

**PENNINGTON COUNTY
BOARD OF COMMISSIONERS' MINUTES
March 3, 2015**

The Pennington County Board of Commissioners met on Tuesday, March 3, 2015, in the Commission Chambers in the County Administration Building at 130 Kansas City Street, Rapid City, South Dakota. Chairperson Lyndell Petersen called the meeting to order at 9:00 a.m. with the following Commissioners present: George Ferebee, Deb Hadcock and Nancy Trautman; Commissioner Ron Buskerud joined by teleconference. Pursuant to SDCL 1-25-1.2, votes were taken by roll call.

APPROVAL OF THE AGENDA

MOVED by Trautman and seconded by Hadcock to approve the agenda as presented. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

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 Hadcock and seconded by Ferebee to approve Consent Agenda Items 5, 6, and 9 as presented with Item 7 to be considered as Item E under Items from Equalization and Item 8 removed for separate consideration. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

5. Approve the minutes of the February 17, 2015, Board of Commissioners' meeting.
6. 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 \$114,566.92.
7. Moved to Items From Equalization.
8. Removed for separate consideration
9. Appoint Bert Jocks, representing Area 1, and Brian Barber, representing Area 2, to the Weed & Pest Board for three year terms.

Removed for Separate Consideration

8. MOVED by Ferebee and seconded by Trautman to approve the Resolution Authorizing a Fire Protection Agreement and Designation of Personnel to Request Range Fire Suppression Assistance from the SD State Division of Wildland Fire Suppression. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

**PENNINGTON COUNTY COMMISSION RESOLUTION - AUTHORIZING A FIRE
PROTECTION AGREEMENT AND DESIGNATION OF PERSONNEL WITH
AUTHORITY TO REQUEST FIRE SUPPRESSION ASSISTANCE**

WHEREAS, the State of South Dakota may enter into cooperative agreements with counties for the provision of assistance in fire prevention and suppression efforts pursuant to SDCL §§ 41-20-4, 41-20-8, 41-20-8.1 and the Joint Powers provisions of SDCL Chap. 1-24, and

WHEREAS, Pennington County may cooperate with the Secretary of Agriculture for the protection of range, farm and forest lands in Pennington County from fire pursuant to SDCL §§ 34-31-1, 34-31-2 and the Joint Powers provisions of SDCL Chap. 1-24, and

WHEREAS, such cooperative assistance between the State of South Dakota and Pennington County is highly desirable and increases the effectiveness of the protection of range, farm and forest lands in Pennington County from wildfire, and

WHEREAS, pursuant to SDCL § 41-20-8.1, the South Dakota Wildland Fire Coordinator may assist in the suppression of rangeland fires within the county upon request of a Board of County Commissioners or its designee, and

WHEREAS, the South Dakota Wildland Fire Coordinator has requested that a person(s) be officially designated by the Pennington County Commission to make such requests, and

WHEREAS, at the time of a fire emergency there is insufficient time to convene the Board of Pennington County Commissioners to make such requests, and

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Pennington County Board of Commissioners that Pennington County enter into a County Rangeland Fire Protection Agreement with the State of South Dakota Department of Agriculture to cooperate in fire prevention and suppression efforts, and

BE IT HEREBY FURTHER RESOLVED, that the list of individuals set forth below are hereby authorized to request assistance, on behalf of Pennington County, for suppression of rangeland fires within Pennington County as specified in SDCL § 41-20-8.1. The authority to request assistance as herein provided shall continue in full force and effect until terminated or modified by resolution of the Pennington County Board of Commissioners.

Pennington County Fire Assistance Authorization:			
Effective: March 3, 2015			
Individual	Position	Office Phone	Emergency Phone
Dennis Gorton	Fire Administrator	394-5367	394-4139
Jeremy Walla, Whispering Pines Asst. Chief	Chair, Fire Service Board	390-2619	394-4139
Todd Tobin, Silver City Asst. Chief	Vice-chair, Fire Service Board	484-5795	394-4139
Lyndell Petersen	Chair, County Commission	394-2171	394-4139
Dustin Willett	Emergency Management Coord.	394-2185	394-4139

Alexa White	Asst. Emergency Management Coord.	394-2185	394-4139
Kevin Thom	Sheriff	394-6113	394-2151
Capt. Jay Evenson	Deputy Sheriff	394-6113	394-2151
Chief Deputy Brian Mueller	Deputy Sheriff	394-6113	394-2151
Capt. Marty Graves	Deputy Sheriff	394-6113	394-2151
Capt. Cory Brubakken	Deputy Sheriff	394-6113	394-2151
Chief Deputy Willie Whelchel	Deputy Sheriff	394-6113	394-2151
Leandra Hollinshead	Director, ESCC	394-2662	394-4139
Ted Ruffledt	Asst. Director, ESCC	394-6794	394-4139

Duly passed and adopted at a regular meeting of the Pennington County Commission on the 3rd day of March, 2015.

PENNINGTON COUNTY COMMISSION:

/s/ Lyndell Petersen, Chairperson

ATTEST: (SEAL)

/s/ Julie A. Pearson, Pennington County Auditor

End of Consent Agenda Items

ADOPT A HIGHWAY CERTIFICATES OF APPRECIATION

The Highway Department presented Adopt-A-Highway Certificates of Appreciation to the following organizations for their efforts in keeping highway right-of-ways clean: 28th Security Forces Squadron, Alpha Flight; American Institute of Chemical Engineers; Cosmopolitan Club; Cub Scout Pack 74; EAFB Active Airmen’s Council; Hart Ranch Resort; Materials Advantage/SDSM&T Metallurgical Engineering, Phi Eta Sigma, SDSM&T; Silver City Fire Department and WL Plastics.

COMMITTEE INTERVIEWS & APPOINTMENT

A. VACATION HOME RENTAL COMMITTEE: MOVED by Ferebee and seconded by Buskerud to appoint four previous members of the Vacation Home Rental Committee: Joyce Sugrue, Corey Tomovick, Rita Chapman and Jeff Sugrue and three new members: Jim Peterson, Jeff Roller and Patrick Breen. It was further moved to appoint Jim Cowan as chairperson and direct Planning staff to provide administrative services.

Substitute motion: MOVED by Hadcock to appoint Jeff Roller and advertise for a non-voting chair for the Vacation Home Rental Committee. The motion died for lack of second.

The original motion failed 4-1 on a roll call vote: Buskerud – no, Ferebee – yes, Hadcock – no, Trautman – no, Petersen – no.

MOVED by Trautman and seconded by Hadcock to appoint Patrick Breen to serve on the Vacation Home Rental Committee. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

CENTRAL STATES FAIR UPDATE AND STOCK SHOW RECAP – RON JEFFRIES

RAPID CITY CHAMBER OF COMMERCE ANNUAL DUES & RAPID CITY ECONOMIC DEVELOPMENT ANNUAL SUBSIDY – COMMISSIONER BUSKERUD

MOVED by Buskerud and seconded by Hadcock to suspend payment of the 2015 subsidy to Rapid City Economic Development Partnership and the 2015 annual dues to the Rapid City Chamber of Commerce based upon SDCL 12-27-20, which prohibits the expenditure of public funds to influence the outcome of an election. The motion carried 3-2 on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – no, Petersen – no.

ITEMS FROM EQUALIZATION

A. ASSESSMENT PROCESS PRESENTATION

B. ABATEMENT APPLICATIONS – CITY OF WALL, CITY OF NEW UNDERWOOD, PENNINGTON COUNTY

City of Wall: MOVED by Hadcock and seconded by Trautman to approve the 2012 abatement/refund for Wall Drug Store, Tax ID 8011528, in the amount of \$158.00. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Hadcock – yes, Trautman – yes, Petersen – yes.

City of New Underwood: MOVED by Hadcock and seconded by Trautman to approve the 2014 abatement for Britney C. Vandermay, Tax ID 5504, in the amount of \$419.63. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Hadcock – yes, Trautman – yes, Petersen – yes.

Pennington County: MOVED by Trautman and seconded by Buskerud to approve the 2015 abatement/refund for Gary D. Curl, Tax ID 8004589, in the amount of \$23.43. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Hadcock – yes, Trautman – yes, Petersen – yes.

MOVED by Trautman and seconded by Petersen to approve the 2014 abatements/refunds for PF Properties LLC, Tax ID 801930, in the amount of \$792.24 and Archie L. Johnson, Tax ID 8001991, in the amount of \$288.20. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Hadcock – yes, Trautman – yes, Petersen – yes.

MOVED by Hadcock and seconded by Trautman to approve the abatement for Ian Vidinha, Tax ID 64475, in the amount of \$540.80. Roll Call Vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

- C. BOARD CONSIDERATION TO RESCIND COMMISSION ACTION TAKEN ON FEBRUARY 3, 2015, GRANTING ABATEMENT FOR TAX ID 22505 FOR KEVIN H MALON: MOVED by Hadcock and seconded by Trautman to rescind the Board of Commissioners' action taken on February 3, 2015, granting the abatement for Tax ID 22505 for Kevin Malon. Roll Call vote: Buskerud – yes, Ferebee - yes, Hadcock – yes, Trautman – yes, Petersen – yes.
- D. ABATEMENT APPLICATION – KEVIN MALON: MOVED by Hadcock and seconded by Buskerud to deny the 2014 abatement for Kevin Malon, Parcel ID 22505, because the classification change should have been appealed during equalization hearings. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Hadcock – yes, Trautman – yes, Petersen – yes.
- E. WITHDRAWAL OF ABATEMENT – TILLISCH: MOVED by Buskerud and seconded by Trautman to acknowledge the withdrawal of the abatement application for Stanley Tillisch at his request. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Hadcock – yes, Trautman – yes, Petersen – yes.

ITEMS FROM HEALTH & HUMAN SERVICES

- A. OVERVIEW OF THE MENTAL HEALTH INVOLUNTARY COMMITMENT AND JAIL INMATE SERVICES BUDGET OVERSIGHT

ITEMS FROM HIGHWAY DEPARTMENT

- A. ANNUAL BID RECOMMENDATIONS: Please note that vendor addresses are only listed one time if there are multiple awards. All bid documents are available at the Highway Department.

Commissioner Hadcock left the meeting.

Project AC 2015-1 Asphalt Concrete Overlay Project: MOVED by Trautman and seconded by Buskerud to award AC 2015-1 to Hills Materials Company, PO Box 2320, Rapid City, SD, in the amount of \$291,498.00. Roll call vote: Buskerud – yes, Ferebee – yes, Trautman – yes, Petersen – yes.

AC 2015-2 Asphalt Concrete Overlay Project: MOVED by Trautman and seconded by Buskerud to award AC 2015-2 to Bituminous Paving Inc., PO Box 6, Ortonville, MN, in the amount of \$840,321.80. Roll call vote: Buskerud – yes, Ferebee – yes, Trautman – yes, Petersen – yes.

AST 2015 Asphalt Surface Treatment Project: MOVED by Trautman and seconded by Buskerud to award AST 2015 to Hills Materials Company, Rapid City, SD, in the amount of \$495,699.24. Roll call vote: Buskerud – yes, Ferebee – yes, Trautman – yes, Petersen – yes.

Commissioner Hadcock returned to the meeting.

ASC 2015 Asphalt Surface Crack Sealing Project: MOVED by Buskerud and seconded by Trautman to award ASC 2015 to Highway Improvement Inc., PO Box 1803, Sioux Falls, SD in the amount of \$176,094.82. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

AGG 2015-1 Aggregate Haul and Place Project (Big Foot Road, 195th Ave., 196th Ave., and 239th St.): MOVED by Hadcock and seconded by Trautman to award AGG 2015-1, Alternative B, to Bob Bak Construction Inc., Box 159, Pierre, SD, in the amount of \$444,800.00. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

AGG 2015-2 Aggregate Stockpile Project (Robertson Pit): MOVED by Hadcock and seconded by Trautman to award AGG 2015-2 to KD Contractors Inc., PO Box 870, Hot Springs, SD, in the amount of \$134,550.00. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

AGG 2015-3 Aggregate Stockpile Project (Wasta Area): MOVED by Trautman and seconded by Hadcock to uphold staff recommendation to award AGG 2015-3 to Western Construction Inc., PO Box 771, Rapid City, SD, in the amount of \$111,250.00. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

Annual Supplies: MOVED by Hadcock and seconded by Trautman to award annual supplies as recommended by the Highway Department. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

Aggregate Materials

- Award Aggregate Materials, Item No. 1, three-inch Ballast (Limestone), to Hills Materials Company, Rapid City, SD, and Talley Construction Inc., 24045 Twin Springs Road, Hill City, SD, based on location;
- Award Aggregate Materials, Item No. 2, one-inch Base Course Aggregate Material, to Pete Lien and Sons Inc., 3401 Universal Drive, Rapid City, SD, and Talley Construction, Inc., Hill City, SD, based on location;
- Award Aggregate Materials, Item No. 3, three-quarter inch Base Course Aggregate Material, to Pete Lien and Sons Inc., Rapid City, SD, and Talley Construction Inc., Hill City, SD, based on location;
- Award Aggregate Materials, Item No. 4, Type 2A (3/8 Inch) Bituminous Surface Treatment Aggregate Material, to Pete Lien and Sons, Inc., Rapid City, SD;
- Award Aggregate Materials, Item No. 6, Three-quarter Inch Gravel Cushion Aggregate Material, to Pete Lien and Sons, Inc., Rapid City, SD;
- Award Aggregate Materials, Item No. 7, three-quarter Inch Gravel Surfacing Aggregate Material, to Talley Construction, Inc., Hill City, SD.

Asphalt Concrete Composite

- Award Asphalt Concrete Composite to J & J Asphalt, PO Box 7105, Rapid City, SD.

Asphalt Maintenance Materials

- Award Asphalt Maintenance Materials, Item No. 1, Asphalt Concrete, Class E, Type 1, to Hills Materials Company, Rapid City, SD;
- Award Asphalt Maintenance Materials, Item No. 2, Asphalt Concrete, Class E, Type 2, to Hills Materials Company, Rapid City, SD;
- Award Asphalt Maintenance Materials, Item No. 3, Asphalt Concrete, Class S, Type 2, to Hills Materials Company, Rapid City, SD;
- Award Asphalt Maintenance Materials, Item No. 4, Cold Mix Maintenance Mixture, to J & J Asphalt, Rapid City, SD.

Concrete Products

- Award Concrete Products to Cretex Concrete Products West, Inc., PO Box 1620, Rapid City, SD. (Only one (1) bid received).

Cutback and Emulsified Asphalt

- Award Cutback and Emulsified Asphalt to Hills Materials Company, Rapid City, SD. (Only one bid received).

De-Icing Sand

- Award De-Icing Sand to Pete Lien and Sons, Inc., Rapid City, SD. (Only one bid received).

Fencing

- Award Fencing to M & M Fencing, 714 Northridge Drive, Rapid City, SD.

Guardrail

- Award Guardrail to Hilt Construction, Inc., PO Box 9338, Rapid City, SD. (Only one bid received).

Seeding, Fertilizing, Mulching and Erosion Control Blanket

- Award Seeding, Fertilizing, Mulching and Erosion Control Blanket to M & M Fencing, Rapid City, SD.

Timber Bridge Materials

- Award Timber Bridge Materials to Wheeler Lumber LLC, PO Box 8, Whitewood, SD. (Only one bid received).

Traffic Control Materials

- Award Traffic Control Materials to Newman Signs, Inc., 1606 6th Ave. SW, Jamestown, ND.

- B. RESOLUTION 2015-03.03 – RALLY SWEEPING: MOVED by Hadcock and seconded by Trautman to adopt Resolution 2015-03-03, Rally Sweeping, and authorize the Chairperson’s signature. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

RESOLUTION 2015-03-03, RALLY SWEEPING
PENNINGTON COUNTY

BE IT RESOLVED BY THE PENNINGTON COUNTY COMMISSION:

THAT, WHEREAS, the County of Pennington, acting by and through its County Commission, wishes to enter into an agreement with the State of South Dakota to facilitate

the sweeping of paved County roads within Pennington County affected by the 2015 Sturgis Bike Rally;

AND, WHEREAS, it has been determined by the Department of Transportation that they will administrate the sweeping of all affected roads;

NOW, THEREFORE, BE IT RESOLVED, that the County of Pennington, acting by and through the Pennington County Commission, will work with the State of South Dakota Department of Transportation to sweep and facilitate this sweeping of paved roads within Pennington County prior to and during the 2015 Sturgis Motorcycle Rally.

ADOPTED THIS 3RD DAY OF MARCH, 2015

PENNINGTON COUNTY COMMISSION

/s/ Lyndell Petersen, Chairperson

THIS IS TO CERTIFY THAT this is a true and correct copy of Resolution 2015-03-03 adopted by the Pennington County Commission, in the City of Rapid City, South Dakota, on March 3, 2015, and the undersigned has custody of the same.

/s/ Julie A. Pearson, Auditor

- C. 2014 PENNINGTON COUNTY HIGHWAY ANNUAL REPORT: The annual report is available at www.pennco.org.

BOARD CONSIDERATION OF REQUEST BY MR. LEO HAMM TO RESCIND ACTION TAKEN ON JANUARY 6, 2015, REGARDING “ROAD CONSTRUCTION WITHIN A SECTION LINE RIGHT-OF-WAY / CS 14-04: ROBERT TAYLOR FAMILY TRUST; GERRY ECKERT- AGENT”

No action was taken on this item.

Commissioner Trautman left the meeting.

BOARD OF ADJUSTMENT

MOVED by Hadcock and seconded by Ferebee to convene as the Board of Adjustment. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Petersen – yes.

Commissioner Trautman returned to the meeting.

- A. VARIANCE / VA 15-01: Dan Johnson; Charles R. Johnson – Agent. To reduce the minimum required side yard and rear yard setback from 25 feet to 10 feet in a General Agriculture District in accordance with Sections 205 and 509 of the Pennington County Zoning Ordinance.

Lot A of Lot 1, Walker Placer MS 551, Section 12, T2S, R4E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Trautman to revise Staff Report VA 15-01 to reflect Rodney Brown's updated comments and approve Variance / VA 15-01. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

- B. VARIANCE / VA 15-03: Ryan and Kristi McFarland. To reduce the minimum required side yard setback from 25 feet to 3 feet in a Low Density Residential District, to build an addition onto the residence and to bring the property into compliance, in accordance with Sections 207 and 509 of the Pennington County Zoning Ordinance.

Lot 1, Hisega High Meadows, Section 9, T1N, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Trautman to approve Variance 15-03 with three (3) conditions. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

1. That this Variance pertains to the existing residence only and that any future additions to the single family residence outside the area proposed by this variance request meet the minimum required 25-foot setback;
2. That all structures and utilities, including the on-site wastewater system, maintain proper setbacks to the proposed lot lines or approved Variances be obtained;
3. That the applicant vacates that portion of the eight (8) Foot Minor Drainage and Utility Easement to bring the existing single-family residence into compliance.

MOVED by Trautman and seconded by Ferebee to adjourn as the Board of Adjustment and reconvene as the Board of Commissioners. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

Commissioner Ferebee left the meeting.

PLANNING AND ZONING CONSENT AGENDA ITEMS

The following item(s) 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 Trautman and seconded by Hadcock to approve Consent Agenda Items C-F as presented. Roll call vote: Buskerud – yes, Hadcock – yes, Trautman – yes, Petersen - yes.

- C. VACATION OF PLAT / VP 14-02: Schurgerland, LLC. To vacate that part of Lots 10, 11, and 12 located in Pennington County of Pathfinder 1 Subdivision in a Low Density Residential District in accordance with Sections 207 and 510 of the Pennington County Zoning Ordinance.

EXISTING LEGAL: Lots 1-12 of Pathfinder 1 Subdivision, all located in the SE1/4, Section 9, T2N, R9E, BHM, Meade County and Pennington County.

PROPOSED LEGAL: W1/2SE1/4 and SE1/4SE1/4, Section 9, T2N, R9E, BHM, Meade County and Pennington County.

Continue the Vacation of Plat / VP 14-02 to the March 17, 2015, Board of Commissioners' meeting.

- D. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 15-01: Dolores Sjveren; D.C. Scott Surveyors – Agent. To rezone 3.477 acres from Limited Agriculture District to Low Density Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Being 3.477 acres of land consisting of the East 285.96 feet of the West 1013.00 feet of the South 529.63 feet in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 12, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County, South Dakota, said 3.477 acres of land being more particularly described by metes and bounds as follows: COMMENCING, for location purposes only, at the Southwest corner of said Section 12, being at the intersection of Longview Road and Anderson Road, both public highways with right-of-way widths of 66 feet; Thence, North 89° 59' 20" East, along the South line of Section 12 and centerline of Longview Road, a distance of 727.04 feet to the POINT OF BEGINNING of the herein described tract; Thence, North 00° 05' 20" East, parallel to and 727.04 feet distant from the West line of Section 12 and centerline of Anderson Road, a distance of 529.63 feet to a point for corner; Thence, North 89° 59' 20" East, parallel to and 529.63 feet distant from the South line of Section 12 and centerline of Longview Road, a distance of 285.96 feet to a point for corner; Thence, South 00° 05' 20" West, parallel to and 1013.00 feet distant from the West line of Section 12 and centerline of Anderson Road a distance of 529.63 feet to a point for corner on the South line of Section 12 and centerline of Longview Road; Thence, South 89° 59' 20" West, along the South line of Section 12 and centerline of Longview Road, a distance of 285.96 feet to the POINT OF BEGINNING and containing 3.477 acres (151,453 square feet) more or less, of land.

Continue Rezone / RZ 15-01 to the March 17, 2015, Board of Commissioners' meeting.

- E. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 14-12 AND COMPREHENSIVE PLAN AMENDMENT / CA 14-09: Gordon and Carmen Abernathie; Fisk Land Surveying - Agent. To rezone 3.5 acres from Low Density Residential District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use Map from Low Density Residential District to Suburban Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

Lot C of W-M Subdivision, Section 15, T2N, R6E, BHM, Pennington County, South Dakota.

Continue Rezone / RZ 14-12 and Comprehensive Plan Amendment / CA 14-09 to the March 17, 2015, Board of Commissioners' meeting.

- F. PLANNED UNIT DEVELOPMENT REVIEW / PU 02-04: Deerfield Park Condominiums. To review an existing Planned Unit Development in accordance with Section 213 of the Pennington County Zoning Ordinance.

Deerfield Park Condominium Units 1 through 10, Section 2, T1S, R3E, BHM, Pennington County, South Dakota.

Continue the review of Planned Unit Development / PU 02-04 to the March 17, 2015, Board of Commissioners' meeting.

Commissioner Ferebee returned to the meeting.

ITEMS FROM COMMISSION OFFICE MANAGER

- A. POLICY & PROCEDURE – INTENT TO CONDUCT BINGO, LOTTERIES & RAFFLES: MOVED by Trautman and seconded by Hadcock to continue this item to the March 17, 2015, Board of Commissioners' meeting. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

EXECUTIVE SESSION per SDCL 1-25-2

- A. Personnel Issue per SDCL 1-25-2(1)
B. Contractual/Pending Litigation per SDCL 1-25-2(3)

MOVED by Trautman and seconded by Hadcock to convene in executive session for contractual/pending litigation. Roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes. The Board remained in executive session from 1:25 p.m. until 1:52 p.m.

Commissioner Buskerud left the meeting during executive session.

MOVED by Hadcock and seconded by Trautman to adjourn from executive session. Roll call vote: Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

MOVED by Hadcock and seconded by Trautman to authorize the Building Committee to pursue appraisal of county real estate for the purposes of surplus and disposal. Roll call vote: Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes.

AUDITOR'S ACCOUNT OF THE TREASURER

To the Pennington County Board of Commissioners, I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer as of February 24, 2015: Total balances of checking/savings accounts, \$26,000,112.52; Total balance of Treasurer's Office safe cash, \$10,000; Total certificates of deposit, \$3,580,515.05; Total Prime Value

Investment, \$4,382,418.18; Total petty cash, \$15,105.00; Total Cash Items, \$109.86; Total **long**/short, (\$275.48); Total, \$33,987,985.13. Submitted by Lori Wessel, Deputy Auditor.

PERSONNEL

Public Defender: Effective 2/23/2015 – L. Johnson at \$4,961/month.

State’s Attorney: Effective 2/23/2015 – W. Venhuizen at \$5085.60/month and J. Satterlee at \$4960.80/month.

VOUCHERS

Amerigas, 100.14; BH Power Inc, 438.99; BH Power Inc, 56,040.68; BH Power Inc, 644.16; CBM Food Service, 4,834.60; CBM Food Service, 835.44; Century Link, 7,945.25; Century Link, 3.57; City Of Rapid City -Water, 2,762.56; Executive Mgmt Fin Office, 21.00; Montana Dakota Utilities, 4,337.79; Montana Dakota Utilities, 7,802.70; Pioneer Bank & Trust, 9,341.84; Rainbow Gas Company, 8,668.49; RR Waste Solutions, 58.64; Verizon Wireless, 525.74; Verizon Wireless, 5,647.18; Wimactel Inc, 60.00; WOW Internet Cable And Phone, 250.00; WOW Internet Cable And Phone, 4,248.15.

ADJOURN

MOVED by Ferebee and seconded by Trautman to adjourn the meeting. Roll call vote: Ferebee – yes, Hadcock – yes, Trautman – yes, Petersen – yes. There being no further business, the meeting was adjourned at 1:54 p.m.

Julie A. Pearson, Auditor

Published once at a cost of ____.

Publish: March 18, 2015