

LINTZ SUBDIVISION LOT 4, (FORMERLY A PORTION OF THE S1/2 OF THE SW1/4 OF SECTION 2) LOCATED IN THE S1/2 OF THE SW1/4, SECTION 2, T3S, R7E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA

Current Parcel ID: 000782

SUBDIVISION CLASSIFICATION: AGRICULTURAL

APPLICANTS: JOHN LINTZ

DEED HOLDER: LINTZ FAMILY, LLC

GENERAL INFORMATION AND CONFORMANCE WITH LOCAL ORDINANCES:

This preliminary plat is showing a lot split of a portion of the S1/2 of the SW1/4 of section 2, T3S, R7E. The proposed parcel named lot 4 will be +/-10ac. This will leave a remainder of the portion of S1/2 of section 2. Said remainder will not be platted for it is still over +/- 40 ac.

Lot 4 has access from a 66' private access easement being dedicated with this plat. Planning Department is questioning the number of private access easements that are in play.

Comprehensive Plan: The proposed land use does not conflict with the intent or goals of Custer County's Comprehensive Plan.

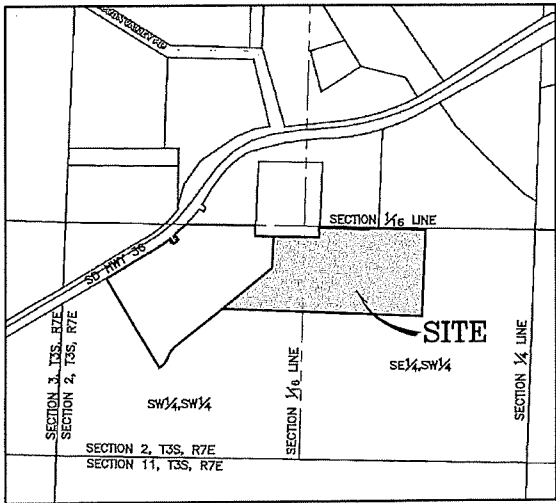
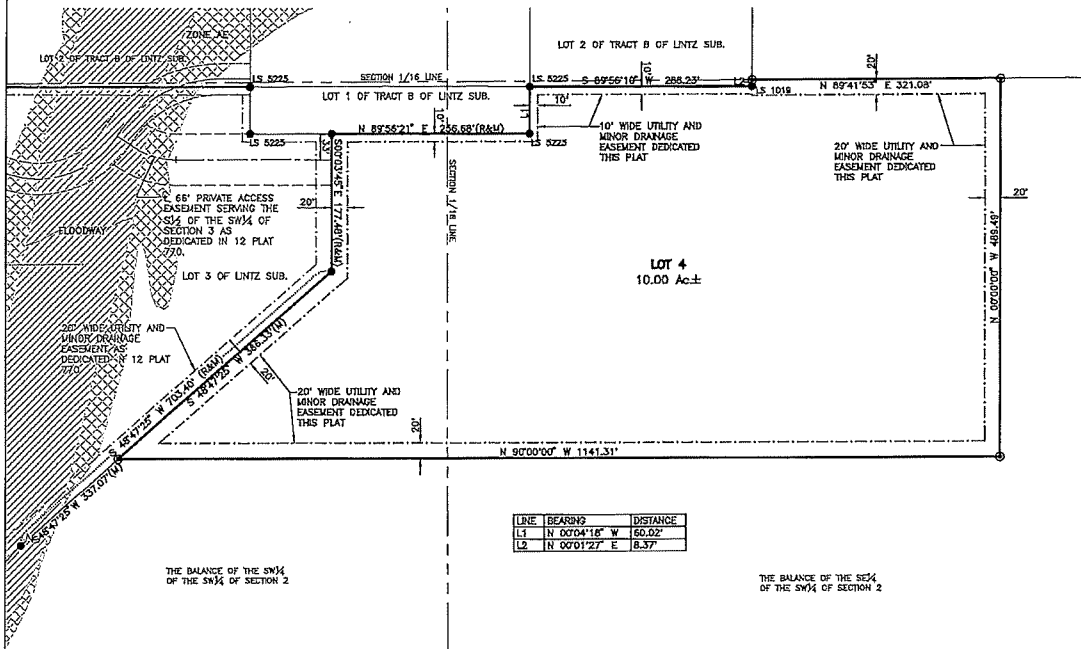
Ordinance 2 Subdivision and Use of Land: The proposed plat *generally* meets the standards as set forth in Ordinance 2.

Ordinance 6 Flood Damage Protection: An area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0175F, effective date: Jan. 6th, 2012.

PLANNING DEPARTMENT RECOMMENDATIONS: The Planning Director and Planning Commission have reviewed this Plat and recommends that the Board of County Commissioners grant final approval.

Submitted by Kim Kerkvliet, Planning Director

PLAT OF
LINTZ SUBDIVISION
LOT 4,
 (formerly a portion of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 2)
 LOCATED IN THE S $\frac{1}{2}$ OF THE SW $\frac{1}{4}$,
 SECTION 2, T3S, R7E, B.H.M.,
 CUSTER COUNTY, SOUTH DAKOTA



VICINITY MAP



****NOTES:**
 BLACK HILLS ELECTRIC COOPERATIVE, INC. EASEMENT AS SHOWN DESCRIBED IN MISC. BOOK 40 PAGE 815 NOT LOCATED IN THE FIELD AND ARE NOT SHOWN HEREON.

DRAINAGE EASEMENT: THE AREA OF THE "DEFINED CHANNEL" OF GRACE COOLIDGE CREEK SHALL BE DESIGNATED AS DRAINAGE EASEMENT THIS PLAT. THIS EASEMENT IS RIPARIAN IN NATURE AND IS SUBJECT TO CHANGE DUE TO NATURAL MOVEMENT OF THE CREEK.

THE SIDELINES OF THE 66' WIDE PRIVATE ACCESS EASEMENT SERVING THE S $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ OF SECTION 3 SHOWN HEREON ARE TO BE LENGTHENED OR SHORTENED TO CONFORM TO RIGHT-OF-WAY LINES, PROPERTY LINES, AND/OR EXISTING EASEMENT LINES.

FLOOD INSURANCE RATE MAP PANEL 46033C0175F WITH AN EFFECTIVE DATE OF JANUARY 6, 2012 INDICATES THE PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THIS PLAT.

ZONE A: AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.

PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2, THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE, INCLUDING GROUNDWATER, LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

NOTES:

- Denotes set 5/8" rebar with survey cap marked "Janda LS 11700"
- Denotes Found Survey Monument "Janda LS 11700" unless otherwise noted
- (R) Denotes Recorded in previous plat or description.
- (M) Denotes Measured this survey.
- CB Denotes Chord Bearing
- CD Denotes Chord Distance

Basis of Bearings: Geodetic North determined by Global Positioning (GPS)
 Utility and Minor Drainage Easements: As shown hereon.
 lot lines, except where major drainage easements exist.



PLAT OF
LINTZ SUBDIVISION
LOT 4,
 (formerly a portion of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 2)
 LOCATED IN THE S $\frac{1}{2}$ OF THE SW $\frac{1}{4}$,
 SECTION 2, T3S, R7E, B.H.M.,
 CUSTER COUNTY, SOUTH DAKOTA

CERTIFICATE OF OWNERSHIP
 State of South Dakota
 County of Custer s.s.

I, John A. Lintz, do hereby certify that I am the Member of LINTZ FAMILY, LLC the owner of the land shown and described hereon; that the survey was done at my request for the purposes indicated hereon; that I do hereby approve the survey and within plot of said land; and that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

In witness whereof, I have set my hand and seal.

Member: _____
 John A. Lintz

On the ____ day of _____, 20____, before me, a Notary Public, personally appeared John A. Lintz, known to me to be the person(s) described in the foregoing instrument and acknowledged to me that they signed the same.

Notary Public: _____

My Commission Expires: _____

RESOLUTION BY GOVERNING BOARD
 State of South Dakota
 County of Custer s.s.

Whereas there has been presented to the county commissioners of Custer County, South Dakota the within plot of the above described lands, and it appearing to this board that:

- a. The system of roads conforms to the system of roads of existing plots and section lines of the county.
- b. Adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible.
- c. All provisions of the County Subdivision regulations have been complied with.
- d. All taxes and special assessments upon the property have been fully paid, and
- e. The plot and survey have been lawfully executed.

Now therefore be it resolved that said plot is hereby approved this ____ day of _____, 20____.

CHAIR PERSON, COUNTY COMMISSIONERS

I Auditor of Custer County, do hereby certify that an official meeting held on the ____ day of _____, 20____, the County Commissioners by resolution did approve the plot as shown hereon.

 Auditor of Custer County



CERTIFICATE OF SURVEYOR
 State of South Dakota
 County of Pennington s.s.

I, Jeffrey L. Janis, Registered Land Surveyor No. 11700 in the State of South Dakota, do hereby certify that at the request of the owner(s) listed hereon, I have surveyed the tract of land shown, and to the best of my knowledge and belief, the within plot is a representation of said survey. Easements or restrictions of miscellaneous record or private agreements that are not known to me are not shown hereon.

In witness whereof, I have hereunto set my hand and seal.

 Jeffrey L. Janis, Registered Land Surveyor Date: _____

CERTIFICATE OF HIGHWAY AUTHORITY

The location of the access road abutting the county or state Highway, as shown hereon is hereby approved. Any changes in the location of the proposed access shall require additional approval.

Dated this ____ day of _____, 20____.

 Highway Authority

CERTIFICATE OF COUNTY TREASURER

I, Treasurer of Custer County, do hereby certify that all taxes which are liens upon the within described lands are fully paid according to the records of my office.

Dated this ____ day of _____, 20____.

 Treasurer of Custer County

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that I have on record in my office a copy of the within described plot.

Dated this ____ day of _____, 20____.

 Director of Equalization of Custer County

APPROVED: Director of Equalization of Custer County

CERTIFICATE OF REGISTER OF DEEDS
 State of South Dakota
 County of Custer s.s.

Fled this ____ day of _____, 20____, at ____ o'clock ____ M.

In Book _____ of Plats, on Page _____.

Fee: \$ _____

 Register of Deeds