

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of February 21, 2017

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, February 21, 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. Substitute motion: MOVED by Ferebee and seconded by DiSanto to exclude Item 14, *Request for Support from the County for the Petition of Annexation for a Portion of South Valley Drive*, and Item 15, *Isolated Tract – Robert L & Barbara Steele*. The motion carried 3-2 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – no, Hadcock – no.

**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 DiSanto and seconded by LaCroix to approve the Consent Agenda as presented with the removal of Item 9 for separate consideration. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

5. Approve the minutes of the regular meeting held February 7, 2017.
6. (SP17-003) – To schedule a hearing at 9:15 a.m. on Tuesday, March 7, 2017 to supplement to the 2017 Road & Bridge Fund Budget for the purposes of an operating transfer to the Capital Projects Fund in the amount of \$1,000,000 from the Assigned Fund Balance.
7. Recognize and thank the volunteers for the month of January 2017. The list of volunteers is on file in the Human Resources office and is posted on the County Bulletin Board. (HR)
8. Declare 13 radios as presented as surplus for the purpose of destruction. (SO)
9. Removed for separate consideration.

Removed for separate consideration

9. Declare 22 radios as presented as surplus for the purpose of donation or destruction. (SO)  
MOVED by LaCroix and seconded by Hadcock to declare the 22 radios as presented as surplus for the purpose of donation or destruction. The motion carried 4-1 on a roll call vote Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

End of Consent Agenda Items

**2016 FINANCIAL AND COMPLIANCE AUDIT – STATE OF SOUTH DAKOTA DEPARTMENT OF LEGISLATIVE AUDIT – BRUCE HINTZ: MOVED by LaCroix and**

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seconded by DiSanto to authorize the Chairperson's signature on the Engagement Letter from the South Dakota Department of Legislative Audit. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

**TAX FREEZE APPEAL – JAMES R GREEN:** MOVED by LaCroix and seconded by DiSanto to grant the tax freeze appeal for James R. Green for Tax ID 48863. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

**ITEMS FROM THE AUDITOR**

A. **9:15 a.m. PUBLIC HEARING:** MOVED by DiSanto and seconded by LaCroix to approve a supplement to the 2017 Accumulated Building Fund CSF Lighting Project budget in the amount of \$285,235 from Accumulated Building Fund restricted Fund balance. The motion carried 3-2 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

**RAPID CITY PUBLIC LIBRARY COUNTY LIAISON POSITION:** MOVED by LaCroix and seconded by DiSanto to continue this item until the next Commission meeting, March 7, 2017. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

**REQUEST FOR SUPPORT FROM THE COUNTY FOR THE PETITION OF ANNEXATION FOR A PORTION OF SOUTH VALLEY DRIVE – HANI SHAFI:** Item removed during approval of the agenda.

**ISOLATED TRACT – ROBERT L & BARBARA STEELE, JODY SPECK, ESQ:** Item removed during approval of the agenda.

**REQUEST FOR VARIANCE TO ORDINANCE 14 (REQUEST FOR A 2<sup>ND</sup> APPROACH SCOTT KNUPPE:** MOVED by Ferebee and seconded by DiSanto to approve a second approach to the south side of 227<sup>th</sup> Street as requested by Scott Knuppe. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

**REQUEST FOR WAIVER OF PENALTY FEES FOR BUILDING PERMITS – BRADLEY AND SANDRA BROCKHOUSE:** MOVED by LaCroix and seconded by Buskerud to deny the request to waive the penalty fees. A substitute motion by Ferebee to waive the penalties died for lack of a second. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

**ITEMS FROM EQUALIZATION**

A. **ZWEIFEL PROPERTIES ABATEMENT APPLICATIONS:** MOVED by Buskerud and seconded by LaCroix to deny the abatement application for Paul Zweifel because he was not

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the owner of record on the assessment date. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

- B. ABATEMENT APPLICATIONS: MOVED by Ferebee and seconded by DiSanto to approve the abatement/refund applications for the following: (2015) Valerie Reeves, Tax ID 8010882, \$370.24; Chase Manhattan, Tax ID 8010527, \$770.86, (2016) Coral Scheffel, Tax ID 9390, \$323.28; Leroy Hix, Tax ID 6869, \$68.63; Roger Peterson Trustee, Tax ID 6850, \$472.32; ABDA Investments Corp, Tax ID 6852, 196.23. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

**ITEMS FROM HIGHWAY DEPARTMENT**

A. UPDATE ON THE BRADSKY ROAD BRIDGE

- B. 2017 SEASONAL LOAN LIMITS EFFECTIVE 2-21-17: MOVED by DiSanto and seconded by LaCroix to acknowledge the implementation of seasonal load limits as presented by the Highway Superintendent. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

C. AWARD RECOMMENDATIONS FOR ANNUAL CONSTRUCTION PROJECTS

Bid documents for these items are on file at the Highway Department office.

MOVED by DiSanto and seconded by Ferebee to approve the award recommendations individually. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

ADA 2017 – ADA Ramp Upgrades (Rapid Valley Area)

MOVED by LaCroix and seconded by Buskerud to award to Lester-Robbins Construction, Inc., PO Box 2116, Rapid City, SD 57709 in the amount of \$109,645.22. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – yes, Hadcock – yes.

AC 2017-1 Asphalt Concrete Overlay Project (South Valley Drive)

MOVED by LaCroix and seconded by Buskerud to award to Western Construction, PO Box 771, Rapid City, SD 57709 in the amount of \$126,879.03. Substitute motion: MOVED by DiSanto and seconded by Ferebee to continue AC 2017-1 to the next meeting. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

AC 2017-2 Asphalt Concrete Reconstruction Project 420605-2016 (Degeest Drive)

MOVED by DiSanto and seconded by LaCroix to award to Highmark, Inc., PO Box 491, Black Hawk, SD 57718 in the amount of \$446,963.08. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

AST 2017 Asphalt Surface Treatment Project

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MOVED by LaCroix and seconded by Buskerud to award to Bituminous Paving, PO Box 6, Ortonville, MN 56278 in the amount of \$496,255.70. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

ASC 2017 Asphalt Surface Crack Sealing Project

MOVED by DiSanto and seconded by LaCroix to award to Highway Improvement Inc., PO Box 1803, Sioux Falls, SD 57101 in the amount of \$114,280.00. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

AGG 2017-1 Aggregate Stockpile Project (Copper Mountain)

MOVED by DiSanto and seconded by LaCroix to award to KD Contractors, Inc., PO Box 870, Hot Springs, SD 57747 in the amount of \$209,780.00. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

AGG 2017-2 Aggregate Stockpile Project (Howie Pit)

MOVED by Ferebee and seconded by Buskerud to award KD Contractors, Inc., PO Box 870, Hot Springs, SD 57747 in the amount of \$115,600.00. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

- D. AUTHORIZATION TO PURCHASE CORRUGATED METAL PIPE: MOVED by Ferebee and seconded LaCroix by to authorize the Highway Department to purchase corrugated metal pipe from True North Steel Company from the bid to Beadle County, awarded January 3, 2017. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.
- E. PH 8052(71), PCN 04L4; PENNINGTON COUNTY SIGNING PROJECT: MOVED by LaCroix and seconded by DiSanto to authorize the Chairman's signature to the agreement with State of South Dakota Department of Transportation. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

MOVED by DiSanto and seconded by LaCroix for a short recess at 10:25. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

The Board reconvened at 10:30 with LaCroix absent.

**ITEMS FROM PLANNING & ZONING**

**BOARD OF ADJUSTMENT**

MOVED by DiSanto and seconded by Buskerud to convene as the Board of Adjustment. The motion carried with four affirmative votes on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – no response, Hadcock – yes.

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LaCroix rejoined the meeting at 10:32 a.m.

- A. VARIANCE / VA 17-01: Delmar and Melissa Nelson. To apply for a Variance to Section 319-B-3 of the Pennington County Zoning Ordinance to allow a less than one (1) acre lot size for a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 509 of the Pennington County Zoning Ordinance.

Lot 2 of Lot A of Lot 3 of Lot G of Lot 2, Reno Placer MS 823, Section 2, T2S, R4E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by Buskerud to continue Variance / VA 17-01 to the March 7, 2017, Board of Commissioner's meeting in order for the applicant to address the structure located over the lot line. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

- B. VARIANCE / VA 17-02: William and Makaley Parsons. To reduce the minimum required lot size from 10 acres to 3.00 acres, 5.639 acres, and 3.00 acres in a Limited Agriculture District in accordance with Sections 206 and 509 of the Pennington County Zoning Ordinance.

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 DiSanto and seconded by Ferebee to deny Variance / VA 17-02. 3 – 2. The motion failed 3-2 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – no, Hadcock – no. (Four affirmative votes are needed in Board of Adjustment.)

MOVED by LaCroix and seconded by Hadcock to approve Variance /VA 17-02. The motion failed 3-2 on a roll call vote: Buskerud – no, DiSanto – no, Ferebee – no, LaCroix – yes, Hadcock – yes. Pursuant to SDCL 11-2-59 and SDCL 11-2-60 a variance must pass with four votes.

- C. VARIANCE / VA 17-03: Edelweiss Mountain Lodging; Marshall Mechaley – Agent. To apply for a Variance to Section 319-B-3 of the Pennington County Zoning Ordinance to allow a less than one (1) acre lot size for a Vacation Home Rental in a Suburban Residential District in accordance with Sections 208, 319, and 509 of the Pennington County Zoning Ordinance.

Lot 31, Block E, Edelweiss Mountain Development Subdivision, Section 20, T1N, R5E, BHM, Pennington County, South Dakota.

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MOVED by LaCroix and seconded by DiSanto to approve Variance / VA 17-03, with two (2) conditions. The motion failed on a roll call vote 1-4: Buskerud – no, DiSanto – no, Ferebee – no, LaCroix – yes, Hadcock – no.

MOVED by Ferebee and seconded by DiSanto to adjourn as the Board of Adjustment and reconvene as the Board of Commissioners. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

**PLANNING & ZONING CONSENT AGENDA**

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 DiSanto and seconded by LaCroix 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.

- D. 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.

Continue Ordinance Amendment / OA 16-02 to the March 7, 2017, Board of Commissioner’s meeting.

- E. FIRST READING AND PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 16-04: Ernest Getty; Tina Mulally – Agent. To amend Section 204-J-2 “Operating Permit”; Section 204-J-3-P “Service Providers/Liquid Waste Pumpers/Requirements”; Section 204-J-3-Q-v “Following the completion of the final evaluation by Pennington County, the system will then be registered with the County and an Operating Permit issued”; and Section 204-J-4 “Exemption for Operating Permit” of the Pennington County Zoning Ordinance.

Continue Ordinance Amendment / OA 16-04 to the March 21, 2017, Board of Commissioner’s meeting, per the Agent’s request.

End of Planning & Zoning Consent Agenda

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- F. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 17-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 17-02: Laura Pankratz; Ken Nash – Agent. To rezone 38.35 acres from General Agriculture District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Highway Service District in accordance with Sections 205, 210, and 508 of the Pennington County Zoning Ordinance.

On the following metes and bounds description: Beginning at a point N89°31'E 242.04' of the SE corner of Section 22, T1S, R6E, BHM, Pennington County South Dakota, Thence N45°57' 50"E a distance of 504.95'; Thence N42°59' 10"W a distance of 322.16; Thence N56°50'E a distance of 77.13'; Thence N68°11'E a distance of 288.42'; Thence on an arc to the right whose radius is 2141.83'; N77°10'35"E a chord distance of 666.02'; Thence S80°01'30"E a distance of 287.59'; Thence N89°35'E a distance of 333.93'; Thence S67°03'40"E a distance of 701.65'; Thence S0°01'10"E a distance of 542.78'; Thence S89°30'55"W a distance of 2388.70' to the point of beginning. Said parcel of land containing 38.35 acres more or less, Section 22, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by Ferebee and seconded by LaCroix to approve Rezone / RZ 17-02 and Comprehensive Plan Amendment / CA 17-02. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

- G. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 17-01 AND COMPREHENSIVE PLAN AMENDMENT / CA 17-01: Jimmy and Alice Dehaai. To rezone 3.49 acres from Suburban Residential District to Highway Service District and to amend the Comprehensive Plan to change the Future Land Use from Suburban Residential District to Highway Service District in accordance with Sections 208, 210, and 508 of the Pennington County Zoning Ordinance.

Lot H, Murray Subdivision, Section 21, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by DiSanto to approve Rezone / RZ 17-01 and Comprehensive Plan Amendment / CA 17-01. Substitute motion: MOVED by Ferebee and second by Buskerud to postpone this item to the March 7, 2017, Board of Commissioner's meeting with Commissioner Ferebee to help with the mediation. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

**APPROVAL OF VOUCHERS:** MOVED by DiSanto and seconded by Buskerud 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 \$2,244,875.50. The motion carried with 3 affirmative votes on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, LaCroix – abstained, Hadcock – yes.

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3D Specialties Inc, \$5,349.50; A & A Professional Property Management, \$655.00; A & B Business Inc, \$2,547.15; A & B Welding Supply Co, \$313.82; A & M Transport Service, \$697.55; A To Z Shredding, \$494.17; Aaron Klapkin, \$552.00; Aaron Robert Sanders, \$300.00; Action Mechanical Inc, \$249.23; Adams-Isc LLC, \$3,159.66; Advanced Drug Testing Inc, \$130.00; Aetech Electrical Training, \$940.00; Ainsworth Benning Construction Inc, \$34,003.55; Alb Unlimited LLC, \$1,350.00; Alcohol Monitoring Systems Inc, \$385.10; Alexa White, \$28.73; Allen Reuer, \$2,160.00; American Hotel Register Company, \$388.75; Americinn Motel, \$846.00; Amick Sound Inc, \$844.90; Amos Armijo Jr, \$84.00; Angela M Colbath Atty PC, \$10,006.61; Archaeological Research Center, \$743.10; Asap Inc, \$5.00; ATB Tel LLC, \$90.00; Audra Hill Consulting Inc, \$11,047.25; Auto Body Specialties Inc, \$35.90; Avanti Motel, \$190.00; Avera Mckennan Hospital, \$2,177.61; AVI Systems Inc, \$3,107.97; AW Direct Inc, \$858.41; Badlands Automotive, \$1,262.30; Bargain Printing, \$636.15; Barry Tice, \$180.60; Basler Printing Co, \$398.50; Behavior Management Systems Inc, \$50,578.48; Behrens-Wilson Funeral Home, \$1,910.00; Betsey Harris, \$179.80; BH Chemical Company Inc, \$3,221.90; BH Doors, \$1,340.80; BH Fiberglass & Plastics And Hofer Fire Stuff, \$2,442.69; BH Obstetrics And Gynecology LLP, \$5.64; BH Orthopedic & Spine Center PC, \$358.30; BH Power Equipment Inc, \$651.51; BH Power Inc, \$72,483.39; BH Power Inc, \$146.77; BH Power Inc, \$1,622.21; BH Property Management LLC, \$541.66; BH Rc&D, \$100.00; BH Regional Job Fair, \$350.00; BH Services Inc, \$259.39; BH Truck & Trailer Inc, \$639.90; BH Urgent Care LLC, \$106.00; BH Urgent Care LLC, \$265.00; BH Wilbert Vault, \$1,080.00; Big D Oil Co, \$14.98; Birch Communications Inc, \$59.03; Black Creek Integrated Systems Corp, \$10,480.00; Black Hawk VFD, \$78.80; Blackstrap Inc, \$21,799.73; Blake's Trailer Sales & Repair, \$15.00; Bob Barker Company Inc, \$6,594.15; Brandon Sean Bolstad, \$200.00; Brenda Sehr, \$11.84; Bridgette R Banks, \$342.00; Brosz Engineering Inc, \$14,040.00; Brownells Inc, \$7,664.07; Brown's Small Engine Repair, \$15.85; Butler Machinery Company, \$133.98; C & R Supply Inc, \$110.47; C.O.R.E, \$130.00; Carl Sharkey, \$75.00; Carol Butzman Consulting Services LLC, \$300.00; Cash-Wa Distributing, \$2,186.67; Cat's Cleaning, \$50.00; Cbm Food Service, \$108,977.02; Cdw Government Inc, \$25,198.35; Century Link, \$7,069.23; Charisa Wilhelm, \$207.14; Charlene Doorn, \$21.00; Charm-Tex Inc, \$757.68; Chemsearch, \$375.00; Cherry County Court-Nebraska Supreme Court, \$2.25; Chris Supply Co Inc, \$245.43; Chris Wiehl, \$100.00; Christopher Rogers, \$50.40; Churchill Apartments, \$275.00; City Of Rapid City, \$13,429.11; City Of Rapid City -Water, \$132.09; Clark Printing, \$205.82; Climate Systems Inc, \$103.56; Clinical Laboratory Of The Black Hills, \$12,965.00; Codington County S&R, \$498.31; Community Health Center Of The Black Hills Inc, \$366.80; Connections Inc Eap, \$1,009.44; Contractors Insulation And Drywall Supply, \$26.00; Contractors Supply Inc, \$87.15; Copy Country, \$663.00; Coremr LC, \$909.00; Corrections Products Company, \$625.00; Cory Mckinstry, \$241.76; Countryside Property Management LLC, \$1,660.00; Crescent Electric Supply, \$1,449.99; Crisis Prevention Institute Inc, \$714.00; Crum Electric Supply, \$193.37; Cummins Central Power LLC, \$545.60; Cynthia M Weichmann, \$799.05; Dakota Battery & Electric, \$328.62; Dakota Business Center, \$18,404.20; Dakota Plains Legal Services Inc, \$19,791.67; Dakota Supply Group Inc, \$2,285.12; Dakotaland Autoglass Inc, \$735.00; Dale's Tire & Retreading Inc, \$6,386.52; Dash Medical Gloves Inc, \$4,818.50; Deanna K Clayborne, \$627.95; Deanna Nolan, \$79.00; Debra Jensen, \$21.00; Delilah Ayers, \$63.84; Delta Dental Of South

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Dakota, \$33,347.50; Dennis Supply - RC, \$627.36; De's Oil Inc, \$959.00; Dewey J Ertz, \$3,175.00; Dharma Trading Co, \$203.27; Diamond Vogel Paint Center, \$383.65; Diann Asher, \$575.00; Dms Health Technologies Inc, \$15,380.04; Donald A Janz, \$2,800.00; Donna Mayer, \$21.84; Door Security Products, \$1,801.26; Dot FHWA, \$15,192.28; Drivers License Guide Co, \$349.00; Dustin Willett, \$64.00; Eagle Enterprises, \$354.00; Eagle Ridge Apartments I, \$814.60; Eagle Ridge Apartments Ii, \$253.20; Eastern Penn Conservation, \$9,175.00; Eaton Corporation, \$7,295.40; Eco\_Scapes LLC, \$225.00; Eddie's Truck Sales Inc, \$8,624.12; Election Systems, \$5,252.00; Eprovider Solutions, \$192.80; Estes Park Apartments, \$400.00; Everbridge Inc, \$9,000.00; Evergreen Office Products, \$2,643.37; Executive Mgmt Fin Office, \$54.00; Fall River County Sheriff's Office, \$150.00; Farmer Brothers Coffee, \$461.96; Fastenal Company, \$129.20; Federal Express, \$33.54; Fennell Design Inc, \$9,839.25; Fennell Design Inc, \$763.75; Ferguson Enterprises Inc #226, \$42.53; First Interstate Bank, \$520.15; Flaghouse Inc, \$581.28; Fmg Inc, \$2,974.10; Foley's Custom Print, \$1,924.00; Fred Pryor Seminars, \$198.00; Fruit Of The Loom, \$3,705.46; G & H Distributing - RC, \$170.60; G & R Controls Inc, \$449.18; George S Smith, \$300.00; Global Assets Integrated LLC, \$395.00; Global Tel'link, \$8.78; Godfrey Brake Service And Supply Inc, \$3,992.67; Golden West Companies, \$1,395.54; Golden West Technologies, \$147.52; Great Western Tire Inc, \$3,385.85; Grey & Eisenbraun Law Prof LLC, \$141.00; Grimm's Pump Service Inc, \$2,161.42; Gustave A Larson Company, \$312.00; Hagen Glass Company, \$18.00; Hainesway Apartments/Bhpm, \$519.00; Happy Holiday RV Resort, \$250.00; Harold Safgren, \$240.00; Harveys Lock Shop, \$1,091.99; Heartland Paper Company, \$11,211.15; Henry Schein Inc, \$138.45; Hill City Hardware Inc, \$15.98; Hill City Prevailer, \$939.05; Hillyard/Sioux Falls, \$3,023.83; Hilpert & Hale Prof LLC, \$124.20; Holdinghausen Investment Properties, \$140.58; Holloway Vision Care LLC, \$210.00; Honeywell Inc, \$16,365.38; Howes Oil Company Inc, \$30,536.65; Humane Society Of The Black Hills, \$4,166.67; LAAO, \$3,327.60; LACP, \$1,375.00; LAED, \$100.00; Identisys Inc, \$53.52; Indoff Inc, \$8,423.82; Industrial Organizational Solutions Inc, \$25.00; Inland Truck Parts, \$12,274.59; Interpretcorps LLC, \$116.25; Interstate All Battery Center, \$120.95; Interstate Batteries, \$130.00; Intoximeters Inc, \$3,150.00; Ione Wolf, \$507.50; J Scull Construction, \$26,794.89; Jantech LLC, \$400.00; Jd's Equipment Service LLC, \$262.50; Jean L Johnson, \$240.00; Jean M Cline, \$2,569.55; Jeffries Law Office PC, \$741.90; Jenner Equipment Co, \$1,107.31; Jeremiah J Davis, \$1,005.80; Jerri Harn, \$99.12; Jesse Fagerland, \$117.13; Jessie Hudson, \$75.00; Jj's Engraving & Sales, \$104.25; Joan Lindstrom, \$200.00; Jody H Speck, \$713.00; John A Renz, \$454.00; Johnson Machine Inc, \$2,186.27; Johnstone Supply, \$202.80; Jordan Nelson, \$9.07; Julie A Pearson, \$998.60; Kahler Property Management, \$259.00; Karen Swanda, \$60.00; Karl's Appliance, \$30.00; Kathy Davis, \$572.00; Kayla L Maruska, \$647.00; Kelly Smith, \$43.00; Kevin E Kirschenmann, \$1,050.00; Kevin Karley, \$43.00; Kieffer Family Dental PC, \$1,340.00; Kieffer Sanitation/A Waste Management Co, \$2,634.82; Kieffer Sanitation/A Waste Management Co, \$144.20; Kimball Midwest, \$1,229.12; Kimberly K Johnson, \$267.75; Kinkade Funeral Chapel, \$1,910.00; Kirk Funeral Home, \$3,610.00; Knecht Home Center Inc, \$1,519.71; Knollwood Heights Apartments, \$370.00; Knollwood Townhouse Properties, \$712.00; Kreisers Inc, \$21.37; Kyle Krause, \$331.20; L-3 Communications, \$32,646.25; Laboratory Corporation Of America Holdings, \$46.00; Lakota Community Homes Inc, \$612.00; Lands' End Business Outfitters, \$76.09; Language Line Services, \$183.19; Lawrence D Beezley, \$400.00; Legion Investments LLC, \$340.00; Liberty Chrysler Center, \$47.32; Lisa Schafer, \$1,610.00; Liz

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Hassett, \$206.77; Lloyd C Lacroix, \$104.00; Lori Sargent, \$175.14; Lucille M Lewno, \$752.80; Macnally Law Offices Prof LLP, \$609.50; Manlove Psychiatric Group, \$19,372.37; Maplewood Townhouses, \$713.00; Marco Inc, \$1,258.70; Marco Inc, \$6,068.78; Mark Katterhagen, \$75.00; Marvin R Ekeren, \$15.00; Matco Tools, \$104.34; Mathison Graphics Plus, \$80.49; Matthew Stephens, \$199.00; Mcgas Propane LLC, \$2,141.80; Mci Service Parts Inc, \$169.18; Mckenzie Yeager, \$105.88; Mckie Ford Inc, \$1,385.02; Mcleod's Printing Inc, \$595.22; McMaster-Carr Supply Company, \$41.75; Medical Waste Transport Inc, \$534.54; Medical Waste Transport Inc, \$435.61; Medline Industries Inc, \$1,740.32; Melissa J Rupert, \$3,633.75; Melissa Reckling, \$21.55; Menards, \$1,004.34; MG Oil Company, \$1,958.36; Michael R Pesicka, \$675.00; Michael Hofmann, \$41.99; Midcontinent Communications, \$4,407.19; Midcontinent Communications, \$5.41; Midcontinent Testing Lab, \$276.00; Mid-States Organized Crime Center, \$250.00; Minnesota State University Mankato, \$95.00; Mobile Electronic Service, \$673.89; Montana Dakota Utilities, \$2,599.88; Moore Medical Corp, \$2,558.33; Morse Watchmans Inc, \$175.00; Motel Rapid, \$165.00; Motorola Solutions Credit Co, \$267,213.13; Moyle Petroleum, \$25,410.41; Mt Rushmore Telephone Co, \$46.60; Mulcahy Company Inc, \$16,081.00; Murphy Law Office PC, \$211.60; Murphy Petroleum Transport LLC, \$58.00; Naadac, \$110.00; Native Sun News, \$300.00; Nelsons Oil & Gas Inc, \$1,505.32; Networkfleet Inc, \$37.90; Neve's Uniforms Inc, \$4,431.71; Nicolas Quettier, \$228.00; Nicole Williams, \$50.00; North Central Supply Inc, \$1,220.00; Northern Heights Apartments, \$171.00; Northern Truck Equipment, \$1,015.30; Northwest Pipe Fitting Inc, \$1,723.96; Office Depot, \$90.20; Office Depot, \$207.15; Officemax Incorporated, \$3,497.85; O'reilly Auto Parts, \$59.04; Overhead Door Co Of RC, \$112.14; Pacific Steel & Recycling, \$704.83; Parr Law PC, \$883.60; Patricia A Meyers, \$180.00; Paul Sauser, \$240.00; Paul Stevens, \$116.01; Pederson Law Office LLC, \$402.66; Penn Co Health & Human Sv Petty Cash, \$148.46; Penn Co Highway Petty Cash, \$179.02; Penn Co Jail Petty Cash, \$1,029.00; Penn Co Jsc Petty Cash, \$49.40; Penn Co Sheriff Petty Cash, \$1,959.95; Penn Co States Atty Petty Cash, \$790.24; Penn Co Treasurer Petty Cash, \$137.49; Penn Conservation Dist, \$5,784.03; Pennington County Courant, \$989.74; Perfect Hanging Gallery, \$188.13; Phoenix Investigations, \$270.00; Phoenix Supply LLC, \$615.22; Pillen Optical Inc, \$240.00; Pioneer Bank & Trust, \$2,598.07; Pitney Bowes Reserve Account, \$4,378.99; Ponderosa Screen Printing And Embroidery, \$18.45; Print Mark-Et, \$1,096.10; Priority Dispatch Corp, \$33,235.00; Proforma Screening Solutions LLC, \$85.00; Psi Health Care Inc, \$15.00; Quality Transmissions Inc, \$3,610.55; Quill Corporation, \$1,099.49; Radiology Associates Professional LLC, \$288.02; Ramkota Hotel, \$279.00; Ranch House Motel, \$160.00; Randal E Connelly, \$2,852.14; Rapid Chevrolet Co Inc, \$479.64; Rapid Chevrolet Co Inc, \$24,999.99; Rapid Collision, \$2,440.53; Rapid Delivery Inc, \$126.50; Rapid Fire Protection Inc, \$1,403.06; Rapid Leasing, \$883.81; Rapid Towing LLC, \$50.00; Rapid Transit System, \$30.00; Rapid Valley Sanitary District, \$98.44; RC Area School Dist 51-4, \$3,188.51; RC Chamber Of Commerce, \$265.00; RC Emergency Services PA, \$399.33; RC Journal, \$5,361.26; RC Medical Center LLC, \$192.92; RC Pizza Ranch, \$388.00; RC Police Dept-Evidence, \$16.27; RC Regional Hospital Inc, \$3,308.17; RC Regional Hospital Inc, \$42.40; RC Winair, \$54.55; RCS Construction Inc, \$137,346.57; Rdo Equipment Co, \$4,072.84; Record Storage Solutions, \$854.89; Redwood Toxicology Inc, \$4,098.03; Redwood Toxicology Laboratory Inc, \$685.03; Regional Health Home Plus LLC, \$37.11; Regional Health Home Plus Pharmacy, \$546.38; Regional Health Reference Laboratory, \$422.00; Regional West Medical Center, \$538.30;

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Reimbursements Only, \$131.53; Reliance Telephone Inc, \$9.33; Relias Learning LLC, \$36,915.19; Renovo Software Inc, \$475.25; Ricoh Usa Inc, \$227.17; Ricoh Usa Inc, \$87.92; Rochester Armored Car Company Inc, \$408.40; Rockerville Volunteer Fire Department, \$100.00; Rocky Volker, \$7.56; Rosenbaum's Signs & Outdoor Advertising Inc, \$462.89; Runnings Supply Inc, \$2,286.98; Rushmore Communications, \$156.22; Sakura LLC, \$300.00; Sanford Clinic, \$2,919.18; Sanford Labs, \$1,343.83; Sanitation Products Inc, \$17,500.00; Satellite Tracking Of People LLC, \$5,788.25; Scenic Township, \$712.50; Scott Guffey, \$64.44; Scovel Psychological, \$2,440.00; SD Assoc Of Co Hwy Supt, \$660.00; SD Dept Of Ag. (Rodent), \$130.00; SD Dept Of Health, \$150.00; SD Dept Of Public Safety, \$5,400.00; SD Dept Of Revenue, \$13,777.98; SD Dept Of Revenue, \$154.00; SD Div Of Motor Vehicles, \$63.60; SD Federal Property Agency, \$39,423.50; SD Law Review, \$66.04; SD One Call Board, \$11.55; SD Planners Association, \$250.00; SD Retirement System, \$506.66; SD Rose Inn, \$495.00; SD Society Of Fire Service Instructors, \$30.00; Sdema, \$285.00; Sdn Communications, \$769.60; SDSU Extension, \$45.36; Securus Technologies Inc, \$19,754.80; Servall Uniform/Linen Co, \$1,462.09; Sheehan Mack Sales And Equipment Inc, \$331.77; Sherwin Williams Paints, \$1,717.13; Sign Express, \$352.60; Signs Now, \$438.00; Simplexgrinnell LP, \$24,093.05; Simpson's Printing, \$163.50; Skillpath Seminars, \$149.00; Skinner Law Office PC, \$5,390.40; Smoot & Utzman, \$645.75; Solemate Shoes And Uniform Center, \$167.13; Southern Cross LLC, \$1,450.00; Specialty Incentives Inc, \$549.03; Spizzirri Properties Inc, \$240.00; Stan Houston Equipment, \$9.90; Steam Cleaning Specialist, \$2,200.00; Stephanie Olson, \$362.60; Sturdevant's Auto Parts, \$3,268.97; Summit Signs & Supply Inc, \$60.00; Sun Life Financial, \$98,755.00; Sundial Square Apartments, \$750.00; Swissphone LLC, \$717.59; T&T Welding & Repair Inc, \$170.00; Taser International, \$165.32; Teresa L Fink, \$640.80; Tessco Incorporated, \$1,183.39; The Hartford, \$2,560.61; The Little Print Shop Inc, \$830.01; The Medicine Shoppe, \$1,217.07; The Repair Shop, \$185.44; Thomas Auto Service & Towing, \$153.00; Thomson Reuters-West, \$12,182.00; Tim Bray, \$31.94; Time Equipment Rental & Sales, \$77.00; Tires Tires, \$214.90; Titan Machinery PPA, \$356.52; Todd A Love, \$6,636.78; Tom Vlieger, \$94.08; Tophat Tinting Inc, \$43.02; Tractor Supply Credit Pla, \$10.56; Trail King Ind. Inc, \$1,581.60; Treebiz, \$6,010.00; Tru Green LP, \$9,227.55; Turbiville Industrial Electric Works LLC, \$612.20; Twilight Inc, \$236.00; Tyler Technologies, \$862.50; Uline, \$366.14; Upper Deck Architects Inc, \$23,320.72; Upper Knollwood Townhouse, \$420.00; US Bank NA, \$1,100.00; Us Corrections LLC, \$6,198.30; Valarie O'Day, \$785.80; Valley Village Park, \$275.00; Van Norman Law Office, \$3,163.10; Vanway Trophy & Awards, \$226.45; Vast Broadband, \$432.07; Vast Broadband, \$1,524.69; Vemco, \$1,471.08; Verizon Wireless, \$547.32; Video Service Of America, \$158.86; Wall Badlands Chamber Of Commerce, \$50.00; Wall Building Center & Construction, \$319.79; Watertree Inc, \$814.00; Weed And Pest Conference, \$235.00; Wellmark, \$90,769.74; Wellmark, \$94,478.21; Wellmark, \$107,180.24; Wells Fargo Vendor Financial Services LL, \$2,033.16; Wendy T Mcgowan, \$4,144.76; Wes Mcpherson, \$125.00; West Omaha Apts, \$1,500.00; West Plains Engineering Inc, \$700.00; West River International Inc, \$3,415.36; West River Welding & Machine, \$685.00; Western Communication Inc, \$1,141.15; Western Dakota Tech Inst, \$2,853.42; Western Detention, \$1,626.00; Western Mailers, \$520.68; Western Pathology Consultants PC, \$2,000.00; Western SD Hydrology Conf, \$210.00; Western Stationers Inc, \$3,270.41; Western Thrifty Inn LLC, \$345.00; Wex Bank, \$128.75; Wex Bank, \$8,057.15; Wheeler Lumber Operations, \$23,080.30; Whisler Bearing Co, \$2,807.85; Whisper

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Rock Apartments, \$1,297.00; William A Moss Psy D LLC, \$2,225.00; Williamsburg Estates, \$225.00; Wilprop LLC, \$300.00; Winner Police Dept, \$262.40; Wood Stock Supply, \$303.98; Wristbands Medtech Usa Inc, \$178.68; Yankton Co Sheriff Office, \$250.00; Z & S Dust Control System, \$2,123.55; Zep Sales & Service, \$981.20.

**2017 LEGISLATIVE SESSION**

- A. UPDATE ON PROPOSED BILLS
- B. STAFF DIRECTION
- C. COMMISSION POSITIONS

**ITEMS FROM CHAIR/COMMISSION MEMBERS**

- A. COMMISSION AGENDA/MEETING FORMAT: No action was taken on this item.

**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 LaCroix and seconded by DiSanto to go into executive session to consult with legal counsel for pending litigations and contractual matters pursuant to SDCL 1-25-2 (3), and to discuss a personnel issue pursuant to SDCL 1-25-2 (1). 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 12:35 until 1:18pm

MOVED by DiSanto and seconded by Ferebee to come out of executive session. 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 DiSanto to approve the salary offering of the Sheriff's Office Public Information Officer job opening at a Grade 14 Step 20 on the Pennington County 2017 wage scale. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes.

MOVED by DiSanto to reinstate Commissioner Ferebee to the Planning Commission. The motion died for lack of a second.

**PERSONNEL**

CCADP: Effective 2/13/2017 – David Miller at \$13.72/hr. Effective 2/19/2017 – Nicole Kelly at \$19.11/hr.

JAIL: Effective 2/13/2017 – Jacob Andrews, Caleb Dirksen, and Savannah Flock all at \$21.28/hr. Effective 2/19/2017 Dominick Schoeberl at \$21.28/hr.

LAW ENFORCEMENT: Effective 2/13/2017 – Samuel Black and Leonard Jacobs at \$21.28/hr. Effective 2/19/2017 – Cameron Ducheneaux at \$22.37/hr.

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PUBLIC DEFENDER: Effective 2/20/2017 – Susan Goodhue at \$19.30/hr. Effective 3/1/2017 – Shari King at \$15.88/hr.

WSDJSC: Effective 2/13/2017 – Lynette Gordon at \$17.11/hr. and Alexis Nowotny and Adam Byrd at \$21.28/hr.

**ADJOURN**

MOVED by LaCroix and seconded by DiSanto to adjourn the meeting. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, LaCroix – yes, Hadcock – yes. The meeting adjourned at 1:26 p.m.

/s/ Julie A. Pearson, Auditor

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