

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

The Pennington County Board of Commissioners met at 9:02 a.m. on Tuesday, April 3, 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: George Ferebee and Deb Hadcock. Commissioner Ron Buskerud joined by videoconference. Pursuant to SDCL 1-25-1, all votes were taken by roll call. DiSanto joined the meeting at 9:04 a.m.

REVIEW AND APPROVE AGENDA

MOVED by DiSanto and seconded by Hadcock to approve the agenda with the addition of Item 16.O. – Comprehensive Plan Update. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

CONSENT ITEMS

MOVED by Hadcock and seconded by DiSanto to approve the Consent Agenda with the removal of item 7. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

6. Minutes of the regular meeting – March 20, 2018.
7. Removed for separate consideration.

Removed for Separate Consideration

7. Approve the following resolution to declare the territory be incorporated upon the assent of eligible voters for the Lakota Lake Encampment Road District and an election on the question of formation of the special district be held: MOVED by Ferebee and seconded by DiSanto to continue this item until the April 17, 2018 Commission meeting. The motion failed on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, Hadcock – no, LaCroix – no

MOVED by Hadcock and seconded by Buskerud to approve the following resolution to declare the territory be incorporated upon the assent of eligible voters for the Lakota Lake Encampment Road District and an election on the question of formation of the special district be held. The motion carried 3-2 on a roll call vote: Buskerud – yes, DiSanto – no, Ferebee – no, Hadcock – yes, LaCroix – yes.

**ORDER DECLARING THE LAKOTA LAKE ENCAMPMENT ROAD DISTRICT
BE AN INCORPORATED ROAD DISTRICT
UPON THE ASSENT OF ELIGIBLE VOTERS,
PENNINGTON COUNTY, SOUTH DAKOTA**

WHEREAS, twenty-five percent of *property owners* of record that are within each of the proposed district boundaries of PENNINGTON COUNTY and CUSTER COUNTY have agreed to and petitioned for the incorporation of the LAKOTA LAKE ENCAMPMENT ROAD District according to SDCL 6-16-2.

AND WHEREAS, said petitions indicate the desire of *property owners* to conduct an election on

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

the question of formation of the special district, pursuant to SDCL 6-16-5, to organize the LAKOTA LAKE ENCAMPMENT ROAD District to maintain the ROAD District at the level as determined by the elected Board of Trustees.

NOW, THEREFORE, BE IT ORDERED, that the Pennington County Commission declare the LAKOTA LAKE ENCAMPMENT ROAD District to be an incorporated ROAD District upon the assent of eligible voters in Pennington and Custer Counties and to conduct an election on the question of formation of the LAKOTA LAKE ENCAMPMENT ROAD DISTRICT to be established as a governmental subdivision of the State of South Dakota, pursuant to SDCL 31-12A, and a public body, corporate and political, to be effective as of today's date with taxing authority for the 2018 pay 2019 tax year and after.

BE IT FURTHER ORDERED the LAKOTA LAKE ENCAMPMENT ROAD District legal description is: THAT PART OF LAKOTA LAKE ENCAMPMENT SUBDIVISION LYING WITHIN PENNINGTON COUNTY LOCATED IN SECTION 21, T2S, R06E, BHM, PENNINGTON COUNTY, SD

Dated this 3rd day of April, 2018.

/s/ Lloyd LaCroix, Chairman
Pennington County Board of Commissioners

ATTEST: (SEAL)
/s/ Julie A. Pearson, Auditor

EXECUTIVE SESSION – SDCL 1-25-2(3)

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

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

ITEMS FROM AUDITOR

A. TRANSFER ALCOHOLIC BEVERAGE LICENSE – PONDEROSA RESTAURANT TO THE PEAK GRILL AND TAP ROOM: MOVED by Hadcock and seconded by Buskerud to approve the transfer of Retail (On-Sale) Liquor License with Sunday Sales from Ponderosa Restaurant to The Peak Grill and Tap Room. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

ITEMS FROM SHERIFF

A. LEASE SPACE UPDATE: No action was taken on this item.

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

ITEMS FROM STATES ATTORNEY

- A. PENNINGTON COUNTY CAMPUS PETITION CIRCULATOR CODE OF CONDUCT/FIRST AMENDMENT ACTIVITIES: MOVED by Hadcock and seconded by Buskerud to approve the Code of Conduct with the removal of four items regarding petitioning inside of the buildings.

Substitute motion MOVED by Ferebee and seconded by DiSanto to accept the amended Code of Conduct with the addition to allowing petitioners inside the Administration Building inside the taped off areas. The motion failed 2-3 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, Hadcock – no, LaCroix – no.

The original motion carried 3-2 on a roll call vote: Buskerud – yes, DiSanto – no, Ferebee – no, Hadcock – yes, LaCroix – yes.

ITEMS FROM BUILDINGS AND GROUNDS

- A. WALL SATELLITE OFFICE – ADA COMPLIANCE UPDATE: No action was taken on this item.

ITEMS FROM EQUALIZATION

- A. ABATEMENT APPLICATION CITY OF RAPID CITY – FEUERBACHER: MOVED by Ferebee and seconded by DiSanto to approve the 2017 abatement request. The motion failed 2-3 on a roll call vote: Buskerud - no, DiSanto - yes, Ferebee - yes, Hadcock - no, LaCroix - no.

MOVED by DiSanto and seconded by Hadcock for a five minute recess. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix - yes.

The board reconvened at 11:48 a.m.

- B. 2018 PENNINGTON COUNTY ASSESSMENT PRESENTATION: No action was taken on this item.

ITEMS FROM EMERGENCY SERVICES

- A. EXECUTIVE PROCLAMATION – NATIONAL TELECOMMUNICATOR’S WEEK IN PENNINGTON COUNTY, SD (APRIL 8-14, 2018):

ITEMS FROM HIGHWAY DEPARTMENT

- A. AWARD RECOMMENDATIONS : BR 2018-1 BRIDGE REPAIRS; 52-359-325, 52-361-325, 52-363-326 (DARK CANYON RD): MOVED by Hadcock and seconded by Buskerud to award BR 2018-1 Bridge Repairs; 52-359-325, 52-361-325, 52-363-326, (Dark Canyon Rd), to Journey Group Companies dba Ainsworth Benning Construction, Spearfish, SD, in

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

the amount of \$307,311.00. The motion carried unanimously on a roll call vote: Buskerud - yes, DiSanto - yes, Ferebee - yes, Hadcock - yes, LaCroix - yes.

- B. USDA, FOREST SERVICE REGION 2, BLACK HILLS NATIONAL FOREST: MASTER COOPERATIVE FOREST ROAD AGREEMENT #18-RO-11020300-023: MOVED by Hadcock and seconded by Buskerud to approve the Cooperative Forest Road Agreement #18-RO-11020300-023 with the Black Hills National Forest and authorize the Chair's signature. 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 Hadcock and seconded by DiSanto to approve the Planning and Zoning consent agenda as presented. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix - yes.

- A. SECOND READING OF ORDINANCE AMENDMENT / OA 18-01: Pennington County. To amend Section 204-J-3-P-Requirements “On-Site Wastewater Treatment Systems” of the Pennington County Zoning Ordinance.

Approve of Ordinance Amendment / OA 18-01.

ORDINANCE #34-36

AN ORDINANCE AMENDMENT TO THE PENNINGTON COUNTY ZONING ORDINANCE.

BE IT HEREBY ORDAINED BY THE PENNINGTON COUNTY BOARD OF COMMISSIONERS THAT THE PENNINGTON COUNTY ORDINANCE #34 BE AMENDED AS FOLLOWS:

SECTION 204-J-3-P On-Site Wastewater Treatment Systems Requirements shall be amended to read as follows

Requirements – Pennington County shall issue certification to an applicant who satisfies all of the following requirements:

- i. Is at least 18 years of age;
- ii. Is certified by South Dakota DENR for installation of on-site wastewater treatment systems;
- iii. Submits a completed application for certification; and,

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

- iv. Attends the Pennington County Installer Education Course or completes approved Continuing Education Credits (eight hours) that pertain to on-site wastewater treatment systems.

Pennington County requires continuing education as a condition of certification and/or renewal. The Planning Director, or his or her designee, may approve a continuing education program or course. For approval, the program or course must provide useful educational information or experience that will enhance the construction, installation, repair, or alteration of on-site wastewater treatment systems.

Certification Renewal - All certifications shall expire two years from the date of completion of required coursework. To renew a certification, an installer must submit an application for renewal and meet one of the following conditions:

- i. Attend Pennington County Installer Education Course; or,
- ii. Complete approved Continuing Education Credits (eight hours).

Dated this 3rd day of April, 2018.

/s/ Lloyd LaCroix, Chairman
Pennington County Board of Commissioners

ATTEST: (SEAL)
/s/ Julie A. Pearson, Auditor

B. SECOND READING OF ORDINANCE AMENDMENT / OA 18-02: Pennington County.
To amend Section 204-J-3-P-Service Providers, O&M “On-Site Wastewater Treatment Systems” of the Pennington County Zoning Ordinance.

Approve of Ordinance Amendment / OA 18-02.

ORDINANCE #34-37

AN ORDINANCE AMENDMENT TO THE PENNINGTON COUNTY ZONING ORDINANCE.

BE IT HEREBY ORDAINED BY THE PENNINGTON COUNTY BOARD OF COMMISSIONERS THAT THE PENNINGTON COUNTY ORDINANCE #34 BE AMENDED AS FOLLOWS:

SECTION 204-J-3-P On-Site Wastewater Treatment Systems Service Providers, O&M, shall be amended to read as follows

O&M Certification Required - No person shall perform operation and maintenance, on alternative, experimental or unconventional, on-site wastewater treatment systems in Pennington

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

County without meeting the requirements set forth in “Requirements for All Service Providers” above.

Requirements – An O&M service provider must meet the following criteria:

- i. Be a certified service provider by the manufacturer of the equipment to be serviced or maintained; or,
- ii. A certified service provider approved by the Planning Director or his or her designee.

Dated this 3rd day of April, 2018.

/s/ Lloyd LaCroix, Chairman
Pennington County Board of Commissioners

ATTEST: (SEAL)
/s/ Julie A. Pearson, Auditor

End of Consent Agenda

PLANNING & ZONING REGULAR AGENDA

C. REQUEST TO NOT SUBMIT ENGINEERED ROAD CONSTRUCTION PLANS AND TO SURFACE ROAD WITH 4-INCHES OF GRAVEL IN LIEU OF 6-INCHES OF GRAVEL:

Chris Peterson. MOVED by Hadcock and seconded by Buskerud to approve the applicant’s request not to submit engineered road construction plans and to surface road with 4-inches of gravel in lieu of 6-inches of gravel to improve a road in a Section Line Right-of-Way. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

D. ROAD CONSTRUCTION WITHIN A SECTION LINE RIGHT-OF-WAY / CS 18-01:

Chris Peterson.

Section 11, T1N, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by DiSanto to approve of this request to construct a road within the Section Line Right-of-Way / CS 18-01, which includes constructing the Section Line Right of Way to County Ordinance 14 Standards, with the following eight (8) conditions. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

1. That the road located within the Section Line Right-of-Way be improved to meet all requirements of Ordinance 14 (which includes submittal of engineered road construction plans) or a request to waive these requirements be approved by the Board of Commissioners;
2. That if the amount of disturbed area exceeds one acre, a Department of Environment and

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

- Natural Resource's Storm Water Construction Permit is obtained;
3. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
 4. That dust control measures be implemented to prevent dust from leaving the site and impacting the adjacent properties;
 5. That any disturbed areas shall be stabilized and re-vegetated as required in Section 507-A of the Pennington County Zoning Ordinance;
 6. That street signs are posted (for the improved road (Cavern Road)) in accordance with Ordinance #20 and County Highway Standards within sixty (60) days of approval of this request;
 7. That the cost of the street signs are the responsibility of the applicant and/or landowners and that Pennington County will not incur any costs associated with the posting and manufacture, to County Highway standards, of the street signs for Cavern Road; and
 8. That the applicant sign a Statement of Understanding within ten business (10) days of approval of CS 18-01.
- E. REQUEST TO NOT SUBMIT ENGINEERED ROAD CONSTRUCTION PLANS AND NOT BUILD TO ORDINANCE 14 STANDARDS: Chris Peterson. MOVED by DiSanto and seconded by Hadcock to approve the applicant's request to not submit engineered road construction plans, to surface road with 4-inches of gravel in lieu of 6-inches of gravel to improve, and to construct the road in a Section Line Right-of-Way at a width of 8 feet in lieu of 24-feet. The motion carried 4-1 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.
- F. ROAD CONSTRUCTION WITHIN A SECTION LINE RIGHT-OF-WAY / CS 18-02: Chris Peterson. To improve 240 feet of the north portion of a Section Line to an 8-foot-wide graveled driveway.

Section 11, T1N, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by DiSanto to approve of the request to construct a road within the Section Line Right-of-Way / CS 18-02, which includes constructing the Section Line Right-of-Way to County Ordinance 14 Standards with the following nine (9) conditions. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

1. That the driveway located within the Section Line Right-of-Way be improved to meet all requirements of Ordinance 14 (which includes submittal of engineered road construction plans) or a request to waive these requirements be approved by the Board of Commissioners;
2. That the applicant and subsequent owners of the subject property are aware that they may be required to improve their half of the Section Line Right-of-Way if it is ever to become

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

- a public road;
3. That if the amount of disturbed area exceeds one acre, a Department of Environment and Natural Resource's Storm Water Construction Permit is obtained;
 4. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
 5. That dust control measures be implemented to prevent dust from leaving the site and impacting the adjacent properties;
 6. That any disturbed areas shall be stabilized and re-vegetated as required in Section 507-A of the Pennington County Zoning Ordinance;
 7. That street signs are posted in accordance with Ordinance #20 and County Highway Standards within sixty (60) days of approval of this request;
 8. That the cost of the street signs are the responsibility of the applicant and/or landowners and that Pennington County will not incur any costs associated with the posting and manufacture, to County Highway standards, of the street signs for Cavern Road; and
 9. That the applicant sign a Statement of Understanding within ten business (10) days of approval of CS 18-02.

G. LAYOUT PLAT / PL 18-03: Kerri and Sabrina Johnston. To combine three lots in order to create Lot 1 of Johnston Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lots 20 and 21 of Lot 1 of SW1/4SW1/4 and Lot 22 of Lot 1 of SW1/4SW1/4, located in Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of Johnston Subdivision, Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

MOVED by Buskerud and seconded by Hadcock to approve of Layout Plat / PL 18-03 with the following eleven (11) conditions. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

1. That the plat heading, drawing, and certificates be changed in accordance with the Register of Deeds and Director of Equalization's comments, prior to the submittal of the new Plat;
2. That at the time of new Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
3. That at the time of new Plat submittal, the applicant submits percolation tests and soil profile information for proposed Lot 1 to be reviewed and approved by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

4. That at the time of new Plat submittal, the plat meets the 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;
5. That at the time of new 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;
6. That the Certifications on the plat be in accordance with § 400.3.1.n of the Pennington County Subdivision Regulations;
7. That prior to filing the Plat with the Register of Deeds, a Lot Size Variance or a Rezone and Comprehensive Plan Amendment be obtained for proposed Lot 1 of Johnston Subdivision;
8. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
9. That the applicant adhere to all comments provided by the Forest Service;
10. That the applicant signs the Statement of Understanding within ten (10) business days of approval of Layout Plat / PL 18-03, which is available at the Planning Office; and,
11. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

H. VACATION OF EASEMENT / VE 18-01: Kerri and Sabrina Johnston. To vacate a portion of the access easement (16-foot-wide private roadway) located in the interior of Lots 20, 21, and 22 of Lot 1 of SW1/4SW1/4 in accordance with the Pennington County Zoning Ordinance.

Lots 20 and 21 of Lot 1 of SW1/4SW1/4 and Lot 22 of Lot 1 of SW1/4SW1/4, located in Section 14, T1N, R5E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by DiSanto to approve of Vacation of Easement / VE 18-01 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 acreage for the vacated roadway and a note stating "Private Roadway to be Vacated as shown on Plat 8 Page 37" be included on the exhibit;
2. That all necessary resolutions and exhibits vacating the Private Roadway be recorded by the applicant at the Register of Deeds Office; and,
3. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Vacation of Easement / VE 18-01, which is available at the Planning Office.

I. LAYOUT PLAT / PL 18-04: Douglas Norberg; Buckhorn Surveying – Agent. To reconfigure lot lines to create Tracts 5A and Tract 5 B of Sonquest Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 5 Revised of GL 3 and Lot 1 of Lot C of GL 2, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

PROPOSED LEGAL: Tract 5A and Tract 5B of Sonquest Subdivision, Section 6, T1N, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by DiSanto to approve of Layout Plat / PL 18-04 with the following thirteen (13) conditions. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

1. That the plat heading and certificates be changed in accordance with the Register of Deeds and Director of Equalization's comments, prior to the submittal of the new Plat;
2. That at the time of new Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
3. That at the time of new Plat submittal, the applicant submits percolation tests and soil profile information for proposed Tract 5B to be reviewed and approved by the County Environmental Planner, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
4. That at the time of new Plat submittal, the plat meets the 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;
5. That at the time of a new Plat submittal, the plat meets all necessary requirements of Section 500 of the Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements;
6. That the proposed 20-foot-wide private access easement be placed in alignment with the existing access easement to avoid crossing over private land;
7. That the applicants obtain a valid Operating Permit for the existing on-site wastewater treatment system within sixty (60) days of approval of this Layout Plat;
8. That the existing address continue to be properly posted in accordance with Pennington County's Ordinance #20;
9. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
10. That an approved Floodplain Development Permit be obtained prior to any disturbance in the Special Flood Hazard area;
11. That the applicant adhere to all comments provided by the Forest Service;
12. That the applicant signs the Statement of Understanding (SOU) within ten (10) business days of approval of Layout Plat / PL 18-04, which is available at the Planning Office; and
13. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

- J. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 18-01 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-01: Boom Construction; Daene Boomsma – Agent. To rezone 7.05 acres from General Agriculture District to Low Density Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from General Agriculture District to Low Density Residential District in

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

accordance with Sections 205, 207, and 508 of the Pennington County Subdivision Regulations.

Lot 1, Denika Subdivision, Section 28, T2N, R9E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by DiSanto to approve of Rezone / RZ 18-01 and Comprehensive Plan Amendment / CA 18-01. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, Hadcock – yes, LaCroix – yes.

- K. REQUEST FOR REFUND OF APPLICATION FEES: Boom Construction; Daene Boomsma.

MOVED by Hadcock and seconded by Ferebee to approve a refund of \$156 for the application fee. The motion carried 4-1 on a roll call vote: Buskerud – no, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

- L. PLANNED UNIT DEVELOPMENT REVIEW / PU 16-03: Dan and Nancy Evangelisto / Century Home Crafters, LLC; Century Land Holdings, LLC; and Summer Creek Inn, LLC. To review a Planned Unit Development to allow for a Specialty Resort Development to include uses, such as vacation home rentals, weddings, receptions, picnics, family reunions, single-family residences, bed and breakfast, storage gift shop, spa, cabana, bistro, detached accessory structure with living quarters, duplex, etc., on the subject properties, in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 3 and that 1/2 of private drive adjacent to said lot; Lot 4; Lot 7 and that 1/2 of private drive adjacent to said lot; Lot 10 and that 1/2 of private drive adjacent to said lot; Lot 11 and that 1/2 of private drive adjacent to said lot; Lot 12 and that 1/2 of private drive adjacent to said lot; Lot 13 and that 1/2 of private drive adjacent to said lot; Lot 14 and that 1/2 of private drive adjacent to said lot; Lot 15 and that 1/2 of private drive adjacent to said lot; Lot 16 and that 1/2 of private drive adjacent to said lot; Lot 17 and that 1/2 of private drive adjacent to said lot; Lot 18 and that 1/2 of private drive adjacent to said lot; Lot 19 and that 1/2 of private drive adjacent to said lot; Lot 20 and that 1/2 of private drive adjacent to said lot; Lot 21, Lot 22 and that part of private drive adjacent to said lot; Lot 23B and that 1/2 of private drive adjacent to said lot; Lot 27 and that 1/2 of private drive adjacent to said lot; Lot 28 and that 1/2 of private drive adjacent to said lot; Lot 29 and that 1/2 of private drive adjacent to said lot; Lot 30 and that 1/2 of private drive adjacent to said lot; Lot 31 and that 1/2 of private drive adjacent to said lot, Lot 32 and that 1/2 of private drive adjacent to said lot; Lot 33 and that 1/2 of private drive adjacent to said lot; Lot 34 and that 1/2 of private drive adjacent to said lot; Lot 35 and that 1/2 of private drive adjacent to said lot; Lot 36 and that 1/2 of private drive adjacent to said lot; Lot 37 and that 1/2 of private drive adjacent to said lot; Lot 41 and that 1/2 of private drive adjacent to said lot; Lot 42 and that 1/2 of private drive adjacent to said lot; Lot 43 and that 1/2 of private drive adjacent to said lot; Lot 44, Lot 45 and that 1/2 of private drive adjacent to said lot; all located in Custer Trails Subdivision #1, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

MOVED by DiSanto to make the tent a permanent fixture. The motion died for the lack of a second.

MOVED by Hadcock and seconded by Buskerud to continue this item until the April 17, 2018 Commission meeting. The motion carried 4-1 on a roll call vote: Buskerud - yes, DiSanto - no, Ferebee - yes, Hadcock - yes, LaCroix -yes.

M. REQUEST FOR APPROVAL OF BUILDING PERMIT OUTSIDE OF COUNTY ZONING ORDINANCE: Jay and Liz Walterman.

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

MOVED by Hadcock and seconded by DiSanto to withdraw this item per staff's request. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

N. FORMATION OF MINERAL MINING COMMITTEE.

MOVED by Hadcock and seconded by DiSanto to continue this item until the May 1, 2018 Commission meeting. The motion carried unanimously on a roll call vote: Buskerud - yes, DiSanto - yes, Ferebee - yes, Hadcock - yes, LaCroix - yes.

O. COMPREHENSIVE PLAN: No action was taken on this item.

ITEMS FROM THE CHAIR/COMMISSION MEMBERS

COMMITTEE REPORTS

2018 LEGISLATIVE SESSION

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

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 334,452.78. The motion carried 4-1 on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – no, Hadcock – yes, LaCroix – yes.

BH Energy, 12.74; City Of Rapid City -Water, 15,419.35; Montana Dakota Utilities, 11,819.23; West River Electric, 330.00; Verizon Wireless, 4,952.81; Century Link, 7,096.14; Midcontinent Communications, 2,172.47; Vast Broadband, 2,141.26; Pioneer Bank & Trust, 13,480.03;

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

Lighthouse Partnership Inc, 1,153.80; SDML Workers', 37,454.00; Lamb Chevrolet & Implement, 36,468.00; Wellmark, 201,952.95.

ITEMS FROM THE PUBLIC

EXECUTIVE SESSION – SDCL 1-25-2(1)

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

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

MOVED by Hadcock and seconded by DiSanto to come out of Executive Session. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes.

PAYROLL

Commissioners, 15,463.87; Elections, 15,545.82; Auditor, 31,604.78; Treasurer, 63,214.98; MacArthur Grant, 10,658.06; State's Attorney, 248,638.58; Public Defender, 154,438.09; Buildings & Grounds, 126,290.97; Equalization, 84,089.84; Register of Deeds, 28,516.43; IT, 52,355.81; Human Resources, 10,350.41; Sheriff, 478,022.91; HIDTA Grant, 9,199.55; Jail, 618,917.01; JSC, 216,138.10; JSC Juvenile Alternative, 9,678.29; CCADP, 143,612.96; Economic Assistance, 60,319.78; Weed & Pest, 3,619.20; Mountain Pine Beetle, 7,816.00; Planning and Zoning, 33,063.93; Road & Bridge, 193,713.71; Fire Administration, 6,892.37; Dispatch, 200,267.43; Emergency Management, 9252.98; 24-7 Program, 23,477.99.

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 March 19, 2018: Total balances of checking/savings accounts, 12,304,774.16; Total balance of Treasurer's Office safe cash, 13,400.00; Wells Fargo Securities Investments, 4,003,027.23; Total certificates of deposit, 2,028,185.58; Total Prime Value Investment, 23,630,860.94; Total petty cash, 16,305.00; Total Cash Items paid, 5.00; Total NSF paid 64.38; Total long/short, (266.86); Total, 41,996,335.43. Submitted by Lori Wessel, Deputy Auditor.

PERSONNEL

IT: Effective 03/22/2018 – Steve Cales at \$22.57/hr.

ADJOURN

MOVED by DiSanto and seconded by Hadcock to adjourn the meeting. The motion carried unanimously on a roll call vote: Buskerud – yes, DiSanto – yes, Ferebee – yes, Hadcock – yes, LaCroix - yes. There being no further business, the meeting adjourned at 2:47 p.m.

/s/ Julie A. Pearson, Auditor

Published once at an approximate cost of ____.

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 3, 2018

Publish April 18, 2018