

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of September 21, 2017

The Pennington County Board of Commissioners met at 9:00 a.m. on Thursday, September 21, 2017, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Deb Hadcock called the meeting to order with the following Commissioners present: Ron Buskerud, Mark DiSanto, George Ferebee, and Lloyd LaCroix.

**REVIEW AND APPROVE AGENDA**

MOVED by DiSanto and seconded by LaCroix to approve the agenda as presented. Vote: Unanimous.

**CONSENT ITEMS**

MOVED by DiSanto and seconded by LaCroix to approve the Consent Agenda as presented with the removal of Items 5,7,8 for separate consideration. Vote: Unanimous.

5. Removed for separate consideration.
6. Acknowledge the notice of intent to conduct a raffle – Team Ellsworth Spouses Club.
7. Removed for separate consideration.
8. Removed for separate consideration.
9. Recognize and thank the volunteers for the month of August 2017.

**Removed for Separate Consideration**

5. Minutes of the regular meeting – September 5, 2017 MOVED by DiSanto and seconded by Buskerud to correct the existing legal description on Item E from Planning and Zoning to say: Lot A in the NE1/4 of Section 22, T2N, R1E, BHM, Pennington County, South Dakota. Vote: Unanimous.
7. Approve the 2018 Emergency Management Performance Grant Sub Award Agreement. MOVED by LaCroix and seconded by Buskerud to approve the 2018 Emergency Management Grant Sub Award Agreement. Vote: The motion carried 4-1 with Ferebee voting no.
8. Approve to apply for 2018 Community Development Block Grant application MOVED by Buskerud and seconded by LaCroix to approve to apply for 2018 Community Development Block Grant application for additional rent, utility and deposit. Vote: The motion carried 4-1 with Ferebee voting no.

**End of Consent Agenda**

**ITEMS FROM EMERGENCY MANAGEMENT**

- A. ADOPTION OF REVISIONS TO 2017 LOCAL EMERGENCY OPERATIONS PLAN:  
MOVED by DiSanto and seconded by LaCroix to adopt a revised 2017 Local Emergency Operations Plan. Vote: Unanimous

**ITEMS FROM AUDITOR**

- A. PUBLIC HEARING FOR RETAIL (ON-OFF SALE) MALT BEVERAGE LICENSE TRANSFER – VALLEY SQUARE CASINO & VALLEY SQUARE SPORTS PUB:

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MOVED by DiSanto and seconded by Buskerud to transfer the Retail (On-Off Sale) Malt Beverage License from Valley Square Casino – Wal-East Development Inc., 3064 Covington St. Ste. 201, Rapid City, SD 57703 to Valley Square Casino – MG Oil Company 3064 Covington St. Ste. 201, Rapid City, SD 57703. Vote: The motion carried 4-0 with LaCroix abstaining.

- B. SPECIAL REQUEST FOR RETAIL ON-SALE MALT BEVERAGE AND WINE LICENSE – RUSHMORE HOCKEY ASSOCIATION: MOVED by DiSanto and seconded by LaCroix to approve the request to issue a Special Retail On-Off Sale Malt Beverage and Wine License to Rushmore Hockey Association for The Jam for the Zam Fundraiser on September 23, 2017. Vote: Unanimous.
- C. 9:15 A.M. HEARING GENERAL FUND BUDGET SUPPLEMENT SP17-010 – NATURAL RESOURCES MANAGEMENT BUDGET:  
MOVED by Buskerud and seconded by LaCroix to table this. Vote: Unanimous.

**CONSIDERATION OF THE FY2018 PROVISIONAL BUDGET AS THE ANNUAL BUDGET OF APPROPRIATIONS, EXPENDITURES AND REVENUES FOR PENNINGTON COUNTY, SD**

- A. WALL SATELLITE OFFICE: MOVED by DiSanto and seconded by Hadcock to postpone this item until the October 5, 2017 Commission meeting. Vote: Unanimous.

MOVED by LaCroix and seconded by Buskerud to take the 9:15 hearing off of the table. Vote: Unanimous

- C 9:15 A.M. HEARING GENERAL FUND BUDGET SUPPLEMENT SP17-010 – NATURAL RESOURCES MANAGEMENT BUDGET: MOVED by Buskerud and seconded by LaCroix to approve the supplement to the General Fund Natural Resources budget in the amount of \$24,750 from the non-budgeted revenue received in the current year. Vote: Unanimous.

MOVED by Buskerud and seconded by DiSanto to take a 10 minute recess. Vote: Unanimous.

The board reconvened at 11:02 a.m.

- B. CLARIFICATION OF MOTION: MOVED by Hadcock and seconded by LaCroix to go back to the original budget with a two-step raise. Motion failed 2-3 on a roll call vote: Buskerud – no, DiSanto – no, Ferebee – no, LaCroix – yes, Hadcock – yes.  
MOVED by Buskerud and seconded by DiSanto to lower the Commission Budget by \$20,000. Vote: 4-1 with LaCroix voting no.  
MOVED by Buskerud and seconded by Hadcock to approve a 1% COLA and a one-step raise to be given in January 2018 and the department is to absorb expenses equal to the two-steps included in the provisional budget.  
Substitute motion: MOVED by DiSanto and seconded by Ferebee that the department absorb the 2 step raise and only give a 1% COLA raise with a promise they will implement a longevity raise no later than June 1, 2018 to be paid for with the increase in contingencies. The motion failed 2-3 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, LaCroix – no, Hadcock – no.

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Original motion carried on a roll call vote: Buskerud – yes, DiSanto – no, Ferebee – no, LaCroix – yes, Hadcock – yes.

MOVED by Hadcock and seconded by DiSanto to schedule a special meeting at 9:00 a.m. on Tuesday September 26, 2017 for the final budget. Vote: Unanimous.

- C. SHERIFFS OFFICE BUDGET EXCEPTION REQUEST: MOVED by LaCroix and seconded by Buskerud to approve the request to be given credit for the \$161,138 tax support decrease already built into the 2018 budget proposal. The motion failed 3-2 on a roll call vote: Buskerud – no, DiSanto – no, Ferebee – no, LaCroix – yes, Hadcock – yes.
- D. TREASURER’S OFFICE BUDGET EXCEPTION: MOVED by LaCroix and seconded by Hadcock to approve an additional \$10,000 to the Treasurer’s Budget. Vote: Unanimous.

**ITEMS FROM SHERIFF**

- A. AUTHORIZATION TO PURCHASE ONE ADANI COMPASS DUAL VIEW FULL BODY SCANNING SECURITY SYSTEM: MOVED by DiSanto and seconded by LaCroix to authorize the Pennington County Sheriff’s Office to purchase one ADANI ConPASS Dual View Full Body Scanning Security System with Operator Work Station and Software and Hard Drives for a total of \$163,400 utilizing the software and computer equipment. Vote: Unanimous.

**ITEMS FROM BUILDING & GROUNDS**

- A. STATUS UPDATE ON PROJECTS: No action taken on this item.
- B. HIGHWAY DEPARTMENT OFFICE & SHOP PROJECT – CHANGE ORDER #3: MOVED by DiSanto and seconded by LaCroix to authorize the Chair’s signature to Change Order #3 dated September 14, 2017 which increases the Contract Sum by \$48,795.78 to \$5,505,960.00 and increases the Contract Time by 9 days for the RCS Construction Inc. contract for the construction of the Pennington County Highway Department Office & Shop Project. Vote: The motion carried 4-1 with Ferebee voting no.

**ITEMS FROM HIGHWAY DEPARTMENT**

- A. REVISION OF THE SHERIDAN LAKE ROAD PROJECT: MOVED by Ferebee and seconded by DiSanto to appoint Buskerud and Ferebee to meet with Highway Superintendent Tom Wilsey, Bob Borgmeyer and see what Mr. Borgmeyer has to offer. The vote failed 2-3 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, LaCroix – no, Hadcock – no.
- MOVED by LaCroix and seconded by Hadcock to adjust the limits of the Sheridan Lake Road Project to include the new limits of the project to be from Hwy 385 and proceed easterly approximately 4.86 miles. Vote: The motion carried 3-2 with Buskerud and Ferebee voting no.

**RENEWAL OF TEMPORARY ZONING CONTROL ORDINANCE #663 – A TEMPORARY ZONING ORDINANCE REGULATING CONSTRUCTION PERMITS AND MINING PERMITS IN ALL PENNINGTON COUNTY ZONING DISTRICTS**

MOVED by LaCroix and seconded by Buskerud to renew Ordinance 663 – A Temporary Zoning Ordinance Regulating Construction Permits and Mining Permits in all Pennington County

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Zoning Districts, for an additional six month period, expiring on April 5, 2018 and authorize the Chair's signature. Vote: The motion carried 4-1 with Ferebee voting no.

**ITEMS FROM PLANNING & ZONING**

**BOARD OF ADJUSTMENT** MOVED by Buskerud and seconded by LaCroix to convene as the Board of Adjustment. Vote: Unanimous.

- A. VARIANCE / VA 17-12: Logan Beckett / Megan Scales; Renner Associates, LLC - Agent. To reduce the minimum required side yard setback on the east property line from 8 feet to 1 foot and 4 inches to construct a detached garage on the subject property in a Suburban Residential District in accordance with Sections 208 and 509 of the Pennington County Zoning Ordinance.

Lot 5, Block 1, Ridgeview Place Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by Buskerud and seconded by DiSanto to continue Variance / VA 17-12 to the October 3, 2017, Commission meeting. Vote: Unanimous.

- B. VARIANCE / VA 17-14: Cara Haiar. To apply for a Variance to Section 204-G of the Pennington County Zoning Ordinance to allow a less than one-half acre lot size for six chickens in a Suburban Residential District in accordance with Sections 204, 208, and 509 of the Pennington County Zoning Ordinance.

Lot 15R, Morse Subdivision #4, Section 8, T1N, R6E, BHM, Pennington County, South Dakota.

MOVED by Buskerud and seconded by DiSanto to end Variance / VA 17-14 and the application fees for VA 17-14 be applied towards a Conditional Use Permit application, which is to be completed by the applicant. Vote: The motion carried 4-1 with Ferebee voting no.

- C. VARIANCE / VA 17-15: Mark and Kellie Rude. To reduce the front yard and rear yard setback from 25 feet to 20 feet, to reduce the east side yard setback from 8 feet to 5 feet; and to reduce the west side yard setback from 8 feet to 5¾ in order to build a new single-family residence with an attached garage on the subject property in a Suburban Residential District in accordance with Sections 208 and 509 of the Pennington County Zoning Ordinance

Lot 10-12, Block 5, Silver City Subdivision, Section 31, T2N, R5E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by DiSanto to approve Variance / VA 17-15, with the following three (3) conditions be included. Vote: Unanimous.

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1. That the applicant obtain an approved Building Permit for the proposed single-family residence and an approved On-Site Wastewater Construction Permit for the proposed holding tank, prior to any work being done;
2. That this Variance only applies for the proposed single-family residence with an attached garage and porch on the subject property. All other structures must maintain the proper setbacks or obtain separate Variance(s); and,
3. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Variance / VA 17-15, which is available at the Planning Office.

D. VARIANCE / VA 17-16: Rod and Theresa Cassidy. To reduce the side yard setback from 25 feet to 8 feet on the west property line to build an attached garage on the subject property in a Low Density Residential District in accordance with Sections 207 and 509 of the Pennington County Zoning Ordinance.

Lot 5, Block 3, Forest Homes Development Subdivision, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by LaCroix to approve Variance / VA 17-16, with the following three (3) conditions be included. Vote: Unanimous.

1. That the applicant obtain an approved Building Permit for the proposed attached garage prior to any work being done;
2. That this Variance applies only to the west property line and for the proposed attached garage on the subject property. All other structures must maintain the proper setbacks or obtain separate Variance(s); and,
3. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Variance / VA 17-16, which is available at the Planning Office.

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

**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 LaCroix and seconded by DiSanto to approve the Planning and Zoning consent agenda with the removal of item H. Vote: Unanimous.

E. SECOND READING OF REZONE / RZ 17-07 AND COMPREHENSIVE PLAN AMENDMENT / CA 17-07: Castle Creek Enterprises; Mark Ruddeforth – Agent. To rezone 4.77 acres from Suburban Residential District to General Commercial District and to amend the Comprehensive Plan to change the Future Land Use from Suburban Residential District

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to General Commercial District in accordance with Sections 208, 209, and 508 of the Pennington County Zoning Ordinance.

Outlot 1 of Lot 17 and 30 feet of RTY, Saxon Placer MS 1250 Subdivision, Section 2, T1S, R5E, BHM, Pennington County, South Dakota.

Approve of Rezone / 17-07 and Comprehensive Plan Amendment 17-07.

ORDINANCE NO. RZ 17-07 & CA 17-07

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

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

Outlot 1 of Lot 17 and 30 feet of RTY, Saxon Placer MS 1250 Subdivision, Section 2, T1S, R5E, BHM, Pennington County, South Dakota.

The above-described property is hereby rezoned from Suburban Residential District to General Commercial District and the Comprehensive Plan is amended to change the Future Land Use from Suburban Residential District to General Commercial District.

Dated this 21st day of September, 2017 at Rapid City, South Dakota.

/s/Deb Hadcock, Chair Pennington County Board of Commissioners  
ATTEST:

/s/ Julie A. Pearson, Auditor

F. SECOND READING OF REZONE / RZ 17-08: Al Dial; To rezone 5.64 acres from Light Industrial District to Suburban Residential District in accordance Sections 208, 211, and 508 of the Pennington County Zoning Ordinance.

Lot 3 and Lot 4, G-S Subdivision, Section 23, T2N, R8E, BHM, Pennington County, South Dakota.

Approve of Rezone / RZ 17-08.

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ORDINANCE NO. RZ 17-08

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

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

Lot 3 and Lot 4, G-S Subdivision, Section 23, T2N, R8E, BHM, Pennington County, South Dakota.

The above-described property is hereby rezoned from Light Industrial District to Suburban Residential District.

Dated this 21st day of September, 2017 at Rapid City, South Dakota.

/s/Deb Hadcock, Chair Pennington County Board of Commissioners

ATTEST:

/s/ Julie A. Pearson, Auditor

G. PLANNED UNIT DEVELOPMENT REVIEW / PU 06-07: Rapid City MHP, LLC. (Cimarron Mobile Home Park). To review a Planned Unit Development to allow a mobile home park in accordance with Section 213 of the Pennington County Zoning Ordinance.

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

Approve the extension of Planned Unit Development / PU 06-07 with the following twenty (20) conditions:

1. That the PUD has a maximum of 51 mobile home spaces, one duplex, two stick-built structures and a total of 75 storage units;
2. That each mobile home space be allowed one mobile home, manufactured home or modular home (single-wide or double-wide);
3. That upon removal of the camper from lot 127, a camper not be allowed to replace it, and any future homes moved onto the property shall be in compliance with Condition #2;
4. That the mobile homes shall have a minimum 20-foot separation between units;
5. That decks and/or porches be allowed as accessory structures to each mobile home with the approval of a Building Permit, if necessary;

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6. That the mobile homes shall have a minimum front yard setback of ten (10) feet from all access roads within the mobile home park and a setback of twenty-five (25) feet from exterior property lines;
  7. That the mobile homes maintain a minimum ten (10) foot rear yard and side yard setback from interior lot lines;
  8. That each mobile home space have a minimum of two (2) off-street parking spaces, and that each parking space shall not be less than nine (9) feet by eighteen (18) feet, surfaced with gravel, concrete or asphalt and be maintained in such a manner that no dust will result from continuous use;
  9. That 13 visitor parking spaces are provided. Each space must measure a minimum of nine (9) feet by eighteen (18) feet, be surfaced in gravel, concrete or asphalt and be maintained in a dust free manner;
  10. That a Building Permit shall be obtained for the removal or placement of mobile homes or manufactured homes on the property;
  11. 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;
  12. That the mobile home park be provided with an on-site management office;
  13. That all the interior streets shall be a minimum of 25 feet in width and surfaced with gravel, concrete or asphalt and be maintained in a dust free manner as required by Section 105;
  14. That prior to the placement of mobile homes or any other structures within the 100-year floodplain, a Floodplain Development Permit shall be submitted for review and approval;
  15. That prior to any repair or replacement of the wastewater disposal system, the S.D. Department of Environment and Natural Resources and the Pennington County Environmental Planner shall review and approve the work and a Floodplain Development Permit shall be obtained for any work within the 100-year floodplain;
  16. That the storage units be used exclusively for storage and not retail business activities;
  17. That each unit has an individual address that must be posted so it is clearly visible in accordance with Pennington County's Ordinance #20;
  18. 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;
  19. That the first 100 feet off of Sturgis Road be continually hard surfaced; and,
  20. That Planned Unit Development / PU 06-07 be reviewed in two (2) years, on a complaint basis, or as directed by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.
- H. Removed for separate consideration.
- I. VACATION OF EASEMENT / VE 17-04: Dana Rogers. To vacate / relocate an existing access easement and to add a forty (40) foot wide private access easement.



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Tract 6 (also in Section 32), Summit Peak Estates Subdivision, Section 33, T1S, R5E, BHM, Pennington County, South Dakota.

Continue Vacation of Easement / VE 17-04 to the November 7, 2017, Board of Commissioner's meeting.

- J. MINOR PLAT / PL 17-23 AND SUBDIVISION REGULATIONS VARIANCE / SV 17-08:  
Dustin Hunsaker. To create Lot 2 and Lot 3 of Lower Spring Creek Subdivision and to waive platting requirements in accordance with Sections 400.3 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: S1/2SE1/4 W of RR ROW less Lot 1 Lower Spring Creek Sub and less Old Folsom Road, Section 22, T1S, R8E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 2 and Lot 3 of Lower Spring Creek Subdivision, Section 22, T1S, R8E, BHM, Pennington County, South Dakota.

Approve of Subdivision Regulations Variance / SV 17-08 to waive submittal of road construction plans and road improvements; to waive scale of the plat to be no greater than 1" = 100'; to waive topography information at a five (5) foot contour interval; and, approval of Minor Plat / PL 17-23 with the following ten (10) conditions:

1. That prior to the plat being recorded at the Register of Deeds, the applicant meet with the Planning Director and bring the proposed completed plat in for review. If further changes are identified prior to recording of the document, the mylar be updated prior to filing with the Register of Deeds;
2. That prior to the plat being recorded 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;
3. That prior to the plat being recorded with the Register of Deeds, the Plat Heading is changed per Register of Deeds comments;
4. That prior to the plat being recorded with the Register of Deeds, the indicated "17' Public Road Easement" continue to appear on the Plat;
5. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
6. That existing and future addresses be properly posted on structures in accordance with Pennington County's Ordinance #20;
7. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;
8. That prior to the plat being recorded with the Register of Deeds, the plat meets all other applicable requirements of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;

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9. That prior to approval of any Building Permits, the applicant obtain approval for the location ingress and egress for proposed Lot 2 and obtain any additional permits required for their construction; and,
10. That the applicant signs the Statement of Understanding (SOU) within ten (10) business days of approval of Minor Plat / PL 17-23 and Subdivision Regulations Variance / SV 17-08. The SOU is available at the Planning Office.

End of Consent Agenda

Removed for Separate Consideration

H. VACATION OF PLAT / VP 17-01: Walter Horton; To vacate the plat of Lot 5 (also in Sections 27 and 21) of Moon Ranch Subdivision in Section 28, T1S, R1E, BHM, Pennington County, South Dakota.

EXISTING LEGAL: Lot 5, Moon Ranch Subdivision, Section 22, T2N, R8E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: H.E.S. 551 in Sections 21, 27, and 28, T1S, R1E; less Lot 6 of Moon Ranch Subdivision, BHM, Pennington County, South Dakota.

MOVED by Ferebee and seconded by DiSanto to continue this item until Mr. Horton and Kelsey Alexander can come up with a recommendation for the Board. Vote: The motion carried 3-2 with Buskerud and Hadcock voting no.

**PLANNING & ZONING REGULAR AGENDA**

K. REQUEST FOR APPROVAL OF A BUILDING PERMIT OUTSIDE OF COUNTY SUBDIVISION REGULATIONS: Shadrach Howie MOVED by Ferebee and seconded by Buskerud to continue this item until the next Commission meeting on October 3, 2017. Vote: Unanimous with DiSanto and LaCroix absent.

L. REQUEST TO REFUND CONDITIONAL USE PERMIT PENALTY FEE: Ken and Nancy Denke. MOVED by Hadcock and seconded by Buskerud to make the applicant pay the \$670 for the permit and the application fee and waive the \$500 for the penalty fee. Vote: The motion carried 3-1 with Ferebee voting no and DiSanto absent.

M. REQUEST TO WAIVE BUILDING PERMIT PENALTY FEE: Tom Gunnell. MOVED by LaCroix and seconded by Ferebee to refund the \$120 for the building permit penalty fee. Vote: The motion carried 4-1 with Buskerud voting no.

N. DISCUSSION OF PROPOSED ORDINANCE AMENDMENT - SECTION 204-G.: MOVED by DiSanto and seconded by LaCroix to approve a committee to draw up an ordinance and have Travis Lassiter The Chair of the Planning Commission to be Chair of the Committee.

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Substitute motion: MOVED by Ferebee and seconded by DiSanto to postpone this issue until the comprehensive plan is completed. Vote: The motion failed 2-3 with Buskerud, LaCroix and Hadcock voting no.

The original motion carried 4-1 with Ferebee voting no.

**ITEMS FROM COMMISSION ASSISTANT**

A. PROPOSED DRAFT LETTER IN RESPONSE TO TRUST LAND FUNDING ISSUES FOR BENNETT AND JACKSON COUNTIES FROM MR. ROLF KRAFT, BENNETT COUNTY COMMISSIONER: MOVED by Buskerud and seconded by DiSanto to postpone this item indefinitely. Vote: Unanimous

**COMMITTEE REPORTS**

**APPROVAL OF VOUCHERS** MOVED by Buskerud and seconded by DiSanto 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 \$3,803,794.46. Vote: The motion carried 4-1 with Ferebee voting no.

4-H Revolving, 1,000.00; A & A Professional Property Management, 600.00; A & B Business Inc, 4,445.79; A & B Welding Supply Co, 1,914.11; A & M Transport Service, 1,454.25; A To Z Shredding, 467.41; Aaron Klapkin, 672.00; Adams-ISC LLC, 439.67; Aggressive Auto & Salvage, 273.00; Ainsworth Benning Construction Inc, 155,824.48; Albert A Daniels, 300.00; Alex Air Apparatus Inc, 186.50; Allegiant Emergency, 1,259.67; Allen Reuer, 1,640.00; American Correctional Association, 35.00; American Hotel Register Company, 250.80; Americinn Motel, 1,410.00; Amick Sound Inc, 173.62; Amos Armijo Jr, 120.00; Angela M Colbath Atty PC, 3,819.40; Angelo D Schiraldi, 650.00; Arctic Glacier USA Inc, 90.72; Armstrong Extinguishers, 129.59; Audra Hill Consulting Inc, 14,034.68; Avera Mckennan Hospital, 1,084.28; Avera Sacred Heart Hospital, 2,940.27; Axon Enterprise Inc, 2,364.04; Badlands Automotive, 295.69; Bangs Mccullen Butler Foye & Simmons LLP, 440.55; Bargain Barn Tire Center, 15.95; Barnier Law Office PC, 1,827.00; Basler Printing Co, 312.00; Bear Graphics Inc, 196.98; Behrens-Wilson Funeral Home, 9,340.00; Betsey Harris, 1,415.90; Beverly Torres, 111.00; Bexar County Clerk, 360.00; BH Chemical Company Inc, 3,707.30; BH Oral & Maxillofacial Surgery PC, 568.45; BH Orthopedic & Spine Center PC, 600.34; BH Power Inc, 737.92; BH Power Inc, 964.62; BH Power Inc, 2,410.91; BH Power Inc, 74,257.91; BH RC&D, 2,436.18; BH Regional Eye Institute LLP, 43.63; BH Services Inc, 389.81; BH Urgent Care LLC, 778.00; Bierschbach Equipment And Supply Co Inc, 235.69; Big D Oil Co, 65.25; Birch Communications Inc, 73.59; Black Creek Integrated Systems Corp, 94,591.63; Bob Barker Company Inc, 2,323.60; Brandon Akley, 166.67; Brenda Degen-Whiting, 76.17; Brosz Engineering Inc, 900.00; Brown's Small Engine Repair, 226.04; Butler Machinery Company, 295.46; Candace Novak, 149.00; Capital Reporting Services, 355.00; Carol Butzman Consulting Services LLC, 75.00; Carquest Auto Parts, 172.03; Carrie L Stalcup, 118.75; Carrot-Top Industries Inc, 595.15; Cash-Wa Distributing, 1,672.76; Catherine E Mattson-Casteel, 951.90; Catholic Social Services, 1,350.00; Cat's Cleaning, 40.00; CBM Food Service, 127,707.50;

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CDW Government Inc, 327,173.38; Central States Fair Inc, 18,495.00; Central States Sanitation, 180.00; Chad M Maxon, 62.50; Charm-Tex Inc, 229.00; Chemsearch, 625.00; Chris Supply Co Inc, 248.28; Christopher Mooney, 149.00; Churchill Apartments, 300.00; City Of Rapid City, 19,772.37; City Of Rapid City -Water, 534.46; City Of Rapid City -Water, 772.24; Civic Research Institute, 179.95; Clark Printing, 166.75; Climate Control Systems And Service LLC, 5,841.00; Climate Systems Inc, 1,030.00; Clinical Laboratory Of The Black Hills, 7,406.00; Cna Surety, 100.00; Cody Cornelison, 100.00; Community Health Center Of The Black Hills Inc, 1,117.20; Community Lutheran Church, 58.75; Complete Property Solutions LLC, 300.00; Connections Inc Eap, 1,082.88; Contractors Insulation And Drywall Supply, 193.20; Contractors Supply Inc, 47.50; Cooks Correctional, 246.60; Copy Country, 805.90; Coremr LC, 981.00; Corey Brubakken, 372.20; Cornerstone Apartments, 902.00; Corr Construction Service, 106,701.73; Corral Motel, 180.00; Countryside Property Management LLC, 1,620.00; Creative Surfaces Inc, 568.80; Crescent Electric Supply, 1,581.76; Crop Production Service, 3,593.50; Crum Electric Supply, 369.90; Cynthia M Weichmann, 2,249.35; Dakota Battery & Electric, 351.68; Dakota Business Center, 4,750.00; Dakota Fluid Power Inc, 92.88; Dakota Industrial Hygiene Inc, 2,400.00; Dakota Mill & Grain Inc, 147.73; Dakota Supply Group Inc, 204.10; Dale's Tire & Retreading Inc, 15,495.98; Darcy Lockwood, 60.00; Darrel F Smith, 340.00; Darrell K Svalstad, 100.00; Dash Medical Gloves Inc, 2,095.00; Dataspec Inc, 1,197.00; David S Lamb, 100.00; Deanna K Clayborne, 1,084.30; Delta Dental Of South Dakota, 33,326.90; Demersseman Jensen Tellinghuisen & Huffman LLP, 4,690.60; Dennis Supply - RC, 59.17; Denver Terrace Apartments, 682.00; De's Oil Inc, 256.10; Devaughn's Dream LLC, 300.00; Dewey J Ertz, 500.00; Dharma Trading Co, 210.82; Diamond Mowers Inc, 66.37; Diamond Vogel Paint Center, 189.69; Diann Asher, 106.25; Dillon Law Office, 28.20; Ditch Witch Of South Dakota Inc, 725.03; Donald Jones, 74.92; Durawood Inc, 100.00; Eagle Ridge Apartments I, 340.00; Eagle Ridge Apartments Ii, 600.00; Ear Nose & Throat Associates PC, 488.59; Eddie's Truck Sales Inc, 2,138.32; Electrical Engineering & Equipment Company, 675.63; Elliott Data Systems Midwest Inc, 740.00; Eprovider Solutions, 199.80; Eric D Whitcher, 170.00; Estes Park Apartments, 900.00; Evergreen Office Products, 595.02; Excel Truck & Trailer, 6,340.32; Excelsior Companies LLC, 292.37; Executive Mgmt Fin Office, 108.00; Fall River County Sheriff's Office, 75.00; Farmer Brothers Coffee, 262.63; Fastenal Company, 283.17; Federal Express, 15.32; Federal Signal Corp, 2,597.40; Fennell Design Inc, 3,552.00; Ferguson Enterprises Inc #226, 95.74; First Interstate Bank, 929.65; First Interstate Bank, 3,478.30; First Interstate Bank, 8,063.26; Flooring America, 1,230.40; Fmg Inc, 6,229.00; Foley's Custom Print, 1,014.00; Foothills East Apartments, 350.00; Forterra Pipe & Precast, 46,279.00; Frontier Commercial Glass, 740.00; Fruit Of The Loom, 2,081.76; G & H Distributing - RC, 180.24; George J Nelson, 1,526.52; George R Cameron, 738.85; Global Tel'link, 7.12; Godfrey Brake Service And Supply Inc, 834.98; Golden West Companies, 322.61; Golden West Companies, 1,071.60; Golden West Technologies, 1,714.85; Gordon Wendell, 149.00; Great Western Tire Inc, 1,591.28; Green Realty, 300.00; Grimm's Pump Service Inc, 275.42; Harveys Lock Shop, 930.64; Hayward VFD, 4,000.00; Health Education Design Solutions Inc, 248.00; Heartland Paper Company, 12,772.18; Heather M LaCroix, 521.46; Heather Sazama, 254.00; Highmark Inc, 115,547.46; Hill City Hardware Inc, 100.95; Hill City Prevailer, 1,247.98; Hills Materials Company, 57,769.81; Hillyard/Sioux Falls, 1,129.40; Holloway Vision Care LLC, 660.00; Horwath Laundry Equipment, 1,156.07; Humane Society Of The Black Hills, 4,166.67; Identisys

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Inc, 1,099.96; Indoff Inc, 641.19; Industrial Organizational Solutions Inc, 200.00; Inland Truck Parts, 406.51; Integrity International Investigations & Training, 1,912.24; Interstate All Battery Center, 409.80; Intoximeters Inc, 467.00; Ione Wolf, 713.25; J Scull Construction, 842,079.73; Jakob Whittle, 297.62; Jamie Guffey, 251.60; Jane Amiotte, 176.21; Jantech LLC, 300.00; JD's Equipment Service LLC, 617.17; Jean M Cline, 1,695.95; Jefferson Lines, 1,356.00; Jeffrey Fransen, 260.00; Jeffries Law Office PC, 1,522.80; Jenner Equipment Co, 4,773.23; Jennifer D Wright, 45.98; Jeremiah J Davis, 2,632.00; Jerri Harn, 49.56; Jessie Drury, 150.00; Jims Private Utility Locating, 187.50; JJ's Engraving & Sales, 80.00; Jody H Speck, 752.00; John Dehne, 11.90; Johnson Eiesland Law Office Pc, 1,343.20; Johnson Machine Inc, 1,850.36; Johnstone Supply, 1,750.92; Judy Kinsella, 500.00; Julie A Pearson, 2,518.61; Jun Wan, 950.00; Justin Robert Lena, 375.00; Kadoka Oil LLC, 3,259.72; Kahler Property Management, 848.00; Kathy Davis, 1,780.60; Kayla L Maruska, 951.15; Kd Contractors Inc, 58,460.40; Kennebec Cemetary Association, 150.00; Ken's Refrigeration, 292.94; Kevin E Kirschenmann, 1,505.00; Kieffer Sanitation/A Waste Management Co, 328.77; Kieffer Sanitation/A Waste Management Co, 2,613.95; Kim Berberich, 45.27; Kimball Midwest, 861.11; Kimberly K Johnson, 1,489.10; Kirk Funeral Home, 7,690.00; K-Mart, 109.94; Knecht Home Center Inc, 2,700.29; Konica Minolta Premier Finance, 156.19; KT Connections, 190.00; Laboratory Corporation Of America Holdings, 391.25; Lake Area Technical Institute, 125.00; Lakota Community Homes Inc, 340.00; Language Line Services, 67.16; Lara Roetzel, 786.60; Larry J Coleman, 70.54; Larry Petters, 600.00; Laubach Law Office Prof LLC, 6,157.00; Leadership South Dakota, 3,000.00; Leroy Dean Hix, 1,180.00; Lewis & Clark Behavioral Health Services, 1,120.00; Lewis Kirkeby & Hall Management Inc, 340.00; Liberty Chrysler Center, 70.60; Lincoln County Auditor, 239.20; Linda J Nohr, 1,785.00; Lisa Schafer, 1,960.00; Lisha Smith, 7.56; Lloyd C Eurich, 100.00; Lori Gioia, 149.00; Lucille M Lewno, 595.84; Luther P Yellow Robe, 9,727.50; Lutheran Social Service, 54,711.67; Lynn Jackson Schultz & Lebrun PC, 3,072.90; MacNally Law Offices Prof LLP, 4,046.00; Manlove Psychiatric Group, 10,411.17; Maplewood Townhouses, 217.00; Marcia Whiting, 2,594.40; Marco Inc, 2,057.93; Marco Inc, 4,041.16; Mark Katterhagen, 60.00; Marshall And Swift, 634.20; Mary Rae Seifert, 1,670.00; Mary Shoemaker, 111.00; Matthew Bender & Co Inc, 294.18; Matthew Olson, 332.78; Matthew Stephens, 5,132.00; Maxworth LLC, 300.00; Mckie Ford Inc, 84.58; Medical Waste Transport Inc, 300.40; Medline Industries Inc, 401.64; Melissa J Rupert, 1,368.00; Melissa Lehmann, 149.00; Menards, 626.50; Mendel's Masonry & Concrete Inc, 1,500.00; MG Oil Company, 53,981.90; Michael Byland, 340.00; Michael S Stonefield, 9,685.40; Mick's Electric, 577.53; Midcontinent Communications, 34.18; Midcontinent Communications, 3,555.91; Midcontinent Testing Lab, 828.00; Midwest Auto Chemical, 369.50; Minnehaha County Treasurer, 42.12; Moore Medical Corp, 2,209.84; Mt Rushmore Telephone Co, 105.22; Nada Appraisal Guides, 86.00; National District Attorney's Association, 500.00; Native Sun News, 240.00; ND Chapter Of Apco, 675.00; ND Sheriff's And Deputies Association, 340.00; Nelson Law, 169.20; Networkfleet Inc, 37.90; Neve's Uniforms Inc, 13,222.97; New Underwood VFD, 4,000.00; Nicolas Quettier, 276.00; North Central Supply Inc, 1,431.00; Northern Heights Apartments, 188.00; Northwest Pipe Fitting Inc, 1,221.61; Nwe Management, 400.00; Officemax Incorporated, 1,099.99; Olin M Floyd, 100.00; Olson Towing, 129.00; Osheim & Schmidt Funeral Home, 1,910.00; Overhead Door Co Of Rc, 690.48; Pacific Steel & Recycling, 333.44; Parr Law PC, 1,363.00; Patricia A Meyers, 430.00; Patty Caster, 149.00; Pederson Law Office

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LLC, 3,827.19; Penn Co Equalization Petty Cash, 40.95; Penn Co Health & Human Sv Petty Cash, 70.00; Penn Co Jail Petty Cash, 1,470.00; Penn Co Sheriff Petty Cash, 444.54; Penn Co States Atty Petty Cash, 507.19; Pennington County Courant, 1,603.10; Pennington County Housing, 1,537.00; Perry L Strombeck, 100.00; Pete Lien & Sons Inc, 17,015.05; Pharmchem Inc, 2,091.00; Phoenix Supply LLC, 763.21; Physicians Laboratory Ltd, 56.43; Pillen Optical Inc, 435.00; Pitney Bowes Reserve Account, 6,395.72; Ponderosa Screen Printing And Embroidery, 1,193.70; Power House, 523.80; Precision Dynamics Corp, 400.00; Print Mark-Et, 781.30; Proforma Screening Solutions LLC, 51.00; Pure Property Management LLC, 300.00; Quality Transmissions Inc, 173.12; Quickseries Publishing Inc, 1,918.72; Quill Corporation, 559.66; Rachel Waddell, 64.00; Radiology Associates Professional LLC, 101.60; Ramkota Hotel, 309.00; Randal E Connelly, 2,322.16; Rapid Chevrolet Co Inc, 367.50; Rapid Collision, 311.02; Rapid Delivery Inc, 132.25; Rapid Fire Protection Inc, 173.47; Rapid Leasing, 883.81; Rapid Rooter, 250.00; Rapid Tire & Alignment, 329.56; Rapid Towing LLC, 500.00; Rapid Transit System, 270.00; RC Area School Dist 51-4, 3,142.88; RC Emergency Services PA, 385.92; RC Fire & Emergency Services, 589.29; RC Journal, 5,448.26; RC Pizza Ranch, 52.96; RC Police Dept-Evidence, 5,601.00; RC Regional Hospital Inc, 6,272.93; RC Winair, 88.51; RCS Construction Inc, 618,848.05; RDO Equipment Co, 2,274.00; Rebekah Sproed-Bump, 149.00; Record Storage Solutions, 1,541.30; Redwood Toxicology Inc, 8,205.95; Regional Health, 1,213.56; Regional Health Home Plus Pharmacy, 5,007.55; Regional Health Reference Laboratory, 8,061.32; Regional West Medical Center, 951.60; Renfro Corporation, 1,104.00; Rensch Law Office, 15,572.95; Ricoh USA Inc, 57.64; Ricoh USA Inc, 227.17; Rnj Auto Inc, 1,348.28; Rochester Armored Car Company Inc, 408.40; Rocky Volker, 34.44; Rod Sletten, 149.00; Runnings Supply Inc, 425.81; Rushmore Communications, 7.08; Rushmore Embroidery & Screen Printing, 10.00; Rushmore Safety Supplies, 14.85; Sand Scripts, 7.25; Sandford Logging Inc, 15,000.00; Satellite Tracking Of People LLC, 5,154.50; Scott Dressler, 149.00; Scovel Psychological, 2,465.00; SD Bapp, 175.00; SD Corrections Association, 200.00; SD Dept Of Public Safety, 71.00; SD Dept Of Revenue, 2,125.00; SD Dept Of Revenue, 13,905.27; SD Dept Of Transp-Finance, 2,473.46; SD Div Of Motor Vehicles, 15.00; SD Federal Property Agency, 311.00; SD Office Of School & Public Lands, 2,783.31; SD One Call Board, 64.05; SD Rose Inn, 365.00; SSACO, 175.00; SDN Communications, 769.60; Securus Technologies Inc, 15,272.18; Servall Uniform/Linen Co, 2,267.50; Shannon Rittberger, 87.00; Sheri Law Office Prof LLC, 3,653.10; Sheri Lynn Tonner, 47.25; Sign Express, 76.00; Signs Now, 200.30; Silver Star Septic LLC, 150.00; Simpson's Printing, 109.00; SKC Communication Product, 69.44; Skinner Law Office PC, 4,858.80; Smoot & Utzman, 1,903.65; Snap On Tools, 114.25; Solemate Shoes And Uniform Center, 45.62; Stan Houston Equipment, 79.00; Stardust Motel, 190.00; Steam Cleaning Specialist, 2,200.00; Stec's Advertising, 426.58; Stephanie Mccoy, 11.09; Streicher's, 5,614.46; Sturdevant's Auto Parts, 3,199.15; Sun Life Financial, 98,517.24; Sundial Square Apartments, 831.00; Teresa L Fink, 1,457.10; Terrace On The Green LLC, 440.00; Terri Phelps, 370.00; Terry Batchelder, 100.00; Tessier's Inc, 11,060.22; The Hartford, 2,571.03; The Law Office Of Jamy Patterson LLC, 2,030.40; The Little Print Shop Inc, 243.31; The Medicine Shoppe, 115.32; Thomas Braun Bernard & Burke LLP, 2,895.60; Thomas Reese, 111.00; Thomson Reuters-West, 6,817.00; Time Equipment Rental & Sales, 213.40; Todd A Love, 4,856.17; Tom Vliieger, 371.28; Tracey Decker, 254.00; Tracy Lynn Binder, 244.20; Trail King Ind. Inc, 395.14; Trenton Gonzalez, 149.00; Truck Utilities Inc, 537.34; TS Government

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Solutions LLC, 147.50; Turbiville Industrial Electric Works LLC, 347.88; Twilight Inc, 322.22; Tysen Petrik, 100.00; Uline, 78.74; Ultramax Ammunition, 2,384.00; Upper Deck Architects Inc, 23,158.79; US Corrections LLC, 1,048.95; Usera Consulting LLC, 600.00; Valley Village Park, 340.00; Van Norman Law Office, 1,281.30; Vanway Trophy & Awards, 167.90; Vemco, 3,280.21; Venture Architects, 5,704.24; Vergil K Kjerstad, 640.00; Verizon Wireless, 131.99; Verizon Wireless, 421.40; Video Service Of America, 274.06; Wall Building Center & Construction, 88.88; Warne Chemical & Equipment Co Inc, 761.50; Washington County Court, 3.25; Watertree Inc, 26.50; Weldon Travis Lasseter, 131.04; Wellmark, 61,588.75; Wellmark, 84,399.09; Wendy T Mcgowan, 5,980.19; Wes Mcpherson, 23.94; West River Electric, 37.94; West River Hospitality LLC, 451.00; West River International Inc, 4,545.14; West River Welding & Machine, 2,540.00; Western Communication Inc, 727.00; Western Construction Inc, 15,786.95; Western Detention, 1,452.05; Western Mailers, 488.98; Western Pathology Consultants PC, 1,000.00; Western Stationers Inc, 3,552.13; Western Thrifty Inn LLC, 165.00; Wex Bank, 539.75; Wex Bank, 10,645.22; Whisler Bearing Co, 726.41; Whisper Rock Apartments, 1,390.00; Whiting Hagg Hagg Dorsey & Hagg LLP, 12,470.16; Why Not Invest LLC, 340.00; William A Moss Psy D LLC, 1,350.00; William H Stallman, 475.00; Windy Flats Rubble Site, 80.00; Winner Police Dept, 656.60; Winter Law Office Pc, 6,194.60; Wood Stock Supply, 289.38; Woodbury County Sheriff, 45.00; Yankton Anesthesiology PC, 206.40; Yankton Co Sheriff Office, 50.00; Yankton County Treasurer, 712.50; Yankton Rexall, 71.65.

**ITEMS FROM THE PUBLIC**

**EXECUTIVE SESSION – SDCL 1-25-2**

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

MOVED by Buskerud and seconded by DiSanto to go into executive session with legal counsel for Personnel pursuant to SDCL 1-25-2(1). Vote: Unanimous.

MOVED by DiSanto and seconded by Buskerud to come out of executive session. Vote: Unanimous.

MOVED by DiSanto and seconded by Buskerud to direct the State's Attorney's Office to work with Human Resources to prepare the document as discussed in Executive Session. Vote: Unanimous.

**PERSONNEL**

24/7: Effective 09/05/2017 – Matthew Bowman at \$15.13/hr.

CCADP: Effective 08/20/2017 - Thomas Knapp at \$21.28/hr. Effective 08/27/2017 – Christina Faatz at \$17.50/hr. Effective 08/28/2017 Maxwell Hanna at \$17.50/hr. Effective 09/17/2017 – Justin Hansen at \$23.22/hr.

ESCC: Effective 09/17/2017 - Leslie Hall at \$29.31/hr.

Highway Department: Effective 09/01/2017 - Michael Leiby at \$4,715/mo.

Jail: Effective 08/28/2017 – Andrew Bennett at \$15.13/hr. Effective 09/17/2017 – Crystal Pichler at \$17.31/hr. Effective 09/25/2017 – Tyler Broghammer at \$24.63/hr., Andrew Butchart, Wyatt

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Derr, Dylan Goetsch & Masin Green at \$21.28/hr., Aaron Cox, Jennifer Dingman & Halayna Ducheneaux at \$15.88/hr., Marc Davis & Jodi Glasgow at \$22.93/hr. Effective 10/22/2017 – Adrien Carlson at \$22.93/hr.

Sheriff: Effective Effective 09/01/2017 – Dan DeNeire at \$23.46/hr.

State's Attorney: Effective 05/22/2017 - Heather Sazama at \$5,562/mo. Effective 10/30/2017 Stacy Vinberg Wickre at \$5,562/mo. & Kelsey Weber at \$5,493/mo.

Weed & Pest: Effective 09/25/2017 – Peter Heffron at \$15.13/hr.

WSDJSC: Effective 09/25/2017 – Rebecca Elger at \$15.88/hr.

**ADJOURN**

MOVED by Buskerud and seconded by DiSanto to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 2:24 p.m.

/s/ Julie A. Pearson, Auditor

Published once at an approximate cost of \_\_\_\_\_.

Publish: October 4, 2017