

**MINUTES**  
**SULLY COUNTY BOARD OF ADJUSTMENTS**  
**August 20, 2025**

**CALL TO ORDER:** The regular meeting of the Sully County Board of Adjustments was brought to order on August 20, 2025, at 9:18 a.m. by Chair Austin Gross, with members Evan Warner, Gail Tennant, Russ Ball, and JR Richards in attendance at the Sully County Courthouse. Alternates, Conner McPeck and Andrew Utech were also in attendance. Others present at the meeting were JJ Schall, Vic Utech, Neal Konda, Todd Schneider, Kevin & Lori Griffin, and Stacey Hegge.

**PUBLIC COMMENT:** None

**CONFLICT OF INTEREST (as noted in Planning and Zoning Minutes):** Andrew Utech and Russ Ball declared and will remove themselves from further discussions and voting during Action Item 1 & 2 and all Executive Sessions involving said items. Conner McPeck will be the alternate for Russ Ball on these items.

Chair Austin Gross reviewed the rules of hearing and introduced the application.

Administrator Paxton presented the staff report and Gross opened the public hearing. Vic Utech gave applicant testimony, reading his application line by line and giving the exact steps taken to meet the requirements of each. He also shared that he has submitted the water plans and the information he received back stated that they do the final inspection once the project is complete. Proponent Kevin Griffin gave testimony in support of allowing this conditional use. He cited a real need for this type of RV park in the area, sharing that he and his wife had attempted to get a spot in Codger's Castaway RV Park and they were full. There had been a recent vacancy, and they were able to get it rented, but others were eagerly waiting for spots. He stated that he has attended several Sanitary District meetings and feels the Board has been unfair in their decisions and continues to make the expansion cost prohibitive for the developer. A letter was read aloud by Paxton from John Morris stating that he was not against the proposal, but he wanted to highlight the easements in place and access points and requested that they be preserved. Letters of opposition from Neal Konda and Todd Schneider with the Spring Creek/Cow Creek Sanitary District were presented to the Board. Neal Konda spoke in opposition of the conditional use as presented. He asked that the Board require direct connection of sewer and water to the Sanitation District, citing several laws/rules from his letter submission. Todd Schneider also spoke in opposition to the conditional use request, making a comparison to the City investing monetarily into a large hotel/water park, paying for the infrastructure and then having the developer decide he was going to bypass their systems and just do their own sewer and well, after the fact. Vic Utech gave follow-up statements, sharing that he did not agree with all of the access points John Morris drew on the map and that all easements noted on the official filing in the Register of Deeds office will be upheld. Utech's attorney, Stacey Hegge finished the discussion by recommending that all disagreements about water and sewer hook ups should be handled between the Developer and the Sanitary District, leaving the County out of the legal matters.

Gross closed the public hearing at 9:57am. A motion to go into Executive Session was made by Richards to address legal matters. Second by Gross. SDCL 1-25-2 (3). Motion to come out of Executive Session by Tennant at 11:08am, second by Gross. SDCL 1-25-2 (3).

**ACTION ITEMS:**

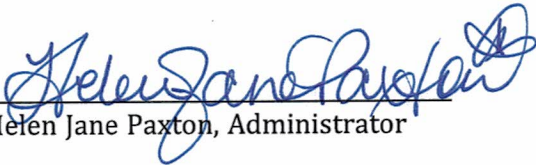
- **Application of Vic Utech with Codger's Castaway RV Park, LLC, requesting approval of a conditional use permitted under Sully County Zoning Ordinance Section 4-205(6) to allow the operation of an RV Park consisting of 220 full hookup sites on property located at the former Oahe Speedway, Pierre, legally described as Cow Creek Recreation Tract 2 in the E ½ of Section 34, Township 113 North, Range 80 West of the 5<sup>th</sup> P.M., Sully County, South Dakota. A motion was made by Gross and seconded by Richards to approve Conditional Use with the following conditions:**


1. Applicants must comply with South Dakota Codified Laws, the Administrative Rules of South Dakota, and all other applicable rules, regulations, and laws that apply to the Recreational Vehicle Park.
2. The maximum number of RV lots allowed will change from 220 (as requested on application) to 213 (as approved by Department of Agriculture and Natural Resources).

A roll call vote was held. Gross-Aye; Richards-Aye; McPeck-Aye; Warner-Aye, Tennant-Aye. Motion passed.

**ADJOURNMENT:** There being no further business, a motion was made by Warner and seconded by Tennant to adjourn the meeting at 11:13am. The motion passed unanimously.

Respectfully submitted,

  
Helen Jane Paxton, Administrator

  
Austin Gross, Chair  
Date Approved 9.17.25