

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of October 16, 2018

The Pennington County Board of Commissioners met at 9:02 a.m. on Tuesday, October 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: Ron Buskerud, George Ferebee, Mark DiSanto and Deb Hadcock.

**REVIEW AND APPROVE AGENDA**

MOVED by Hadcock and seconded by Buskerud to approve the agenda as presented. Vote: Unanimous.

**CONSENT ITEMS**

MOVED by DiSanto and seconded by Buskerud to approve the Consent Agenda with the removal of Items 7 & 8. Vote: Unanimous.

5. Minutes of the regular meeting – October 2, 2018.
6. Approval of the 4<sup>th</sup> QTR 2018 SLA (State and Local Agreement with the State of South Dakota).
7. Removed for separate consideration.
8. Removed for separate consideration.

**End of Consent Agenda**

7. Authorization to surplus equipment from the old Backup 911 Center as presented for disposal or transfer to another government entity: MOVED by Buskerud and seconded by DiSanto to surplus equipment from the old Backup 911 Center as presented for disposal or transfer to another government entity. Vote: Unanimous.
8. Recognize and thank the volunteers for the month of September 2018: MOVED by Hadcock and seconded by DiSanto to recognize and thank the volunteers for the month of September 2018. Vote: Unanimous.

**ISOLATED TRACT – MR. ROBERT L. & MRS. BARBARA STEELE:** MOVED by Hadcock and seconded by DiSanto to continue this item until the November 20, 2018 Commission meeting. Vote: Unanimous.

**ITEMS FROM AUDITOR**

- A. NEW MALT BEVERAGE LICENSE – COUNTRYSIDE GRILL AND EVENT CENTER: MOVED by Hadcock and seconded by DiSanto to approve a new retail (on-off) sale malt beverage license for Countryside Grill & Event Center. Vote: Unanimous.

**ITEMS FROM TREASURER**

- A. NEW HARASSMENT POLICY: No action was taken on this item.

**ITEMS FROM EQUALIZATION**

- A. ABATEMENT APPLICATION – MARY CHESHIER: MOVED by Hadcock and seconded by DiSanto to approve the 2017 abatement application for Tax ID 65962 for Mary/Glen Cheshier in the amount of \$181.88. Vote: Unanimous.

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of October 16, 2018

**ITEMS FROM HUMAN RESOURCES**

A. **HIGHWAY SUPERINTENDENT POSITION SELECTION PROCESS:** MOVED by Hadcock and seconded by DiSanto to approve the recommended interview process for Highway Superintendent candidates and schedule the special meeting for interviews in Executive Session on Wednesday, October 31, 2018. Vote: Unanimous.

MOVED by Hadcock and seconded by Buskerud to approve travel expenses of up to \$500 to be paid from the Highway budget for a Highway Superintendent candidate to facilitate participation in the final selection process on October 31, 2018. Vote: The motion carried 4-1 with Ferebee voting no.

**ITEMS FROM COMMISSION OFFICE:** MOVED by Hadcock to approve the updated video recording policy as presented. The motion died for the lack of a second.

MOVED by Hadcock and seconded by Buskerud to approve the updated video recording policy as presented.

Substitute motion: MOVED by Ferebee to accept the policy as written with the deletion of the second paragraph. The motion died for the lack of a second.

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

**ITEMS FROM THE CHAIR/COMMISSION MEMBERS**

**COMMITTEE REPORTS**

**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 \$2,065,045.84. Vote: The motion carried 4-1 with Ferebee voting no.

A & A Professional Property Management, 188.00; A & B Business Inc, 2,050.44; A & B Welding Supply Co, 451.93; A To Z Shredding, 635.00; Aaron Eagle, 100.00; Aasen Law Office, 1,931.70; Ace Steel & Recycling, 146.21; Advanced Drug Testing Inc, 123.00; Aggressive Auto & Salvage, 130.00; Ainsworth Benning Construction Inc, 7,602.30; ALB Unlimited LLC, 1,950.00; Alcohol Monitoring Systems Inc, 392.20; Alexa White, 65.00; Alexander Purcell, 374.16; Allen Reuer, 1,600.00; American Correctional Association, 4,500.00; American Correctional Association, 35.00; American Hotel Register Company, 388.75; American Solutions For Business, 126.38; Americinn Motel, 1,222.00; Amy Mcglade, 239.54; Angela M Colbath Atty PC, 9,032.70; Antonio J Alfonso, 100.00; Arctic Glacier USA Inc, 45.00; Armstrong Extinguishers, 145.58; Aspen Dental, 1,196.00; AT&T Mobility, 717.60; Audra Hill Consulting Inc, 14,527.05; Avera Mckennan Hospital, 51.00; Axon Enterprise Inc, 5,706.00; Badlands Automotive, 729.62; Balco Uniform Co Inc, 6,688.10; Bangs Mccullen

PENNINGTON COUNTY BOARD OF COMMISSIONERS

Meeting of October 16, 2018

Butler Foye & Simmons LLP, 1,502.20; Barnier Law Office PC, 861.00; Basler Printing Co, 390.00; Batteries Plus Bulbs #934, 277.07; Behavior Management Systems Inc, 465.00; Behrens-Wilson Funeral Home, 3,920.00; Betsey Harris, 4,549.58; BH Aerial Adventures Inc, 2,669.00; BH Chemical Company Inc, 6,181.42; BH Electric Cooperative Inc, 115.12; BH Energy, 3,280.61; BH Energy, 899.82; BH Energy, 43,300.65; BH Energy, 94.07; BH Insurance Agenc Inc, 60.00; BH Obstetrics And Gynecology LLP, 128.23; BH Orthopedic & Spine Center PC, 138.31; BH Services Inc, 389.81; BH Urgent Care LLC, 690.00; BH Window Cleaning Inc, 240.00; Big D Oil Co, 20.00; Birch Communications Inc, 67.27; Black Creek Integrated Systems Corp, 87,963.63; Black Hawk Marine, 2,394.07; Blake's Trailer Sales & Repair, 349.00; Bob Barker Company Inc, 5,539.40; Border States Electric, 401.52; Brekke Sales Company, 179.00; Brenda Sehr, 21.84; Brian Barnes, 95.62; Bridgette R Banks, 573.75; Brosz Engineering Inc, 5,025.00; Brown's Small Engine Repair, 72.84; Carol Butzman Consulting Services LLC, 75.00; Carolyn Olson, 8,437.50; Carquest Auto Parts, 741.96; Casey Munsch, 32.00; Cash-Wa Distributing, 1,951.61; Catherine E Mattson-Casteel, 1,738.40; Cat's Cleaning, 50.00; CBM Food Service, 125,131.51; CDW Government Inc, 16,762.54; Central States Fair Inc, 37,726.12; Central States Sanitation, 180.00; Champion Water Systems, 83.64; Charles James Doolittle, 100.00; Charles Mix Co. Sheriff's Office, 120.00; Charm-Tex Inc, 157.80; Chris Hislip, 262.78; Chris Supply Co Inc, 716.96; Churchill Apartments, 600.00; City Of Box Elder, 221.12; City Of Hill City, 296.24; City Of Rapid City, 18,190.09; City Of Rapid City -Water, 4,592.23; City Of Wall, 171.00; Clark Printing, 1,864.81; Clayborne Loos & Sabers LLP, 1,269.00; Clemmons Sealcoating, 14,985.77; Clinical Laboratory Of The Black Hills, 1,590.00; Community Health Center Of The Black Hills Inc, 65.00; Connections Inc Eap, 1,143.36; Connie Bertolotto, 380.28; Contractors Supply Inc, 160.60; Copy Country, 1,518.00; Cora Fried, 49.56; Coremr Lc, 981.00; Cornerstone Apartments, 117.00; Correct Rx Pharmacy Services Inc, 3,338.29; Costello Porter Et Al, 2,438.20; Countryside Property Management LLC, 1,850.00; Creative Surfaces Inc, 675.60; Cregut Inc, 200.00; Crescent Electric Supply, 391.06; Croell Redi-Mix Inc, 317.00; Crum Electric Supply, 2,025.80; Cynthia M Weichmann, 391.05; Dakota Barricade LLC, 8,100.00; Dakota Battery & Electric, 298.98; Dakota Business Center, 5,043.01; Dakota Plains Legal Services Inc, 21,750.00; Dakota Supply Group Inc, 3,730.40; Dale's Tire & Retreading Inc, 2,014.82; Darcy Lockwood, 15.00; Darrel F Smith, 640.00; Dash Medical Gloves Inc, 1,092.00; Data Management Inc, 966.00; David A Rempel DDS, 425.00; David J Larson, 200.00; David Muller, 100.00; De Castro Law Office PLLC, 3,708.60; Debra L Hattervig, 100.00; Delta Dental Of South Dakota, 35,009.00; Demersseman Jensen Tellinghuisen & Huffman LLP, 5,245.20; Denise Chavez, 100.00; Denny Menholt Chevrolet, 823.76; De's Oil Inc, 11.04; Dewey J Ertz, 2,880.00; Diamond Vogel Paint Center, 1,103.52; Diann Asher, 237.50; Dillon Law Office, 1,689.10; Discovery Investigations Inc, 2,747.15; Donald Ballard, 81.00; Donell Welch, 26.00; Donna Mayer, 186.60; Driftwood Estates, 640.00; DS Solutions Inc, 840.00; Dustin Willett, 65.00; Eastern Penn Conservation, 18,350.00; Eddie's Truck Sales Inc, 2,436.30; Electrical Engineering & Equipment Company, 1,462.54; Elizabeth M Frederick, 679.80; Emily Lessin, 573.92; Eprovider Solutions, 214.00; Eric D Whitcher, 370.52; Estes Park Apartments, 196.00; Evergreen Office Products, 2,008.13; Executive Mgmt Fin Office, 49.50; Fastenal Company, 379.55; Federal Express, 26.43; Federal Supply Usa, 1,295.00; Ferguson Enterprises Inc #226, 973.56; First Interstate Bank, 262.89; First Interstate Bank, 4,368.14; First Interstate Bank, 243.98; First Interstate Bank, 929.84; First Interstate Bank, 371.30; First

PENNINGTON COUNTY BOARD OF COMMISSIONERS

Meeting of October 16, 2018

Interstate Bank, 431.87; First Interstate Bank, 4,870.46; First Interstate Bank, 197.11; First Interstate Bank, 369.82; First Interstate Bank, 861.97; First Interstate Bank, 2,226.64; First Interstate Bank, 1,361.70; First Interstate Bank, 294.70; First Responder Communications, 3,634.10; Flooring America, 2,393.70; Foley's Custom Print, 367.50; Forterra Pipe & Precast, 230.40; French's Upholstery, 325.00; Fresh Start Carpet Care, 3,218.68; G & H Distributing - RC, 158.28; Galls LLC, 334.40; Gene H Noteboom, 900.00; George J Nelson, 1,225.41; George R Cameron, 2,115.80; Global Equipment Company, 315.88; Godfrey Brake Service And Supply Inc, 607.21; Golden West Companies, 1,266.78; Golden West Companies, 127.25; Golden West Technologies, 15,128.50; Grainger-841964646, 2,869.96; Great Western Tire Inc, 2,302.44; Green Star Camper Center, 513.20; Grey & Eisenbraun Law Prof LLC, 520.10; Grimm's Pump Service Inc, 59,426.49; H&S Uniforms And Equipment LLC, 94.00; Hartford Steam Boiler, 45.00; Harveys Lock Shop, 1,140.63; Heartland Paper Company, 16,597.28; Helene Duhamel, 24.78; Hill City Prevailer, 874.89; Hill Crest Investments LLC, 600.00; Hillyard/Sioux Falls, 10,370.39; Holli Hennies, 165.60; Honeywell Inc, 9,983.17; Horwath Laundry Equipment, 2,290.46; Humane Society Of The Black Hills, 4,166.67; IAAO, 210.00; Identisys Inc, 811.11; Independent Window Tinting LLC, 170.00; Indoff Inc, 2,690.39; Intab LLC, 66.07; Interpretcorps, 90.00; Interstate All Battery Center, 883.60; Intoximeters Inc, 4,916.00; Ione Wolf, 324.50; J & J Mowing And Landscaping, 1,175.00; J & J Truck And Auto Body, 3,720.93; J Scull Construction, 71,939.87; James M Moore, 100.00; Jamin Hartland, 524.59; Janet Sayler, 159.60; Jantech LLC, 830.00; Jean M Cline, 2,043.10; Jeff Andrews, 174.98; Jefferson Lines, 517.00; Jeffries Law Office PC, 1,385.40; Jenner Equipment Co, 8,206.18; Jeremiah J Davis, 6,814.00; Jerold M Perrett, 340.00; Jesse Fagerland, 118.95; Jessie Drury, 150.00; JJ's Engraving & Sales, 182.50; JLZ LLC, 10,442.25; Joan Lindstrom, 200.00; Jody H Speck, 1,818.90; John Mark Lundeen, 100.00; Johns & Kosel Attorneys At Law A Prof LLC, 1,817.77; Johnson Controls Fire Protection LP, 95.00; Johnstone Supply, 2,325.87; Jon Edwards, 246.00; Joseph John Jarding, 100.00; Joshua Lavene, 294.00; Kadoka Oil LLC, 6,342.88; Kahler Property Management, 656.92; Karl's Appliance, 15,740.00; Kate Wellensiek, 150.00; KC Video & Production, 25.00; KD Contractors Inc, 8,805.84; Kevin E Kirschenmann, 1,435.00; Keystone Ambulance Service, 120.00; Kieffer Sanitation/A Waste Management Co, 307.14; Kieffer Sanitation/A Waste Management Co, 3,318.51; Kimball Midwest, 671.66; Kimberly K Johnson, 411.40; Kimberly Suckow, 7.14; Kinney Law PC, 3,915.80; Kirk Funeral Home, 2,010.00; Knecht Home Center Inc, 1,564.69; Knight Securty Systems Inc, 300.00; Knollwood Heights Apartments, 178.00; Kone Inc, 8,650.82; Konica Minolta Premier Finance, 156.19; Laboratory Corporation Of America Holdings, 23.50; Lakota Community Homes Inc, 289.00; Language Line Services, 102.30; Language Line Services, 534.64; Lara Roetzel, 800.34; Larry D Stetler, 3,000.00; Laubach Law Office Prof LLC, 3,102.00; Lawrence D Beezley, 120.00; Lazy U Motel Inc, 300.00; Lester-Robbins Construction Inc, 14,168.76; Liberty Chrysler Center, 433.77; Lighting Maintenance Co, 168.30; Lincoln County Auditor, 173.75; Linda J Nohr, 2,135.00; Lloyd Lacroix, 180.60; Lori Severson, 141.12; Lowe's, 288.44; Lucille M Lewno, 164.97; Lutheran Social Services Of SD, 49,215.53; Lynn Jackson Schultz & Lebrun PC, 5,658.95; Lynnel Bruemmer, 155.80; M&M Sales LLC, 60.50; Macnally Law Offices Prof LLP, 2,931.24; Madison House LLC, 1,025.00; Manlove Psychiatric Group, 7,409.92; Maple Green LLC, 240.00; Marcia Whiting, 1,612.10; Marco Inc, 1,829.07; Marco Inc, 2,569.78; Mark J Enright, 75.00; Mark Katterhagen, 15.00; Mark Schock, 369.66; Martha Rossiter, 415.00; Marx

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of October 16, 2018

Apartments12-84, 300.00; Mary Rae Seifert, 2,030.00; Matheson Tri-Gas Inc, 138.02; Matthew Bender & Co Inc, 1,706.18; Matthew T Stephens, 3,395.00; Maxworth LLC, 240.00; Mckie Ford Inc, 50.20; Mcleod's Printing Inc, 2,170.03; Medical Waste Transport Inc, 344.99; Medical Waste Transport Inc, 520.81; Melissa J Rupert, 1,453.50; Melissa Lehmann, 90.00; Menards, 1,345.06; Mg Oil Company, 54,091.00; Michael Powell, 300.00; Michael Hofmann, 185.60; Microdynamics Instrumentation LLC, 1,816.00; Midcontinent Communications, 270.94; Midcontinent Communications, 2,207.89; Mister G's Industries LLC, 145.00; Montana Dakota Utilities, 47.96; Moore Medical Corp, 4,313.28; Morse Watchmans Inc, 3,095.00; Motive Magic Windshield Repair, 450.00; Mountain Plains Evaluation LLC, 800.00; Mt Rushmore Telephone Co, 47.51; Murphy Law Office PC, 913.36; Native Sun News, 120.00; NCS Pearson Inc, 165.00; Nebraska Salt & Grain Co, 10,509.78; Nelson Law, 6,427.80; Nelson's Oil & Gas Inc, 927.35; Networkfleet Inc, 75.80; Nicolas Quettier, 348.00; North Central International Of Rapid City Inc, 617.23; North Central Supply Inc, 5,226.00; Northern Lights Apartments, 148.00; Northwest Pipe Fitting Inc, 1,347.24; Nutrien Ag Solutions Inc, 268.00; Office Depot, 140.14; Osheim & Schmidt Funeral Home, 1,910.00; Otis Elevator Co, 5,008.14; Pacific Steel & Recycling, 1,823.80; Pactola Pines Inc, 30.80; Pad Properties, 300.00; Parkway Carwash Inc, 204.00; Parr Law Pc, 1,269.00; Pederson Law Office LLC, 2,407.41; Peggy D Saunders, 100.00; Penn Co Council On Aging, 9,723.00; Penn Co Equalization Petty Cash, 19.85; Penn Co Extension Petty Cash, 1.96; Penn Co Health & Human Sv Petty Cash, 465.16; Penn Co Highway Petty Cash, 21.94; Penn Co Jail Petty Cash, 1,319.78; Penn Co JSC Petty Cash, 60.00; Penn Co Sheriff Petty Cash, 1,411.93; Penn Co States Atty Petty Cash, 168.83; Penn Co Treasurer Petty Cash, 47.93; Penn Conservation Dist, 5,428.50; Pennington County Courant, 1,027.62; Pennington County Housing & Redevelopment, 668.00; Pete Lien & Sons Inc, 39,733.12; Pharmchem Inc, 485.35; Phoenix Supply LLC, 196.47; Pillen Optical Inc, 40.00; Pine Lawn Memorial Park Inc, 1,600.00; Pioneer Bank & Trust, 2,892.32; Pioneer Bank & Trust, 3,577.70; Pioneer Bank & Trust, 1,005.96; Pitney Bowes Inc, 248.52; Pitney Bowes Reserve Account, 6,211.33; Ponderosa Screen Printing And Embroidery, 3,630.95; Power House, 1,021.97; Prairie Auto Parts Inc, 362.88; Pressure Services Inc, 4,778.67; Price Motel, 145.00; Print Mark-Et, 680.55; Priority Dispatch Corp, 395.00; Proforma Screening Solutions LLC, 93.50; Race Wheels, 3,180.00; Radiology Associates Professional LLC, 82.78; Randal E Connelly, 3,003.90; Rapid Collision, 3,510.45; Rapid Delivery Inc, 109.25; Rapid Leasing, 439.71; Rapid Reporting, 600.00; Rapid Rooter, 685.00; Rapid Transit System, 120.00; RC Area School Dist 51-4, 3,951.22; RC Emergency Services Pa, 634.16; RC Fire & Emergency Services, 1,158.82; RC Journal - Advertising, 7,188.47; RC Medical Center LLC, 80.16; RC Police Dept-Evidence, 45.00; RC Regional Hospital Inc, 4,802.40; RC Regional Hospital Inc, 3,227.00; RC Regional Hospital Education & Development, 85.00; RDO Equipment Co, 3,835.78; Record Storage Solutions, 3,541.83; Redwood Toxicology Inc, 5,662.50; Regional Health, 362.70; Regional Health Home Plus Pharmacy, 1,426.55; Regional Health Reference Laboratory, 5,966.05; Reliance Telephone Inc, 1.60; Richard D Larsen, 2,332.35; Richard Two Dogs, 1,744.98; Ricoh USA Inc, 227.17; Ricoh USA Inc, 46.82; Ro Investigation And Research LLC, 2,590.00; Rochester Armored Car Company Inc, 439.03; Roger Construction Inc, 72,440.77; Ronald Buskerud, 159.60; Runnings Supply Inc, 864.68; Rushmore Safety Supplies, 166.50; Safety Benefits Inc, 65.00; Safety Kleen Systems Inc, 713.68; Sand Scripts, 115.50; Sandra Sortland, 252.96; Sarah Sharp, 100.00; Satellite Tracking Of People LLC, 10,825.75; Scenic Township, 3,412.50; Scott Redeen, 138.26;

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of October 16, 2018

Scovel Psychological, 375.00; SD Dept Of Public Safety, 28.00; SD Dept Of Revenue, 8,464.94; SD Dept Of Revenue, 937.00; SD Div Of Motor Vehicles, 21.20; SD Federal Property Agency, 12,100.00; SD Human Services Center, 51.40; SD Ltap, 400.00; SD One Call Board, 63.00; SD Rose Inn, 195.00; SDN Communications, 384.80; SDN Communications, 624.00; SDSU Extension, 74.05; Security Inform Systems, 250.00; Securus Technologies Inc, 18,077.62; Servall Uniform/Linen Co, 1,532.53; Sharaf 3 Properties LLC, 240.00; Sheri Law Office Prof LLC, 75.20; Sign Express, 3,376.43; Signs Now, 61.82; Silver Star Septic LLC, 150.00; Simon Contractors Of South Dakota Inc, 159,713.19; Simpson's Printing, 961.00; Skc Communication Product, 2,116.73; Skyline Signs & Lighting, 189.79; Smoot & Utzman, 987.00; Snap On Tools, 23.45; Solemate Shoes And Uniform Center, 114.35; Spearfish Holiday Inn Convention Center, 5,059.45; Stage 1 Investments LLC, 400.00; Stan Houston Equipment, 607.90; Star Dust Motel, 1,010.00; Stephanie Mccoy, 17.30; Sturdevant's Auto Parts, 3,237.16; Sturdevant's Refinish, 478.50; Summit Signs & Supply Inc, 460.50; Sun Life Financial, 90,980.68; Sundial Square Apartments, 927.00; Survival Armor Inc, 5,189.16; Swanston Equipment, 1,496.35; Synch/Amazon, 2,609.61; Tamara L Macuch, 100.00; Taylor Erickson, 180.85; Ted Huffman, 1,120.00; Teresa L Fink, 393.75; Textme Inc, 75.00; The Hartford, 2,744.34; The Law Office Of Jamy Patterson LLC, 1,099.80; The Little Print Shop Inc, 720.23; The Medicine Shoppe, 357.49; The Repair Shop, 158.32; The Rushmore Hotel, 733.94; Thomas & Sons Moving Company LLC, 12,500.00; Thomas Braun Bernard & Burke LLP, 2,003.20; Thomson Reuters-West, 5,847.52; Time Equipment Rental & Sales, 1,950.00; Titan Machinery PPA, 20.70; TKRSProperties LLC, 3,097.03; Todd A Love, 10,833.84; Todd Battest, 246.00; Tom Vlieger, 74.76; Tony Verchio, 265.00; Tophat Tinting Inc, 225.00; Treetop Products Inc, 1,778.68; Trevor Abernathie, 810.00; Tru-Form Construction Inc, 18,254.26; Trusted Property Management, 80.00; Tschetter And Adams Law Office Pc, 445.71; Turbiville Industrial Electric Works LLC, 409.21; Twilight Inc, 3,364.53; Uline, 4,223.12; United Rentals Northwest Inc, 101.25; Upper Knollwood Townhouse, 157.00; US Geological Survey, 10,454.50; Valarie O'day, 1,118.40; Vallette Tools Inc, 119.95; Valley View Cemetary, 100.00; Van Norman Law Office, 1,513.40; Vanway Trophy & Awards, 685.30; Vast Broadband, 223.95; Vast Broadband, 1,207.96; Vemco, 613.92; Verizon Wireless, 525.21; Verizon Wireless, 591.98; Victor Gust, 53.25; Video Service Of America, 984.67; Wall Building Center & Construction, 104.90; Warne Chemical & Equipment Co Inc, 29.90; Watertree Inc, 467.50; Wellmark, 141,564.45; Wells Fargo, 648.60; Wendy T Mcgowan, 3,495.92; West River Electric, 521.15; Western Communication Inc, 6,785.76; Western Mailers, 257.21; Western Pathology Consultants PC, 1,000.00; Western Stationers Inc, 3,228.51; Wex Bank, 448.59; Wex Bank, 10,417.33; Whisler Bearing Co, 554.63; Whiting Hagg Hagg Dorsey & Hagg LLP, 29,741.42; William A Moss Psy D LLC, 2,550.00; William Davis, 609.00; Windy Flats Rubble Site, 20.00; Winter Law Office PC, 6,923.35; Wood Stock Supply, 75.08; Working Against Violence, 13,971.33; Yan Zhang, 100.00; Yankton Co Sheriff Office, 50.00; Z & S Dust Control System, 1,117.42; Zetron Inc, 3,496.31.

MOVED by Hadcock and seconded by LaCroix to move up Executive Session. Vote: Unanimous.

**EXECUTIVE SESSION – SDCL 1-25-2**

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of October 16, 2018

A. Contractual / Pending Litigation SDCL 1-25-2(3)

MOVED by DiSanto and seconded by Hadcock to go into executive session for the purpose of considering contractual / pending litigation per SDCL 1-25-2(3). Vote: Unanimous.

MOVED by DiSanto and seconded by Hadcock to come out of Executive Session. Vote: Unanimous.

MOVED by DiSanto and seconded by Buskerud to authorize a general fund contingency transfer (101-0112) in the amount \$5,013.80 to the general fund Commission Office Budget (101-0111) and authorize payment of \$5,013.80 payable to the American Legion Home Association Post 22 pursuant to the order of the Supreme Court for case No. 28549, 28595. Vote: Unanimous.

**ITEMS FROM PLANNING & ZONING**

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

A. VARIANCE / VA 18-13: Renee Herring Voss. To reduce the minimum required Section Line setback from 58 feet to 33 feet in accordance with Sections 213 and 509 of the Pennington County Zoning Ordinance.

Lot 14 (also in Section 3), Wheel Inn #4 Subdivision, Section 2, T1S, R5E, BHM, Pennington County, South Dakota

MOVED by Hadcock and seconded by LaCroix to approve Variance / VA 18-13, with the following three (3) conditions. Vote: Unanimous.

1. That this Variance applies only for the proposed single-family residence to be located on the subject property. All other structures must maintain the proper setbacks, obtain separate Variance(s), or the Section Line Right-of-Way must be vacated;
2. That the applicant obtain an approved Building Permit for the proposed single-family residence prior to any work being done; and,
3. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Variance / VA 18-13, which is available at the Planning Office.

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

**PLANNING & ZONING CONSENT AGENDA ITEMS**

The following item(s) have been placed on the Consent Agenda for action to be taken on all items by a single vote of the Board of Commissioners. Any item may be removed from the Consent Agenda for separate action.

MOVED by Hadcock and seconded by DiSanto to approve the Planning and Zoning consent agenda as presented. Vote: Unanimous.

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of October 16, 2018

- B. MINOR PLAT / PL 18-30: John and Polly Preston. To create Lots 1 and 2 of Tract AR of Preston Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract AR, Preston Subdivision, Section 18, T2S, R8E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of Tract AR, Preston Subdivision, Section 18, T2S, R8E, BHM, Pennington County, South Dakota.

Approve of Minor Plat / PL 18-30 with the following ten (10) conditions:

1. That prior to filing the Plat with the Register of Deeds, the proposed lots obtain approved Lot Size Variances or be Rezoned appropriately;
2. That prior to filing the Plat with the Register of Deeds, the applicant obtain an approved On-Site Wastewater Treatment System Construction Permit for proposed Lot 2 to add capacity to the existing tank system and a drainfield;
3. That prior to filing the Plat with the Register of Deeds, the Plat heading be corrected in accordance with Register of Deeds comments;
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 requirements of § 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 § 400.3(1)(n) of the Pennington County Subdivision Regulations;
7. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
8. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of § 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
9. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Minor Plat / PL 18-30, which is available at the Planning Office; and,
10. That approval of this Minor Plat does not constitute approval of any further applications to be submitted for the above-described property.

End of Consent Agenda

**PLANNING & ZONING REGULAR AGENDA**

- C. LAYOUT PLAT / PL 18-29: Borglum Historical Center, Inc. / Duane Pankratz; Ken Nash – Agent. To create Lot 1 of Borglum Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of October 16, 2018

EXISTING LEGAL: PT NW1/4SW1/4, and Balance of Lot C of NW1/4SW1/4 all of N of HWY, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of Borglum Subdivision, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by LaCroix to approve Layout Plat / PL 18-29 with the following nine (9) conditions. Vote: Unanimous.

1. That prior to filing the Plat with the Register of Deeds, the proposed lots obtain approved Lot Size Variances or be Rezoned appropriately;
2. That at the time of Minor Plat submittal, eight (8) foot minor drainage and utility easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
3. That at the time of Minor Plat submittal, the applicant submits percolation tests and soil profile information for the proposed lots and the unplatted remainder, to be reviewed and approved by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
4. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
5. That existing and future addresses be properly posted on structures in accordance with Pennington County's Ordinance #20;
6. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations;
7. That at the time of Minor Plat submittal, 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;
8. That the applicant signs the Statement of Understanding (SOU) within ten (10) business days of approval of Layout Plat / PL 18-29. The SOU is available at the Planning Office; and,
9. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

D. SECOND READING OF MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 18-06: Catherine Sopinski; Rob Livingston – Agent. To amend an existing Planned Unit Development to allow the single-family residence to be used as a Vacation Home Rental on the subject property in accordance with Sections 213 and 319 of the Pennington County Zoning Ordinance.

Lot 1, Block 1, The Reserve at Remington Ranch, Section 22, T1S, R5E, BHM, Pennington County, South Dakota.

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of October 16, 2018

Planning Commission recommended denial of Major Planned Unit Development Amendment / PU 18-06. Motion failed on a 3:3 tie vote.

MOVED by Hadcock and seconded by Ferebee approve Major Planned Unit Development Amendment / PU 18-06 with the following fifteen (15) conditions. Vote: The motion carried 3-2 with Buskerud and LaCroix voting no.

1. That this Major Planned Unit Development Amendment allow for a three (3) bedroom Vacation Home Rental within the existing residence located on Lot 1, Block 1 of The Reserve at Remington Ranch;
2. That the maximum overnight occupancy, based on SD DENR approval, be limited to six (6) people and the maximum daytime occupancy be limited to ten (10) people;
3. That all necessary permits are obtained prior to any additions and/or alterations to the structure or upgrades/alterations to the on-site wastewater treatment system;
4. That the applicant continually maintain current licenses with the South Dakota Department of Health (Vacation Home License) and the Department of Revenue (Sales Tax License) and that copies of these licenses be provided to the Planning Department upon request;
5. That the applicant continually maintain an Evacuation (Emergency) Plan and provide copies to all overnight guests in case there is a need to evacuate guests from the property in the event of an emergency and that a copy of said plan be kept on file at the Planning Department;
6. That a minimum of three (3) off-street parking spaces be provided on-site, per Pennington County Zoning Ordinance (PCZO) § 310(A)(9)(gg), with each measuring a minimum of 9-feet by 18-feet and surfaced with gravel, concrete, or asphalt and maintained in a dust-free manner;
7. That an interior informational sign be posted in accordance with the requirements of PCZO §319(G), with 9-1-1 and (605) 394-4131 listed as contacts for Fire Department and Sheriff's Office respectively, during operation of the Vacation Home Rental;
8. That the lot address (23801 Placer Place) be continually posted on the residence at all times and so it is clearly visible from Placer Place, in accordance with Pennington County's Ordinance #20;
9. That the applicant ensure the Vacation Home Rental is continually operated in accordance with the requirements of PCZO § 319(F) (Performance Standards) at all times;
10. That if the person designated as the Local Contact is ever changed from Rob Livingston, the interior informational sign be updated and the applicant re-notify the Planning Director and surrounding landowners within 500 feet via notices sent by First Class Mail;
11. That all applicable Federal, State, and local regulations be adhered to at all times, including South Dakota Administrative Rule 44:02:08, which regulates Vacation Home Rentals;
12. That an approved Sign Permit be obtained prior to the placement of any sign(s);

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of October 16, 2018

13. 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;
14. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Major Planned Unit Development Amendment / PU 18-06, which is available at the Planning Office; and,
15. That this Planned Unit Development Amendment be reviewed in one (1) year, 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.

E. REQUEST TO SCHEDULE A SPECIAL MEETING BEFORE THE BOARD OF COMMISSIONERS TO CONSIDER CROELL, INC.'S APPLICATIONS FOR CONSTRUCTION AND MINING PERMITS. SPECIAL MEETING TO BE SCHEDULED AFTER NOVEMBER 14, 2018: MOVED by DiSanto and seconded by LaCroix to schedule a special meeting(s) to consider Croell, Inc's applications for construction and mining permits on the 10<sup>th</sup> day of December at 9:00 a.m. and, if necessary, the hearing may be continued for further public comment and decision on December 11<sup>th</sup> at 9:00 a.m. The December 11<sup>th</sup> meeting will be held only in the event the Board of Commissioners does not make a decision on the application(s) at the December 10<sup>th</sup> meeting. Vote: Unanimous.

**ITEMS FROM THE PUBLIC**

**PERSONNEL**

Public Defender: Effective 10/08/2018 – Kelly Royall at \$15.28/hr. Effective 10/22/2018 – Janki Sharma at \$5,477.00/mo.

State's Attorney: Effective 09/17/2018 – Wamni Bear Runner at \$19.49/hr.

**ADJOURN**

MOVED by DiSanto and seconded by Hadcock to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 11:39 a.m.

/s/ Julie A. Pearson, Auditor

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

Publish October 31, 2018