The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, May 17, 2016, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chairperson Lyndell Petersen called the meeting to order with the following Commissioners present: Ron Buskerud, George Ferebee, Deb Hadcock and Nancy Trautman.

REVIEW AND APPROVE AGENDA
MOVED by Trautman and seconded by Buskerud 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 at the request of a board member or citizen for separate consideration.

MOVED by Hadcock and seconded by Trautman approve the Consent Agenda as presented. The motion carried.

5. Approve the minutes of the regular May 3, 2016, Board of Commissioners’ meeting as submitted.
6. Budget Supplement SP16-005 – Schedule a hearing at 9:15 a.m. on Friday, June 10, 2016, to supplement the Emergency Management Fund operating budget in the amount of $22,673 from unanticipated current year revenue.
7. Accept the Lowe Roofing, Inc., bid of $79,665 as the lowest responsible bid and authorize the Chairman’s signature to a construction contract as required by bid documents for the Juvenile Detention Center Re-Roofing Project. (Buildings & Grounds)
8. Acknowledge the notice of intent to conduct a raffle – Silver City Volunteer Fire Department.
9. Recognize and thank Pennington County volunteers for the month of April 2016. The list of volunteers is on file in the Human Resources office and is posted on the County Bulletin Board. (Human Resources)
10. Approve the Chairman’s signature on the SD DOT Railroad Right-of-Way Joint Powers Agreement for weed spraying services. (Weed & Pest)

End of Consent Agenda

LIEN RELEASE REQUEST
A. HABITAT FOR HUMANITY: MOVED by Hadcock and seconded by Trautman to table this item until later in the agenda. Vote: Unanimous.
ITEMS FROM AUDITOR
It was not yet 9:15 a.m., the time advertised for the supplement hearings (Items A & B).

C. NEW RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE LICENSES: MOVED by Buskerud and seconded by Haddock to approve the new Retail (on-off sale) Malt Beverage & SD Farm Wine licenses for Bear Country USA and Santa’s Snack Shop, Kim & Jeff Marso owners. The motion carried.

D. ANNUAL MALT BEVERAGE LICENSE RENEWALS: MOVED by Trautman and seconded by Buskerud to approve the 2016/2017 license renewals listed below. The motion carried.

Retail (on-off sale) Malt Beverage
Black Forest Inn Bed & Breakfast, The B-R Group LLC; Black Hills Receptions, Black Hills Receptions & Rentals LLC; Caputa General Store, Caputa General Store Inc.; Country Corner, Robin Robertson; Country Store at the Forks, Covington Consulting Group Inc.; Crooked Creek Resort, J Bar J Resorts LLC; Happy Holiday RV Resort, Diamond Trek LP; Hart Ranch Golf Course, Hart Ranch Development Co.; High Country Guest Ranch, Blended Arrow LLC; Hisega Lodge, Carol Duncan; MT Meadow Store & Campgrounds, Deerfield Lake Resort LLC; O’Malleys Casino, KJL Inc.; Prairie Berry Winery/Miner Brewing Co., Prairie Berry LLC; Putz N Glow Inc.; Rochford Mall, The Rochford Mall Inc.; Sheridan Lake Marina, Sheridan Lake Marina LLC; Sugar Shack, Sugar Daddy’s LLC; Summer Creek Inn, Summer Creek Inn LLC; Tatanka Trading Post, Kim Sealine; Valley Square Casino, Wall-East Development Inc.; Valley Square Sports Pub, Wall-East Development Inc.; Whispering Pines Campgrounds, Red Sky Enterprise LLC; Winery Hill City, Winery Hill City LLC.

Retail (on-off sale) Malt Beverage & SD Farm Wine
Hart Ranch Camping Resort, Hart Ranch Camping Resort Club; Moonshine Gulch Saloon, Betty Harn; Mystery Mountain Resort, Black Hills Resort, Inc.; Spring Creek Grille, MRH Services LLC.

Package (off-sale Malt Beverage)
Corner Pantry-Moon Meadows, MG Oil Company; Dalcam EZ Mart, Dalcam Oil Company Inc.; Dollar General Store #15207, Dolgen Midwest LLC.

Package (off-sale Malt Beverage & SD Farm Wine)

LIEN RELEASE REQUEST (Continued from above)
A. HABITAT FOR HUMANITY: MOVED by Trautman and seconded by Haddock to take this item off the table. The motion carried.
MOVED by Hadcock and seconded by Trautman to release the liens in the name of MJ and ECJ III (Name withheld per SDCL 28-13-42) totaling $3186.73, and in the name of ECJ III totaling $230.38 from the property located at 140 Doolittle Street, Rapid City, and further moved to leave the liens recorded against the individuals. The motion carried.

ITEMS FROM AUDITOR (CONTINUED FROM ABOVE)
A. GENERAL FUND BUDGET SUPPLEMENT SP16-003: MOVED by Trautman and seconded by Hadcock to approve a supplement for the General Fund Insurance budget in the amount of $69,800 from unassigned fund balance. The motion carried.
B. GENERAL FUND BUDGET SUPPLEMENT SP16-004: MOVED by Trautman and seconded by Buskerud to approve a supplement for the General Fund State’s Attorney MacArthur Grant budget in the amount of $250,000 from current year revenue and unassigned fund balance from 2015 MacArthur Grant funds, and further moved to reduce the April 5, 2016, Sheriff’s budget supplement from MacArthur funds in the amount of $100,000. The motion carried 4-1 with Ferebee opposing.

ITEMS FROM SHERIFF
WESTERN SOUTH DAKOTA JUVENILE SERVICES CENTER (JSC) STAFF REQUEST: Mike Ortner, Commission Chairman from Fall River County, joined the meeting by telephone to present the request with Sheriff Thom. The new hires will help JSC meet the contract requirements for a new juvenile program with the Federal Bureau of Prisons.

MOVED by Hadcock and seconded by Buskerud to grant the Sheriff’s request to add 10.5 FTEs at the Juvenile Services Center. The motion carried.

ITEMS FROM STATE’S ATTORNEY
A. VOCA BONUS: MOVED by Trautman and seconded by Hadcock to grant spending authority to the State’s Attorney to pay $847 to Tracey Dollison Decker from VOCA grant funds. The motion carried.

ITEMS FROM BUILDINGS & GROUNDS
A. REBATE CHECK PRESENTATION BY BLACK HILLS POWER: Matt Koupal, Jim Keck and Jamie Hill from Black Hills Power presented rebate checks totaling $33,265.49 for efficient lighting technologies, lighting controls, ventilation fan controls and the geothermal heating and cooling system in the Pennington County Administration Building and Evidence Building.
B. PENNINGTON COUNTY JAIL CORE OPERATIONS NEEDS CONCEPT & BUDGET STUDY – AUTHORIZATION OF PROFESSIONAL SERVICES AGREEMENT (VENTURE ARCHITECTS): MOVED by Hadcock and seconded by Trautman to authorize the Chairman’s signature to the AIA Document B105-2007, Standard Form of Agreement Between Owner and Architect, dated May 6, 2016, between Pennington County and Venture Architects for professional services that will result in a concept and budget report on how to best address core operational needs at the Pennington County Jail, for the lump sum fee of $150,000 plus reimbursable expenses that shall not exceed $20,000. The motion carried 4-1 with Ferebee opposing.
ITEMS FROM COMPENSATION COMMITTEE
A. REQUEST FOR TITLE CHANGE – WATER PROTECTION COORDINATOR: MOVED by Haddock and seconded by Trautman to approve the request for title change of Water Protection Coordinator to Environmental Planning Supervisor. The motion carried 4-1 with Ferebee opposing.

Commissioner Buskerud asked the minutes to reflect that he believes the Board will see a salary increase request for this position within two months.

ITEMS FROM FIRE ADMINISTRATOR
A. NOTICE OF RETIREMENT DATE: MOVED by Buskerud and seconded by Haddock to acknowledge Fire Administrator Denny Gorton’s retirement date of December 31, 2016. Vote: Unanimous.

ITEMS FROM HIGHWAY DEPARTMENT
A. AWARD RECOMMENDATION FOR 2016 BR 638360-16 AND BR 664360-16 BRIDGE REPLACEMENTS – BASE LINE ROAD: MOVED by Buskerud and seconded by Trautman to award 2016 BR 638360-16 and BR 664360-16 Bridge Replacements – Base Line Road, to Mainline Contracting Inc., Rapid City, SD, in the amount of $85,907.60. The motion carried.

APPEAL OF NOTICE OF VIOLATION CASE #16-0081 – MARK RUDDEFORTH
MOVED by Buskerud and seconded by Trautman to deny the appeal of Violation Case #16-0081 for Mark Ruddeforth, Horse Creek Resort. A substitute motion by Ferebee to continue this item died for lack of a second. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Haddock – yes, Trautman – yes, Petersen – yes.

ITEMS FROM PLANNING & ZONING - BOARD OF ADJUSTMENT
MOVED by Buskerud and seconded by Trautman to convene as the Board of Adjustment after a five minute recess. Vote: Unanimous. The Board reconvened with commissioners Buskerud, Ferebee, Trautman and Petersen present. Commissioner Haddock joined during Planning & Zoning’s presentation of Item A.

A. VARIANCE / VA 16-05: Lowell Pfleger. To reduce the minimum required lot size from 10 acres to 1.96 acres in a Limited Agriculture District in accordance with Sections 206 and 509 of the Pennington County Zoning Ordinance.

Being 1.96 acres of land in Lot 3 of Tract 3 of Smith Addition, located in the North Half of the Southwest Quarter (N1/2SW1/4) and in the Northwest Quarter (NW1/4) of Section 26, Township 1 North, Range 8 East of the Black Hills Meridian, Pennington County, South Dakota, said 1.96 acres of land being more particularly described by metes and bounds as follows: Beginning at the Southwest corner of said Lot 3 of Tract 3 of Smith Addition, being a Southeast corner of adjoining Lot 2 of Tract 3 of Smith Addition on the North line of a 33-foot wide easement for utilities and private access as shown on Survey Plat recorded in November, 1993, and filed in Plat Book 25 on Page 178 in the office of
the Pennington County Register of Deeds; Thence, North 00° 45' 20" West, along a West line of said Lot 3, a distance of 291.71 feet to a Northwest corner of said Lot 3 and interior corner of said Lot 2 of Tract 3 of Smith Addition; Thence, North 89° 14' 40" East, along a North line of said Lot 3, a distance of 243.30 feet to an interior corner of said Lot 3 and a Southeast corner of said Lot 2; Thence, South 00° 53' 23" East, a distance of 406.11 feet to a Southern corner of said Lot 3 on the Northern line of said 33-foot wide easement for utilities and private access; Thence, North 66° 32' 03" West, along a Southern line of said Lot 3 and Northern line of said 33-foot wide easement, a distance of 128.82 feet to a point for corner; Thence, North 64° 51' 36" West, continuing along a Southern line of said Lot 3 and Northern line of said 33-foot wide easement, a distance of 140.92 feet to the POINT OF BEGINNING and containing 1.96 acres, more or less, of land.

MOVED by Hadcock and seconded by Trautman to approve Variance / VA 16-05. Vote: Unanimous.

MOVED by Buskerud and seconded by Hadcock to adjourn as the Board of Adjustment and reconvene as the Board of Commissioners. The motion carried.

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 Buskerud to approve the Planning & Zoning Consent Agenda as presented. Vote: Unanimous.

B. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 16-04 AND COMPREHENSIVE PLAN AMENDMENT / CA 16-04: Rich and LeeAnn Jensen. To rezone 21.57 acres from Low Density Residential District and Limited Agriculture District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive and Low Density Residential District to Highway Service District in accordance with Sections 206, 207, 210, 213, and 508 of the Pennington County Zoning Ordinance.

Lot 1R, Jensen Subdivision, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

Continue Rezone / RZ 16-04 and Comprehensive Plan Amendment / CA 16-04 to the June 10, 2016, Board of Commissioner’s meeting.

End of Consent Agenda

PLANNING & ZONING REGULAR AGENDA ITEMS
C. REQUEST FOR APPROVAL FOR IMPROVEMENTS IN A PUBLIC DRAINAGE EASEMENT: Cross Country Real Estate, LLC / Black Hills Speedway.
MOVED by Trautman and seconded by Buskerud to allow the replacement of the 12” reinforced concrete pipe (RCP) with an 18” polyvinyl chloride (PVC) pipe at the southern end of the Public Drainage Easement. Vote: Unanimous.

MOVED by Hadcock and seconded by Trautman to authorize Planning & Zoning to issue building permits in a drainage easement if a letter is obtained from a licensed professional engineer and further moved to lift the stop work order for Cross Country Real Estate LLC. The motion carried 4-1 with Buskerud opposing.

D. SECOND READING OF REZONE / RZ 16-03 AND COMPREHENSIVE PLAN AMENDMENT / CA 16-02: Mitch Morris. To rezone 559.68 acres from General Agriculture District to Low Density Residential District and to amend the Comprehensive Plan to change the Future Land Use from Limited Agriculture District to Low Density Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

The NE1/4SW1/4 and the SE1/4SW1/4 of Section 33, T1N, R8E; The SE1/4 of Section 33, T1N, R8E; The E1/2NE1/4SE1/4; The W1/2NE1/4SE1/4; The NW1/4SE1/4; GL 1-2 all located in Section 4, T1S, R8E; GL 4 and NW1/4SW1/4 of Section 3, T1S, R8E; The SE1/4NE1/4 of Section 33, T1N, R8E; Lot 2 of SW1/4NW1/4 and Lot 2 of W1/2SW1/4 of Section 34, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Trautman to approve the second reading of Rezone / RZ16-03 and Comprehensive Plan Amendment / CA16-02. The motion carried 3-2 on a roll call vote: Buskerud – no, Ferebee – no, Hadcock – yes, Trautman – yes, Petersen – yes.

ORDINANCE NO. RZ 16-03

AN ORDINANCE AMENDING SECTION 508 OF THE PENNINGTON COUNTY ZONING ORDINANCE, REZONING THE WITHIN DESCRIBED PROPERTY:

BE IT HEREBY ORDAINED BY THE PENNINGTON COUNTY COMMISSION THAT THE PENNINGTON COUNTY ZONING ORDINANCE BE AND HEREBY IS AMENDED BY AMENDING THE ZONING OF THE FOLLOWING DESCRIBED PROPERTY:

The NE1/4SW1/4 and the SE1/4SW1/4 of Section 33, T1N, R8E; The SE1/4 of Section 33, T1N, R8E; The E1/2NE1/4SE1/4; The W1/2NE1/4SE1/4; The NW1/4SE1/4; GL 1-2 all located in Section 4, T1S, R8E; GL 4 and NW1/4SW1/4 of Section 3, T1S, R8E; The SE1/4NE1/4 of Section 33, T1N, R8E; Lot 2 of SW1/4NW1/4 and Lot 2 of W1/2SW1/4 of Section 34, T1N, R8E, BHM, Pennington County, South Dakota.

The above-described property is hereby rezoned from General Agriculture District to Low Density Residential District.
Dated this 17th day of May, 2016.

/s/ Lyndell Petersen, Chairperson
Pennington County Board of Commissioners

ATTEST:
/s/ Julie A. Pearson, Auditor

PENNINGTON COUNTY COMMISSION

E. APPEAL OF CONDITIONAL USE PERMIT / CU 16-05: Spring Creek Hideaway, LLC / Brent and Pam Veurink. To allow for a Vacation Home Rental in a General Agriculture District in accordance with Sections 205, 319, and 510 of the Pennington County Zoning Ordinance.

Lot 4, Peterson Subdivision MS 622, Section 11, T2S, R4E, BHM, Pennington County, South Dakota.

MOVED by Ferebee and seconded by Hadcock reverse the decision of the Planning Commission and approve Conditional Use Permit / CU 16-05 with 18 conditions. The motion carried 4-1 with Buskerud opposing.

1. That the maximum overnight occupancy, based on SD DENR approval, be limited to ten (10) people and the maximum daytime occupancy be limited to fifteen (15) people, per Pennington County Zoning Ordinance Section 319-F-13;
2. That the applicant provide a landline within the Vacation Home Rental in case of an emergency and list the phone number on the interior informational sign within the Vacation Home Rental;
3. That if an addition is constructed and/or the on-site wastewater treatment system is upgraded in the future, this Conditional Use Permit be reviewed so that the maximum occupancy may be adjusted accordingly, which will require approval from SD DENR;
4. That all necessary permits are obtained prior to any additions to the structure or upgrades/alterations to the on-site wastewater treatment system;
5. That the applicant maintain current licenses with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department, prior to operation of the Vacation Home Rental;
6. That the applicant maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;
7. That a minimum of five (5) off-street parking spaces be provided on-site, per Pennington County Zoning Ordinance Section 310-A-9-gg, with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
8. That an interior informational sign be posted in accordance with the requirements of Pennington County Zoning Ordinance Section 319-G, with 9-1-1 and (605) 394-4139
listed as contacts for Fire Department and Sheriff’s Department, during operation of the Vacation Home Rental;

9. That the lot address be posted on the residence at all times and so that it is clearly visible from Barrel Springs Road, in accordance with Pennington County’s Ordinance #20;

10. That the applicant ensure the Vacation Home Rental is operated in accordance with the requirements of Pennington County Zoning Ordinance Section 319-F (Performance Standards) at all times;

11. That if the person designated as the Local Contact is ever changed from Rochelle Lee, the interior informational sign be updated and the applicant re-notify the Planning Department and surrounding landowners within 500 feet via notices sent by Certified Mail;

12. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;

13. That an approved Sign Permit be obtained prior to the placement of any on-premise sign(s);

14. That an approved Floodplain Development Permit be obtained prior to any disturbance within the boundaries of either the Floodway or Special Flood Hazard Area located on the subject property;

15. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;

16. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Conditional Use Permit / CU 16-05, which is available at the Planning Office;

17. That this Conditional Use Permit be reviewed at the June 13, 2016, Planning Commission meeting to verify that all Conditions of Approval are being met and a Vacation Home License has been issued by the South Dakota Department of Health; and,

18. That if a continuation of Conditional Use Permit / CU 16-05 is necessitated at the June 13, 2016, Planning Commission meeting, due to the lack of the applicant’s action, the continuation will be subject to Section 511-X of the Pennington County Zoning Ordinance.

F. FIRST READING AND PUBLIC HEARING OF PLANNED UNIT DEVELOPMENT / PU 16-01: Donna and Lyle Hartshorn. To rezone 55.26 acres from Limited Agriculture District and General Agriculture District to a Planned Unit Development to allow for a Resort Development to include uses such as weddings, receptions, parties, picnics, small gatherings, a farmer’s market, a pumpkin patch, wagon rides, and to include an indoor riding area and to stable horses on-site in the future, on the subject properties, in accordance with Section 213 of the Pennington County Zoning Ordinance.

NE1/4SE1/4, Tract D of NW1/4SE1/4 less Lot 1, Section 3, T1S, R7E, BHM, Pennington County, South Dakota.
MOVED by Hadcock and seconded by Trautman to approve Planned Unit Development / PUD 16-01 with twenty-nine (29) conditions. Vote: Unanimous.

1. That the purpose of this Planned Unit Development be to allow a Resort Development and events, such as: weddings; wedding receptions; Chapel use for occasional weddings, funerals and services; birthday parties; reunions; picnics; small gatherings; school tours; wagon rides; pony rides; horse stabling; pasturing of cattle, bulls, calves and other livestock; on-premise signage; beer and wine sales; single-family residence with outbuildings, single-wide mobile home as ranch-hand’s residence; farmer’s market; pumpkin patch; corn maze; sunflower farm and/or maze; outdoor/indoor riding arena; rodeos; and, other types of small gatherings similar in nature;

2. That the number of guests be limited up to a maximum of 300 at any one-time;

3. That this Planned Unit Development be considered an overlay zoning district whereby the provisions of the underlying General Agriculture District and Limited Agriculture District still apply and, if the property is no longer utilized in accordance with Planned Unit Development / PUD 16-01, the zoning reverts back to General Agriculture District and Limited Agriculture District assuming the same lot configuration;

4. That the applicant notify the Planning Director prior to transferring ownership of the property so that the Planned Unit Development / PUD 16-01, may be brought forth for review;

5. That prior to operation, the applicant meet with the Pennington County Fire Coordinator to discuss and create an Emergency Plan to evacuate guests from the property in the event of an emergency and that a copy of said plan be submitted to the Planning Director to be kept on file;

6. That prior to starting any outdoor fires, the applicant must obtain a Fire Permit from the SD Wildland Fire Division. Further, the owners are responsible for knowing when the County’s Burn Ordinance is in effect;

7. Grass/weeds and other vegetation must be cut short so as to reduce the possibility of a fire;

8. That the west parking area be large enough for a minimum of ninety-one (91) parking spaces and the arena parking area be large enough for a minimum of sixty-seven (67) parking spaces and each parking space shall measure a minimum of 9 feet by 18 feet, with travel lanes measuring at least eighteen (18) feet wide between rows of parking spaces and each parking lot shall be maintained in a dust-free manner, in accordance with Section 310 of the Pennington County Zoning Ordinance;

9. That prior to operation, the applicant submit a Parking Plan to the Planning Director for review to ensure its compliance with Section 310 of the Pennington County Zoning Ordinance;

10. That prior to operation, the internal driveway be widened to eighteen (18) feet in width consisting of a four (4) inch gravel surface to accommodate one and two-way traffic;

11. That the days of operation for the Farmer’s Market; Pumpkin Patch; Corn Maze; and, Sunflower Farm and/or Maze, be allowed seven (7) days each week, and the hours of operation, for the above-mentioned, shall be between 10 a.m. and 10 p.m. only;

12. That any music being provided for any activities be shut down by 10 p.m.;

13. That the applicant install directional signs along the interior driveway to direct visitors;
14. That temporary structures, such as tents and port-o-potties, only be erected when needed and not on a permanent basis;

15. That all lighting be installed and maintained so as to minimize spillage of light outside of the sign face so as not to create a nuisance and the sign must be effectively shielded to prevent beams or rays from being directed toward any portion of the traveled ways, and must not be of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any driver’s operation of a motor vehicle;

16. That the applicant obtain all necessary permits from other governing bodies for the operation, including, but not limited to, South Dakota Department of Health and a sales tax license from the South Dakota Department of Revenue;

17. That a portable fire extinguisher with a minimum 2 A-BC rating shall be placed in each structure so it is accessible at all times and the fire extinguisher shall be inspected and tagged annually;

18. That the physical address for both existing residences and any future addresses that are assigned, be posted in accordance with Pennington County Ordinance #20;

19. That prior to the installation of any on-site wastewater system or alteration to the existing on-site wastewater system the landowner shall meet with the appropriate County and/or City staff;

20. If another well is to be dug on the property, that it be continually tested and monitored per South Dakota regulations;

21. That port-o-potties may be utilized by the guests of the events for wastewater disposal, but any other means of wastewater disposal will require proper permitting and review of the system by the City of Rapid City and the Pennington County Planning Department;

22. That prior to the placement of any on-premise signs, the applicant must adhere to Section 312 of the Pennington County Zoning Ordinance;

23. That the applicant ensure the residential and agricultural character of the property is maintained;

24. That prior to operation, the application obtain a Building Permit (with applicable fees) for the unpermitted existing 11’ x 19’ structure;

25. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;

26. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land, uses as determined by the Planning Director, shall require an amendment to this Planned Unit Development;

27. That the operation be conducted by members of the family residing on the premises and event staff, as necessary;

28. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Planned Unit Development / PUD 16-01, which is available at the Planning Office; and,

29. That Planned Unit Development / PUD 16-01, be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.
ITEM FROM COMMISSION OFFICE MANAGER

A. PUBLIC NOTICES WEBSITE: A link to Pennington County’s public notices can be found at the Pennington County website, pennco.org. The notices are provided as a service of the South Dakota Newspaper Association.

APPROVAL OF VOUCHERS

MOVED by Trautman and seconded by Hadcock to approve the vouchers entered below for expenditures for insurance, professional services, publications, rentals, supplies, repairs, maintenance, travel, conference fees, utilities, furniture and equipment totaling $1,624,717.00. Vote: Unanimous.

4imprint, 405.64; A & A Professional Property Management, 350.00; A & B Business Inc, 2,765.54; A & B Welding Supply Co, 3,194.91; A To Z Shredding, 278.55; A-1 Sewer & Drain Inc, 9,000.00; Aaron D Salberg, 680.80; Aaron Klapkin, 636.00; Advanced Drug Testing Inc, 180.00; Alexa White, 81.00; Allen Reuer, 2,120.00; American Floor Mats, 149.00; American Planning Assoc, 567.00; Americinn Motel, 1,269.00; Amerigas, 87.86; Amick Sound Inc, 91.84; Amy Mcglade, 175.00; Angela M Colbath Atty Pc, 1,599.05; Aramark Education Services 4871, 185.00; Armstrong Extinguishers, 316.00; Aspen Park Apartments, 190.00; ATB Tel Llc, 150.00; Atrix International Inc, 167.00; Audra Malcomb Consulting, 13,683.15; Auto Body Specialties Inc, 195.37; Avanti Motel, 190.00; Avenet Llc, 25.00; B&B Auto Salvage Inc, 147.00; Badlands Automotive, 1,096.39; Bargain Printing, 702.15; Barnier Law Office Pc, 1,427.47; Basler Printing Co, 849.20; Behavior Management Systems Inc, 303.12; Behrens-Wilson Funeral Home, 5,520.00; Betsey Harris, 2,796.40; Bexar County Clerk, 700.00; BH Ammunition Inc, 4,500.00; BH Chemical Company Inc, 4,451.68; BH Fiberglass & Plastics And Hofer Fire Stuff, 67.50; BH Insurance Agenc Inc, 240.00; BH Pediatrics & Neonatology Llp, 1,959.00; BH Power Equipment Inc, 155.97; BH Power Inc, 16,696.16; BH Power Inc, 460.36; BH Power Inc, 51,813.68; BH Power Inc, 835.68; BH Services Inc, 259.39; BH Surgical Hospital Llc, 201.00; BH Urgent Care Llc, 168.00; BH Wilbert Vault, 360.00; BH Window Cleaning Inc, 175.00; BI Inc, 5,396.00; Birch Communications Inc, 53.01; Blake's Trailer Sales & Repair, 83.00; Bob Barker Company Inc, 12,750.91; Border States Electric, 687.00; Box Elder VFD, 140.00; Brad E Junek, 190.00; Brenda Wood, 200.00; Brosz Engineering Inc, 5,170.00; Brownells Inc, 596.12; Bruce A Hearting, 350.00; Budget Inn, 190.00; Bureau Of Human Resources, 228.00; Butler Machinery Company, 1,517.96; Candace Novak, 64.00; Casey G Warren, 260.18; Catherine E Mattson-Casteel, 1,519.44; CBM Food Service, 111,310.95; CDW Government Inc, 13,614.31; Cedar Shore Resort, 513.00; Central Hills Towing, 478.00; Central States Sanitation, 180.00; Century Link, 7,833.57; Charm-Tex Inc, 436.28; Chemsearch, 375.00; Cherry County Court-Nebraska Supreme Court, 3.50; Choice Property Management, 270.00; Chris Supply Co Inc, 764.35; Christopher Mooney, 64.00; City Of Rapid City, 25,256.14; City Of Rapid City -Water, 522.28; City Of Rapid City -Water, 13,992.36; Civic Research Institute, 179.95; Clark Printing, 262.41; Climate Control Systems And Service Llc, 30,660.13; Clinical Laboratory Of The Black Hills, 15,389.00; Connections Inc Eap, 917.40; Contractors Insulation And Drywall Supply, 49.28; Contractors Supply Inc, 292.20; Cooks Correctional, 135.97; Copy Country, 174.00; Coremr Lc, 811.50; Corral Motel, 365.00; Countryside Property Management Llc, 240.00; Craig Mestad, 270.00; Creative Surfaces Inc, 1,174.83; Crescent Electric Supply, 637.77; Crop Production Service, 8,933.60; Crum Electric Supply, 671.00; Curt Westby, 64.00; CWD-Aberdeen (Hrs), 1,113.67;
Dakota Business Center, 34,343.42; Dakota Fluid Power Inc, 5,56; Dakota Plains Legal Services Inc, 17,666.66; Dakota Supply Group Inc, 1,069.04; Dale's Tire & Retreading Inc, 3,957.76; Dan Wardle, 87.00; Daniel E Holloway Od, 62.83; Daniel Eisenbraun, 22.68; Dash Medical Gloves Inc, 2,053.10; Dawn Puckett, 64.00; Dean Schaefer, 429.00; Debra Harding, 18.48; Deeshane Cortinas, 21.76; Delilah Ayers, 53.76; Delta Dental Of South Dakota, 30,781.16; Demersseman Jensen Tellinghuisen & Huffman Llp, 3,508.25; Denise Cody, 60.00; Dennis Supply - Rc, 103.00; Dental Urgent Care Joseph Jeinze DDS MS Pc, 700.00; De's Oil Inc, 114.75; Dewey J Ertz Ed D, 150.00; Diamond H Service Llc, 55,810.80; Diamond Vogel Paint Center, 99.64; Diesel Machinery Inc, 39.44; Dillon Law Office, 115.00; Donovan Thompson, 21.09; Driftwood Estates, 227.00; DS Solutions Inc, 2,520.00; Dustin Willett, 146.00; Eagle Ridge Apartments I, 354.09; Eddie's Truck Sales Inc, 1,634.80; Election Systems, 28,354.87; Emmet Vliem, 493.00; Eprovider Solutions, 176.60; Evergreen Office Products, 561.17; Executive Mgmt Fin Office, 72.00; Farmer Brothers Coffee, 257.94; Fastenal Company, 210.18; Federal Express, 56.25; Federal Signal Corp, 211.16; First Interstate Bank, 3,733.49; First Interstate Bank, 118.48; First Street Apartments, 240.00; First Western Insurance, 50.00; Fitzgerald Law Firm, 993.60; Flooring America, 1,490.22; Foley's Custom Print, 1,561.50; Force America Distributing, 62.26; Forterra Concrete Products Inc, 52,193.00; Fremont Industries Inc, 229.02; French's Upholstery, 1,003.90; Frontier Auto Glass Llc, 380.16; Fruit Of The Loom, 751.68; G & H Distributing - Rc, 451.80; Galls Llc, 108.49; Garrett J Horn, 499.70; Global Tel'l,ink, 19.39; Godfrey Brake Service And Supply Inc, 3,242.24; Golden West Companies, 1,270.83; Golden West Companies, 161.75; Golden West Technologies, 1,127.52; Gordon Wendell, 64.00; Great Western Tire Inc, 1,324.72; Green Star Camper Center, 15.95; Grey & Eisenbraun Law Prof Llc, 644.00; Grimm's Pump Service Inc, 472.47; Hagen Glass Company, 24.24; Harmelin Fox & Ravnsborg Law Office, 761.28; Harvests Lock Shop, 712.14; Hbd Inc, 282.02; Health Education Design Solutions Inc, 315.00; Heartland Paper Company, 6,061.46; Heather M Johnson, 96.00; Henry Schein Inc, 60.72; Hill City Prevailer, 583.74; Hill City Public Library, 13,678.50; Hills Materials Company, 1,701.46; Hillyard/SiouxFalls, 496.30; Holli Hennies, 80.00; Honeywell Inc, 23,889.22; Horwath Laundry Equipment, 1,780.76; Howes Oil Company Inc, 25,634.88; Humane Society Of The Black Hills, 4,166.67; IdentiSys Inc, 829.65; Indoff Inc, 1,850.37; Industrial Organizational Solutions Inc, 75.00; Inland Truck Parts, 850.08; Interstate All Battery Center, 364.89; Intoximeters Inc, 3,364.25; Ione Wolf, 678.75; Jane Amiottte, 38.59; Jantech Llc, 380.00; Jason L Biers, 240.00; Jd's Equipment Service Llc, 500.00; Jean Carlson, 413.75; Jean L Johnson, 270.00; Jean M Cline, 2,323.65; Jeffries Law Office Pc, 3,983.45; Jenner Equipment Co, 4,827.40; Jeremy Walla, 200.00; Jerri Harn, 198.24; Jim Ganser, 22.52; Jims Private Utility Locating, 525.00; Jj's Engraving & Sales, 43.25; Jody H Speck, 1,196.00; Joe Doran, 64.00; John Dehne, 36.00; John Gordon, 300.00; Johnson Machine Inc, 784.11; Johnstone Supply, 199.99; Joseph Ashley Parr, 250.00; Joshua D Friedman Dr, 1,562.50; Julie A Bird, 270.00; Karen Swanda, 30.00; Kate Wellensiek, 64.00; Kathy Davis, 128.30; Katy Urban, 295.82; Kayla L Maruska, 2,373.35; Keith Carlson, 270.00; Keith's Repair Service, 134.00; Kevin E Kirschenmann, 1,015.00; Keystone City Hall, 4,613.50; Kieffer Sanitation/A Waste Management Co, 2,509.39; Kimball Midwest, 642.49; Kimberly K Johnson, 570.00; Kinkade Funeral Chapel, 1,700.00; Kirk Funeral Home, 2,345.00; K-Mart, 228.42; Knecht Home Center Inc, 305.56; Knight's Quality Welding, 450.00; Knollwood Townhouse Properties, 381.00; Kone Inc, 7,838.88; Krisann Kuecher, 425.00; Kristina Weckman, 280.83; Kristine Commerford, 50.00; Laboratory Corporation Of America Holdings, 4.50; Lacrosse Estate Apartments, 240.00; L'amajello Devontae, 21.76; Landscape Forms Inc, 12,682.86; Language Line Services, 50.00; Lattice Incorporated, 22,770.89; Law Enforcement Targets Inc, 323.76; Lawrence D Beezley,
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360.00; Lawson Products Inc, 386.00; Leslie A Fiferman Ph D, 1,400.00; Lewis & Clark Behavioral Health Services, 1,440.00; Light & Siren, 547.00; Linda J Nohr, 1,120.00; Lindquist & Vennum PLLP, 5,070.00; Lisa Schafer, 1,785.00; Lucille M Lewno, 865.96; Lutheran Social Service, 15,403.64; Lynn Moyer's, 100.00; Lynn Von Wald, 50.00; Macnally Law Offices Prof Llp, 1,629.40; Manlove Psychiatric Group, 16,383.39; Marco Inc, 1,457.10; Marco Inc, 4,479.14; Mark Vargo, 247.16; Marvin R Ekeren, 30.00; Matheson Tri-Gas Inc, 182.49; Matthew Bender & Co Inc, 2,477.83; Matthew Olson, 134.92; Matthew Stephens, 2,025.00; MCI Service Parts Inc, 1,399.35; McKie Ford Inc, 1,264.82; McLeod's Printing Inc, 119.72; Medical Waste Transport Inc, 341.17; Medical Waste Transport Inc, 281.22; Medline Industries Inc, 798.53; Melissa Lehmann, 64.00; Menards, 691.08; Mg Oil Company, 2,762.84; Midcontinent Communications, 509.37; Midwest Tire & Muffler Inc, 77.25; Monica D Colbath, 1,269.60; Montana Dakota Utilities, 528.71; Moore Medical Corp, 3,290.14; Motel Rapid, 170.00; Moyle Petroleum, 9,173.88; Mt Rushmore Telephone Co, 46.12; Mt Rushmore Telephone Co, 58.00; Murphy Law Office Pc, 1,044.37; Nancy Trautman, 247.38; Native Sun News, 190.00; Networkfleet Inc, 37.90; Nev'e's Uniforms Inc, 5,487.70; Newkirk's Ace Hardware-East, 1,056.81; Newkirk's Ace Hardware-West, 98.58; Newman Signs Inc, 4,964.58; Nfp, 315.00; Nicholas Stroot, 371.40; Nicolas Quetter, 288.00; North Central Supply Inc, 775.00; Northern Heights Apartments, 190.00; Northwest Pipe Fitting Inc, 6,145.07; Nwe Management, 303.92; O'Connor Company, 1,330.00; Officemax Incorporated, 3,532.51; Olson Construction Inc, 5,663.22; Olson Towing, 125.00; Our Lady Of The Sacred Heart, 200.00; Overhead Door Co of RC, 77.27; Pacific Steel & Recycling, 295.44; Parr Law Pc, 432.40; Patty Caster, 64.00; Paul A Lewis, 4,372.80; Pederson Law Office Llc, 2,901.60; Penn Co Council On Aging, 9,723.00; Penn Co Emerg Management Petty Cash, 36.24; Penn Co Equalization Petty Cash, 43.00; Penn Co Health & Human Sv Petty Cash, 456.37; Penn Co Highway Petty Cash, 20.00; Penn Co Jail Petty Cash, 1,425.76; Penn Co Jsc Petty Cash, 93.85; Penn Co Sheriff Petty Cash, 851.81; Penn Co States Atty Petty Cash, 108.50; Penn Co Treasurer Petty Cash, 17.92; Penn Conservation Dist, 6,110.00; Pennington County Courant, 863.79; Pennington County Housing, 240.00; Peoplefacts Llc, 90.00; Pharmchem Inc, 608.00; Pheasantland Industries, 702.60; Phoenix Investigations, 381.91; Phoenix Supply Llc, 450.53; Pioneer Bank & Trust, 31.00; Pioneer Bank & Trust, 16,916.66; Pitney Bowes Inc, 543.96; Pitney Bowes Reserve Account, 5,060.40; Plumdone Llc, 12.00; Pollard Law Pc, 185.50; Ponderosa Sportswear, 12.30; Positive Promotions, 160.90; Power House, 84.79; Precision Dynamics Corp, 480.00; Precision Mechanical Llp, 3,031.25; Price Motel, 355.00; Print Mark-Et, 360.27; Profile Evaluations Inc, 144.00; Quality Transmissions Inc, 3,067.05; Quill Corporation, 853.06; Radiology Associates Professional Llc, 46.33; Ralph Rice, 28.00; Ramkota Hotel, 395.96; Randall E Connelly, 1,074.83; Rapid Delivery Inc, 120.75; Rapid Leasing, 883.81; Rapid Rooter, 75.00; Rapid Transit System, 740.00; Rapid Valley Sanitary District, 166.85; Raquel Booth, 218.75; RC Area School Dist 51-4, 2,336.94; RC Emergency Services Pa, 416.22; RC Journal, 2,813.75; RC Police Dept-Evidence, 3,022.07; RC Public Library, 200,000.00; RC Regional Hospital Inc, 1,514.20; RC Regional Hospital Inc, 2,686.72; RC Winair, 118.38; RC Winsupply, 17.25; Rdo Equipment Co, 1,085.60; Record Storage Solutions, 574.42; Redwood Toxicology Inc, 5,825.00; Regional Health Reference Laboratory, 4,729.77; Regional Hospital Longterm Care Pharmacy, 23,359.34; Regional Pharmacy, 1,500.29; Reliance Telephone Inc, 3.74; Rensch Law Office, 287.39; Richard R Rieck, 64.00; Richard Schuttler, 64.00; Rick Sidle, 21.01; Ricoh Usa Inc, 102.46; Rob Yantis, 221.00; Rochester Armored Car Company Inc, 408.40; Rod Sletten, 64.00; Roger Frye's Paint Supply, 31.88; Ron Stagner, 100.00; Ronald J Reynolds, 267.92; Royal Wheel Alignment, 97.85; Rr Waste Solutions, 58.64; Runnings Supply Inc, 598.58; Rush Funeral Home
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Inc, 2,110.00; Rushmore Communications, 795.00; Rushmore Safety Supplies, 16.00; Sam G Kearney, 296.92; Sanford Laboratories, 115.19; Sanitation Products Inc, 361.82; Savanna Starkey, 64.00; Schmid Dental Clinic Prof Llc, 1,029.00; SD Dept Of Corrections, 30.00; SD Dept Of Revenue, 10,073.61; SD Dept Of Revenue, 2,235.00; SD Dept Of Transp-Finance, 8,927.69; SD Div Of Motor Vehicles, 20.00; SD Federal Property Agency, 243.00; SD Gov Human Resources Association, 100.00; SD Human Services Center, 72.20; SD Rose Inn, 535.00; SD Secretary Of State, 30.00; Sdaao, 2,100.00; Sdaco, 75.00; Sdema, 225.00; Sdn Communications, 769.60; Sdsu West River Ag Center, 327.41; Sentinel Offender Services Llc, 940.40; Servall Uniform/Linen Co, 1,536.50; Shannon Rittberger, 83.00; Sheehan Mack Sales And Equipment Inc, 1,802.05; Sherwin Williams Paints, 1,496.98; Shoener Machine & Tool Supply Inc, 125.35; Sign & Trophy/Westex, 227.00; Sign Express, 149.13; Simpson's Printing, 756.00; Sioux Falls Tower & Communications, 9,358.61; Ske Communication Product, 521.60; Skinner Law Office Pc, 14,749.79; Smoot & Utzman, 551.25; Snap On Tools, 217.99; Srma Youth Activities, 150.00; Stan Houston Equipment, 518.98; Stardust Motel, 180.00; Steam Cleaning Specialist, 2,200.00; Stephen Keegan, 300.00; Stewart Design Associates Inc, 2,926.88; Sturdevant's Auto Parts, 2,005.18; Summit Signs & Supply Inc, 644.60; Sun Life Financial, 95,039.08; Sundial Square Apartments, 350.00; Swanston Equipment, 370.54; Talley Construction Inc, 965.14; Taser International, 1,171.97; Tdm, 239.80; Team Auto Sales Inc, 383.50; Teller County Sheriff's Office, 3.00; Teresa L Fink, 834.60; Terri Phelps, 240.00; Tessco Incorporated, 4,176.81; The Family Inn & Suites, 190.00; The Hartford, 2,555.24; The Law Office Of Jamy Patterson Llc, 1,971.80; The Little Print Shop Inc, 525.05; The Medicine Shoppe, 6.28; Thomas Braun & Burke Llp, 1,719.61; Thomas L Humphal, 240.00; Thomson Reuters-West, 4,428.67; Time Equipment Rental & Sales, 139.02; Timothy L Cleveland, 1,069.00; Titan Machinery, 1,353.41; Titan Machinery Ppa, 1,918.48; Todd A Love, 3,918.48; Tom Vlieger, 45.36; Tom Wilsey, 28.00; Tony Knodell, 40.00; Tracy Lynn Binder, 117.80; Trail King Ind. Inc, 1,532.47; Trevor Abernathie, 64.00; Trevor R Schmelz, 81.00; Trimin Systems Inc, 1,200.00; Tri-State Tire & Auto, 420.92; Tru Green Lp, 349.20; Tschetter And Adams Law Office Pc, 314.50; Twilight Inc, 338.48; US Corrections Llc, 2,929.00; Valley Bag & Supply Co, 346.00; Vanway Trophy & Awards, 58.75; Vast Broadband, 1,879.94; Verizon Wireless, 55.00; Victor Gomez, 100.00; Vugate Inc, 385.10; Wade Anderson, 221.00; Wall Building Center & Construction, 62.46; Wall Community Library, 8,112.00; Warne Chemical & Equipment Co Inc, 23.50; Watertree Inc, 787.50; Watson Law Office Pc, 9.20; Wellmark, 49,308.00; Wells Fargo, 28,304.49; Wendy T McGowan, 3,497.76; Wesley Tschetter, 28.00; West River Electric, 199.31; West River International Inc, 10,294.38; West River Welding & Machine, 410.00; Western Communication Inc, 731.00; Western Construction Inc, 33,898.50; Western Dakota Tech Inst, 2,778.42; Western Detention, 119.38; Western Mailers, 523.88; Western States Fire, 995.00; Western Stationers Inc, 2,516.81; Western Thrifty Inn Llc, 910.00; WEX Bank, 232.10; WEX Bank, 27.36; WEX Bank, 82.52; WEX Bank, 4,956.82; WEX Bank, 163.31; WEX Bank, 319.91; WEX Bank, 110.63; WEX Bank, 606.74; WEX Bank, 155.18; Whisler Bearing Co, 88.52; Whispering Pines VFD, 240.00; William A Moss Psy D Llc, 900.00; William Welk, 28.00; Williams Properties, 240.00; Winner Police Dept, 286.00; Winter Law Office Pc, 4,246.81; Wood Stock Supply, 15.00; Yankton Co Sheriff Office, 125.00; Yankton County Treasurer, 930.00.

EXECUTIVE SESSION per SDCL 1-25-2
A personnel item was removed by the complainant and will be rescheduled for the June 10, 2016, Board of Commissioners’ meeting.
MOVED by Hadcock and seconded by Buskerud to acknowledge the IT Director’s 90 day review. Vote: Unanimous.

MOVED by Hadcock and seconded by Trautman to convene in executive session for contractual and litigation matters. The Board remained in executive session from 12:25 p.m. to 12:42 p.m.

MOVED by Trautman and seconded by Hadcock to adjourn from executive session. Vote: Unanimous.

PERSONNEL
Emergency Services Communications Center: Effective 5/23/2016 – Devan Kinser, Jared Schiferl, Carla Buxton at $16.35/hr.
Public Defender: Effective 5/16/2016 – Caitlyn Bagley at $12.81/hr. and Alafia Wright at $15.57/hr. Effective 5/23/2016 – Benjamin Dolan at $15.57/hr.

ADJOURN
MOVED by Trautman and seconded by Hadcock to adjourn the meeting. Vote: There being no further business, the meeting was adjourned at 12:42 p.m.

/s/ Julie A. Pearson, Auditor
Published once at an approximate cost of _____.
Publish: June 1, 2016