

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of January 16, 2018

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, January 16, 2018, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Lloyd LaCroix called the meeting to order with the following Commissioners present: Mark DiSanto, George Ferebee and Deb Hadcock. 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 Hadcock and seconded by LaCroix to approve the agenda with the removal of Item 19. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

CONSENT 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 Hadcock to approve the Consent Agenda as presented with the removal of Items 5, 10, 11 for separate consideration. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

5. Removed for separate consideration.
6. Appoint Joyce E. Bowman, Patty Brunner, Ronald Dinger and Matthew Odden to the 2018 Extension Advisory Board.
7. Approve the 2018 Humane Society Contract.
8. Authorize the Chair's signature to the "WR#587859 Electric Easement- Underground" prepared by Black Hills Power.
9. Authorize the Chair's signature to the "WR#0001243 Electric Easement – Underground" prepared by Black Hills Power.
10. Removed for separate consideration.
11. Removed for separate consideration.
12. Recognize and thank the volunteers for the month of December 2017.

Removed for Separate Consideration

5. Minutes of January 2, 2018: MOVED by Hadcock and seconded by Buskerud to call the question. The motion carried 3-2 on a roll call vote: Buskerud – yes, DiSanto – no, Ferebee – no, Hadcock – yes, LaCroix – yes.

MOVED by DiSanto and seconded by Hadcock to accept the ELECTION OF OFFICERS votes for Vice-Chair and Chairman as recorded and to correct the vote tally for the three motions under EXECUTIVE SESSION. The motion carried 3-1 with Ferebee abstaining on a roll call vote: Buskerud – yes, DiSanto – no, Ferebee – abstain, Hadcock – yes, LaCroix – yes.

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Vote correction on this motion, “MOVED by Hadcock and seconded by Buskerud to go into executive session for the purpose of considering a personnel issue per SDCL 1-25-2(1). *Vote corrected to: The motion carried 4-0 with Ferebee abstaining by no comment.*”

Vote correction on this motion, “MOVED by Buskerud and seconded by DiSanto to come out of executive session. *Vote corrected to: The motion carried 4-0 with Ferebee abstaining by no comment.*”

Vote correction on this motion, “MOVED by Buskerud and seconded by DiSanto to issue a private reprimand on a personnel matter. *Vote corrected to: The motion carried 3-0 with Hadcock abstaining, and Ferebee abstaining by no comment.*”

10. Approval of the 1st Quarter 2018 SLA (State and Local Agreement) with the State of South Dakota; and 11. Approval of the Chair’s Signature on the Report of Personnel Action: MOVED by Hadcock and seconded by LaCroix to approve items 10 and 11. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, Hadcock – yes, LaCroix – yes.

End of Consent Agenda

LIEN RELEASE REQUEST – WW: MOVED by DiSanto and seconded by Ferebee to release the lien against property and person (Lots 10 and 11, KWJ, Name withheld per SDCL 28-13-42) in the amount of \$302.90 from WW. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by DiSanto and seconded by Ferebee to release the lien against property (Lots 10 and 11, ABJ, Name withheld per SDCL 28-13-42) in the amount of \$2217.47 from (WW), but not from the person ABJ. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

ITEMS FROM SHERIFF

B. **RESTORATION CENTER COMPLETION**: MOVED by Hadcock to separate the question into the donation and the contract. Motion failed for lack of a second. MOVED by LaCroix to authorize Mike Kuhl, Construction Project Manager, to develop a professional service contract with Upper Deck Architects, Inc. for the design and construction of a Phase II, Residential Treatment area on the Second Floor of the County Health Facility, to be brought back to the Board for authorization; and to begin implementing changes to the current construction project in preparation for the Phase II Project. The motion failed for lack of a second. MOVED by Hadcock to get more information on operation and maintenance of this building and basic contract design with a ballpark dollar amount and continue to a future meeting. Motion failed for lack of a second. MOVED by LaCroix and seconded by DiSanto to authorize Mike Kuhl, Construction Project Manager, to develop a professional service contract with Upper Deck Architects, Inc. for the design and construction of a Phase II, Residential Treatment area on the Second Floor of the County Health Facility, to be brought back to the Board for authorization; and to begin implementing changes to the current construction project in preparation for the

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Phase II Project; with the addition of Mike Kuhl bringing back to the board the negotiated contract, and if not able to be implemented, the money is restored to the donor. The motion carried 3-2 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – no, Hadcock – yes, LaCroix – yes.

MOVED by DiSanto and seconded by Ferebee to take a five minute break at 11:19 a.m. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

MOVED by DiSanto and seconded by Hadcock to reconvene the meeting at 11:24 a.m. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

ITEMS FROM BUILDINGS & GROUNDS

A. PENNINGTON COUNTY HEALTH FACILITY FURNITURE PACKAGE – AUTHORIZATION TO BID: MOVED by Hadcock and seconded by LaCroix to authorize advertising for bids for the County Health Facility Furniture Package from the county expansion fund, future development area excluded. The motion carried 3-2 on a roll call vote: Buskerud - yes, DiSanto - no, Ferebee - no, Hadcock - yes, LaCroix - yes.

ITEMS FROM EMERGENCY MANAGEMENT

A. AUTHORIZATION FOR THE CHAIR TO SIGN A CONTRACT WITH USGS FOR THE BLACK HILLS STREAM-FLOW GAUGES NEAR DEERFIELD LAKE AND PACTOLA RESERVOIR: MOVED by Hadcock and seconded by Buskerud to authorize the Chair's signature on the Contract with USGS for the Black Hills Stream Flow Gauges. Substitute motion: MOVED by DiSanto and seconded by Ferebee to reconsider the funding from contingency. Substitute motion: MOVED by Hadcock and seconded by DiSanto to lay this item on the table. Substitute motion: MOVED by Ferebee and seconded by DiSanto to continue to the next Board of Commissioners' meeting. The substitute motion to continue fails 3-2 on a roll call vote: Buskerud - no, DiSanto - yes, Ferebee - yes, Hadcock - no, LaCroix - no. The substitute motion to lay this item on the table carried 4-1 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

ITEMS FROM EQUALIZATION

A. TAX ABATEMENT APPLICATIONS- EISENBRAUN, GARCIA, STENGER & HALL: MOVED by Hadcock and seconded by DiSanto to approve the following abatements: FY 2017, Tax ID 53863, Kyle Eisenbraun, \$1,237.83; FY 2017, Tax ID 53594, Anthony Garcia, \$922.57; FY 2017, Tax ID 61429, Adam Stenger, \$888.13; FY 2017, Tax ID 62553, James Halls, \$866.48. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

ITEMS FROM HIGHWAY DEPARTMENT

A. AUTHORIZATION FOR LETTING OF 2018 CONSTRUCTION PROJECTS: MOVED by Hadcock and seconded by DiSanto to authorize the Highway Department to let bids for

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annual construction projects as follows: ADA 2018 – ADA Ramp Upgrades (Rapid Valley & New Underwood Areas); AST 2018 Asphalt Surface Treatment Project; ASC 2018 Asphalt Surface Crack Sealing Project; MS 2018 Microsurfacing Project. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

- B. AUTHORIZATION FOR LETTING OF 2018 ANNUAL SUPPLIES: MOVED by Ferebee and seconded by Hadcock to authorize the Highway Department to go to 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 and Traffic Control Materials. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.
- C. AUTHORIZATION TO PURCHASE TWO PLOWS AND SANDERS: MOVED by Hadcock and seconded by Buskerud to authorize the Highway Department to purchase the two sanders and two plows from Northern Truck Equipment Corporation for a total of \$27,982. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

ITEMS FROM PLANNING & ZONING

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

- A. VARIANCE / VA 17-18: Paul and Rebecca Freidel. To reduce the minimum required side yard setback from 25 feet to 0 feet on the south property line in order to bring the existing single-family residence with deck into compliance in a Low Density Residential District in accordance with Sections 207 and 509 of the Pennington County Zoning Ordinance.

Lot 6, Cedar Gulch Subdivision, Section 4, T1S, R9E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by LaCroix to approve Variance / VA 17-18, with the following three (3) conditions. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

1. That the applicant file the necessary resolution(s) and exhibit(s) to vacate a portion of the Minor Drainage and Utility Easement, per VE 17-05;
2. That this Variance applies only for the existing single-family residence with attached garage and deck, in its current location, 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 17-18, which is available at the Planning Office.

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- B. VARIANCE / VA 17-19: Gold Run III, LLC/Greg Wittenberg; Andrew Scull – Agent. To reduce the minimum required side yard setback from 25 feet to 22 feet on the west property line in a Limited Agriculture District in accordance with Sections 206 and 509 of the Pennington County Zoning Ordinance

All Less Gold Run Park and Less Lot 1 of Hobart Subdivision located in Sections 5 and Sections 9, Matt Placer MS 1417, Section 8, T1S, R3E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by Hadcock to approve Variance / VA 17-19, with the following three (3) conditions. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

1. That the applicant obtain a Building Permit, with all applicable fees paid, for the existing caboose;
2. That this Variance applies only for the existing caboose, in its current location, 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 17-19, which is available at the Planning Office.

- C. REQUEST FOR APPROVAL OF A BUILDING PERMIT: Lynn Gray: MOVED by DiSanto and seconded by Ferebee to approve a Building Permit for the double-wide mobile home to be used as the single-family residence and to allow the existing single-wide mobile home to be used seasonally as the ranch hand residence. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – no, LaCroix – yes.

MOVED by Hadcock and seconded by LaCroix 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, Hadcock – yes, LaCroix – 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 Hadcock to approve the Planning and Zoning consent agenda as presented with the removal of Item E for separate consideration. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

- D. FIRST READING AND PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 17-02: Pennington County. To amend Section 103 “Definitions”; Section 205-B-17 “General Agriculture District”; Section 212-B-12 “Heavy Industrial District”; Section 507-B “Mining

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Permits”; and Section 511 “Fees” and to add Section 320 “Mining Operation” to the Pennington County Zoning Ordinance.

To continue Ordinance Amendment / OA 17-02 to the February 6, 2018, Board of Commissioner’s meeting.

E. Removed for separate consideration.

F. MINOR PLAT / PL 17-47: JKRK Properties, LLC; Ryan Kaski. To reconfigure lot lines to create Lot 6R, Block 9, Sunset Ranch in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 5 and Lot 6, Block 9, Sunset Ranch; Section 5, T1N, R10E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 6R, Block 9, Sunset Ranch; Section 5, T1N, R10E, BHM, Pennington County, South Dakota.

Approve of Minor Plat / PL 17-47 with the following seven (7) conditions:

1. That prior to the Plat being recorded with the Register of Deeds, 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;
2. That prior to the Plat being recorded with the Register of Deeds, the Plat meets all necessary requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements;
3. That the address be continually posted on the residence constructed on the proposed lots in accordance with Pennington County’s Ordinance #20;
4. That the applicant continually ensures that all natural drainage ways are maintained and are not blocked and that all necessary drainage ways are properly noted on plats;
5. 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;
6. That prior to the Plat being recorded with the Register of Deeds, the following note continues to appear on the plat: “All persons applying for a Pennington County Building Permit will need to provide an engineered septic system plan to be reviewed and approved by the Pennington County Environmental Planner. A reserve drainfield area will be shown when a Building Permit is applied for on any of the lots”; and,
7. That the applicant signs the Statement of Understanding (SOU) within ten (10) business days of Board of Commissioner approval of Minor Plat / PL 17-47. The SOU is available at the Planning Office.

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G. MINOR PLAT / PL 17-48: JKRK Properties, LLC; Ryan Kaski. To reconfigure lot lines to create Lot 7R, Block 8, Sunset Ranch in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 7, Block 8, Sunset Ranch; and, GL 3; GL 4 Less Sunset Ranch and Less ROW; N1/2S1/2NW1/4, all located in Section 4, T1N, R10E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 7R, Block 8, Sunset Ranch, Section 4, T1N, R10E, BHM, Pennington County, South Dakota.

Approve of Minor Plat / PL 17-48 with the following seven (7) conditions:

1. That prior to the Plat being recorded with the Register of Deeds, 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;
2. That prior to the Plat being recorded with the Register of Deeds, the Plat meets all necessary requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements;
3. That the address be continually posted on the residence constructed on the proposed lots in accordance with Pennington County's Ordinance #20;
4. That the applicant continually ensures that all natural drainage ways are maintained and are not blocked and that all necessary drainage ways are properly noted on plats;
5. 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;
6. That prior to the Plat being recorded with the Register of Deeds, the following note continues to appear on the plat: "All persons applying for a Pennington County Building Permit will need to provide an engineered septic system plan to be reviewed and approved by the Pennington County Environmental Planner. A reserve drainfield area will be shown when a Building Permit is applied for on any of the lots"; and,
7. That the applicant signs the Statement of Understanding (SOU) within ten (10) business days of Board of Commissioner approval of Minor Plat / PL 17-48. The SOU is available at the Planning Office.

End of Consent Agenda

Removed for Separate Consideration

E. MINOR PLAT / PL 17-46: Aanenson Four, LLC; Richard Huffman – Agent. To combine four lots to create Lot A of Aanenson Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 18 and the W40' of Lot 19 in Big Bend Placer MS 1442; The W40' of Lot A of Lot 19 in Fort Meade Placer MS 244; Lot 17 Revised of Lot A of Big Bend

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Placer MS 1442; and Tract 0010 less Lot 1 of Rehwaldt Subdivision, all located in Section 8, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot A of Aanenson Subdivision, Section 8, T1N, R6E, BHM, Pennington County, South Dakota.

Approve of Minor Plat / PL 17-46 with the following ten (10) conditions:

1. That prior to filing the Plat with the Register of Deeds, the applicant provide proof that the November 7, 2017, denial of Variance / VA 17-17 was reversed, or the applicant provide an updated survey showing the fireplace/pizza oven was moved to meet the required setback, or the fireplace/pizza oven be removed;
2. That prior to filing the Plat with Register of Deeds, the existing propane tank be relocated in accordance with recommendations from the County Fire Administrator. The relocation must be verified by Planning Staff and approved by the County Fire Administrator;
3. That prior to filing the Plat with the Register of Deeds, the landowner or agent obtain Building Permits, with all applicable fees paid, for existing structures that have not yet been permitted;
4. 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;
5. That upon filing the Plat with the Register of Deeds, 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 the address (23069 Thunderhead Falls Road) be properly posted on the existing residence so it is visible from Thunderhead Falls 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 lot, 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; and,
10. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Minor Plat / PL 17-46, which is available at the Planning Office.

MOVED by Ferebee and seconded by DiSanto to deny. Substitute motion: MOVED by Hadcock and seconded by LaCroix to approve. Substitute motion: MOVED by Ferebee and seconded by DiSanto to continue until all conditions are met. The substitute motion to continue failed 3-2 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, Hadcock – no, LaCroix – no. The substitute motion to approve carried 3-2 on a roll call vote: Buskerud – yes, DiSanto – no, Ferebee –no, Hadcock – yes, LaCroix – yes.

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PLANNING & ZONING REGULAR AGENDA

H. VACATION OF MINOR DRAINAGE AND UTILITY EASEMENT / VE 17-05: Paul and Rebecca Freidel. To vacate a 30 foot portion of a Minor Drainage and Utility Easement to bring an existing single-family residence with deck into compliance on the subject property.

Lot 6, Cedar Gulch Subdivision, Section 4, T1S, R9E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by Ferebee to approve of Vacation of Minor Drainage and Utility Easement / VE 17-05 with the following four (4) conditions. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

1. That prior to filing the exhibit with the Register of Deeds, the Surveyor write a date on his seal or complete the date in the exhibit heading;
2. That all necessary resolutions and exhibits vacating the easement be recorded by the applicant at the Register of Deeds Office;
3. That Vacation of Minor Drainage and Utility Easement / VE 17-05 only allow for the vacation of 30-feet of the platted Minor Drainage and Utility Easement where the existing residence is located. Any additional encroachments into the easement will require separate Vacation of Easement approval(s); and,
4. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Vacation of Minor Drainage and Utility Easement / VE 17-05, which is available at the Planning Office.

I. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 17-11 AND COMPREHENSIVE PLAN AMENDMENT / CA 17-10: Kory Weisbeck. To rezone 20.00 acres from General Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from PUD Sensitive to Suburban Residential District in accordance with Sections 205, 208, and 508 of the Pennington County Subdivision Regulations.

N1/2S1/2SW1/4SW1/4; N83.5 feet of E200 feet and N179.6 feet of W1120 feet in the S1/2S1/2SW1/4SW1/4; and S246.5 feet of E200 feet and S150.4 feet of W1120 feet in the S1/2S1/2SW1/4SW1/4, all located in Section 15, T2N, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by DiSanto to approve of Rezone / RZ 17-11 and Comprehensive Plan Amendment / CA 17-10. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

Commissioner DiSanto left the meeting at 12:47 p.m.

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MOVED by Hadcock and seconded by LaCroix to take from the table the Item from Emergency Management. The motion carried 4-0 on a roll call vote: Buskerud – yes, DiSanto – absent, Ferebee – yes, Hadcock – yes, LaCroix – yes.

Commissioner DiSanto returned to the meeting at 12:50 p.m.
Commissioner Hadcock left the meeting at 12:50 p.m.
Commissioner Hadcock returned to the meeting at 12:52 p.m.

ITEMS FROM EMERGENCY MANAGEMENT

A. AUTHORIZATION FOR THE CHAIR TO SIGN A CONTRACT WITH USGS FOR THE BLACK HILLS STREAM-FLOW GAUGES NEAR DEERFIELD LAKE AND PACTOLA RESERVOIR: MOVED by DiSanto and seconded by Ferebee to continue to the next meeting. The motion failed 3-2 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, Hadcock – no, LaCroix – no. MOVED by Hadcock and seconded by Buskerud to authorize the Chair's signature on the Contract with USGS for the Black Hills Stream Flow Gauges. MOVED by Hadcock and seconded by Buskerud to call the question. The motion to call questions carried 3-2 on a roll call vote: Buskerud – yes, DiSanto – no, Ferebee – no, Hadcock – yes, LaCroix – yes. The motion carried 3-2 on a roll call vote: Buskerud – yes, DiSanto – no, Ferebee – no, Hadcock – yes, LaCroix – yes.

APPROVAL OF VOUCHERS MOVED by Hadcock 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 \$1,953,855.75. The motion carried 3-2 on a roll call vote: Buskerud – yes, DiSanto – no, Ferebee – no, Hadcock – yes, LaCroix – yes.

A & A Professional Property Management, 350.00; A & A Professional Property Management, 440.00; A & B Business Inc, 120.84; A & B Business Inc, 1,532.32; A & B Welding Supply Co, 169.10; A & M Transport Service, 1,584.70; A To Z Shredding, 292.01; A To Z Shredding, 57.80; About You Physical Therapy Inc, 391.00; Acornvac Inc, 94,284.22; Advanced Drug Testing Inc, 41.00; Alcohol Monitoring Systems Inc, 296.10; All Metal Manufacturing Inc, 9,517.88; Allen Reuer, 1,800.00; Allen Reuer, 320.00; American Correctional Association, 4,500.00; Americinn Motel, 423.00; Amick Sound Inc, 404.71; Angela M Colbath Atty PC, 1,608.40; Anne Bransford, 64.00; Architectural Specialties LLC, 5,150.83; Audra Hill Consulting Inc, 14,686.89; Avera Mckennan Hospital, 2,053.86; Avi Systems Inc, 7,834.00; Badlands Automotive, 352.88; Barnier Law Office PC, 1,669.50; Basler Printing Co, 407.00; Basler Printing Co, 390.00; Betsey Harris, 6,367.12; BH Ammunition Inc, 17,090.00; BH Chemical Company Inc, 155.88; BH Chemical Company Inc, 64.31; BH Energy, 4,485.35; BH Energy, 286.00; BH Energy, 24,187.19; BH Energy, 46.82; BH Insurance Agenc Inc, 60.00; BH Obstetrics And Gynecology LLP, 960.00; BH Regional Job Fair, 294.00; BH Services Inc, 389.81; BH Surgical Hospital LLC, 137.60; BH Tent And Awning, 298.15; BH Urgent Care LLC, 110.00; BH Wilbert Vault, 400.00; Birch Communications Inc, 67.31; Bob Barker Company Inc, 150.14; Bridgette R Banks, 801.80; Brosz Engineering Inc, 4,850.00; Butler Machinery Company, 295.87; Canyon Lake Resort, 106.00; Casey Kenrick, 149.99; Casey

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Peterson & Assoc, 8,000.00; Cash-Wa Distributing, 500.28; Catherine E Mattson-Casteel, 989.03; Cat's Cleaning, 50.00; CBM Food Service, 68,325.05; CDW Government Inc, 10,703.46; Century Link, 126.86; Chemsearch, 250.00; Chester Westman, 250.00; Children's Home Society, 4,250.00; Chris Supply Co Inc, 321.73; Chris Supply Co Inc, 370.16; Cindy Stolte Brown, 260.00; City Of New Underwood, 210.50; City Of New Underwood, 1,023.50; City Of Rapid City, 1,678.56; City Of Rapid City, 17,533.33; City Of Rapid City -Water, 1,042.84; Clark Printing, 262.49; Clinical Laboratory Of The Black Hills, 3,265.00; Community Health Center Of The Black Hills Inc, 110.00; Community Health Center Of The Black Hills Inc, 25,100.50; Connections Inc Eap, 1,082.88; Copy Country, 47.70; Coremr Lc, 931.50; Cornerstone Apartments, 500.00; Correct Rx Pharmacy Services Inc, 22,996.73; Countryside Property Management LLC, 1,640.00; Countryside Property Management LLC, 940.00; Craig Steinley, 3,355.00; Creative Surfaces Inc, 2,707.01; Credit Collection Bureau, 500.00; Crescent Electric Supply, 134.75; Crescent Electric Supply, 61.70; Crisis Prevention Institute Inc, 150.00; Crum Electric Supply, 56.25; Cummins Central Power LLC, 639.71; D & M Ag Supply Inc, 48.00; Dakota Business Center, 1,913.90; Dakota Plains Legal Services Inc, 21,750.00; Dakota Radiology Pet/Ct & Mri, 448.88; Dakota Supply Group Inc, 295.19; Dakotaland Autoglass Inc, 185.00; Dale's Tire & Retreading Inc, 123.32; Darcy Lockwood, 60.00; Dean Schaefer, 510.00; Deanna K Clayborne, 667.40; Delta Dental Of South Dakota, 33,441.00; Demersseman Jensen Tellinghuisen & Huffman LLP, 855.40; Dennis Hanson, 340.00; De's Oil Inc, 1,097.85; Dewey J Ertz, 150.00; Diamond Vogel Paint Center, 43.91; Diamond Vogel Paint Center, 94.89; Dillon Law Office, 1,955.20; Edelweiss Mtn Improvement Association, 1,470.00; Eprovider Solutions, 199.80; Estes Park Apartments, 270.00; Evergreen Office Products, 1,060.81; Excel Truck & Trailer, 72.83; Executive Mgmt Fin Office, 24.75; Executive Mgmt Fin Office, 49.50; Executive Mgmt Fin Office, 1,504.64; Fall River County Sheriff's Office, 75.00; Federal Express, 167.68; Feld Fire, 89.00; Fennell Design Inc, 215.00; First American Title Co, 3,780.00; First Interstate Bank, 6,282.92; First Interstate Bank, 246.62; First Interstate Bank, 1,341.86; First Interstate Bank, 383.03; First Interstate Bank, 5,039.62; First Interstate Bank, 99.20; First Interstate Bank, 335.52; First Interstate Bank, 3,615.19; First Interstate Bank, 197.98; First Interstate Bank, 61.70; First Interstate Bank, 481.60; First Interstate Bank, 177.69; First Interstate Bank, 38.30; First Interstate Bank, 429.15; First Interstate Bank, 143.00; First Interstate Bank, 667.94; First Western Insurance, 216.00; Fitzgerald Law Firm, 6,016.00; Flooring America, 10,220.00; Foothills East Apartments, 666.00; Front Porch Coalition Inc, 5,000.00; G & H Distributing - RC, 507.14; G & H Distributing - RC, 124.72; Galls LLC, 238.00; Garrett J Horn, 210.80; George Ferebee, 3,884.58; George R Cameron, 575.00; Global Tel'link, 5.18; Godfrey Brake Service And Supply Inc, 235.72; Godfrey Brake Service And Supply Inc, 432.06; Golden West Companies, 919.15; Golden West Companies, 474.46; Golden West Technologies, 738.35; Golden West Technologies, 237.00; Great Western Tire Inc, 22.08; Grey & Eisenbraun Law Prof LLC, 7,820.80; Grimm's Pump Service Inc, 127.84; Harmelink Fox & Ravensborg Law Office, 1,409.14; Harmony Heights, 230.00; Harveys Lock Shop, 28.00; Harveys Lock Shop, 35.92; Heartland Paper Company, 4,146.64; Heather Sazama, 25.20; Heavy Constructors Inc, 39,698.72; Hill City Prevailer, 773.21; Hillyard/Sioux Falls, 970.88; Honeywell Inc, 6,562.94; Horwath Laundry Equipment, 78.00; Humane Society Of The Black Hills, 4,166.67; IACP, 1,225.00; IAED, 480.00; Image All LLC, 2,010.00; Indoff Inc, 323.46; Indoff Inc, 185.13; Inland Truck Parts, 791.12; Integrity International Investigations & Training, 863.49; Intoximeters Inc,

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802.50; Intoximeters Inc, 3,955.25; Investigative Solutions Inc, 4,682.24; Ione Wolf, 323.75; Jacqueline K Perli Reporting Inc, 53.57; Jamin Hartland, 499.75; JD's Equipment Service LLC, 261.25; Jean Carlson, 375.50; Jean M Cline, 3,329.80; Jeff Rohrich, 500.00; Jefferson Lines, 234.00; Jeffries Law Office Pc, 471.00; Jenner Equipment Co, 282.50; Jeremiah J Davis, 235.00; Jerry Barry, 199.99; Jessie Drury, 75.00; JJ Johnson's Rentals, 240.00; JJ's Engraving & Sales, 33.00; Jody H Speck, 2,350.00; Johns & Kosel Attorneys At Law A Prof LLC, 5,075.16; Johnson Machine Inc, 717.97; Johnson Machine Inc, 581.23; Kade Bell, 300.00; Kadoka Oil LLC, 4,941.15; Kathy Davis, 1,024.20; Keith Knudson, 20.00; Kent Przymus, 388.92; Kevin E Kirschenmann, 1,050.00; Kieffer Sanitation/A Waste Management Co, 207.83; Kieffer Sanitation/A Waste Management Co, 2,592.07; Kirk Funeral Home, 3,845.00; Knecht Home Center Inc, 279.07; Knecht Home Center Inc, 318.23; Knollwood Heights Apartments, 190.00; Knollwood Heights Apartments, 317.00; Knollwood Townhouse Properties, 253.00; Kone Inc, 7,780.17; Konica Minolta Premier Finance, 156.19; Laboratory Corporation Of America Holdings, 93.00; Lacrosse Estates, 340.00; Lands' End Business Outfitters, 342.85; Language Line Services, 199.80; Lara Roetzel, 232.75; Laubach Law Office Prof LLC, 1,400.60; Law Office Of Kyle Krause Prof LLC, 3,590.80; Lawrence D Beezley, 750.00; Leadsonline LLC, 4,194.00; Lester-Robbins Construction Inc, 7,909.38; Lewis & Clark Behavioral Health Services, 800.00; Lift Pro Equipment Co Inc, 140.00; Lincoln County Auditor, 135.00; Linda J Nohr, 1,645.00; Lisa Schafer, 770.00; Lone Peak Property Management LLC, 400.00; Lowe Roofing Incorporated, 315.00; Lowe's, 169.99; Lucille M Lewno, 649.63; Lucille M Lewno, 21.21; Lutheran Social Service, 100,760.06; Lynn Jackson Schultz & Lebrun PC, 3,147.90; Macnally Law Offices Prof LLP, 13,974.90; Manlove Psychiatric Group, 2,237.06; Maple Green LLC, 300.00; Maplewood Townhouses, 455.00; Marcia Whiting, 1,635.60; Marco Inc, 324.47; Marco Inc, 158.59; Marco Inc, 2,591.01; Marco Inc, 1,780.53; Mark Katterhagen, 60.00; Martha Rossiter, 438.62; Mary Rae Seifert, 1,115.00; Matheson Tri-Gas Inc, 38.03; Matthew Olson, 120.00; Matthew T Stephens, 20,620.00; Mcgas Propane LLC, 1,094.52; Mci Service Parts Inc, 456.77; Mcleod's Printing Inc, 719.60; Medical Waste Transport Inc, 343.77; Medical Waste Transport Inc, 305.92; Medline Industries Inc, 4,834.11; Medline Industries Inc, 1,216.84; Menards, 227.36; Mg Oil Company, 37,176.61; Mg Oil Company, 1,944.88; Michael S Stonefield, 17,267.80; Midcontinent Communications, 71.43; Midcontinent Communications, 500.00; Midcontinent Communications, 108.40; Midcontinent Communications, 2,526.59; Mid-States Organized Crime Center, 250.00; Midwest Marketing LLC, 500.00; Mike Goetz, 150.00; Miller Funeral Home, 1,359.58; Mobil Satellite, 1,530.00; Moore Medical Corp, 97.86; Morphotrak, 8,954.00; Mt Rushmore Telephone Co, 105.45; Murphy Petroleum Transport LLC, 30.00; National District Attorney's Association, 675.00; Nelsons Oil & Gas Inc, 1,581.19; Nicolas Quettier, 360.00; North Central Supply Inc, 600.00; North Haines VFD, 5,508.84; Northern Heights Apartments, 300.00; Northern Truck Equipment, 2,638.00; Northwest Pipe Fitting Inc, 738.69; Northwest Pipe Fitting Inc, 235.31; Notable Corporation, 2,111.49; Officemax Incorporated, 84.11; Osheim & Schmidt Funeral Home, 1,910.00; Otis Elevator Co, 5,008.14; Overhead Door Co Of RC, 2,051.46; Pacific Steel & Recycling, 230.92; Pad Properties, 300.00; Parr Law PC, 7,905.40; Patricia A Meyers, 570.00; Paul A Lewis, 775.50; Pederson Law Office LLC, 20,456.88; Peggy K Hettick, 1,170.00; Penn Co Health & Human Sv Petty Cash, 184.24; Penn Co Health & Human Sv Petty Cash, 24.83; Penn Co Highway Petty Cash, 94.00; Penn Co Jail, 11.15; Penn Co Jail Petty Cash, 339.00; Penn Co Jsc Petty Cash,

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100.71; Penn Co Juv Diversion, 55.63; Penn Co Sheriff Petty Cash, 1,281.59; Penn Co States Atty Petty Cash, 53.00; Penn Co Treasurer Petty Cash, 16.66; Penn Co Treasurer Petty Cash, 7.96; Pennington County Courant, 836.29; Pennington County Housing & Redevelopment, 1,180.00; Pharmchem Inc, 825.00; Pharmchem Inc, 608.00; Pillen Optical Inc, 180.00; Pioneer Bank & Trust, 1,672.65; Pioneer Bank & Trust, 11,649.98; Pitney Bowes Reserve Account, 7,733.70; Pitney Bowes Reserve Account, 2,000.00; Ponderosa Screen Printing And Embroidery, 18.45; Prairie Acres LLC, 240.00; Print Mark-Et, 152.85; Professional Computer Srv, 915.00; Proforma Screening Solutions LLC, 68.00; Propac Inc, 245.50; PSI-Digital Imaging Solutions, 649.00; Quality Transmissions Inc, 437.25; Radiology Associates Professional LLC, 207.12; Rainbow Gas Company, 7,446.81; Ranch House Motel, 300.00; Randal E Connelly, 1,624.26; Rapid Chevrolet Co Inc, 263.46; Rapid Delivery Inc, 115.00; Rapid Leasing, 883.81; Rapid Reporting, 270.00; Rapid Rooter, 135.00; Rapid Tire & Alignment, 98.00; Rapid Transit System, 1,410.00; Rapid Valley Sanitary District, 169.03; RC Emergency Services Pa, 579.23; RC Fire & Emergency Services, 4,657.02; RC Journal, 981.45; RC Journal, 554.81; RC Medical Center LLC, 79.76; RC Pizza Ranch, 149.34; RC Police Dept-Evidence, 4,118.00; RC Regional Hospital Inc, 38,659.58; RC Regional Hospital Inc, 344.00; RC Winsupply, 61.36; Rdo Equipment Co, 387.36; Rdo Equipment Co, 4,740.14; Record Storage Solutions, 601.67; Redwood Toxicology Inc, 6,250.62; Regional Health Home Plus LLC, 191.11; Regional Health Home Plus Pharmacy, 1,472.55; Regional Health Reference Laboratory, 1,057.98; Reliance Telephone Inc, 8.80; Rena M Hymans Pc, 334.72; Rensch Law Office, 2,201.76; Ricoh Usa Inc, 104.98; Ricoh USA Inc, 227.17; Ro Investigation And Research LLC, 8,245.00; Ronald Buskerud, 162.54; Runnings Supply Inc, 878.49; Rushmore Communications, 5,561.30; Satellite Tracking Of People LLC, 7,065.50; Scenic Township, 712.50; Scenic VFD, 1,490.00; Sd Continuing Legal Education Inc, 500.00; SD Dept Of Health, 150.00; SD Dept Of Labor, 11,269.19; SD Dept Of Revenue, 14,457.71; SD Dept Of Revenue, 5,220.00; SD Dept Of Transp-Finance, 7,523.42; SD Federal Property Agency, 9,520.00; SD Federal Property Agency, 35.00; SD Human Services Center, 23.60; SD Office Of School & Public Lands, 2,783.31; SD One Call Board, 30.45; SD Rose Inn, 190.00; SD Sheriff's Association, 3,528.44; SD State's Attorneys Association, 2,250.00; SDACC, 17,661.00; SDN Communications, 384.80; SDSU West River Ag Center, 228.78; Securus Technologies Inc, 18,783.23; Sentencing Advocacy Group Of Evanston, 14,666.10; Servall Uniform/Linen Co, 531.87; Servall Uniform/Linen Co, 368.50; Sheri Law Office Prof LLC, 6,264.32; Silver Star Septic LLC, 150.00; Simplexgrinnell LP, 25,659.10; Skinner Law Office PC, 31,403.32; Smoot & Utzman, 1,065.75; Solemate Shoes And Uniform Center, 174.33; Spiral Manufacturing Co Inc, 201.12; Stacey Johnsen Nelson, 300.00; Stan Houston Equipment, 127.50; Stanton's Sewing Services For First Responders LLC, 52.50; State Bar Of South Dakota, 6,180.00; Sturdevant's Auto Parts, 861.77; Sturdevant's Auto Parts, 809.22; Sun Life Financial, 89,678.42; Sundial Square Apartments, 340.00; Swiftec Inc, 6,575.00; Teresa L Fink, 554.55; Terri Phelps, 690.00; The Hartford, 2,687.92; The Law Office Of Jamy Patterson LLC, 6,109.20; The Little Print Shop Inc, 12.50; The Little Print Shop Inc, 30.00; The Medicine Shoppe, 29.50; The Repair Shop, 182.40; Thomas Auto Service & Towing, 245.00; Thomson Reuters-West, 2,941.60; Thomson Reuters-West, 1,484.87; Titan Machinery PPA, 12.71; Todd A Love, 3,853.81; Tom Vlieger, 67.20; Tr Jewelry Concepts, 126.00; Treetop Products Inc, 8,860.70; Tru Green LP, 9,579.34; Turbiville Industrial Electric Works LLC, 129.97; Tyler Technologies, 40,609.00; University Of Minnesota, 21,000.00; Urban Spaces

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LLC, 240.00; US Bank Na, 156.00; US Bank Trust Na/Debt Mgt, 9,750.00; US Geological Survey, 10,454.50; Valarie O'Day, 281.20; Vantek Communications, 1,625.00; Vast Broadband, 20.09; Vast Broadband, 118.59; Verizon Wireless, 160.54; Verizon Wireless, 183.33; Victor Gust, 377.00; Voice Products Service LLC, 4,035.00; Wall Badlands Chamber Of Commerce, 50.00; Wall Building Center & Construction, 26.98; Warne Chemical & Equipment Co Inc, 39.50; Watertree Inc, 26.50; Weed And Pest Conference, 265.00; Wellmark, 145,253.15; Wellmark, 76,312.89; Wells Fargo Bank, 26,333.30; Wendy T Mcgowan, 5,077.41; West River Electric, 92.90; West River Electric, 276.04; West River Hospitality LLC, 300.00; West River International Inc, 243.83; West River International Inc, 216.28; Western Communication Inc, 250.00; Western Mailers, 225.78; Western Stationers Inc, 9,388.63; Western Thrifty Inn LLC, 245.00; Wex Bank, 10,026.74; Wex Bank, 905.34; Whisler Bearing Co, 75.48; Whiting Hagg Hagg Dorsey & Hagg LLP, 44,528.36; Winner Police Dept, 497.80; Winter Law Office Pc, 5,197.60; Wood Stock Supply, 16.44; Working Against Violence, 8,855.00; Yankton Co Sheriff Office, 250.00; Z & S Dust Control System, 1,050.79; Zuercher Technologies LLC, 22,320.00; Zuercher Technologies LLC, 104,756.01.

EXECUTIVE SESSION – 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 DiSanto and seconded by LaCroix to go into executive session for the purpose of considering a personnel issue per SDCL 1-25-2(1) & contractual/pending Litigation per SDCL 1-25-2(3). The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, for legal, Hadcock – yes, LaCroix – yes.

The Board remained in executive session from 1:19 p.m. until 2:36 p.m.

MOVED by Hadcock and seconded by DiSanto to adjourn from executive session. The motion carried 4-0 on a roll call vote: Buskerud – no response, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – 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 29, 2017: Total balances of checking/savings accounts, 13,269,726.19; Total balance of Treasurer's Office safe cash, 13,400.00; Wells Fargo Securities Investments, 1,998,435.56; Total certificates of deposit, 3,562,412.86; Total Prime Value Investment, 21,999,316.34; Total petty cash, 16,205; Total long/short, (464.90); Total, 40,859,031.05. Submitted by Lori Wessel, Deputy Auditor.

PERSONNEL

Auditor: Effective 01/08/2018 – Christopher Becker at \$13.20/hr. & Meadow Goodart at \$10.00/hr.

EMCC: Effective 01/21/2018 – Nicole Nelson at \$19.49/hr.

CCADP: Effective 01/22/2018 – Amy Peterson & Jamie TwoBulls at \$16.85/hr.

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Jail: Effective 01/21/2018 – Melissa Reckling at \$21.26/hr. Effective 01/22/2018 – Patricia Afraid of Bear & Timothy Mohny at \$14.54/hr., Samantha DeCory & Samuel Farmer at \$16.04/hr., Austin Akerstrom, Dominic Christensen, Courtney Crandall, Roderick Marquez, Beau Sands, Ryan Trupe & Blake Vrooman at \$21.49/hr.

Public Defender: Effective 01/21/2018 - Leaha Anderson at \$16.04/hr.

Treasurer: Effective 01/10/2018 – Brooke Ann Walker at \$16.04/hr.

WSDJSC: Effective 01/22/2018 – Jennifer McClain at \$3642/mo.

ADJOURN

MOVED by DiSanto and seconded by Hadcock to adjourn the meeting. The motion carried 4-0 on a roll call vote: Buskerud – no response, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes. There being no further business, the meeting adjourned at 2:36 p.m.

/s/ Julie A. Pearson, Auditor

Published once at an approximate cost of _____.

Publish: January 31, 2018