

**PROCEEDINGS OF THE PENNINGTON COUNTY
BOARD OF COMMISSIONERS
January 17, 2017**

The Pennington County Board of Commissioners met at 9:04 a.m. on Tuesday, January 17, 2017, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chairman Deb Hadcock called the meeting to order with the following Commissioners present: Mark DiSanto, George Ferebee and Lloyd LaCroix. Commissioner Ron Buskerud joined by videoconference. Pursuant to SDCL 1-25-1, votes were taken by roll call vote.

REVIEW AND APPROVE AGENDA

MOVED by Lacroix and seconded by Buskerud to approve the agenda as presented. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

NEW EMPLOYEE INTRODUCTIONS

BLACK HILLS STOCK SHOW OPENING – RON JEFFRIES

COUNTY CARES PRESENTATION – JUVENILE DIVERSION PROGRAM – KIM MORSHING

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 LaCroix and seconded by Buskerud to approve the Consent Agenda as presented. LaCroix and Buskerud agreed to amend the motion and remove Item 13 for separate consideration. The motion carried unanimously on a roll call vote: Buskerud –yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

8. Approve the minutes of the regular January 3, 2017, Board of Commissioners’ meeting as presented.
9. Approve the first half of the budgeted 2017 General Fund operating transfer to the E911 Fund in the amount of \$338,618. (ESCC/AUD)
10. Schedule a public hearing at 9:15 a.m. on Tuesday, February 7, 2017 to supplement the General Fund budgets – State’s Attorney in the amount of \$118,130 and John T Vucurevich in the amount of \$203.22 from the restricted fund balance. SP17-001
11. Approve the 1st Quarter State and Local Agreement (SLA) Report. (EM)
12. Approve the Chairman’s Signature on the Report of Personnel Action. (EM)
13. Removed for separate consideration.
14. Recognize and thank the volunteers for the month of December 2016. The list of volunteers is on file in the Human Resources office and is posted on the County Bulletin Board. (HR)

Removed for Separate Consideration

13. MOVED by DiSanto and seconded by LaCroix to declare surplus for the purpose of disposal the following items: Power Washer asset #050270; Honda Water Pump asset #004921; Welder/Generator asset #2001-04; Post Hole Digger w/9” Auger asset #003563; and Diesel Pack Tank asset #0617. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

End of Consent Agenda Items

Open Public Comment – Non-Consent Agenda Items 15-21

MOVED by LaCroix and seconded by DiSanto to open Public comment on non-consent agenda items. The motion carried 4-0 with Ferebee abstaining on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – abstained, LaCroix – yes, Hadcock – yes.

Tina Mulally spoke on Item #21.

Dick Johnson, CEO of West River Electric made himself available for questions on Item #17.

Close Public Comment

MOVED by LaCroix and seconded by DiSanto to close public comment. The motion carried 3-1 with DiSanto abstaining on a roll call vote: Buskerud - yes, DiSanto – abstained, Ferebee – no, LaCroix - yes, Hadcock – yes.

15. **COMMISSION MEETING DATES FOR 2017 (CONT. FROM 1/3/2017):** MOVED by LaCroix and seconded by Buskerud to continue to hold the meetings the first and third Tuesday of the month. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

16. **TAX FREEZE APPEAL – MS. EVELYN L. WARREN:** MOVED by DiSanto and seconded by LaCroix to grant the tax freeze appeal for Evelyn L. Warren. The motion carried 4-1 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

17. **ITEMS FROM EMERGENCY MANAGEMENT**

A. **2016 CHRISTMAS BLIZZARD DISASTER DECLARATION:** MOVED by LaCroix and seconded by DiSanto to authorize the Chairman’s signature on the Declaration of Local Disaster: Christmas Blizzard Resolution and Proclamation for Pennington County. The motion carried unanimously on a roll call vote: Buskerud - yes, DiSanto - yes, Ferebee - yes, LaCroix - yes, Hadcock – yes.

Declaration of Local Disaster:

2016 Christmas Blizzard Resolution and Proclamation for Pennington County

WHEREAS, On January 17th, 2017, the Pennington County Board of Commissioners do hereby enact the following resolution;

WHEREAS, the Pennington County Emergency Management Director and other officials of Pennington County, SD do hereby find that:

1. That a winter storm impacted Pennington County on December 25th and 26th, 2016 causing ice accumulations and very high winds resulting in significant damage to Pennington County's electrical power distribution infrastructure.
2. That all available local resources have been committed to response and recovery activities.
3. That over 1200 Pennington County residents experienced prolonged power outages in sub-freezing temperatures resulting in significant threats to life-safety.
4. That costs associated with the response and recovery efforts are expected to create a significant financial burden to Pennington County residents.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND PROCLAIMED that a winter storm disaster does now exist throughout said County; and

BE IT FURTHER RESOLVED that the Pennington County Board of Commissioners for, and on behalf of the citizens of Pennington County, request that the Governor of the State of South Dakota to declare that a state of disaster exists in Pennington County; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency, the powers, functions, and duties of the Emergency Management Office of Pennington County shall be/were those prescribed by State Law and the Ordinances, Resolutions, and approved plans of Pennington County in order to mitigate the effects of said emergency.

January 17, 2017

/s/ Deb Hadcock, Chair, County Commission
Pennington County, State of South Dakota

18. ITEMS FOR HIGHWAY DEPARTMENT

- A. AUTHORIZATION TO PURCHASE NEW BRUSH CHIPPER: MOVED by LaCroix and seconded by Buskerud to authorize the Highway Department to advertise for bids to replace the Vermeer 1250A Brush Chipper. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.
- B. SCENIC TOWNSHIP #7: MAINTENANCE AND SNOW REMOVAL AGREEMENT: MOVED by LaCroix and seconded by Buskerud to approve the Maintenance and Snow Removal Agreement with the Scenic Township Board of Supervisors and authorize Chairman's signature. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.
- C. AUTHORIZATION FOR LETTING OF 2017 CONSTRUCTION PROJECTS: MOVED by DiSanto and seconded by Ferebee to authorize the Highway Department

to advertise and open bids for annual construction projects as follows: ADA 2017 – ADA Ramp Upgrades (Rapid Valley Area); AC 2017-1 – Asphalt Concrete Overlay Project (South Valley Drive); AC 2017-2 – Asphalt Concrete Reconstruction Project 420605-2016 (Degeest Drive); AST 2017- Asphalt Surface Treatment Project; ASC 2017 – Asphalt Surface Crack Sealing Project; AGG 2017-1 – Aggregate Stockpile Project (Copper Mountain); AGG 2017-2 Aggregate Stockpile Project (Howie Pit). The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

- D. **AUTHORIZATION FOR LETTING OF ANNUAL SUPPLIES:** MOVED by LaCroix and seconded by Buskerud to authorize the Highway Department to advertise and open bids for annual supplies as follows: Aggregate Materials, Asphalt Concrete Composite; Asphalt Maintenance Materials; Pre-Cast Concrete Pipe and Bridge Products; Cutback and Emulsified Asphalt; De-Icing Sand; Fencing; Guardrail; Magnesium Chloride Solution; Seeding, Fertilizing, Mulching, and Erosion Control Blanket; Timber Bridge Materials; Traffic Control Materials. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

19. 2017 LEGISLATIVE SESSION

- A. **STAFF DIRECTION/RESEARCH:** Moved by Lacroix and seconded by DiSanto to accept the report. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

20. **APPROVAL OF VOUCHERS:** MOVED by LaCroix and seconded Buskerud by 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 \$1,780,343.90. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

A & A Professional Property Management, \$221.00; A & B Business Inc, \$140.60; A & B Business Inc, \$1,692.70; A & B Welding Supply Co, \$526.09; A & B Welding Supply Co, \$283.44; A & I Distributors, \$158.89; A To Z Shredding, \$107.54; A To Z Shredding, \$33.15; A-1 Sewer & Drain Inc, \$120.00; Aaron Klapkin, \$648.00; Accela Inc, \$43,600.51; Advanced Drug Testing Inc, \$36.00; Ae Supply, \$118.90; Alan Dornfest, \$2,750.00; Alcohol Monitoring Systems Inc, \$401.70; Alice Training Institute LLC, \$595.00; All Metal Manufacturing Inc, \$480.00; Allen Reuer, \$1,640.00; Allen Reuer, \$520.00; Americinn Motel, \$1,222.00; Amick Sound Inc, \$275.51; Angela M Colbath Atty PC, \$3,018.46; Apco International Inc, \$660.00; Apco International Inc, \$828.00; April Devlin, \$11.03; Ariosa Diagnostics Inc, \$2,094.00; Atb Tel LLC, \$40.00; Audra Hill Consulting Inc, \$11,563.72; Avera Mckennan Hospital, \$24.00; Avi Systems Inc, \$7,967.00; Bangs Mccullen Butler Foye & Simmons LLP, \$3,553.60; Bargain Barn Tire Center, \$15.00; Barnier Law Office PC, \$1,480.50; Batteries PIUS Bulbs #934, \$53.01; Behavior Management Systems Inc, \$104.48; Bennie L Francis, \$564.00; Betsey Harris, \$20,158.09; BH Ammunition Inc, \$38,320.00; BH Chemical Company Inc, \$1,821.66; BH Chemical Company Inc, \$292.40; BH Obstetrics And Gynecology LLP, \$172.54; BH Oral & Maxillofacial Surgery PC, \$1,623.49; BH Power

Equipment Inc, \$58.15; BH Power Equipment Inc, \$100.98; BH Power Inc, \$19,279.06; BH Power Inc, \$9,074.18; BH Power Inc, \$385.26; BH Raptor Center, \$90.00; BH Regional Eye Institute LLP, \$170.00; BH Services Inc, \$259.39; BH State University, \$110.00; BH Urgent Care LLC, \$725.00; Big D Oil Co, \$57.01; Birch Communications Inc, \$55.35; Black Creek Integrated Systems Corp, \$29,864.46; Black Creek Integrated Systems Corp, \$26,775.00; Bob Barker Company Inc, \$6,475.14; Bridgette R Banks, \$492.20; Brosz Engineering Inc, \$10,010.00; Budget Inn, \$190.00; Butler Machinery Company, \$231.92; Carol Butzman Consulting Services LLC, \$75.00; Cash-Wa Distributing, \$532.10; Cash-Wa Distributing, \$288.85; Catherine E Mattson-Casteel, \$3,681.47; Cat's Cleaning, \$90.00; CBM Food Service, \$95,844.55; CBM Food Service, \$966.72; CDW Government Inc, \$9,495.24; CDW Government Inc, \$190.27; Century Link, \$64.14; Chad Maxon, \$150.00; Chadron State College, \$450.00; Chemsearch, \$250.00; Children's Home Society, \$3,000.00; Chris Supply Co Inc, \$82.11; Chris Supply Co Inc, \$94.45; Cindy Stolte Brown, \$190.00; City Of New Underwood, \$690.84; City Of Rapid City, \$8,560.51; City Of Rapid City, \$21,295.33; City Of Rapid City -Water, \$141.98; City Of Rapid City -Water, \$988.27; Climate Control Systems And Service LLC, \$18,483.00; Clinical Laboratory Of The Black Hills, \$5,934.00; Community Health Center Of The Black Hills Inc, \$409.00; Community Health Center Of The Black Hills Inc, \$24,135.00; Computer Forensic Resources Inc, \$740.00; Connections Inc Eap, \$1,009.44; Cooks Correctional, \$53.00; Coremr Lc, \$909.00; Corral Motel, \$190.00; Countryside Property Management LLC, \$430.00; Countryside Property Management LLC, \$426.00; Crescent Electric Supply, \$138.53; Crum Electric Supply, \$42.00; Dakota Battery & Electric, \$309.06; Dakota Battery & Electric, \$98.25; Dakota Business Center, \$90.00; Dakota Plains Legal Services Inc, \$19,791.67; Dakota Radiology Pet/Ct & Mri, \$374.99; Dakota State University, \$150.00; Dale's Tire & Retreading Inc, \$210.75; Darrel F Smith, \$240.00; Dave Eccleston, \$125.00; Dean Schaefer, \$330.00; Deanna K Clayborne, \$649.15; Delilah Ayers, \$60.48; Delta Dental Of South Dakota, \$31,575.02; Demersseman Jensen Tellinghuisen & Huffman LLP, \$2,869.80; Denise Cody, \$45.00; Dennis Supply - Rc, \$562.17; Derby Industries, \$1,608.10; Dewey J Ertz, \$4,500.00; Diann Asher, \$362.50; Dillon Law Office, \$230.00; Eagle Ridge Apartments I, \$471.00; Eagle Ridge Apartments I, \$158.00; Eco_Scapes LLC, \$341.25; Econo Lodge North, \$561.88; Eddie's Truck Sales Inc, \$5,311.15; Edelweiss Mtn Improvement Association, \$1,015.00; Edgewood Estates Lp, \$1,007.00; Eprovider Solutions, \$192.20; Ethen Shull, \$25.20; Evergreen Office Products, \$1,405.31; Executive Mgmt Fin Office, \$27.00; Executive Mgmt Fin Office, \$513.56; Fall River County Sheriff's Office, \$110.00; Fastenal Company, \$130.42; Federal Express, \$92.97; Ferguson Enterprises Inc #226, \$6,905.17; Fernand D Marquis, \$350.00; First Interstate Bank, \$9,286.61; First Interstate Bank, \$80.00; First Interstate Bank, \$750.93; First Western Insurance, \$216.00; Fitness PIUS Inc, \$5,570.00; Foley's Custom Print, \$32.50; Fox Youngberg & Lewno, \$373.44; G & R Controls Inc, \$5,015.32; George J Nelson, \$1,817.83; Global Tel'link, \$8.32; Godfrey Brake Service And Supply Inc, \$131.40; Godfrey Brake Service And Supply Inc, \$421.61; Golden West Companies, \$347.98; Golden West Companies, \$283.33; Golden West Companies, \$793.06; Golden West Technologies, \$754.44; Golden West Technologies, \$237.00; Grabar Voice And Data Inc, \$3,771.00; Great Plains Psychological Services LLC, \$1,317.50; Great Western Tire Inc, \$395.00; Grey & Eisenbraun Law Prof LLC, \$984.40; Grimm's Pump Service Inc, \$293.05; Grizzly Industrial Inc, \$2,305.29; Gsi, \$117.00; Gustave A Larson

Company, \$105.00; Harmelink Fox & Ravensborg Law Office, \$607.00; Harveys Lock Shop, \$127.38; Health Education Design Solutions Inc, \$119.00; Heartland Paper Company, \$5,190.26; Helpline Center Inc, \$2,500.00; Hill City Hardware Inc, \$19.99; Hill City Prevailer, \$710.26; Hill City Prevailer, \$21.28; Hillyard/Sioux Falls, \$625.42; Honeywell Inc, \$4,564.21; Honeywell Inc, \$6,371.79; Humane Society Of The Black Hills, \$4,166.67; IAED, \$650.00; IDZ LLC, \$1,732.06; Image Up Creative Services LLC, \$352.96; Indoff Inc, \$1,281.44; Industrial Organizational Solutions Inc, \$125.00; Integrated Weed Control, \$5,000.00; Interstate Batteries, \$179.95; Intoximeters Inc, \$699.75; Ione Wolf, \$120.00; J & J Truck And Auto Body, \$888.00; Jantech LLC, \$150.00; JD's Equipment Service LLC, \$3,130.09; Jean M Cline, \$2,347.10; Jeff Rohrich, \$270.00; Jeffrey Dargatz, \$100.00; Jeffries Law Office PC, \$366.38; Jennifer Jadari, \$340.00; Jeremiah J Davis, \$4,347.20; Jeromey Smith, \$117.73; Jessie Hudson, \$75.00; Jj's Engraving & Sales, \$35.50; Jody H Speck, \$1,380.00; John Gordon, \$150.00; John Martin, \$93.54; Johnson Machine Inc, \$578.54; Johnson Machine Inc, \$383.03; Johnstone Supply, \$3,082.61; Justin Robert Lena, \$240.00; Kahler Property Management, \$653.69; Kayla L Maruska, \$136.80; Kent Pomplun, \$160.28; Kevin E Kirschenmann, \$1,260.00; Kieffer Family Dental PC, \$1,623.00; Kieffer Sanitation/A Waste Management Co, \$67.20; Kieffer Sanitation/A Waste Management Co, \$2,542.62; Kieffer Sanitation/A Waste Management Co, \$144.20; Kimball Midwest, \$317.98; Kimberly K Johnson, \$433.10; Kirk Funeral Home, \$7,492.70; Knecht Home Center Inc, \$352.11; Knecht Home Center Inc, \$46.33; Kone Inc, \$561.35; Kone Inc, \$8,117.10; Konica Minolta Premier Finance, \$156.19; Kt Connections, \$47.50; Kyle Krause, \$745.20; Laboratory Corporation Of America Holdings, \$4.50; Lakota Community Homes Inc, \$299.45; Language Line Services, \$63.15; Larry D Fuss, \$240.00; Lawrence D Beezley, \$200.00; Lawson Products Inc, \$208.26; Lazy U Motel Inc, \$190.00; Leadsonline LLC, \$4,194.00; Lewis & Clark Behavioral Health Services, \$800.00; Linda J Nohr, \$805.00; Lisa Schafer, \$2,065.00; Loveletta Mae Gibson, \$240.00; Lowe's, \$131.10; Lucille M Lewno, \$448.38; Lutheran Social Service, \$36,898.55; Lynn Jackson Schultz & Lebrun PC, \$2,226.40; M Louise Lemke-Holter, \$190.00; Macnally Law Offices Prof LLP, \$23,705.50; Manlove Psychiatric Group, \$4,156.73; Maplewood Townhouses, \$984.00; Marcia Whiting, \$1,669.80; Marco Inc, \$550.15; Marco Inc, \$704.86; Marco Inc, \$149.48; Marco Inc, \$3,516.10; Mark A Biggs, \$2,000.00; Mark Katterhagen, \$45.00; Matheson Tri-Gas Inc, \$3,971.01; Matthew Stephens, \$34,054.00; Mcgas Propane LLC, \$1,609.50; Mckie Ford Inc, \$85.90; Mckie Ford Inc, \$116.62; Medical Waste Transport Inc, \$300.40; Medline Industries Inc, \$9,974.91; Melissa J Rupert, \$2,223.00; Menards, \$535.06; Menards, \$325.53; Mg Oil Company, \$1,002.69; Michael S Stonefield, \$11,141.20; Midcontinent Communications, \$1,617.59; Midcontinent Communications, \$802.90; Midcontinent Communications, \$1,153.85; Midcontinent Communications, \$528.88; Mobil Satellite, \$1,530.00; Monica D Colbath, \$94.00; Moore Medical Corp, \$107.77; Motel Rapid, \$150.00; Motel Rapid, \$420.00; Motorola Solutions Inc, \$55,575.05; Moyle Petroleum, \$4,240.82; Mt Rushmore Telephone Co, \$46.60; Mt Rushmore Telephone Co, \$58.00; Murphy Law Office PC, \$1,633.75; Nd State University, \$300.00; Networkfleet Inc, \$37.90; Neve's Uniforms Inc, \$6,299.18; Newkirk's Ace Hardware-East, \$293.71; Newkirk's Ace Hardware-West, \$43.46; Newman Signs Inc, \$10,432.88; Northwest Pipe Fitting Inc, \$5,547.08; Notable Corporation, \$597.09; O'connor Company, \$2,790.00; Officemax Incorporated, \$3,874.40; Otis Elevator Co, \$10,700.00; Otis Elevator Co, \$4,849.08; Pacific Steel & Recycling, \$107.14; Parr Law

PC, \$2,842.80; Patricia A Meyers, \$410.00; Patterson Dental Supply Inc, \$123.45; Paul A Lewis, \$3,716.74; Pederson Law Office LLC, \$37,263.80; Penn Co Equalization Petty Cash, \$7.10; Penn Co Health & Human Sv Petty Cash, \$494.44; Penn Co Health & Human Sv Petty Cash, \$13.50; Penn Co Jail, \$113.77; Penn Co Jail Petty Cash, \$1,286.94; Penn Co Jsc Petty Cash, \$81.56; Penn Co Juv Diversion, \$122.53; Penn Co Search & Rescue, \$1,727.92; Penn Co Sheriff Petty Cash, \$905.42; Penn Co States Atty Petty Cash, \$7.50; Pennington County Courant, \$1,655.36; Pennington County Courant, \$24.55; Pennington County Housing, \$190.00; Pennington County Housing, \$120.00; Pharmchem Inc, \$425.00; Phoenix Supply LLC, \$111.86; Pillen Optical Inc, \$60.00; Pioneer Bank & Trust, \$1,675.84; Pioneer Bank & Trust, \$270.46; Pioneer Bank & Trust, \$4,037.09; Pioneer Bank & Trust, \$408.96; Pitney Bowes Inc, \$339.98; Pitney Bowes Reserve Account, \$6,636.49; Pitney Bowes Reserve Account, \$1,000.00; Pj Conover, \$240.00; Pollard Law PC, \$144.00; Ponderosa Screen Printing And Embroidery, \$12.30; Price Motel, \$175.00; Print Mark-Et, \$47.95; Priority Dispatch Corp, \$500.00; Priority Dispatch Corp, \$21,600.00; Professional Computer Srv, \$915.00; Proforma Screening Solutions LLC, \$136.00; Quill Corporation, \$1,263.30; Quill Corporation, \$59.96; Radiology Associates Professional LLC, \$369.07; Randal E Connelly, \$2,496.62; Rapid Delivery Inc, \$120.75; Rapid Leasing, \$883.81; Rapid Transit System, \$60.00; Rapid Valley Sanitary District, \$169.06; RC Area School Dist 51-4, \$172.58; RC Area School Dist 51-4, \$234.69; RC Emergency Services Pa, \$613.23; RC Fire & Emergency Services, \$4,049.99; RC Journal, \$3,489.15; RC Journal, \$1,189.96; RC Medical Center LLC, \$3,315.00; RC Pizza Ranch, \$168.85; RC Police Dept-Evidence, \$2,238.00; RC Regional Hospital Inc, \$23,705.66; RC Regional Hospital Inc, \$43.80; RC Rentals, \$300.00; RC Winsupply, \$3,587.98; Rdo Equipment Co, \$1,676.25; Rdo Equipment Co, \$216.06; Record Storage Solutions, \$546.90; Redwood Toxicology Inc, \$4,097.07; Regional Health, \$1,572.75; Regional Health Home PIUS LLC, \$17.96; Regional Health Home PIUS Pharmacy, \$36,550.60; Regional Health Reference Laboratory, \$1,488.91; Regional Hospital Longterm Care Pharmacy, \$10.00; Reliance Telephone Inc, \$2.80; Rensch Law Office, \$18,336.38; Ricoh Usa Inc, \$124.51; Ricoh Usa Inc, \$227.17; Robert A Reil, \$125.00; Rochester Armored Car Company Inc, \$408.40; Rocky Volker, \$7.98; Rosco's Motorcylce & Atv, \$628.95; Runnings Supply Inc, \$271.91; Sand Scripts, \$27.70; Sandra Carter, \$100.00; Satellite Tracking Of People LLC, \$5,235.75; Scenic Township, \$1,100.00; Scovel Psychological, \$3,600.00; SD Dept Of Labor, \$3,346.00; SD Dept Of Revenue, \$13,719.60; SD Dept Of Revenue, \$963.00; SD One Call Board, \$15.75; SD Rose Inn, \$180.00; SD Sheriff's Association, \$3,378.44; SD State Plumbing Commission, \$225.00; Sdacc, \$17,661.00; Sdn Communications, \$769.60; Sdsu Extension, \$24.91; Security Inform Systems, \$1,790.00; SecurUS Technologies Inc, \$19,289.18; Servall Uniform/Linen Co, \$1,330.79; Servall Uniform/Linen Co, \$242.26; Sherwin Williams Paints, \$69.60; Simplexgrinnell Lp, \$2,177.00; Simpson's Printing, \$285.00; Skinner Law Office PC, \$9,196.76; Smoot & Utzman, \$556.50; Solemate Shoes And Uniform Center, \$93.55; Stacey A Fielder, \$80.00; Stan Houston Equipment, \$9,525.97; State Bar Of South Dakota, \$5,850.00; Sturdevant's Auto Parts, \$566.99; Sturdevant's Auto Parts, \$361.79; Summit Signs & Supply Inc, \$750.00; Sun Life Financial, \$96,597.21; Superior Siding Inc, \$55.00; Surgical Solutions PLLC, \$1,124.55; Teresa L Fink, \$724.70; Terri Phelps, \$240.00; Tessier's Inc, \$212.75; The Family Inn & Suites, \$190.00; The Hartford, \$2,561.74; The Hotel Alex Johnson, \$68.44; The Law Office Of Jamy Patterson LLC, \$10,715.40; The

Medicine Shoppe, \$125.27; The Rushmore Hotel, \$324.00; Thomas Braun Bernard & Burke LLP, \$2,277.50; Thomson Reuters-West, \$3,364.86; Thrive Properties LLC, \$169.00; Todd A Love, \$4,803.04; Tom Vlieger, \$150.78; Twilight Inc, \$24.90; Tyler Technologies, \$39,047.00; US Bank Trust Na/Debt Mgt, \$9,750.00; US Geological Survey, \$10,454.50; Valarie O'day, \$153.20; Van Norman Law Office, \$8,109.80; Vanway Trophy & Awards, \$210.40; Vast Broadband, \$941.58; Vast Broadband, \$250.00; Vast Broadband, \$337.40; Vast Broadband, \$24.00; Vemco, \$3,613.79; Verizon Wireless, \$103.90; Verizon Wireless, \$131.97; Verizon Wireless, \$440.80; Victor Gust, \$245.59; Warne Chemical & Equipment Co Inc, \$2,626.00; Watertree Inc, \$638.84; Watertree Inc, \$26.50; Weldon Travis Lasseter, \$378.94; Wellmark, \$101,064.04; Wellmark, \$23,400.23; Wells Fargo, \$28,609.08; Wells Fargo Financial Leasing Inc, \$1,357.98; Wendy T Mcgowan, \$2,587.84; West Plains Engineering Inc, \$14,630.60; West River Electric, \$2,476.12; West River Electric, \$239.27; West River International Inc, \$2,381.91; West River International Inc, \$215.66; West River Welding & Machine, \$2,057.00; Western Communication Inc, \$1,243.75; Western Dakota Tech Inst, \$2,778.42; Western Detention, \$15,269.60; Western Mailers, \$339.35; Western Pathology Consultants PC, \$1,000.00; Western States Fire, \$3,140.00; Western Stationers Inc, \$11,318.56; Western Thrifty Inn LLC, \$840.00; Western Thrifty Inn LLC, \$60.00; Wex Bank, \$7,615.23; Whisler Bearing Co, \$99.42; Whisper Rock Apartments, \$793.00; Whiting Hagg Hagg Dorsey & Hagg LLP, \$23,222.15; William A Moss Psy D LLC, \$900.00; William D Stratford Jr Md PC, \$9,250.00; Williams Properties, \$240.00; Winner Police Dept, \$135.60; Winter Law Office PC, \$7,572.90; Wood Stock Supply, \$108.75; Working Against Violence, \$8,526.76; Working Against Violence, \$35,000.00; Yankton Co Sheriff Office, \$150.00; Yankton County Treasurer, \$581.25; Z & S Dust Control System, \$756.00; Zuercher Technologies LLC, \$45,453.75.

21. **TEMPORARY ZONING CONTROL PROPOSAL – A TEMPORARY ORDINANCE (NO.675) REGULATING ORDINANCE AMENDMENTS FOR THE PENNINGTON COUNTY ZONING ORDINANCE, FLOOD DAMAGE PREVENTION ORDINANCE, AND SUBDIVISION REGULATIONS (MORATORIUM ON NEW AMENDMENTS):** MOVED by LaCroix and seconded by Buskerud to authorize the Planning Department to advertise for a public hearing to be held on February 7, 2017, for Ordinance 675 – A Temporary Zoning Ordinance Regulating New Ordinance Amendments for the current versions of the Pennington County Zoning Ordinance, Flood Damage Prevention Ordinance, and Subdivision Regulations Ordinance. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

22. ITEMS FROM PLANNING AND ZONING

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 LaCroix and seconded by DiSanto to approve the Planning and Zoning consent agenda items. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

- A. SECOND READING OF REZONE / RZ 16-13 AND COMPREHENSIVE PLAN AMENDMENT / CA 16-10: Joseph Theberge. To rezone 20.00 acres from General Agriculture District to Limited Agriculture District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive and to Limited Agriculture District in accordance with Sections 205, 206, 213, and 508 of the Pennington County Zoning Ordinance.

W1/2NW1/4NW1/4, Section 13, T1N, R6E, BHM, Pennington County, South Dakota.

Approve the Second Reading of Rezone / RZ 16-13 and Comprehensive Plan Amendment / CA 16-10.

ORDINANCE NO. RZ 16-13

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:

W1/2NW1/4NW1/4, Section 13, T1N, R6E, BHM, Pennington County, South Dakota.

The above-described property is hereby rezoned from General Agriculture District to Limited Agriculture District.

Dated this 17th day of January, 2017.

PENNINGTON COUNTY COMMISSION

/s/ Deb Hadcock, Chairman

ATTEST:

/s/ Julie A. Pearson, Pennington County Auditor

- B. MINOR PLAT / PL 16-31: Three Forks Development Company, LLC. To combine Lot 14, Lot 15, and Lot 16 to create Lot 14R of The Forks at Remington Ranch in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 14, Lot 15, and Lot 16 of The Forks at Remmington Ranch, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 14R of The Forks at Remmington Ranch, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

Approve of Minor Plat / PL 16-31 with the following six (6) conditions:

1. That prior to filing the Plat with the Register of Deeds, a line dimension table be added to the Plat for L1 thru L6 that are shown in the drawing;
2. That prior to filing the Plat with the Register of Deeds, the Plat be corrected to state the location of the lot within the E1/2 of the NW1/4 of Section 22, T1S, R5E, if verified by the Surveyor;
3. That upon filing the Plat with the Register of Deeds, eight (8) foot minor drainage and utility easements continue to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
4. That upon filing the Plat with the Register of Deeds, the Plat continues to meet all the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
5. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations; and,
6. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Minor Plat / PL 16-31, which is available at the Planning Office.

End of Planning and Zoning Consent Agenda

REGULAR PLANNING AND ZONING ITEMS

- C. LAYOUT PLAT / PL 16-30 AND SUBDIVISION REGULATIONS VARIANCE / SV 16-06: Greg Bolt; Grant Bolt – Agent. To create Lot 6R and Lot 7 of Back Road Subdivision and to waive platting requirements in accordance with Sections 400.1 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 6, Back Road Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 6R and Lot 7, Back Road Subdivision, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Buskerud to approve Subdivision Regulations Variance / SV 16-06 to waive submittal of the percolation tests for each lot; scale of the plat to be no greater than 1" = 100'; and, submittal of topography information for the subject property at a five (5) foot contour interval. The motion carried unanimously on a

roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

MOVED by LaCroix and seconded by Buskerud to approve of Layout Plat / PL 16-30 with the following twelve (12) conditions. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes. The motion carried

1. That prior to applying for a new plat with the Planning Department, all necessary certifications and statements be added to the Plat, per Section 400.3 – Final Plat (and Minor Plat) of the Pennington County Subdivision Regulations;
2. That prior to applying for a new plat with the Planning Department, the applicant submits topography at five (5) foot intervals or a Subdivision Regulations Variance be obtained waiving this requirement;
3. That prior to applying for a new plat with the Planning Department, the scale of the proposed plat be 1" = 100" or a Subdivision Regulations Variance be obtained waiving this requirement;
4. That prior to applying for a new plat with the Planning Department, an eight (8) Foot Utility and Drainage Easement be dedicated on the interior side of all side lot lines or a Subdivision Regulations Variance be obtained waiving this requirement;
5. That prior to applying for a new plat with the Planning Department, percolation and profile hole information be submitted for proposed Lot 7 or a Subdivision Regulations Variance be obtained waiving this requirement;
6. That access to proposed Lot 7 be per Pennington County Highway Department comments;
7. That at the time Building Permits are applied for, addresses will be assigned and said lot addresses shall be posted so they are clearly visible at all times in accordance with Pennington County's Ordinance #20;
8. That the applicants ensures that all natural drainage ways be maintained and are not blocked;
9. That following platting of the proposed lot, any on-site wastewater treatment system be subject to the requirements of Section 204-J of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
10. That prior to applying for a new plat with the Planning Department, a Building Permit for the extra square footage of the deck be approved;
11. That within ten (10) business days of the approval of PL 16-30 and SV 16-06, the Landowner signs a Statement of Understanding (SOU); the SOU is available at the Planning Department; and,
12. That the approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described properties.

D. LAYOUT PLAT / PL 16-32: William and Makaley Parsons. To create Lots A, B, and C of Knotty Pine Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 11 Revised, Knotty Pine Subdivision, Section 33, T1S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot A, Lot B, and Lot C, Knotty Pine Subdivision, Section 33, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Buskerud to approve Layout Plat / PL 16-32 with eleven (11) conditions.

Substitute motion: MOVED by Ferebee and seconded by DiSanto to continue until the staff provides more information on the water and septic situation. The substitute motion failed 4-1 on a roll call vote: Buskerud – no, DiSanto – no, Ferebee – yes, LaCroix – no, Hadcock – no.

The original motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

1. That prior to filing the Plat with the Register of Deeds, proposed Lots A, B, and C obtain approved Lot Size Variances or be Rezoned appropriately;
2. That at the time of new Plat submittal, Makaley Parsons be added to the certificates as an Owner and William's name on the Owner certificate be corrected to read William C. E. Parsons, as listed on the Deed;
3. That at the time of new Plat submittal, eight (8) foot minor drainage and utility easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
4. That at the time of new Plat submittal, the applicant submits percolation tests and soil profile information for proposed Lot A and proposed Lot C to be reviewed and approved by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
5. That at the time of new Plat submittal, the plat meets all the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
6. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;
7. That addresses be properly posted on the existing residence and any future residence(s) constructed on proposed Lot A or proposed Lot C and at the approaches so they are visible from both directions of travel on Knotty Pine Road, in accordance with Pennington County's Ordinance #20;
8. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
9. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of Section 204-J of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
10. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plat / PL 16-32, which is available at the Planning Office; and,

11. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

- E. FIRST READING AND PUBLIC HEARING OF PLANNED UNIT DEVELOPMENT / PU 16-07: Karen Moore. To rezone 2.54 acres from Suburban Residential District to a Planned Unit Development District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Suburban Residential District to Planned Unit Development District in accordance with Sections 208, 508, and 213 of the Pennington County Zoning Ordinance.

Parcel A, Ewalt Subdivision, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by DiSanto to approve Planned Unit Development / PU 16-07 with four (4) conditions. The motion carried 4-1 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

1. That Planned Unit Development / PU 96-39 be amended to add the subject property and its allowed uses, prior to the existing single-family residence on the subject property being lived in or utilized as a Vacation Home Rental;
2. That an approved Floodplain Development Permit be obtained prior to any disturbance within the Special Flood Hazard Area located on the subject property;
3. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Planned Unit Development / PU 16-07, which is available at the Planning Office; and,
4. That this Planned Unit Development be reviewed in one (1) year, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

- F. FIRST READING AND PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 16-02: Pennington County. To amend Section 103 “Definitions”; Section 205 “General Agriculture District”; Section 206 “Limited Agriculture District”; Section 207 “Low Density Residential District”; Section 208 “Suburban Residential District”; Section 209 “General Commercial District”; Section 210 “Highway Service District”; Section 211 “Light Industrial District”; Section 212 “Heavy Industrial District”; Section 213 “Planned Unit Development District”; Section 317 “Wind Energy Systems” and Section 511 “Fees” of the Pennington County Zoning Ordinance.

MOVED by LaCroix and seconded by Buskerud to continue Ordinance Amendment / OA 16-02 to the February 7, 2017, Board of Commissioners’ meeting. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

23. ITEMS FOR CHAIR/COMMISSION MEMBERS

A. SD RETIREMENT SYSTEM – SELECTION OF COUNTY COMMISSIONER REPRESENTATIVE ON SDRS BOARD OF TRUSTEES – INFORMATION ITEM (CHAIRMAN HADCOCK)

24. COMMITTEE REPORTS

A. 2017 COMMISSION COMMITTEE LIAISON ASSIGNMENTS

RAPID CITY PUBLIC LIBRARY LIAISON POSITION DISCUSSION: MOVED by Buskerud and seconded by LaCroix to advertise for applications for Rapid City Public Library Liaison position. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

25. ITEMS FROM THE PUBLIC

26. EXECUTIVE SESSION per SDCL 1-25-2:

MOVED by Ferebee and seconded by DiSanto to convene in executive session pursuant to SDCL 1-25-2(3) for purposes of consulting with legal counsel. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

The Board remained in executive session from 11:38 a.m. until 12:25 p.m.

- A. Personnel Issue per SDCL 1-25-(1) (Personnel was not needed today)
- B. Contractual/Pending Litigation per SDCL 1-25-2(3)

Commissioner Buskerud left the meeting.

MOVED by LaCroix and seconded by DiSanto to adjourn from executive session. The motion carried unanimously on a roll call vote: Buskerud – no response, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – 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 December 30, 2016: Total balances of checking/savings accounts, \$18,149,897.31; Total balance of Treasurer’s Office safe cash, \$12,100.00; Total certificates of deposit, \$3,530,738.85; Total Prime Value Investment, \$15,940,239.30; Total petty cash, \$15,505.00; Total Cash Items, \$128.24; Total long/short, (\$589.06); Total, \$37,648,019.64. Submitted by Lori Wessel, Deputy Auditor.

PERSONNEL

PUBLIC DEFENDER: Effective 1/09/2017 – Leaha Anderson at \$15.13/hr.

REGISTER OF DEEDS: Effective 1/23/2017 – Jennifer Dusek at \$15.88/hr.

SHERIFFS OFFICE: Effective 12/19/2016 – Mark Steele at 17.96/hr.; Effective 1/23/2017 - James Hogue at \$24.35/hr., Eva Twiss at \$16.69/hr.; Effective 2/19/2017 – Ted Cox at \$16.68/hr., Cameron Ducheneaux at \$22.37/hr.; Effective 1/23/2017 - David Vandenhemel at \$19.84/hr.; Effective 1/4/2017 – Michael Huitema at \$21.28/hr.

TREASURERS OFFICE: Effective 12/27/2016 – Ciara Breen at \$15.88/hr.

ADJOURN

January 17, 2017

MOVED by LaCroix and seconded by DiSanto to adjourn the meeting. The motion carried unanimously on a roll call vote: Buskerud – no response, DiSanto – yes, Ferebee – yes, LaCroix - yes, Hadcock – yes. The meeting was adjourned at 12:28 p.m.

/s/ Julie A. Pearson, Auditor

Published once at an approximate cost of _____.

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