

**DAY COUNTY COMMISSION**  
**WEBSTER, SOUTH DAKOTA**  
**August 26, 2021**

The Day County Board of Commissioners and Planning & Zoning Commission convened jointly in special session at 9:00 AM, Thursday August 26, 2021 in the Commissioners Chambers in the Day County Courthouse. Meeting called to order by Chairman Linda Walters. Members present: Commissioners Tompkins, Sinner, Tobin, and Walter. Others: Dari Schlotte P & Z Administrator, Stephanie Williams P & Z Clerical, Sheriff Rucktaeschel, States Attorney Knight, Auditor Zimmerman and Amanda Fanger-R&F.

**PLEDGE:** Chairman Linda Walters led the members in reciting the Pledge of Allegiance.

**JOINT PUBLIC HEARING ON ORDINANCE #2021-2 & #2021-3:** No member of the public appeared in person or submitted any comments for the joint public hearing held on Ordinance #2021-2 & #2021-3.

**FIRST READING OF ORDINANCE #2021-2 BY TITLE:** Moved by Walter, seconded by Tobin to approve adding language feet, churches and daycares to page 2, #2a to read as followed: "A cannabis dispensary shall be located not less than 1,000 feet from any churches, daycares or a public or private school existing before the date of the cannabis dispensary application;". Motion carried.

**FIRST READING OF ORDINANCE #2021-3 BY TITLE:** Moved by Sinner, seconded by Tobin to approve the following changes.

Page 2, section 3A- remove "subject to the general penalty provision in Chapter XX.16." to read as "a class 2 misdemeanor, subject to SDCL 7-18A-32."

Page 2, section 3B- remove "the general penalty provision in XX.16." to read as "a class 2 misdemeanor, subject to SDCL 7-18A-32."

Page 2, section 4B-1- replace \$10,000 to \$20,000.

Page 4, section 8Aa add verbiage after Article 16, "of the Planning and Zoning ordinance."

Page 4, section 10A- add verbiage after Article 9, "of the Planning and Zoning ordinance."

Page 5, section 10B- add verbiage after Article 9, "of the Planning and Zoning ordinance."

Page 6, section 14- to read as followed "Cannabis dispensary may only operate between the hours of 8:00 AM and 8:00 PM, Monday-Saturday." Motion carried.

**SECOND READING OF ORDINANCE #2021-2 & #2021-3:** The second reading of Ordinances #2021-2 & #2021-3 will be held September 7, 2021 at 9:15 A.M. in the Commissioners Chambers.

**ADJOURNMENT:** Moved by Walter, seconded by Sinner to adjourn as a joint board of County Commissioners and Planning and Zoning Commission and go into regular County Commissioner session. Motion carried.

**EXECUTIVE SESSION:** Moved by Sinner, seconded by Tompkins to enter into Executive Session at 9:48 AM for personnel matters as per SDCL 1-25-2. Motion carried. Chairman Linda Walters reconvened the regular session at 10:15 AM.

**RESIGNATION:** Moved by Walter, seconded by Sinner to accept with regret a letter of resignation from Rebecca Smith and allow the Auditor's office to advertise. Motion carried.

**ADJOURNMENT:** Moved by Tompkins, seconded by Tobin to adjourn until 9:00 AM, Tuesday September 7, 2021 to convene in the Commissioners Chambers in the Day County Courthouse. Motion carried.

---

Linda M. Walters  
Chairman

ATTEST:

---

Karli Zimmerman  
Day County Auditor

Day County does not discriminate on the basis of color, national origin, sex, religion, age, or disability in employment or the provision of service.