

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of February 5, 2019

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, February 5, 2019, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Vice-Chair Gary Drewes called the meeting to order with the following Commissioners present: Mark DiSanto, Lloyd LaCroix and Ron Rossknecht. Commissioner Chair Deb Hadcock joined by teleconference. Pursuant to SDCL 1-25-1, all votes were taken by roll call.

**REVIEW AND APPROVE AGENDA**

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

**CONSENT AGENDA ITEMS**

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

5. Minutes of the regular meeting – January 15, 2019.

6. Acknowledge the filing of petitions signed by at least 25% of the eligible voters within the proposed district and to set an election date on the question of formation of the Twin Rocks Road District to be held on March 24, 2019.

7. Approve the corrected Resolution to Discharge County Aid Liens with No Activity for 30 years.

**RESOLUTION TO DISCHARGE COUNTY AID LIENS  
WITH NO ACTIVITY FOR 30 YEARS**

WHEREAS, the Pennington County Commission has determined that it is in the County's best interest to annually discharge those county aid liens with no activity for 30 years, and

WHEREAS, as of December 18, 2018, there are inactive liens totaling \$879,565.99 as listed on a report that will be on file with the Pennington County Register of Deeds;

NOW, THEREFORE BE IT RESOLVED by the Pennington County Board of Commissioners, that the Register of Deeds is hereby directed to discharge these liens with no activity for 30 years.

Dated this 5th day of February, 2019.

PENNINGTON COUNTY COMMISSION

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Deb Hadcock, Chairman

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ATTEST:

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Pennington County Auditor/Deputy

8. Removed for separate consideration.
9. Schedule a hearing at 9:15 a.m. on Tuesday, February 19, 2019, to supplement to General Fund John T Vucurevich budget in the amount of \$82,037.21 from restricted fund balance.
10. Authorize the Highway Department to enter in to the Services Contract/Agreement with the SD Department of Game, Fish, and Parks for Snow Removal – Whitetail Loop Rd – 236<sup>th</sup> St.
11. Declare 2016 Lund Boat Hull as presented as surplus property for the purpose of turning over to the insurance company.
12. Approve of the Permit to Occupy Right-Of-Way and the request for road closure/traffic control for the 2019 Deadwood Mickelson Trail Marathon.
13. Acknowledge the notice of intent to conduct a raffle – Team Ellsworth Spouses Club.

Removed for Separate Consideration

8. Appoint Alan Van Bochove, Joyce E. Bowman, Patty Brunner, Matthew Odden and Dallas Vos to the 2019 Extension Advisory Board: MOVED by LaCroix and seconded by Rossknecht to appoint Alan Van Bochove, Joyce E. Bowman, Patty Brunner, Matthew Odden and Dallas Vos to the 2019 Extension Advisory Board. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

End of Consent Agenda Items

**EXECUTIVE SESSION – SDCL 1-25-2**

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

B. Personnel per SDCL1-25-2(1)

MOVED by DiSanto and seconded by Rossknecht to go into Executive Session pursuant to SDCL 1-25-2(1) to conduct an annual department head evaluation. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

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

MOVED by LaCroix and seconded by DiSanto to move Natural Resources Director Scott Guffey to a Grade 23 Step 6, \$6,548.41/mo. effective for the April 2019 pay period. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

**ITEMS FROM THE AUDITOR**

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A. 9:15 A.M. BUDGET SUPPLEMENT PUBLIC HEARINGS:

1. SP19-002 – GENERAL FUND TREASURER’S BUDGET: MOVED by LaCroix and seconded by Rossknecht to approve a supplement to the General Fund Treasurer’s Budget in the amount of \$33,000 from unassigned fund balance. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
2. SP19-003 – GENERAL FUND HEALTH & HUMAN SERVICES BUDGET: MOVED by LaCroix and seconded by DiSanto to approve a supplement to the General Fund Health & Human Services Budget in the amount of \$116,921 from unassigned fund balance. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
3. SP19-004 – GENERAL FUND LAW ENFORCEMENT BUDGET: MOVED by LaCroix and seconded by Rossknecht to approve a supplement to the General Fund Law Enforcement Budget in the amount of \$25,975 from unassigned fund balance. This amount has changed to reference the \$700 deductible that was withheld from the insurance check before receipt. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
4. SP19-005 – GENERAL FUND DETOX/CCADP BUDGET: MOVED by Hadcock and seconded by LaCroix to approve a supplement to the General Fund Detox/CCADP Budget in the amount of \$150,000 from unassigned fund balance. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
5. SP19-006 – GENERAL FUND SEARCH & RESCUE BUDGET: MOVED by LaCroix and seconded by Rossknecht to approve a supplement to the General Fund Search & Rescue Budget in the amount of \$42,000 from unassigned fund balance. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

**ITEMS FROM SHERIFF**

- A. SCHOOL LIAISON OFFICER FOR THE HILL CITY SCHOOL DISTRICT – CONTINGENCY BUDGET TRANSFER REQUEST: MOVED by LaCroix and seconded by DiSanto to authorize a contingency transfer from the 2019 General Fund Contingency Budget to the 2019 General Fund Law Enforcement Budget in the amount of \$44,500. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
- B. SEARCH AND RESCUE: AUTHORIZATION TO PURCHASE ONE NEW CHEVROLET SUBURBAN OFF THE STATE CONTRACT # 17256: MOVED by Hadcock and seconded by LaCroix to authorize the Pennington County Sheriff’s Office to purchase one new Chevrolet Suburban off of State Contract #17256 from Liberty Chevrolet out of Sturgis, SD for the total purchase price of \$42,020. Liberty Chevrolet has agreed to meet that state contract pricing for that vehicle. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

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- C. COPS ANTI-METHAMPHETAMINE GRANT – REQUEST FOR FTE: MOVED by Rossknecht and seconded by DiSanto to add one additional Law Enforcement FTE in order to facilitate the COPS Anti-Methamphetamine grant monies. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
- D. BUDGET SUPPLEMENT SP19-008 – GENERAL FUND LAW ENFORCEMENT BUDGET: MOVED by DiSanto and seconded by Rossknecht to schedule a hearing at 9:15 a.m. on Tuesday, February 19, 2019, to supplement the General Fund Law Enforcement Budget in the amount of \$78,329 from Grant Revenue. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

**ITEMS FROM EMERGENCY MANAGEMENT**

- A. PENNINGTON COUNTY PRE-DISASTER MITIGATION PLAN: MOVED by LaCroix and seconded by DiSanto to acknowledge this report have Dustin Willett, Emergency Management Director, come back to the March 5, 2019 Commission meeting with a follow-up report. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

**JOHN TALLEY – TALLEY CONSTRUCTION, PARCEL #67593, \$46.98, ABATEMENT REQUEST**: MOVED by DiSanto and seconded by Rossknecht to approve the abatement request for Parcel #67593, 2018 taxable value of \$2,567, in the amount of \$46.98. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

**ITEMS FROM EQUALIZATION**

A. ABATEMENT APPLICATIONS:

1. CITY OF RAPID CITY: SCHLINKERT/PARCEL #32609, \$907.60: MOVED by DiSanto and seconded by Hadcock to deny the abatement request for Parcel #32609 in the tax amount of \$907.60.  
Substitute motion: MOVED by Hadcock and seconded by LaCroix to continue this item until the February 19, 2019 Commission meeting. The motion carried 4-1 on a roll call vote: DiSanto – No, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
2. KIENZLE #66484; HEINIS #7836; SHAFFER & HEINEIS #800572; CITY OF WALL #59793: MOVED by Rossknecht and seconded by DiSanto to approve the abatement request for Parcel #66484 - Kienzle in the tax amount of \$958.16; Parcel #7836 – Heinis in the amount of \$406.16; Parcel #8005742 – Shaffer & Heineis in the amount of \$81.50 & Parcel #59793 – City of Wall in the amount of \$1,598.94. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

**ITEMS FROM HIGHWAY DEPARTMENT**

- A. SHERIDAN LAKE ROAD PROJECT UPDATE: No action was taken at this time.
- B. SOUTH ROCHFORD ROAD PROJECT UPDATE: No action was taken at this time.

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- C. AGREEMENT BETWEEN THE CITY OF RAPID CITY AND PENNINGTON COUNTY FOR THE TRAFFIC SIGNAL AT SHERIDAN LAKE ROAD AND DUNSMORE ROAD: MOVED by LaCroix and seconded by Rossknecht to approve the agreement between the City of Rapid City and Pennington County for the Traffic Signal at Sheridan Lake Road and Dunsmore Road. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
- D. AUTHORIZE TO ADVERTISE AND LET BIDS FOR NEW TRUCKS; AUTHORIZATION TO PURCHASE ONE NEW MOTOR GRADER: MOVED by Hadcock and seconded by Rossknecht to authorize the Highway Department to advertise and let bids for five trucks and one motor grader. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

**ITEMS FROM HUMAN RESOURCES**

- A. PENNINGTON COUNTY COMPENSATION COMMITTEE BYLAWS UPDATE: MOVED by Hadcock and seconded by LaCroix to continue this item until the March 5, 2019 Commission meeting, and to have the Compensation Committee revisit this item at their next meeting. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
- B. PENNINGTON COUNTY ANNUAL PERFORMANCE REVIEWS FOR NON-COUNTY EMPLOYEE DEPARTMENT HEADS: No action was taken at this time.

**ITEMS FROM THE COMMISSION OFFICE MANAGER**

- A. BOARD OF COMMISSIONERS BYLAWS AND RULES OF PROCEDURE: MOVED by Hadcock and seconded by LaCroix to continue this item until the February 19, 2019 Commission meeting. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

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

The meeting reconvened at 11:13 a.m.

**ITEMS FROM PLANNING & ZONING**

**PLANNING AND 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 LaCroix and seconded by DiSanto to approve the Planning and Zoning consent agenda items. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

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- A. LAYOUT PLAT / PL 17-38: Dorothy Johnson Estate; Great Western Bank - Personal Representative for Dorothy Johnson Estate. To create Lots A, B, C, and D of Johnson Estates Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Balance of Lot 1 of the NW1/4NW1/4, Section 9, T1N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots A, B, C, and D of Johnson Estates Subdivision, Section 9, T1N, R6E, BHM, Pennington County, South Dakota.

Continue Layout Plat / PL 17-38 to the February 19, 2019, Board of Commissioner's meeting with the following one (1) condition:

1. That the applicant pay a \$100.00 continuation fee prior to February 5, 2019, as required in Section 511(X) or the request will automatically end.

- B. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 17-10 AND COMPREHENSIVE PLAN AMENDMENT / CA 17-09: Dorothy Johnson Estate; Great Western Bank - Personal Representative for Dorothy Johnson Estate. To rezone 21.39 acres from Limited Agriculture District to Suburban Residential District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from PUD Sensitive to Suburban Residential District in accordance with Sections 206, 208, and 508 of the Pennington County Subdivision Regulations.

Balance of Lot 1 of NW1/4NW1/4, Section 9, T1N, R6E, BHM, Pennington County, South Dakota.

Continue Rezone / RZ 17-10 and Comprehensive Plan Amendment / CA 17-09 to the February 19, 2019, Board of Commissioner's meeting with the following one (1) condition:

1. That the applicant pay a \$100.00 continuation fee prior to February 5, 2019, as required in Section 511(X) or the request will automatically end.

- C. ROAD NAMING: Schriener Investments / Shane Schriener. To name a proposed 40-foot-wide access easement providing access to property located in Section 32, T1S, R6E, BHM, Pennington County, South Dakota, to Rockets Court.

Approve of the Road Naming of Rockets Court.

- D. ROAD NAMING: Schriener Investments / Shane Schriener. To name a proposed 40-foot-wide access easement providing access to property located in Section 32, T1S, R6E, BHM, Pennington County, South Dakota, to Warriors Drive.

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Approve of the Road Naming of Warriors Drive.

- E. ROAD NAMING: Schriener Investments / Shane Schriener. To name a proposed 40-foot-wide access easement providing access to property located in Section 32, T1S, R6E, BHM, Pennington County, South Dakota, to Jazz Drive.

Approve of the Road Naming of Jazz Drive.

- F. ROAD NAMING: Schriener Investments / Shane Schriener. To name a proposed 40-foot-wide access easement providing access to property located in Section 32, T1S, R6E, BHM, Pennington County, South Dakota, to Bulls Court.

Approve of the Road Naming of Bulls Court.

- G. MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW / PU 17-04: Kelly Development / Ryan Kelly. To review the existing Planned Unit Development in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lots 3-6, Block, 4, Sheridan Lake Highlands, Section 4, T1S, R6E, BHM, Pennington County, South Dakota.

Continue the review of Major Planned Unit Development Amendment / PU 17-04 to the March 5, 2019, Board of Commissioner's meeting.

- H. SUBDIVISION REGULATIONS VARIANCE / SV 18-15: Schriener Investments / Shane Schriener. To waive platting requirements to create Lots 1-8 of Keystone Wye Subdivision in accordance with Section 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All of Crown Point Lode MS 1258; All of Bay Horse Lode MS 1258; All of Buffalo Fraction Lode MS 1258; and All of Bellevue Lode MS 1258, all located in Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1-8 of Keystone Wye Subdivision, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

Continue Subdivision Regulations Variance / SV 18-15 to the March 5, 2019, Board of Commissioner's meeting.

- I. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 18-11 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-10: Schriener Investments / Shane Schriener. To rezone 29.02 acres from General Agriculture District to Low Density Residential District and to amend the Comprehensive Plan to change the Future Land Use

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from Planned Unit Development Sensitive to Low Density Residential District in accordance with Sections 205, 207, and 508 of the Pennington County Zoning Ordinance.

All of Crown Point Lode MS 1258; All of Bay Horse Lode MS 1258; All of Buffalo Fraction Lode MS 1258; and All of Bellevue Lode MS 1258, all located in Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

Continue Rezone / RZ 18-11 and Comprehensive Plan Amendment / CA 18-10 to the March 5, 2019, Board of Commissioner's meeting.

End of Consent Agenda

**REGULAR PLANNING AND ZONING ITEMS**

- J. REQUEST FOR FORMAL ACTION TO CLOSE SECTION LINES, PER SDCL 31-18-3, BETWEEN SECTIONS 13, 18, 19, 24, 25, AND 30: Pete Lien & Sons. MOVED by Hadcock and seconded by LaCroix to approve the formal action to close the Section Lines between Sections 13, 18, 19, 24, 25, and 30 as requested by Pete Lien & Sons per SDCL 31-18-3. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.
- K. LAYOUT PLAT / PL 18-49: Carol Layton. To combine two lots to create Lot A of Layton Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 1 of Tract B Less Schroeder Road; S1/2 Vacated Collins Road Lying Adjacent to Said Lot 1, Section 35, T2N, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot A of Layton Subdivision, Section 35, T2N, R6E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve of Layout Plat / PL 18-49 with the following six (6) conditions. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

1. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
2. That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;
3. That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met.



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Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;

4. That the applicant ensures that all natural drainage ways are maintained and are not blocked;
5. 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; and,
6. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

- L. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 18-10 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-09; Rustlers Ranch, LLC; Davis Engineering – Agent. To rezone 10.00 acres from General Agriculture District to Limited Agriculture District and to amend the Comprehensive Plan to change the Future Land Use from Planned Unit Development Sensitive to Limited Agriculture District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

Beginning at the South 1/4 corner of Section 8, T1N, R9E, BHM, which is a 3 1/4” Brass Cap marked for the common corner to Sections 8 and 17, T1N, R4E, BHM, and the TRUE POINT OF BEGINNING; Thence, N 00 deg 22 min 25 sec W 733.46 ft, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, S 51 deg 41 min 18 sec E 41.97 ft, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, 99.37 ft along a curve concave to the south with a radius of 362.87 ft, a chord distance of 99.06 ft and a chord bearing of S 59 deg 32 min 01 sec E, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, S 67 deg 22 min 45 sec E 78.88 ft, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, 140.15 ft along a curve concave to the south with a radius of 158.92 ft, a chord distance of 135.61 ft, and a chord bearing of N 87 deg 20 min 22 sec E, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, N 62 deg 05 min 37 sec E 34.30 ft, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, S 89 deg 23 min 39 sec E 33.07 ft, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, S 0 deg 00 min 00 sec E 323.08 ft, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, N 89 deg 58 min 08 sec E 567.02 ft, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, S 00 deg 05 min 36 sec E 324.48 ft, to a rebar with survey cap marked “DAVIS ENG RLS 3095”; Thence, S 89 deg 54 min 24 sec E 952.78 ft, along the south section line of said section 8 to the TRUE POINT OF BEGINNING Containing 10.00 acres “more or less” and located in the S1/2 of E1/4 of Section 8, T1N, R4E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by Rossknecht to approve Rezone / RZ 18-10 and Comprehensive Plan Amendment / CA 18-09. The motion carried 4-1 on a roll call vote: DiSanto – yes, Hadcock – no, LaCroix – yes, Rossknecht – yes, Drewes – yes.

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M. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 18-12 AND COMPREHENSIVE PLAN AMENDMENT / CA 18-11: Borglum Historical Center, Inc., Duane Pankratz; Ken Nash – Agent. To rezone 19.419 acres from General Agriculture District to General Commercial District, for proposed Lot 1, and to rezone 1.953 acres from General Agriculture District to General Commercial District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to General Commercial District in accordance with Sections 205, 207, 209, and 508 of the Pennington County Zoning Ordinance.

Proposed Lot 1: Commencing at the Section ¼ Corner common to Sections 13 and 14, T1S, R6E, BHM, common to the northeasterly corner of Lot 13 of Stratmeyer Addition, and common to the southwesterly corner of Lot 4 Revised of Stratmeyer Addition, and the point of beginning; Thence, first course: N 89°28'35" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 4 Revised, a distance of 788.89', to the southeasterly corner of said Lot 4 Revised, common to the southwesterly corner of Lot 9 of Stratmeyer Addition; Thence, second course: N 89°16'43" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 9, a distance of 150.29', to the southeasterly corner of said Lot 9, common to the southwesterly corner of Lot 5 of Stratmeyer Addition; Thence, third course: N 89°27'28" E, along the section ¼ line of said Section 13, common to the southerly boundary of said Lot 5, a distance of 378.55', to the southeasterly corner of said Lot 5, common to a point on the Section 1/16th Line, common to a point on the westerly boundary of Lot 1 of BTP Subdivision; Thence, fourth course: S 00°05'41" E, along the said Section 1/16th line, common to the westerly boundary of said Lot 1, a distance of 107.12, to the southwesterly corner of said Lot 1, common to a point on the northerly edge of US Highway 16 right-of-way; Thence, fifth course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 176.94'; Thence, sixth course: N 49°04'06" W a distance of 57.00'; Thence, seventh course: S 40°55'54" W a distance of 252.61'; Thence, eighth course: S 47°32'31" W a distance of 471.73'; Thence, ninth course: S 58°43'08" W a distance of 359.10'; Thence, tenth course: S 62°31'10" W a distance of 383.76', to a point on the section line common to said Sections 13 and 14, common to a point on the easterly boundary of Tract A Revised of Hull Subdivision; Thence eleventh course: N 00°07'28" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Tract A Revised, a distance of 402.40, to the northeasterly corner of said Tract A Revised; Thence twelfth course: N 00°01'51" W, along the section line common to said Sections 13 and 14, a distance of 150.60', to the southeasterly corner of said Lot 13; Thence thirteenth course: N 00°08'21" E, along the section line common to said Sections 13 and 14, common to the easterly boundary of said Lot 13, distance of 510.62', to the said point of beginning. Said Parcel contains 19.419 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

Proposed Lot 2: Commencing at the southwesterly corner of Tract A Revised of Hull Subdivision, common to a point on the section line common to Sections 13 and 14, T1S, R6E, BHM, and the point of beginning; Thence, first course: N 00°07'28" E, along easterly

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boundary of said Tract A Revised, common to said section line, a distance of 64.32'; Thence, second course: N 62°31'10" E a distance of 383.76'; Thence, third course: N 58°43'08" E a distance of 359.10'; Thence, fourth course: N 47°32'31" E a distance of 471.73'; Thence, fifth course: N 40°55'54" E a distance of 252.61'; Thence, sixth course: S 49°04'06" E a distance of 57.00', to a point on the northerly edge of US Highway 16 right-of-way; Thence, seventh course: S 40°55'54" W, along the northerly edge of said right-of-way, a distance of 255.91'; Thence, eighth course: S 47°32'31" W, along the northerly edge of said right-of-way, a distance of 480.60'; Thence, ninth course: S 58°43'08" W, along the northerly edge of said right-of-way, a distance of 366.57'; Thence, tenth course: S 62°31'10" W, along the northerly edge of said right-of way, a distance of 415.46', to the said point of beginning. Said Parcel contains 1.953 acres more or less, Section 13, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by DiSanto to approve Rezone / RZ 18-12 and Comprehensive Plan Amendment / CA 18-11. The motion carried 4-1 on a roll call vote: DiSanto – no, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

- N. MOTION TO SCHEDULE SPECIAL BOARD OF COMMISSIONER MEETING(S) REGARDING CROELL, INC.'S APPLICATIONS FOR MINING AND CONSTRUCTION PERMITS: MOVED by LaCroix and seconded by DiSanto to schedule a special meeting to consider Croell Inc's applications for construction and mining permit on May 10, 2019 at 9:00 a.m. and, if necessary, the hearing may be continued to further public comment and decision on May 11, 2019 at 9:00 a.m. The May 11, 2019 meeting will be held only in the event the Board of Commissioners does not make a decision on the application(s) at the May 10, 2019 meeting. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

**ITEMS FROM THE CHAIR/COMMISSION MEMBERS**

**COMMITTEE REPORTS**

**APPROVAL OF VOUCHERS**: MOVED by LaCroix and seconded by Rossknecht 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 \$880,076.34. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

Aasen Law Office, 573.40; Alcohol Monitoring Systems Inc, 206.70; Angela M Colbath Atty PC, 5,560.50; AT&T Mobility, 701.40; Audra Hill Consulting Inc, 1,872.15; Balco Uniform Co Inc, 271.00; Behavior Management Systems Inc, 630.00; Betsey Harris, 1,950.60; BH Energy, 426.66; BH Energy, 352.77; BH Energy, 1,066.44; BH Federal Credit Union, 40.00; BH Urgent Care LLC, 330.00; CBM Food Service, 1,821.70; Century Link, 6,508.47; Century Link, 130.92; Century Link, 128.85; City Of Box Elder, 66.69; City Of Hill City, 21.56; City Of Rapid City -

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Water, 471.64; City Of Rapid City -Water, 224.79; City Of Rapid City -Water, 21,174.88; Claims Associates Inc, 1,935.92; Clay County, 52.15; Clinical Laboratory Of The Black Hills, 1,629.00; Community Health Center Of The Black Hills Inc, 168.50; Creighton Thurman, 205.10; De Castro Law Office PLLC, 723.80; Dewey J Ertz, 480.00; Dillon Law Office, 982.30; Duffy Law Firm Prof. LLC, 6,207.50; Eddie's Truck Sales Inc, 38.37; Erik Bringswhite, 400.00; Executive Mgmt Fin Office, 24.75; First Interstate Bank, 232.50; First Interstate Bank, 5,883.55; First Interstate Bank, 20.00; First Interstate Bank, 284.09; First Interstate Bank, 785.60; First Interstate Bank, 480.00; First Interstate Bank, 2,434.63; First Interstate Bank, 166.48; First Interstate Bank, 51.80; Fitzgerald Law Firm, 8,394.20; Fox & Youngberg P.C., 390.64; Fresh Start Carpet Care, 464.79; George Ferebee, 2,830.38; George J Nelson, 223.49; George R Cameron, 53.20; Grey & Eisenbraun Law Prof LLC, 14,611.15; Gunderson Palmer Nelson And Ashmore LLP, 450.00; Holiday Inn-City Centre, 240.00; Interprecorps, 90.00; Intoximeters Inc, 179.00; Ione Wolf, 247.50; Jefferson Lines, 173.60; Jeremiah J Davis, 1,438.20; JLZ LLC, 34.58; Joan Lindstrom, 100.00; Jun Wan, 1,560.00; Kayla L Maruska, 571.60; KD Contractors Inc, 24,533.63; Kennedy Pier Knoff Loftus LLP, 541.20; Keystone Ambulance Service, 300.00; Kimberly K Johnson, 3,231.20; KPI Tactical, 12,592.00; Laboratory Corporation Of America Holdings, 10.66; Language Line Services, 281.02; Laubach Law Office Prof LLC, 893.00; Law Office Of Kyle Krause Prof LLC, 15,416.37; Leo J Kadehjian, 1,600.00; Lewis & Clark Behavioral Health Services, 660.00; Lutheran Social Services Of SD, 47,672.96; Lynn Jackson Schultz & Lebrun PC, 2,245.20; Macnally Law Offices Prof Llp, 3,961.90; Marcia Whiting, 1,642.18; Mark Disanto, 249.48; Matthew T Stephens, 23,755.60; Midcontinent Communications, 1,770.19; Midcontinent Communications, 2,507.98; Midcontinent Communications, 2,344.82; Montana Dakota Utilities, 5,433.95; Montana Dakota Utilities, 10,776.93; Moore Medical Corp, 20.53; Nelson Law, 3,259.80; Networkfleet Inc, 37.90; Parkway Carwash Inc, 114.00; Patricia A Meyers, 140.00; Pederson Law Office LLC, 1,194.15; Penn Co Juv Diversion, 117.10; Pioneer Bank & Trust, 1,660.40; Pioneer Bank & Trust, 7,485.70; Pioneer Bank & Trust, 2,098.57; Pioneer Bank & Trust, 1,178.79; Pioneer Bank & Trust, 4,913.78; Pioneer Bank & Trust, 2,339.87; Pitney Bowes Reserve Account, 80.91; Premier Police Training LLC, 1,500.00; Proforma Screening Solutions LLC, 153.00; Radiology Associates Professional LLC, 346.28; Randal E Connelly, 648.60; RC Emergency Services PA, 150.69; RC Journal - Advertising, 215.58; RC Medical Center LLC, 827.66; RC Police Dept-Evidence, 3,880.00; RC Regional Hospital Inc, 16,270.86; Record Storage Solutions, 141.41; Regional West Medical Center, 951.60; Reliance Telephone Inc, 0.80; Sandra Estes, 15,000.00; Scotts Bluff Cnty Sheriff, 32.70; SD Dept Of Revenue, 1,940.95; SD Dept Of Revenue, 2,975.00; SD Div Of Motor Vehicles, 9.50; SD Redbook Fund, 1,387.50; Securus Technologies Inc, 80.00; Securus Technologies Inc, 21,227.11; Servall Uniform/Linen Co, 126.37; Skinner Law Office PC, 24,403.03; Sturdevant's Auto Parts, 134.51; The Law Office Of Jamy Patterson LLC, 4,032.60; Thomson Reuters-West, 2,422.58; Todd A Love, 2,331.90; Vast Broadband, 1,455.07; Vast Broadband, 313.54; Vast Broadband, 349.19; Verizon Wireless, 4,700.58; Verizon Wireless, 1,237.49; Wayne M Johnson, 240.00; Wellmark, 427,961.03; Wendy T McGowan, 976.66; West River Electric, 2,217.27; Western Communication Inc, 33.00; Western Pathology Consultants PC, 2,000.00; Whiting Hagg Hagg Dorsey & Hagg LLP, 42,300.17; Winter Law Office PC, 7,125.20; ZMC LLC, 1,145.65.

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**ITEMS FROM THE PUBLIC**

**EXECUTIVE SESSION**

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

B. Personnel per SDCL 1-25-2(1)

MOVED by DiSanto and seconded by Hadcock to go into Executive Session pursuant to SDCL 1-25-2(1) regarding a personnel issue. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock – yes, LaCroix – yes, Rossknecht – yes, Drewes – yes.

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

**PAYROLL**

Commissioners, 16,547.14; Elections, 17,296.71; Auditor, 36,388.92; Treasurer, 78,470.87; State's Attorney, 257,757.09; Public Defender, 158,036.98; Buildings & Grounds, 147,971.97; Equalization, 106,533.15; Register of Deeds, 34,015.60; IT, 61,166.83; Human Resources, 11,803.60; Sheriff, 640,038.98; HIDTA Grant, 10,553.39; Jail, 781,998.49; JSC, 262,277.59; JSC Juvenile Alternative, 11,979.04; CCADP, 12,702.19; Economic Assistance, 75,482.38; Extension, 3,583.14; Weed & Pest, 11,707.61; Mountain Pine Beetle, 9,976.00; Planning and Zoning, 34,860.65; Road & Bridge, 216,747.02; Fire Administration, 7,437.71; Dispatch, 227,917.27; Emergency Management, 10,626.94; 24-7 Program, 29,234.20.

**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 January 25, 2018: Total balances of checking/savings accounts, 11,412,212.08; Total balance of Treasurer's Office safe cash, 13,400.00; Wells Fargo Securities Investments, 3,552,936.12; Total certificates of deposit, 3,297,059.71; Total Prime Value Investment, 25,748,924.09; Total petty cash, 16,315.00; Total NSF Paid, 426.10; Total long/short, (235.96); Total, 44,041,037.14. Submitted by Lori Wessel, Deputy Auditor.

**PERSONNEL**

24/7: Effective February pay period – Paul Brosz & Corey Hyde at \$18.55/hr.

Auditor: Effective February pay period – Christopher Becker at \$15.78/hr.

Buildings & Grounds: Effective February pay period – Marie Lehrkamp at \$18.10/hr. & Robert Reil at \$28.49/hr.

CCADP: Effective February pay period – Delilah Ayers at \$24.40/hr. & Michael Goetz at \$19.47/hr., Amy Peterson at \$17.63/hr., & Jamie Twobulls at \$19.43/hr.

Dispatch: Effective February pay period – Nichole Dubbs at \$23.07/hr. Effective 01/20/2019 – Marissa Brooks at \$25.40/hr.

HHS: Effective February pay period – Mary Anderson at \$19.45/hr.

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Highway: Effective February pay period – Beau Fraser at \$4,740.58/mo., Jeff Huisken at \$21.43/hr., Ronald Cornelison at \$4,986.70/mo., Dustin Hall at \$18.97/hr., & Mitch Kammerer at \$4.986.70/mo.

IT: Effective February pay period – Michael Iversen at \$6,029.00/mo.

Jail: Effective February pay period – Patricia Afraid of Bear at \$20.41/hr., Austin Akerstrom, Dominic Christensen, Roderick Marquez, Ryan Trupe & Blake Vrooman at \$22.50/hr., Christopher Daniel at \$24.21/hr., Samantha Decory at \$16.79/hr., Trevor Grueb at \$23.91/hr., Melanie Karp at \$22.06/hr., Mikki Mogensen at \$18.54/hr., Taylor Muhlbeier at \$27.69/hr., Yolanda Vivardo at \$27.42/hr., Rachel Waddell at \$110.78/hr., Kenneth Wilson at \$29.47/hr., Michael Wojcik at \$28.10/hr. & Robert Yantis at \$7,224.39/mo.

Planning & Zoning: Effective February pay period – Cassie Bolstad at \$5,807.00/mo.

Public Defender: Effective February pay period – Jamie Giedd at \$22.50/hr., Jennifer Hall at \$20.41., Bryan Andersen at \$7,143.00/mo., & Paul Pietz at \$6,387.00/mo.

Register of Deeds: Effective February pay period – Jennifer Dusek at \$16.58/hr.

Sheriff's Office: Effective February pay period – Kimberly Bloomenrader, Rodney Neisent & Keith Wetzal at \$20.65/hr., Stephanie Born at \$17.47/hr., Jonathan Edwards at \$23.91/hr., Taylor Erickson at \$19.24/hr., Martin Graves at \$7,052.80/mo., Mark Hughes at \$34.19/hr., William Kimball at \$25.44/hr., Kylie Kintigh at \$23.06/hr., Don Lanpher at \$22.77/hr., Brian Mueller & Willie Whelchel at \$7,973.18/mo., Trent Olson & David Olson at \$28.10/hr., Rusty Schmidt at \$25.77/hr., David Vandenhemel at \$21.24/hr. & Eva Twiss at \$20.41/hr.

State's Attorney: Effective February pay period – Cristina Zelfer-Dowling at \$20.65/hr., Susan Shepard at \$5,579.60/mo., Leaha Anderson, Lisa Mooney and Kaia Sheets Carlson at \$20.41/hr., & Vicki Alexander at \$21.45/hr. Effective 01/21/2019 - Brad Garder at \$19.22/hr. Effective 02/01/2019 – Adam Shiffermiller at \$6,467.07/mo., Karla MacArthur Harris at \$6,387.33/mo., Roxie Erickson at \$7,505.33/mo., Josh Satterlee at \$6,229.60/mo., & Stacy Wickre at \$6,307.60/mo.

Treasurer: Effective February pay period – Brooke Walker at \$16.58/hr., Ciara Geppert at \$17.41/hr.

WSDJSC: Effective February pay period – Loren Gerry at \$27.05/hr. & Jennifer McClain at \$3,809.79/mo.

**ADJOURN**

MOVED by DiSanto and seconded by Rossknecht to adjourn the meeting. The motion carried unanimously on a roll call vote: DiSanto – yes, Hadcock - yes, LaCroix – yes, Rossknecht – yes, Drewes - yes. The meeting was adjourned at 1:20 p.m.

/s/ Julie A. Pearson, Auditor

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