

**PENNINGTON COUNTY
BOARD OF COMMISSIONERS' MINUTES
November 5, 2013**

A meeting of the Pennington County Board of Commissioners was held on Tuesday, November 5, 2013, in the Commissioners' meeting room of the Pennington County Courthouse. Chairperson Lyndell Petersen called the meeting to order at 9:00 a.m. with the following Commissioners present: Ron Buskerud, Ken Davis, Don Holloway and Nancy Trautman.

APPROVAL OF THE AGENDA

MOVED by Trautman and seconded by Holloway to approve the agenda as presented. Vote: Unanimous.

CONSENT AGENDA ITEMS

The following items have been placed on the Consent Agenda for action to be taken by a single vote of the Board of Commissioners. Any item may be removed from the Consent Agenda for separate consideration.

MOVED by Davis and seconded by Buskerud to approve Consent Agenda Items 5-16 as presented. Vote: Unanimous.

5. Approve the minutes of the October 10, 2013, Special Board of Commissioners' meeting.
6. Approve the minutes of the October 15, 2013, Board of Commissioners' meeting.
7. Approve the vouchers listed at the end of the minutes for expenditures for insurance, professional services, publications, rentals, supplies, repairs, maintenance, travel, conference fees, utilities, furniture and equipment totaling \$496,084.66
8. Reappoint James L. Fields as Pennington County Constable for Legislative District 34 for a two-year term and authorize the Chairperson's signature on the Warrant of Appointment.
9. Health & Human Services (SP13-014): Schedule a hearing at 9:15 a.m. on Tuesday, November 19, 2013, to supplement the General Fund John T. Vucurevich budget in the amount of \$15,000 from non-budgeted revenue received in the current year.
10. Sheriff and Department of Equalization (SP13-015): Schedule a hearing at 9:15 a.m. on Tuesday, November 19, 2013, to supplement the General Fund DOE budget in the amount of \$7,337 and the Sheriff's Department budget in the amount of \$79,000, for a total of \$86,337 from non-budgeted revenue for insurance proceeds received in the current year.
11. Search & Rescue (SP13-016): Schedule a hearing at 9:15 a.m. on Tuesday, November 19, 2013, to supplement the General Fund Search & Rescue budget in the amount of \$5,956 from non-budgeted revenue received in the current year.
12. Emergency Management - Approve the 4th Quarter SLA Agreement with the State of South Dakota and authorize the Chairperson's signature thereto.
13. Approve the Highway Department Agreement with Edelweiss Mountain Improvement Association for snow removal and authorize the Chairperson's signature thereto.
14. Human Resources: Approve the Pennington County Elected Officials Wage Policy for 2014.

15. Recognize and thank Pennington County volunteers for the month of September 2013. The list of volunteers is on file in the Human Resources office and is posted on the County bulletin board.
16. Sheriff's Office: Approve the request to declare surplus five (5) county-owned vehicles surplus for the purpose of trade: 2005 Chevy Impala, Capital Asset Number 5546; 2005 Ford Taurus, Capital Asset Number 5676; 2006 Chevy Impala, Capital Asset Number 5664; 2006 Ford Crown Vic, Capital Asset Number 5668; 2006 Ford Crown Vic, Capital Asset Number 5660. The Board also gave authorization to advertise for bids for six (6) used, 2012 or newer passenger cars and one (1) used 2012 or newer passenger minivan.

End of Consent Agenda

DISASTER RESPONSE APPRECIATION/RECOGNITION – WINTER STORM ATLAS

The Board of Commissioners expressed their appreciation for the individuals, neighbors, community volunteers, contractors, snowmobile groups and organizations that assisted others during Winter Storm Atlas.

ITEMS FROM INFORMATION TECHNOLOGY DEPARTMENT

- A. Official Pennington County Logo: MOVED by Trautman and seconded by Holloway to adopt the official Pennington County logo as presented. Vote: Unanimous.

EXECUTIVE SESSION per SDCL 1-25-2

- A. Personnel Issue per SDCL 1-25-2(1)

MOVED by Trautman and seconded by Holloway to convene in executive session for a personnel issue. Vote: Unanimous. The Board remained in executive session from 9:15 a.m. until 9:55 a.m. when Buskerud, Davis, Petersen and Trautman returned. MOVED by Davis and seconded by Buskerud to adjourn from executive session. The motion carried with four affirmative votes.

Commissioner Holloway returned.

ITEMS FROM AG COMMITTEE

- A. Criteria for Classification of Lands as Agricultural – County Policies

MOVED by Trautman and seconded by Davis that the County of Pennington adopt the proposed *Principal Use Guidelines* for defining the principal use for Ag classification. Vote: Unanimous.

MOVED by Trautman and seconded by Petersen to adopt the proposed *Timber Management Guidelines for Ag Classification in Pennington County, SD*, as presented. Vote: Unanimous.

ITEMS FROM SHERIFF'S DEPARTMENT

MOVED by Buskerud and seconded by Davis to approve items A and B as presented. Vote: Unanimous.

- A. Approve the new job description for Program Manager I at Grade 16.
- B. Approve the title change of the existing Program Manager to Program Manager II at Grade 18.
- C. Special Reserve – Prisoner Transportation Bus: MOVED by Holloway and seconded by Trautman to authorize the transfer of over-collected revenue and underspent budget in the amount of \$380,000 from the Sheriff’s office to the special reserve designated for the purchase of a new prisoner transportation bus. Vote: Unanimous.
- D. Authorization to Bid – Prisoner Transportation Bus: MOVED by Holloway and seconded by Buskerud to authorize the Pennington County Sheriff to advertise for bids for a new or used prisoner transport bus. Vote: Unanimous.

ITEMS FROM BUILDINGS & GROUNDS

- A. PC Campus Expansion, Parking Structure Addition Project – Construction Warranty & Closeout: MOVED by Holloway and seconded by Trautman to authorize the Chairperson’s signature to the five-year Construction Warranty prepared by Heavy Constructors, Inc., covering work associated with the fasteners used in the metal cladding assembly as part of the Parking Structure Addition Project. Vote: Unanimous.
- B. PC Campus Expansion Project (Block 99) Update
- C. PC Campus Expansion Project (Block 99) – Administration Building Threat Assessment Recommendations

ITEMS FROM PLANNING & ZONING

MOVED by Trautman and seconded by Buskerud to convene as a Board of Adjustment. Vote: Unanimous.

- A. VARIANCE / VA 13-13: Rapid City DSDP VIII, LLC; Austin Rogers – Agent. To reduce the minimum required parking spaces for a retail area from 36 to 30 in accordance with Sections 209, 310-A-2, and 509 of the Pennington County Zoning Ordinance.

The following describes a parcel of real property being a portion of Tract 1, less Utility Lot 1, less Lot B, less Lot WR of the NE1/4NE1/4, less Lots H1, H2, H3, H4 and less ROW of Longview Road, all in Paul Subdivision, Section 15, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County, South Dakota, being more particularly described as follows: COMMENCING at the Southeast corner of Lot H-4 of Tract 1 of Paul Subdivision recorded in Book 11 of Highway Plats at Page 173, said corner marked by a 5/8” rebar capped “LS 3712”; THENCE; along the southerly boundary line of said Lot H-4, also being the southerly Right-of-Way line of Longview Road, South 87°54’00” East, 242.58 feet to a found 5/8” rebar capped “LS 3712” marking the Southwest corner of said Lot H-4; THENCE; leaving said southerly boundary line along the westerly boundary line of said LOT H-4, South 02°06’47” West, 11.22 feet to a point on the southerly Right-of-Way of Longview Road; THENCE; leaving said westerly boundary line, along said southerly Right-of-Way line, also being the Southerly boundary line of Lot H1 as shown on the official plat thereof on file in the Pennington County Register of Deeds office in Book 11 of Plats at Page 67, North

87°53'13" West, 112.49 feet to a set 5/8" rebar capped " CETEC LS 4725" marking the beginning of a curve to the left; THENCE; along said curve to the left 90.79 feet to a set 5/8" rebar capped "LS 4215" marking the Northwest corner of said Lot C, said curve having a central angle of 37°03'34", a radius of 460.00 feet, and being subtended by a chord which bears South 86°36'37" West, a distance of 90.64 feet to the POINT OF BEGINNING; THENCE; leaving said southerly Right-of-Way line, along the northerly boundary line of said Lot C, South 49°16'36" East, 168.91 feet to a set 5/8" rebar capped "LS 4725" marking the Northeast corner of said Lot C; THENCE; leaving said northerly boundary line, along the easterly boundary line of said Lot C, South 40°43'03" West, a distance of 271.80 feet to a set 5/8" rebar capped "LS 4725" marking the Southeast corner of said Lot C, said point also being on the northerly Right-of-Way line of SD Highway 44; THENCE; leaving said easterly boundary line, along the southerly boundary line of said Lot C, also being the northerly Right-of-Way line of said SD Highway 44, North 49°15'59" West, a distance of 277.06 feet to a set 5/8" rebar marking the southwest corner of said Lot C, said corner also marks the intersection of the Right-of-Way lines for said Longview Road and said SD Highway 44; THENCE; leaving said southerly boundary line, and said northerly Right-of-Way line, along the southeasterly Right-of-Way of said Longview Road, also being the westerly boundary line of lot C, 297.53 feet along the arc of a curve to the right, said curve having a central angle of 37°03'34", a radius of 460.00 feet and being subtended by a chord which bears North 62°25'35" East, a distance of 292.37 feet to the POINT OF BEGINNING; The above-described parcel of real property contains 65,282.32 Sq. Ft., 1.498 Acres, more or less and is SUBJECT TO a 15 foot wide Right-of-Way Easement granted to the Rapid Valley Irrigation Ditch Company being centered on the centerline of the Murphy Ditch, said Easement is recorded in Book 15 at Page 8318 of Miscellaneous Record, Pennington County Records Office; Also SUBJECT TO an Access and Culvert Maintenance Easement granted to the Rapid Valley Irrigation Ditch Company for the maintenance of a 48 inch pipe and the aforementioned Murphy Ditch, said Easement is recorded in Book 16 at Page 5460 of Miscellaneous Records, Pennington County Records Office; Also SUBJECT TO all easement and reservations of record.

MOVED by Holloway and seconded by Davis to approve Variance 13-11. The motion failed on a 3-2 vote (4 affirmative votes needed for approval). Roll call: Buskerud – no, Davis – yes, Holloway – yes, Trautman – no, Petersen – yes.

MOVED by Buskerud and seconded by Davis to adjourn as the Board of Adjustment and reconvene as the Board of Commissioners. Vote: Unanimous.

Commissioner Trautman left the meeting.

ITEMS FROM EMERGENCY SERVICES COMMUNICATIONS CENTER

MOVED by Davis and seconded by Buskerud to approve Item A, Joint Powers Agreement – City of Rapid City, and Item B, Joint Powers Agreement – SD Department of Public Safety. Vote: Unanimous.

- A. Approve the revised Joint Powers Agreement with the City of Rapid City for Emergency Services Communications and authorize the Chairperson's signature thereto.
- B. Approve the Joint Powers Agreement to provide dispatch services to the South Dakota Department of Public Safety, effective December 15, 2013, and authorize the Chairperson's signature thereto.

ITEMS FROM EMERGENCY MANAGEMENT

- A. Livestock Loss Drop Points: MOVED by Buskerud and seconded by Davis to close the livestock drop points effective November 14, 2013, or as soon as thereafter as heavy equipment is available. Vote: Unanimous.
- B. Debris Removal: MOVED by Holloway and seconded by Buskerud to confirm that Pennington County is not doing curbside pickup of debris. Vote: Unanimous.

ITEMS FROM EQUALIZATION

- A. Staffing Report

ITEMS FROM HIGHWAY DEPARTMENT

- A. Award Recommendation – Tree Removal: MOVED by Buskerud and seconded by Davis to award the bid for Tree Removal for Winter Storm Atlas to the low bidder as follows: Tree Removal Project Area 1 to Eco Timber, 216 10th Avenue, Belle Fourche, SD 57717, in the amount of \$26,175; Tree Removal Project Area 2 to Eco Timber in the amount of \$19,800; Tree Removal Project Area 3 to Eco Timber in the amount of \$9,225. Bid documents are on file at the Highway Department. Vote: Unanimous.
- B. Resolution 11-05-2013 – Award Recommendation for Project P 6403(8) PCN 02 DP – Deerfield Road Project: MOVED by Davis and seconded by Buskerud to approve Resolution 11-05-2013 and authorize the Chairperson's signature thereto. Vote: Unanimous.

RESOLUTION 11-05-2013

WHEREAS, the Abstract of Bids furnished by the South Dakota Department of Transportation for Item 1, October 16, 2013 Letting: Project P 6403(8), PCN 02DP, Pennington County, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Slide Repair, Guardrail and Pavement Marking, reflects Bituminous Paving, Inc., of Ortonville, MN, to be the low bidder of four (4) bidders, with a proposal of \$2,828,768,81; and

WHEREAS, the bid is \$126,604.59 or 4.3% below the Engineer's Estimate of \$2,955,373.40; and

WHEREAS, the South Dakota Transportation Commission on October 16, 2013, awarded the contract to Bituminous Paving, Inc., of Ortonville, MN, subject to the approval of the Board of County Commissioners of Pennington County; and

WHEREAS, the South Dakota Department of Transportation requests a Resolution passed by the Pennington County Board of Commissioners either awarding the contract or rejecting all bids;

NOW THEREFORE BE IT RESOLVED, the Pennington County Board of Commissioners recommends awarding the Contract to Bituminous Paving, Inc., of Ortonville, MN, in the amount of \$2,828,768.81.

Dated this 5th day of November, 2013.

/s/ Lyndell Petersen, Chairperson

ATTEST: (SEAL)

/s/ Julie Pearson, Auditor

ITEMS FROM HUMAN RESOURCES

- A. County Employee Handbook – Pay Period Survey: MOVED by Holloway and seconded by Buskerud to approve the County Employee Handbook as presented. Vote: Unanimous.

ITEMS FROM HEALTH CARE TRUST BOARD

- A. Wellmark Blue Cross and Blue Shield of South Dakota Binder Agreement
- B. Wellmark Blue Cross and Blue Shield of South Dakota Flexible Benefits Employer Application
- C. Wage Works Funding Agreement
- D. Delta Dental of South Dakota Application for Group Dental Plan

MOVED by Holloway and seconded by Buskerud to approve Items A-D and authorize the Chairperson's signature on necessary documents, and further moved that Item A shall include the switch to Wellmark Pharmacy benefits. Vote: Unanimous.

SHERIDAN LAKE ROAD RECONSTRUCTION – BRAD DOCKEN

No action was taken on this item.

REQUEST FOR APPROVAL OF 2ND APPROACH – JAMES GIBBON

MOVED by Holloway and seconded by Davis to approve the request from James Gibbon for a second approach to the property located at 7385 Kingbird Court. Vote: Unanimous.

REQUEST TO WAIVE REQUIREMENTS FOR ROAD CONSTRUCTION WITHIN SECTION RIGHT-OF-WAY – WADE GREEN

MOVED by Buskerud and seconded by Petersen to approve the request from Wade Green to waive the requirement for engineered road plans for road construction within a section line right-of-way. Vote: Unanimous.

PLANNING & ZONING CONSENT AGENDA

The following items have been placed on the Consent Agenda for action to be taken on all items by a single vote of the Board of Commissioners. Any item may be removed from the Consent Agenda for separate action.

MOVED by Davis and seconded by Buskerud to approve Planning & Zoning Consent Agenda Items B-G as presented. Vote: Unanimous.

- B. PLANNED UNIT DEVELOPMENT REVIEW / PU 06-07: Black Hills Resorts, Inc. (Cimarron Park); Art Janklow – Agent. To review a Planned Unit Development to allow a mobile home park in accordance with Section 213 of the Pennington County Zoning Ordinance.

Tract C of Lot B of NE1/4 NW1/4 less Pengra Subdivision, Section 17, T2N, R7E, BHM, Pennington County, South Dakota.

Continue PU 06-07 to the December 17, 2013, Board of Commissioners' meeting.

- C. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 13-18 AND COMPREHENSIVE PLAN AMENDMENT / CA 13-12: Larry Teuber / School House, LLC; Renner & Associates – Agent. To rezone 2.1 acres from Suburban Residential District to Limited Agriculture District and to amend the Pennington County Comprehensive Plan to change the Future Land Use Map from Suburban Residential District to Limited Agriculture District in accordance with Sections 206 and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description: A portion of Lot 2R, Block 4, Spring Canyon Estates, Section 5, T1S, R7E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at a corner on the northerly boundary of Lot 2R, Block 4, Spring Canyon Estates, common to the northeasterly corner of Lot 1, Block 4, Spring Canyon Estates, common to a point on the southerly edge of Clarkson Road right-of-way, and the point of beginning; Thence, first course: S54°32'59"E, along the northerly boundary of said Lot 2R, common to the southerly edge of said right-of-way, a distance of 142.05 feet; Thence, second course: S03°31'20"E, a distance of 78.16 feet; Thence, third course: S40°44'38"W, a distance of 192.59 feet; Thence, fourth course: S63°27'08"W, a distance of 169.92 feet; Thence, fifth course: S26°00'49"W, a distance of 33.00 feet, a point on the southerly boundary of said Lot 2R; Thence, sixth course: N63°59'40"W, along the southerly boundary of said Lot 2R, a distance of 97.52 feet, to a corner on the westerly boundary of said Lot 2R; Thence, seventh course: N26°00'15"E, along the westerly boundary of said Lot 2R, a distance of 33.00 feet, to a corner on the westerly boundary of said Lot 2R; Thence, eighth course: N10°53'21"W, along the westerly edge of Lot 2R, a distance of 200.55 feet, to a corner on the westerly boundary of said Lot 2R, common to the southeasterly corner of said Lot 1; Thence, ninth course: N76°55'43"E, along the westerly edge of said Lot 2R, common to the easterly boundary of said Lot 1, a distance of 231.09 feet, to a corner on the westerly boundary of said Lot 2R, common to a corner on the easterly boundary of said Lot 1; Thence, tenth course: N32°32'36"E, along the westerly edge of said Lot 2R, common to the easterly edge of said Lot 1, a distance of 107.11 feet, to the said point of beginning. Said Parcel contains 2.100 acres more or less.

Approve the first reading of Rezone / RZ 13-18 and Comprehensive Plan Amendment / CA 13-12.

- D. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 13-15 AND COMPREHENSIVE PLAN AMENDMENT / CA 13-09: Neil Tschetter. To rezone .26 acre from General Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Suburban Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Lot 10 (of Gov't Lot 9), Black Forest Village, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

Continue the first reading of Rezone / RZ 13-15 and Comprehensive Plan Amendment / CA 13-09 to the November 19, 2013, Board of Commissioners' meeting.

- E. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 13-13 AND COMPREHENSIVE PLAN AMENDMENT / CA 13-07: Mitch Morris. To rezone 151.36 acres and 30.49 acres from General Agriculture District and Light Industrial District to General Commercial District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to General Commercial District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Being 151.36 acres of land located in the E1/2 of Section 32, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County, South Dakota, said 151.36 acres of land being more particularly described by metes and bounds as follows, all measurements are to be considered as being followed by the words "more or less"; BEGINNING at the southwest corner of Lot 1 of the SW1/4 SE1/4 of Section 32, Township 1 North, Range 8 East of the Black Hills Meridian, on the south line of Section 32 at the intersection of the east right-of-way line of South Dakota Highway 79; Thence, North 06°32'53" West, along the west line of said Lot 1 of the SW1/4 SE1/4 of Section 32 and east right-of-way line of SD Highway 79, a distance of 4310.98 feet to a point on the easterly line of Lot A of the NW1/4 NE1/4 of Section 32 as shown on plat recorded in Highway Plat Book 9, Page 93, in the office of the Pennington County Register of Deeds, in a curve from which the center of curvature bears North 48°17'34" West a distance of 103.00 feet; Thence, southwesterly, following the easterly line of said Lot A of the NW1/4 NE1/4 of Section 32, along a curve to the right having a radius of 103.00 feet, a central angle of 35°53', for an arc distance of 64.51 feet to a point of tangency; Thence, South 77°35'27" West, continuing to follow the easterly line of said Lot A of the NW1/4 NE1/4 of Section 32, a distance of 4.12 feet to a point for corner on the east right-of-way line of SD Highway 79, in a curve from which the center of curvature bears South 73°13'38" West a distance of 3920 feet; Thence, northwesterly, along a curve to the left having a radius of 3920 feet, a central angle of 00°29'02", for an arc length of 33.11 feet to point for corner on the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32; Thence, North 77°35'27" East, following the centerline of the alignment of said Lot A of the

NW1/4 NE1/4 of Section 32, a distance of 6.78 feet to a point of curvature; Thence, northeasterly, continuing to follow the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, along a curve to the left having a radius of 70.00 feet, a central angle of 84°05'03", for an arc length of 102.73 feet to a point of tangency; Thence, North 06°29'36" West, continuing to follow the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, a distance of 606.16 feet to a point of curvature; Thence, northwesterly, continuing to follow the centerline of the alignment of said Lot A of the NW1/4 NE1/4 of Section 32, along a curve to the left having a radius of 1432.39 feet, a central angle of 05°45'52", for an arc length of 144.11 feet to point for corner on the west line of the E1/2 of Section 32; Thence, North 00°01'24" East, along the west line of the E1/2 of Section 32, a distance of 206.71 feet to the northwest corner of the E1/2 of Section 32; Thence, South 89°48'35" East, along the north line of the E1/2 of Section 32, a distance of 2656.84 feet to the northeast corner of Section 32; Thence, South 00°04'45" West, along the east line of Section 32, a distance of 500.00 feet to a point for corner; Thence, North 89°48'35" West, parallel to and 500 feet distant from the north line of the E1/2 of Section 32, a distance of 1514.54 feet to a point for corner; Thence, South 06°22'35" East, a distance of 4844.00 feet to a point for corner on the south line of the E1/2 of Section 32; Thence, North 89°36'35" West, along the south line of the E1/2 of Section 32, a distance of 1088.72 feet to the POINT OF BEGINNING and containing 151.36 acres, more or less, of land.

Being 30.49 acres of land located in the N1/2 NW1/4 of Section 33, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County, South Dakota, said 30.49 acres of land being more particularly described by metes and bounds as follows, all measurements are to be considered as being followed by the words "more or less"; BEGINNING at the northwest corner of Section 33, Township 1 North, Range 8 East of the Black Hills Meridian; Thence, South 89°51'35" East, along the north line of the NW1/4 of Section 33, a distance of 2656.84 feet to the northeast corner of the NW1/4 of Section 33; Thence, South 00°08'05" West, along the east line of the NW1/4 of Section 33, a distance of 500.00 feet to a point for corner; Thence, North 89°51'35" West, parallel to and 500 feet distant from the north line of the NW1/4 of Section 33, a distance of 2656.35 feet to a point for corner on the west line of the NW1/4 of Section 33; Thence, North 00°04'45" East, a distance of 500.00 feet to the POINT OF BEGINNING and containing 30.49 acres, more or less, of land.

Continue the first reading of Rezone / RZ 13-13 and Comprehensive Plan Amendment / CA 13-07 to the November 19, 2013, Board of Commissioners' meeting.

- F. PLANNED UNIT DEVELOPMENT REVIEW / PU 08-01: Clair Voshall. To review a Planned Unit Development to allow three existing mobile homes, a home occupation, and outbuildings in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 1, Voshall Addition, Section 10, T2S, R6E, BHM, Pennington County, South Dakota.

Approve the extension of Planned Unit Development / PU 08-01 with the following eight (8) conditions:

1. That this Planned Unit Development allows for a 3.02 acre parcel with no more than three mobile homes and existing outbuildings;
2. That, if at any time, one of the mobile homes becomes inhabitable, the property owner must remove it immediately;
3. That approval of this Planned Unit Development does not hold Pennington County liable for any damages and/or losses during the event of a flood;
4. That this Planned Unit Development be valid only for the current existing uses; any expansion or change that requires a Building Permit, the property must be rezoned;
5. That each mobile home be addressed and the addresses must be posted per Ordinance 20 Standards at both the road and driveway;
6. That a Floodplain Development Permit be obtained prior to the placement of any structure within the boundaries of the 100-year floodplain;
7. That a minimum of four (4) off-street parking spaces be provided and that each parking space shall not be less than one hundred sixty two square feet, nor nine feet by eighteen feet, surfaced with gravel, concrete or asphalt and maintained in such a manner that no dust will result from continuous use; and,
8. That the Planned Unit Development be reviewed in four (4) years or on a complaint basis.

G. VACATION OF EASEMENT / VE 13-02: Aaron Olson. To vacate a portion of the access and utility easements located along the interior of Lots 7 and 8 of Tract A of Sunnyside Acres Subdivision in accordance with the Pennington County Zoning Ordinance.

Lots 7 and 8 of Tract A, Sunnyside Acres Subdivision, Section 25, T2N, R4E, and Section 30, T2N, R5E, BHM, Pennington County, South Dakota.

Approve Vacation of Easement / VE 13-02 with one (1) condition: 1. That the Vacation of Access and Utility Easements exhibits and resolution be filed and recorded with the Register of Deeds.

End of Consent Agenda

REGULAR PLANNING & ZONING ITEMS

H. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 13-19: James and Charlette Steele; Fisk Land Surveying – Agent. To rezone 25 acres from General Agriculture District to Limited Agriculture District in accordance with Sections 206 and 508 of the Pennington County Zoning Ordinance.

NW1/4SE1/4SE1/4; NE1/4SE1/4SE1/4; and S1/2SE1/4NE1/4SE1/4, in Section 25, T2N, R6E, BHM, Pennington County, South Dakota.

MOVED by Buskerud and seconded by Davis to continue the first reading of Rezone / RZ 13-19 to the November 19, 2013, Board of Commissioners' meeting. Vote: Unanimous.

MOVED by Davis and seconded Buskerud to continue Items I and J to the March 4, 2014, Board of Commissioners' meeting. Vote: Unanimous.

I. THE SPRING CREEK WATERSHED MANAGEMENT AND PROJECT IMPLEMENTATION PLAN – ADVISORY GROUP RECOMMENDATIONS.

J. THE SPRING CREEK WATERSHED MANAGEMENT AND PROJECT IMPLEMENTATION PLAN – PARTICIPANT AGREEMENTS.

ITEMS FROM CHAIR

A. 2013 Annual Evaluation of 4-H Youth Program Advisor: MOVED by Buskerud and Davis to support a favorable evaluation for Tiffany Meyer. Vote: Unanimous.

EXECUTIVE SESSION per SDCL 1-25-2

The second executive session was not needed.

PERSONNEL

Treasurer: Effective 10/21/2013 – K. Bonawitz at \$13.96/hr.

Information Technology: Effective 11/18/2013 – N. Mertes, \$20.63/hr.

State's Attorney: Effective 11/1/2013 – K. McArthur Harris, \$4790.60

PAYROLL

Commissioners, 12,341.99; Human Resources, 4,747.58; Elections, 13,124.16; Auditor - liens, 2,997.59; Auditor, 19,365.72; Treasurer, 47,630.40; Data Processing - General, 46,834.80; State's Attorney, 141,101.30; Public Defender, 111,130.83; Juvenile Diversion, 11,525.64; Victim's Assistance, 5,387.37; Buildings & Grounds, 95,616.54; Equalization, 68,603.00; Register of Deeds, 25,530.54; Sheriff, 346,888.91; Service Station, 8,335.53; HIDTA Grant, 9,008.57; Jail, 470,700.22; Jail Work Program, 4,530.23; Coroner, 339.61; Hill City Law, 11,037.85; Keystone Law, 5,236.03; New Underwood – Law, 4,069.91; School Liaison, 13,792.78; Wall Law, 10,355.41; Home Detention, 11,729.61; Alcohol & Drug, 107,506.09; Friendship House, 71,416.65; Economic Assistance, 55,000.03; Mental & Alcohol-SAO, 8,049.84; Mental & Alcohol-HHS, 2,587.20; Extension, 2,587.20; Weed & Pest, 9,067.90; Mountain Pine Beetle, 15,630.56; Planning and Zoning, 21,281.29; Water Protection, 5,727.29; Ordinance, 3,632.01; Juvenile Services Center, 190,006.44; Highway, 145,745.98; Drug Seizure, 1,983.37; Fire Administration, 4,857.43; Dispatch, 195,485.00; Emergency Management, 138,478.12; Emergency Management, 2,379.12; 24-7 Program, 15,094.46; PCCC Building Projects, 2,663.89.

VOUCHERS

Amcon Distributing Co, 407.30; ATT, 9.22; BH Power Inc, 749.93; CBIZ Payroll Inc, 1,051.56; CBM Food Service, 5,110.22; City Of Rapid City Water, 937.72; First Administrators Inc, 55,615.17; Midcontinent Communications, 650.00; Rapid Valley Sanitary, 187.85; West River

Electric, 324.56; WOW Internet Cable And Phone, 383.81; The Hartford, 2,562.30; ATT Mobility, 216.48; BH Power Inc, 3,086.28; BH Power Inc, 202.55; CBM Food Service, 4,877.87; Century Link, 117.28; Century Link, 3.55; City Of Box Elder, 65.58; City Of Rapid City Water, 17,814.06; Executive Mgmt Fin Office, 19.00; First Administrators Inc, 158,388.15; Montana Dakota Utilities, 5,290.64; Verizon Wireless, 5,091.24; Verizon Wireless, 106.98; Verizon Wireless, 414.94; Verizon Wireless, 76.06; Verizon Wireless, 67.40; Verizon Wireless, 104.94; West River Electric, 277.14; WOW Internet Cable And Phone, 4,614.43; First Administrators Inc, 6,350.40; First Administrators Inc, 152,037.75; ATT Mobility, 219.99; BH Power Inc, 10,044.36; Century Link, 188.69; City Of Box Elder, 154.17; City Of Hill City, 17.05; City Of Wall, 135.00; First Administrators Inc, 40,419.69; First Interstate Bank, 8,215.79; Golden West Companies, 763.08; Golden West Technologies, 40.40; Kreun Kustom, 4,780.00; Verizon Wireless, 287.64; Verizon Wireless, 87.07; Verizon Wireless, 84.82; Verizon Wireless, 51.36; Verizon Wireless, 134.18; West River Electric, 1,203.35; WOW Internet Cable And Phone, 2,045.66.

ADJOURN

MOVED by Buskerud and seconded by Davis to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting was adjourned at 12:34 p.m.

Julie A. Pearson, Auditor

Published once at a cost of ____.

Publish: November 20, 2013