

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of May 15, 2018

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, May 15, 2018, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Vice-Chair Mark DiSanto called the meeting to order with the following Commissioners present: Ron Buskerud, George Ferebee and Deb Hadcock. Chair Lloyd LaCroix joined by videoconference. Pursuant to SDCL 1-25-1, the votes were taken by roll call.

REVIEW AND APPROVE AGENDA

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

CONSENT ITEMS

MOVED by Buskerud and seconded by Hadcock to approve the Consent Agenda as presented with the removal of Item 8. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

5. Minutes of the regular meeting – May 1, 2018.
6. Minutes of the Board of Equalization Hearings – April 10th, 18th, 19th and 20th, 2018.
7. Acknowledge the filing of petitions signed by at least 25% of the eligible voters within the proposed district and set an election on the question of formation of the Twisted Oak Trail Road District to be held on Monday, June 18th, 2018 from 5:00 p.m. to 7:00 p.m.
8. Removed for separate consideration.
9. Recognize and thank the volunteers for the month of April 2018.
10. Declare the Toshiba EStudio 355 copy machine surplus for the purpose of destruction.
11. Acknowledge the notice of intent to conduct a raffle and bingo – Rochford Community Hall.

End of Consent Agenda

8. Declare the items on the presented list, plus any last minute items, as surplus for the purpose of being auctioned, to authorize Buildings & Grounds to solicit quotes and sign an agreement for auctioneer services for the surplus sale, and to authorize advertisement of the surplus sale:

MOVED by Hadcock and seconded by Buskerud to declare the items on the presented list, plus any last minute items, as surplus for the purpose of being auctioned, to authorize Buildings & Grounds to solicit quotes and sign an agreement for auctioneer services for the surplus sale, and to authorize advertisement of the surplus sale. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

ITEMS FROM THE AUDITOR

A. DISSOLUTION OF LONGVIEW SANITARY DISTRICT BY DISTRICT DIRECTORS:

MOVED by Hadcock and seconded by Buskerud to authorize the Chair's signature to the Order of Dissolution of the Longview Sanitary District by its district directors, as described.

Substitute motion: MOVED by Buskerud and seconded by Ferebee to continue this item until the June 7th, 2018 Commission meeting. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

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- B. NEW RETAIL (ON-OFF SALE) MALT BEVERAGE LICENSE: MOVED by Hadcock and seconded by Buskerud to approve the following licenses and to hold the licenses until the property taxes are paid: American Buffalo Resort LLC, Bear Country, BJ'S, Dollar General Store, Holy Smoke Resort, Horse Thief Campground & Resorts, Inc., Moonshine Gulch Saloon, Mount Rushmore National Memorial, Mount Rushmore KOA, Pactola Pines Marina, Rafter J Bar Ranch Campground, Rushmore Cave, Spring Creek Grille, The Gas Light, Whispering Pines Campground & Lodging. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

MOVED by Buskerud and seconded by Hadcock to approve the new retail malt beverage license for Corner Pantry #21, Corner Pantry Moon Meadow. The motion carried 4-0 with LaCroix abstaining on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, DiSanto – yes,

- C. MALT BEVERAGE LICENSE RENEWALS: MOVED by Buskerud and seconded by Hadcock to approve the 2018/2019 license renewals listed below and hold the licenses until property taxes are paid. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

Retail (on-off sale) Malt Beverage

Black Forest Inn Bed & Beverage, Black Hills Speedway, Country Corner, Country Store at the Forks, Crooked Creek Resort, Danger Girl Endeavors/Hisega Lodge, Happy Holiday RV Resort, Hart Ranch Camping Resort Club, Hart Ranch Golf Course, High Country Guest Ranch, Mt Meadow Store & Campground, O'Malley's Casino, Prairie Berry Winery/Miner Brewing Co., Putz N Glow Inc., Rochford Mall, Sheridan Lake Marina, Summer Creek Inn, Tatanka Trading Post, Under Canvas Inc., Winery Hill City.

MOVED by Buskerud and seconded by Hadcock to approve the malt beverage license for Corner Pantry #21, Valley Square Casino, Valley Square Sports Pub. The motion carried 4-0 with LaCroix abstaining on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, DiSanto – yes.

ITEMS FROM BUILDINGS & GROUNDS

- A. COUNTY HEALTH FACILITY – FURNITURE PROPOSALS: MOVED by Hadcock and seconded by Buskerud to award a contract to Dakota Business Center to provide and install furnishings as described in the procurement documents identified as the County Health Facility, Furniture Procurement Proposal Package for a total of \$346,184.00, and authorize the Chair's signature to a contract prepared in accordance with the procurement documents. The motion carried 3-2 on a roll call vote: Buskerud - yes, Ferebee – no, Hadcock – yes, LaCroix – yes, DiSanto – no.

ITEMS FROM EQUALIZATION

- A. ABATEMENT APPLICATION – DEYO/BIES: MOVED by Hadcock and seconded by Buskerud to approve the abatement application for tax year 2016 & 2017 for Tax ID 8001322, Marschal Deyo & June Johnson, in the amount of \$417.04. The motion carried

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unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

ITEMS FROM HIGHWAY DEPARTMENT

- A. TO APPROVE THE AGREEMENT WITH THE STATE OF SOUTH DAKOTA FOR THE 2018 COUNTY STRIPING PROGRAM, P0040(00)215 PCN 04LM: MOVED by Hadcock and seconded by Buskerud to approve the agreement with the State of South Dakota for the 2018 County Striping Program, P 0040(00)215 PCN 04LM and authorize the Chair's signature. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.
- B. TO APPROVE THE AGREEMENT WITH THE FOREST SERVICE PROJECT AGREEMENT 18-RO-11020300-28: MOVED by Hadcock and seconded by Buskerud to approve the agreement with the Forest Service, 18-RO-11020300-028, and authorize the Chair's signature. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

MOVED by Buskerud and seconded by Hadcock to take a 30 minute recess. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

The meeting reconvened at 10:30 a.m.

ITEMS FROM PLANNING & ZONING

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

- A. VARIANCE / VA 18-02: Mary Alexander, Dallas Alexander - Agent. To reduce the minimum required east side yard setback and west side yard setback from 25 feet to 12 feet to allow a single-family residence on the subject property in a Low Density Residential District in accordance with Sections 207 and 509 of the Pennington County Zoning Ordinance.

Lot 38-40, Tract Spring Creek, Section 29, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Buskerud to approve Variance / VA 18-02, with the following three (3) conditions. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

1. That this Variance applies only to the proposed single-family residence (not to include attached decks or porches). All other structures must maintain the proper setbacks or obtain separate Variance(s);

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2. That the applicant obtain approved Floodplain Development Permit(s) and Building Permit(s) PRIOR to doing any work within the Special Flood Hazard Area and/or the subject property; and,
3. That the applicant signs a Statement of Understanding (SOU) within ten (10) business days of approval of Variance / VA 18-02. The SOU is available at the Planning Office.

- B. VARIANCE / VA 18-04: Kerri and Sabrina Johnston. To reduce the minimum required lot size from 40 acres to 1.94 acres in a General Agriculture District in accordance with Sections 205 and 509 of 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 LaCroix and seconded by Hadcock to approve Variance / VA 18-04. The motion carried unanimously on a roll call vote: Buskerud – yes, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

- C. VARIANCE / VA 18-05: Andrew Foley. To reduce the minimum required lot size from 40 acres to 31.82 acres in a General Agriculture District in accordance with Sections 205 and 509 of the Pennington County Zoning Ordinance. 1hr28min

That PT of SE1/4 lying N of RR Right-of-Way, Section 30, T2N, R10E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Buskerud to continue this item until no later than August 21, 2018. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Hadcock – yes, LaCroix – yes, DiSanto – yes.

MOVED by Hadcock and seconded by Buskerud 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 REGULAR AGENDA

- D. REQUEST TO REFUND PENALTY FEES: MOVED by Hadcock and seconded by Ferebee to approve the request to refund the late fees in the amount of \$800. The motion carried 3-2 on a roll call vote: Buskerud – no, Ferebee – yes, Hadcock – yes, LaCroix – no, DiSanto – yes.

- E. 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

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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.

MOVED by Hadcock and seconded by Buskerud to approve of the extension of Planned Unit Development / PU 16-03 with amended language to Conditions #14, #24, and #27, and #43 with the following forty-three (43) conditions. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Hadcock – yes, LaCroix – yes, DiSanto – yes.

1. That the applicants sign a Statement of Understanding (SOU) within twenty (20) days of the approval of the extension of PU 16-03. The SOU is available at the Planning Department;
2. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
3. That the Developer [hereafter known as Century Construction LLC and/or its successor or the Custer Trail Subdivision One Home Owners architectural review committee] ensure the residential character of the property is maintained;
4. That daily and event operations of the specialty resort be conducted by owners, on-site manager, and staff as necessary;
5. That all natural drainage paths be continually maintained;
6. That the business sign, the one proposed, by the applicant, for placement on the brick wall, which directs attention to the Inn shall be allowed with an approved Sign Permit. Such sign shall not exceed the area of the existing subdivision sign square feet and shall

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- be limited to one such sign per approved home occupation use. Such sign shall be either a wall sign or a ground sign and shall not be located in any public right-of-ways;
7. That prior to the placement of any on and off-premise signs, the applicant must obtain approval of a Sign Permit. That every effort will be made for signs within the PUD to use natural materials, i.e. stone, concrete, native woods and blend into the surrounding area and to have a minimal impact. Signs must be approved in writing by Developer prior to the issuance of a Sign Permit issued by the Planning Director;
 8. That the following be permissible, with approved Sign Permits reviewed and signed by the Planning Director (where applicable): an existing and approved development/subdivision entrance sign located on Lot 3; two (2) additional entrance signs immediately off of Carbon Loop Road; one (1) event site sign located on retaining wall on Lots 10, 11, 12, similar to the development sign; and other signs as needed. All signs within the PUD must comply with the Pennington County Sign Ordinance unless otherwise specified within PUD 16-03;
 9. That the address be properly and continually posted on both the residence and at the approach, for all structures with addresses, so it be visible in both directions of the approach, accordance with Pennington County's Ordinance #20;
 10. That the applicant maintain an 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;
 11. That a minimum of 34 parking spaces be provided on-site, each measuring a minimum of 9 feet by 18 feet and maintained in a dust-free manner in accordance with the Pennington County Zoning Ordinance. Existing and approved required parking for 150 guests must be located on Lots 3, 4, 10, 11, and 12 with over flow parking on Lot 45;
 12. That the driveway in front of the Inn and up past the over-flow parking lot, have a 24-foot-wide driving surface and four (4) inches of gravel; the other two-way roads, within the PUD, have 16- to 18-foot-wide driving surfaces, with four (4) inches of gravel; and all one-way roads, have a 12-foot-wide driving surface, with four (4) inches of gravel. The responsible Street Authority shall meet or exceed roadway requirements, per State and County regulations;
 13. That the intensity and duration of sounds from any and all sources, within the lots of the Planned Unit Development, are in compliance with South Dakota Codified Law 22-18-35;
 14. That quiet hours for all Lots in the Planned Unit Development / PU 16-03, be from 11:00 p.m. to 7:00 a.m. on Friday and Saturday and from 10:00 p.m. to 7:00 a.m. Sunday through Thursday;
 15. That all exterior lighting must be of low level intensity, which does not result in excessive glare upon surrounding neighbors;
 16. That the applicants obtain all necessary permits from other governing bodies for operation of the Specialty Resort including, but not limited to, approval from the South Dakota Department of Health for the Bed & Breakfast and Specialty Resort and a Sales Tax License from the South Dakota Department of Revenue;
 17. That a smoke detector be placed in each sleeping room utilized for the Bed and Breakfast with a minimum of at least one (1) smoke detector per floor;

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18. That a portable fire extinguisher with a minimum 2 A-BC rating shall be placed on each floor level of the Bed and Breakfast so it accessible to all guests at all times and the fire extinguisher shall be inspected and tagged annually;
19. That the maximum number of people staying at the Bed and Breakfast establishment, at one time, be in compliance with the South Dakota Lodging Establishments Health and Safety Manual;
20. That the applicants comply with South Dakota Codified Law 34-18;
21. That the physical address of each structure be posted in each guest room utilized for Bed and Breakfasts, the Specialty Resort, and Vacation Home Rental(s);
22. That temporary port-a-potties only be placed on subject properties when needed, not to exceed ten (10) continuous months in any calendar year and that port-a-potties may be utilized by the guests of the events for wastewater disposal at a ratio of one port-a-potty per 50 guests. Any other means of wastewater disposal will require proper permitting and review of the system by both the Pennington County Planning Department and South Dakota Department of Environment and Natural Resources;
23. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land, as determined by the Planning Director, shall require an amendment to this Planned Unit Development / PU 16-03;
24. That a portable fire extinguisher with a minimum 2 A-BC rating shall be placed at each exit door and shall be inspected and tagged annually; records of said inspection shall be maintained. Fire extinguishers shall be permanently mounted 5'3" from the floor or the ground to the gauge, each Exit Door shall be unlocked during occupancy; each Exit Door in the commons area shall be equipped with Panic Hardware and swing away open to the outside allowing unobstructed exiting of the area by patrons; each Exit Door area shall be equipped with emergency exit lightning; that a minimum of one 36-unit first aid kit be provided and accessible to the public at all times; First aid kit needs to be inspected monthly with consumables and dated items replaced as needed. Appropriate records are to be maintained that no open fire shall be permitted, unless approved and granted a permit by the South Dakota Division of Wildland Fire. (Phone: 605-393-8011/2582/2583) Copies of the permit shall be available for inspection during normal business hours or anytime the Camp Fire Permit is in use by the Johnson Siding Fire Chief and or his designated representative; that barbecue pits, fireplaces, and incinerators shall be located, constructed, maintained, and used as to minimize fire hazard and smoke nuisance, both on and off the property. The South Dakota Division of Wildland Fire (Phone: 605-393-8011/2582/2583) shall approve the facilities before the use is permitted; Copies of the respective permit shall be available for inspection during normal business hours or anytime the permitted item is in use by the Johnson Siding Fire Chief and or his designated representative;
25. That no on-street vehicular parking shall be permitted, except in accordance with reasonable standards, which may be established by the Road District and may be reviewed by local Public Safety agencies to ensure emergency vehicle pass-ability on the interior roadways;
26. That written approval from the Developer be obtained prior to issuance of permits;

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27. That Lots 3, 4, 10, 11 and 12 of the specialty resort be a bed and breakfast (specialty resort) with up to 10 guest rooms, and events such as: weddings, receptions, corporate events, family reunions, bridal and baby showers, Christmas parties and other types of gatherings similar in nature, up to a maximum of 150 daily guests. The specialty resort would also be allowed to have: Beer and Wine sales (with proper permits), a bistro/Restaurant, gift shop, spa cabana/gazebo, storage shed, temporary tent, kitchen, bathrooms and to also be used for a vacation home rental and private single-family residence;
28. That Lots 13, 14, 15, 16, 17, 18, 20, 21, 28, 29, 30-37, and 41 each allow of the following with approved permits: single-family dwelling, Vacation Home Rental; bed and breakfast, or specialty resort;
29. That Lot 7 allow for three (3) Recreational Vehicle (RV) sites, not to include Park Models, for use by friends and family of the PUD or for one (1) of the following with approved permits: single-family dwelling, vacation home rental, bed and breakfast, and specialty resort. The existing on-site wastewater treatment systems must comply with the Pennington County Zoning Ordinance;
30. That Lots 19 and 22 each allow for one (1) of the following with approved permits: single-family residence with guest house living quarters within a detached accessory building, duplex, Vacation Home Rental, bed and breakfast, and specialty resort;
31. That Lot 23B allow for one (1) of the following with approved permits: Single-family dwelling, Vacation Home Rental, bed and breakfast, specialty resort, and easement (with property permits) for future underground holding tanks for designed and engineered water system;
32. That Lot 27 allow for one (1) of the following with approved permits: the existing garage/accessory building, single-family dwelling with guest quarters living quarters within a detached accessory building, duplex, Vacation Home Rental, bed and breakfast, and specialty resort;
33. That Lots 41, 42, 43, and 44 allow for one (1) of the following with approved permits: specialty resort, bed and breakfast, single-family dwelling, and Vacation Home Rental;
34. That Lot 45 allow for one (1) of the following with approved permits (if applicable): parking lot, specialty resort, bed and breakfast, single-family dwelling and Vacation Home Rental;
35. That Lots 3-4 have a zero (0) foot setback on all interior lot lines, a fifteen (15) foot front and rear yard setback, and a ten (10) foot side yard setback;
36. That Lots 7, 13, 14, 15, 17, 18, 27, 28, 32, 33, 34, 36, 37, 41, 42, 44 and 45 have a fifteen (15) foot front and rear yard setback, and a ten (10) foot side yard setback;
37. That Lots 10, 11, 12 have a zero (0) foot setback on all interior lot lines, a fifteen (15) foot front and rear yard setback, and a ten (10) foot side yard setback;
38. That Lots 20, 21, 30, 31, 35 and 43 have a ten (10) foot setback on all property lines and that this PUD replaces any existing setback requirements previously approved;
39. That Lot 29 has a fifteen (15) foot front, rear and side yard setbacks;
40. That Lots 16, 19, 22 and 23B have a fifteen (15) foot front, rear and side yard setback on all property lines not adjacent to the Right-of-Way. Lot lines adjacent to the Right-of-Way will have a zero (0) foot setback;

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41. That proposed Guest Houses, on specified lots, must comply with the Pennington County Zoning Ordinance;
42. That the Planning Director has the final determination on the location of Lot Setbacks and on the interpretation of conflicting Conditions of Approval; and,
43. That this Planned Unit Development be reviewed on August 21, 2018, or upon complaint of violation of applicable provisions of the Zoning Ordinance or PU 16-03, or as deemed necessary by either the Planning Commission or Board of Commissioners to ascertain all the Conditions of Approval are being met.

F. FIRST READING AND PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 18-04: Ernest Getty / Tina Mulally. To amend Section 204-J-2 “Operating Permit”; Section 204-J-3-P “Service Providers/Liquid Waste Pumpers/Requirements”; Section 204-J-3-Q-v “Following the completion of the final evaluation by Pennington County, the system will then be registered with the County and an Operating Permit issued”; and Section 204-J-4 “Exemption for Operating Permit” of the Pennington County Zoning Ordinance.

MOVED by Buskerud and seconded by Hadcock to deny the first reading of Ordinance amendment / OA 18-04.

Substitute motion: MOVED by DiSanto and seconded by Ferebee to continue this item until more information is received. The motion failed 2-3 on a roll call vote: Buskerud - no, Ferebee – yes, Hadcock – no, LaCroix – no, DiSanto – yes.

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

ITEMS FROM THE CHAIR/COMMISSION MEMBERS

COMMITTEE REPORTS

APPROVAL OF VOUCHERS: MOVED by Buskerud and seconded by Hadcock 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 \$5,464,878,21. The motion carried 4-1 on a roll call vote: Buskerud – yes, Ferebee – no, Hadcock – yes, LaCroix – yes, DiSanto – yes.

392 Creations, 1,155.00; A & A Professional Property Management, 240.00; A & B Business Inc, 2,712.58; A & B Welding Supply Co, 144.47; A To Z Shredding, 426.90; A-1 Auto Recyclers, 65.00; Active Data Systems Inc, 3,605.00; Adam Scott, 140.80; Adams-ISC LLC, 1,779.28; Advanced Drug Testing Inc, 410.00; Ainsworth Benning Construction Inc, 200,529.58; Alcohol Monitoring Systems Inc, 127.20; Alexander Robert Voisin, 226.82; Alexandra Jo Becker, 348.64; Allen Reuer, 2,040.00; American Planning Assoc, 404.00; Americinn Motel, 1,034.00; Angela M Colbath Atty PC, 6,353.14; Arctic Glacier USA Inc, 43.20; AT&T, 384.24; AT&T Mobility, 297.86; Audra Hill Consulting Inc, 9,112.92; Autoclear

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LLC, 6,300.00; Avenet LLC, 50.00; AVI Systems Inc, 503.94; Axon Enterprise Inc, 3,169.00; Badlands Automotive, 411.20; Balco Uniform Co Inc, 10,470.25; Bangs Mccullen Butler Foye & Simmons LLP, 715.10; Bargain Printing, 636.15; Basler Printing Co, 390.00; Batteries PIUS Bulbs #934, 5.95; Behavior Management Systems Inc, 465.00; Behrens-Wilson Funeral Home, 7,979.00; Betsey Harris, 1,497.80; BH Chemical Company Inc, 2,321.34; BH Energy, 318.59; BH Energy, 784.57; BH Energy, 20,933.96; BH Energy, 321.00; BH Funeral Home & Cremation Service Inc, 1,910.00; BH Insurance Agency Inc, 60.00; BH Obstetrics And Gynecology LLP, 113.83; BH Orthopedic & Spine Center PC, 3,346.38; BH Regional Eye Institute LLP, 53.93; BH Roofing Co, 245.00; BH Services Inc, 389.81; BH Surgical Hospital LLC, 43.85; BH Urgent Care LLC, 440.00; BH Wilbert Vault, 800.00; Bierschbach Equipment And Supply Co Inc, 1,335.44; Big D Oil Co, 25.00; Birch Communications Inc, 67.30; Bisco Dental Products Co Inc, 64.50; Bob Barker Company Inc, 2,399.76; Border States Electric, 1,083.00; Box Elder VFD, 200.00; BPro Inc, 1,500.00; Brandon Akley, 245.75; Brosz Engineering Inc, 3,932.10; Brownells Inc, 120.50; Budget Inn, 195.00; Butler Machinery Company, 704.79; Cameron Nick Rombough, 180.00; Carol Butzman Consulting Services LLC, 75.00; Cash-Wa Distributing, 1,749.62; Cat's Cleaning, 40.00; CBM Food Service, 114,543.56; CDW Government Inc, 14,921.95; Central States Sanitation, 55.52; Charles O Kavanaugh, 100.00; Chematox Laboratory Inc, 10.00; Chris Supply Co Inc, 367.00; Churchill Apartments, 350.00; City Of Hill City, 31.55; City Of Rapid City, 21,505.16; City Of Wall, 146.00; Clinical Laboratory Of The Black Hills, 6,728.00; Commercial Door & Specialties, 144.21; Community Health Center Of The Black Hills Inc, 368.70; Connections Inc EAP, 1,082.88; Contractors Insulation And Drywall Supply, 456.80; Contractors Supply Inc, 47.40; Cooks Correctional, 393.65; Copy Country, 915.21; Coremr LC, 1,080.00; Correct Rx Pharmacy Services Inc, 12,494.98; Countryside Property Management LLC, 1,368.50; Craig Smith, 100.00; Crescent Electric Supply, 383.47; Crum Electric Supply, 1,253.47; Cummins Central Power LLC, 1,679.25; Custer Gas, 164.19; Dakota Battery & Electric, 438.34; Dakota Brush, 707.00; Dakota Business Center, 7,147.28; Dakota Fluid Power Inc, 384.67; Dakota Plains Legal Services Inc, 21,750.00; Dakota Stone Mining & Stone Supply Inc, 294.00; Dakotaland Autoglass Inc, 610.00; Dale's Tire & Retreading Inc, 1,992.91; Dan Wardle, 250.26; Darcy Lockwood, 84.00; Darren Patterson, 190.00; Data Management Inc, 367.50; DBA Black Hills Legal Professional Assn, 160.00; DC Scott Surveyors Inc, 2,313.50; Dean Schaefer, 420.00; Deanna K Clayborne, 982.16; Delilah Ayers, 30.00; Delta Dental Of South Dakota, 34,583.46; Dennis Supply - RC, 619.70; Denny Menholt Chevrolet, 938.97; Denver Terrace Apartments, 142.00; De's Oil Inc, 938.50; Dewey J Ertz, 1,225.00; Diamond Vogel Paint Center, 166.00; Diann Asher, 350.00; Dillon Law Office, 1,780.25; Dioten Engineering Inc, 840.00; Drone Volt, 23,512.50; Eagle Enterprises, 2,884.70; Eastern Penn Conservation, 18,350.00; Eco_Scapes LLC, 75.00; Eddie's Truck Sales Inc, 6,782.06; Election Systems & Software LLC, 22.81; Elizabeth M Frederick, 1,705.50; Emily Jackson, 79.00; Eprovider Solutions, 204.60; Erick Rousselle, 100.00; Erik Bringswhite, 2,536.40; Evergreen Office Products, 689.96; Executive Mgmt Fin Office, 102.00; Fastenal Company, 1,591.50; Federal Express, 102.71; Ferguson Enterprises Inc #226, 254.84; First Interstate Bank, 80.75; First Interstate Bank, 190.50; First Interstate Bank, 1,270.33; First Interstate Bank, 71.70; First Interstate Bank, 1,445.31; First Interstate Bank, 8,967.96; First Interstate Bank, 65.75; First Interstate Bank, 56.51; First Interstate Bank, 507.37; First Interstate Bank, 115.75; First Interstate Bank, 311.93; Flooring America, 432.00; FMG Inc, 326.60;

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Foothills East Apartments, 400.00; Foothills Seed Inc, 2,585.50; Frank J Noble Jr, 340.00; Fred Pryor Seminars, 398.00; Fresh Start Carpet Care, 1,012.00; Frontier Auto Glass LLC, 219.03; Fruit Of The Loom, 432.00; G & H Distributing - RC, 81.36; Gabriel Burgoyne, 226.80; Galls LLC, 1,295.74; George J Nelson, 501.33; George R Cameron, 1,053.30; Global Equipment Company, 1,302.48; Godfrey Brake Service And Supply Inc, 4,951.76; Golden West Companies, 1,390.83; Golden West Technologies, 13,297.90; Grainger - 829245489, 271.68; Great Western Tire Inc, 2,701.57; Green Star Camper Center, 15.73; Grey & Eisenbraun Law Prof LLC, 592.20; Grimm's Pump Service Inc, 5,215.49; Gunderson Palmer Nelson And Ashmore LLP, 477.00; H&S Uniforms And Equipment LLC, 162.00; Harland Clarke Corp, 49.42; Harveys Lock Shop, 1,575.70; Hawk Properties LLC, 300.00; HBD Inc, 1,300.00; Heartland Paper Company, 9,893.21; Heather Sazama, 362.90; Heavy Constructors Inc, 52,556.62; Henry Schein Inc, 505.61; Hill City Hardware Inc, 9.99; Hill City Prevailer, 507.43; Hill City Public Library, 13,815.50; Hillyard/Sioux Falls, 2,087.77; Hobart Sales & Service Inc, 266.20; Hope Bearden, 121.39; Horwath Laundry Equipment, 230.41; Humane Society Of The Black Hills, 4,166.67; IIARC, 383,181.84; Image All LLC, 76.50; Inclusion Solutions LLC, 55.95; Indoff Inc, 1,352.51; Industrial Organizational Solutions Inc, 200.00; Infogroup Inc, 475.00; Inland Truck Parts, 315.70; Ione Wolf, 537.50; J & D Precast, 95.00; J & J Mowing And Landscaping, 130.00; J Scull Construction, 312,795.77; Jantech LLC, 380.00; Jd's Equipment Service LLC, 715.19; Jean M Cline, 1,440.90; Jeff Andrews, 108.12; Jefferson Lines, 521.60; Jeffries Law Office PC, 618.52; Jenner Equipment Co, 935.81; Jerri Harn, 99.12; Jessie Drury, 75.00; Jims Private Utility Locating, 75.00; JJ's Engraving & Sales, 81.00; JLZ LLC, 30,411.80; Jody H Speck, 1,504.00; Johnson Machine Inc, 2,701.74; Johnstone Supply, 353.28; Jon Morrill, 184.80; Joseph C Tjaden, 495.00; Julie A Bird, 300.00; Kadoka Oil LLC, 12,381.53; Karen Paige Hunt Prof LLC, 164.50; Kayla L Maruska, 3,037.45; KCH Law, 160.00; Keystone City Hall, 4,659.50; Kieffer Family Dental PC, 101.00; Kieffer Sanitation/A Waste Management Co, 2,929.19; Kimball Midwest, 448.35; Kimberly K Johnson, 330.60; Kimberly Suckow, 10.92; Kirk Funeral Home, 5,532.50; K-Mart, 68.59; Knecht Home Center Inc, 1,466.81; Koletzky Law Office Prof LLC, 229.60; Konica Minolta Premier Finance, 156.19; Kreisers Inc, 145.23; Laboratory Corporation Of America Holdings, 47.00; Language Line Services, 436.53; Laubach Law Office Prof LLC, 4,737.60; Lewis & Clark Behavioral Health Services, 480.00; Linda J Nohr, 1,820.00; Lowe Roofing Incorporated, 478.00; Lowe's, 166.57; Lucille M Lewno, 794.10; Lutheran Social Service, 43,228.32; Lyndell Petersen, 183.12; Lynn Jackson Schultz & Lebrun PC, 5,882.36; Macnally Law Offices Prof LLP, 3,252.40; Manlove Psychiatric Group, 10,878.23; Maple Green LLC, 240.00; Maplewood Townhouses, 240.00; Marcia Whiting, 2,044.80; Marco Inc, 361.25; Marco Inc, 3,503.68; Mark Katterhagen, 84.00; Mary Rae Seifert, 1,590.00; Matthew Bender & Co Inc, 700.00; Matthew Olson, 178.43; Matthew T Stephens, 2,553.00; Mckie Ford Inc, 83.14; Medical Waste Transport Inc, 325.45; Medical Waste Transport Inc, 286.38; Medline Industries Inc, 679.52; Melissa J Rupert, 2,094.75; Melissa Reckling, 190.00; Menards, 1,959.63; Mg Oil Company, 40,472.96; Michael S Stonefield, 8,742.00; Midcontinent Communications, 1,017.43; Midcontinent Communications, 2,818.72; Midcontinent Testing Lab, 226.20; Midwest Portland LLC, 1,334.34; Montana Dakota Utilities, 49.49; Moore Medical Corp, 1,897.55; Motel Rapid, 190.00; Motive Magic Windshield Repair, 275.00; Mt Rushmore Telephone Co, 47.35; Murphy Law Office PC, 3,295.03; National 4-H Council, 658.32; Native Sun News, 160.00; Nebraska Salt & Grain Co, 3,896.82; Nelson Law, 3,146.95; Nelson's Oil & Gas Inc, 1,373.22;

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Networkfleet Inc, 37.90; Newman Signs Inc, 654.44; Nicolas Quettier, 348.00; North Central International Of Rapid City Inc, 1,538.70; North Central Supply Inc, 20.00; Northern Truck Equipment, 236.00; Northwest Pipe Fitting Inc, 871.83; Office Depot, 883.34; O'Reilly Auto Parts, 25.99; Osheim & Schmidt Funeral Home, 1,963.25; Pacific Steel & Recycling, 20.95; Parr Law PC, 4,211.20; Paul Paulsen, 63.00; Pederson Law Office LLC, 2,723.40; Penn Co Council On Aging, 9,723.00; Penn Co Equalization Petty Cash, 37.41; Penn Co Extension Petty Cash, 76.19; Penn Co Health & Human Sv Petty Cash, 180.00; Penn Co Highway Petty Cash, 85.00; Penn Co Jail Petty Cash, 1,490.85; Penn Co Sheriff Petty Cash, 705.16; Penn Co States Atty Petty Cash, 329.90; Pennington County Courant, 511.53; Pennington County Housing & Redevelopment, 1,243.00; Peter Heffron, 100.00; Pharmchem Inc, 571.00; Phoenix Supply LLC, 918.48; Pioneer Bank & Trust, 9,251.90; Pitney Bowes Reserve Account, 4,519.54; Plainsview Mobile Manor, 400.00; Power House, 902.79; Prairie Acres LLC, 340.00; Price Motel, 190.00; Print Mark-Et, 59.95; Proforma Screening Solutions LLC, 59.50; Promo Direct, 547.77; PSI Health Care Inc, 15.00; Quality Transmissions Inc, 722.64; Quill Corporation, 365.29; Radiology Associates Professional LLC, 505.99; Ramkota Hotel, 397.98; Randal E Connelly, 2,734.34; Rapid Delivery Inc, 115.00; Rapid Leasing, 439.71; Rapid Rooter, 125.00; Rapid Towing LLC, 126.00; Rapid Transit System, 90.00; RC Area School Dist 51-4, 2,490.49; RC Emergency Services Pa, 618.36; RC Journal - Advertising, 3,181.08; RC Journal - Subscription, 250.34; RC Pizza Ranch, 152.00; RC Police Dept-Evidence, 6,840.00; RC Public Library, 202,000.00; RC Regional Hospital Inc, 3,188.61; RC Regional Hospital Inc, 20.00; RC Regional Hospital Inc, 171.90; Rdo Equipment Co, 3,215.74; Record Storage Solutions, 952.68; Redwood Mediation Services LLC, 104.35; Regional Health Home PIUS Pharmacy, 1,880.32; Regional West Medical Center, 1,726.10; Ricoh USA Inc, 227.17; Ricoh USA Inc, 190.91; Rochester Armored Car Company Inc, 408.40; Runnings Supply Inc, 229.89; Rushmore Safety Supplies, 31.20; Sage Enterprises LLC, 400.00; Sanitation Products Inc, 626.15; Satellite Tracking Of People LLC, 3,935.75; Scotts Bluff County Court, 3.25; Scovel Psychological, 1,270.00; SD Dept Of Public Safety, 43.00; SD Dept Of Revenue, 9,468.74; SD Dept Of Revenue, 3,295.00; SD Div Of Motor Vehicles, 42.40; SD Federal Property Agency, 70.00; SD Firefighters Assn Inc, 50.00; SD Network Against Family, 225.00; SD Police Chief's Association, 85.00; SD Rose Inn, 663.00; SD State Electrical Commission, 20.00; SD Teen Court Association, 15.00; SDAAO, 175.00; SDACO, 150.00; SDN Communications, 384.80; SDSU Extension, 283.80; SecurUS Technologies Inc, 21,328.57; Servall Uniform/Linen Co, 1,799.07; Shannon Tibbetts, 780.00; Sheri Law Office Prof LLC, 2,890.21; Sherwin Williams Paints, 2,043.79; Shoener Machine & Tool Supply Inc, 42.30; Sign Express, 30.00; Silver Star Septic LLC, 150.00; Simpson's Printing, 154.50; Skinner Law Office PC, 14,184.10; Smoot & Utzman, 1,121.40; Solemate Shoes And Uniform Center, 187.11; Stan Houston Equipment, 1,194.80; Star Dust Motel, 400.00; Steam Cleaning Specialist, 2,200.00; Stephen Keegan, 287.50; Sturdevant's Auto Parts, 1,247.09; Sturdevant's Refinish, 39.80; Summit Signs & Supply Inc, 365.05; Sun Life Financial, 89,593.06; Swiftec Inc, 865.97; Synch/Amazon, 210.37; Teresa L Fink, 2,141.95; Terrance Wojtanowicz, 300.00; Tessa Lavae Curley, 300.00; Tessco Incorporated, 1,100.91; The Hartford, 2,688.38; The Law Office Of Jamy Patterson LLC, 1,748.40; The Little Print Shop Inc, 510.61; The Lodge At Deadwood, 192.00; The Medicine Shoppe, 344.18; The Repair Shop, 176.97; The Rushmore Hotel, 1,748.00; Thomas Braun Bernard & Burke LLP, 1,028.40; Thomson Reuters-West, 5,492.50; Thundercloud LLC, 50.00; Timekeeping Systems Inc,

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1,155.00; Todd A Love, 8,326.50; Tom Vlieger, 61.32; Tonisha Salazar, 442.72; Total, 2,170,703.68; Tow Pros, 157.00; Travelodge - Rapid City, 175.00; Trimin Systems Inc, 23,000.00; Ts Government Solutions LLC, 147.50; Twilight Inc, 129.20; Unified Police Dept Of Greater Salt Lake, 45.00; Upper Deck Architects Inc, 7,266.02; Upper Knollwood Townhouse, 300.00; UPS Store #3912, 23.11; US Bank, 2,806,006.24; Van Norman Law Office, 103.40; Vanway Trophy & Awards, 412.90; Vast Broadband, 125.09; Vemco, 5,037.11; Venture Architects, 110,364.99; Verizon Wireless, 160.57; Verizon Wireless, 590.99; Victoria A Urban, 180.00; Video Service Of America, 335.74; Wade Anderson, 190.00; Wall Building Center & Construction, 292.64; Wall Community Library, 8,193.00; Watertree Inc, 877.00; Weed And Pest Conference, 150.00; Wellmark, 281,257.90; Wendy T McGowan, 4,527.04; West River Anesthesiology Consultants PC, 230.19; West River Electric, 2,117.52; Western Communication Inc, 250.00; Western Mailers, 726.83; Western Stationers Inc, 4,123.72; Wex Bank, 418.62; Wex Bank, 1,032.90; Wex Bank, 9,221.76; Whisler Bearing Co, 471.94; Whiting Hagg Hagg Dorsey & Hagg LLP, 6,688.59; Wiege Sanitation, 170.00; William A Moss Psy D LLC, 2,850.00; Windy Flats Rubble Site, 96.00; Winter Law Office PC, 13,816.60; Wood Stock Supply, 1,232.67; Yankton Co Sheriff Office, 300.00; Yankton County Treasurer, 379.75;

ITEMS FROM THE PUBLIC

EXECUTIVE SESSION – SDCL 1-25-2

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

MOVED by Ferebee and seconded by DiSanto 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, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto – yes.

MOVED by Hadcock and seconded by DiSanto to come out of Executive Session. The motion carried on a roll call vote: Buskerud – no response, Ferebee – yes, Hadcock – yes, LaCroix – yes, DiSanto - yes.

PERSONNEL

Auditor: Effective 04/23/2018 – Christopher Becker at \$15.28 hr.

HHS: Effective 05/29/2018 – David Dodson at \$3,725/mo.

Highway: Effective 05/21/2018 – William Huggins, Deborah Jones, Robert Montez & Barbara Salyers at \$13.36/hr. Effective 06/01/2018 – Mitchell Kammerer at \$4,761/mo.

Jail: Effective 04/22/2018 – Alyssa McGhee at \$21.49/hr. & Taylor Muhlbeier at \$26.45/hr. Effective 05/14/2018 – Kari Green at \$13.86/hr. Effective 05/20/2018 Mitchell Jaeger at \$22.85/hr. Effective 05/21/2018 – Blake Bendt at \$14.54/hr., Weston McPherson, Colton Reichert, Rachael Smith, Kara Webster & Jake White at \$21.49/hr.

MacArthur Grant: Effective 05/21/2018 – Mark Hirsch at \$19.49/hr.

Public Defender: Effective 07/01/2018 – Elizabeth Regalado & Jeff Fransen at \$6,027/mo.

Sheriff: Effective 05/21/2018 – Kenneth Ayers at \$24.31/hr., Taylor Erickson at \$18.37/hr., Nicholas Nelson at \$24.62/hr., Shawn Stalder at \$22.85/hr. & Jack Valentine at \$21.49/hr.

State’s Attorney: Effective 05/29/2018 – Emily Toms at \$13.20/hr.

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ADJOURN

MOVED by Hadcock and seconded by DiSanto to adjourn the meeting. The motion carried on a roll call vote: Buskerud – no response, Ferebee – yes, Hadcock – no, LaCroix – yes, DiSanto - yes. There being no further business, the meeting adjourned at 2:14 p.m.

/s/ Julie A. Pearson, Auditor

Published once at an approximate cost of _____.

Publish May 30, 2018