

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of May 21, 2019

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, May 21, 2019, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Deb Hadcock called the meeting to order with the following Commissioners present: Mark DiSanto, Gary Drewes, Lloyd LaCroix and Ron Rossknecht.

**REVIEW AND APPROVE AGENDA**

MOVED by Drewes and seconded by DiSanto to approve the agenda as presented. Vote: Unanimous.

**CONSENT ITEMS**

MOVED by DiSanto and seconded by Drewes to approve the Consent Agenda as presented with the removal of items 6 & 11. Vote: Unanimous.

5. Approve the minutes of the regular meeting May 7, 2019.
6. Removed for separate consideration.
7. Approve of the Malt Beverage renewals per SDCL 35-2-1.2 as presented: Bear Country USA, BJ's Country Store Hwy 16, Black Forest Inn Bed & Breakfast, Black Hills Helicopters Inc., Black Hills Speedway, Corner Pantry Moon Meadows, Corner Pantry #21, Country Corner, Country Store at the Forks, Crooked Creek Resort & RV Park, Danger Girl Endeavors / Hisega Lodge, Dollar General Store #15207, Firehouse Wine Cellars, Happy Holiday RV Resort, Hart Ranch Camping Resort, Hart Ranch Golf Course, High Country Guest Ranch, Holy Smoke Resort Inc., Horse Thief Campground, Johnson Siding General Store, Jolly Lane Greenhouse Inc., Moonshine Gulch Saloon, Mt. Meadow Store & Campground LLC., Mt. Rushmore Concession / Mt. Rushmore National Memorial, Mt. Rushmore KOA, O' Malley's Casino, Pactola Pines Marina, Prairie Pines Marina, Prairie Berry Winery / Miner Brewing Co., Putz N Glo, Rafter J Bar Ranch Campground, Red Bison, Rochford Mall, Rockerville Lodge & Cabins LLC., Rushmore Cave LLC., Sheridan Lake Marina, Stone Faces Winery, Sugar Shack, Summer Creek Inn, Tatanka Trading Post, The Countryside Grill & Event Center LLC., The Gaslight, TK Saloon & Grill LLC., Under Canvas Inc., Valley Square Casino, Valley Square Sports Pub, Whispering Pines Campground & Winery Hill City LLC.
8. Acknowledge the notice(s) of intent to conduct bingo and raffle – Rochford Community Hall.
9. Acknowledge the notice of intent to conduct a raffle – Rochford Rural Fire Association.
10. Acknowledge the notice of intent to conduct a raffle – Performing Arts Center of Rapid City.
11. Removed for separate consideration.

**End of Consent Agenda**

6. Approve the minutes of the special meeting – May 10, 2019: MOVED by DiSanto and seconded by LaCroix to approve correcting the minutes of the special meeting – May 10, 2019 to correct the friendly amendment on Mining Permit MP18-03 to read condition 11 not 13. Vote: Unanimous.

11. Recognize and thank the volunteers: MOVED by DiSanto and seconded by LaCroix to recognize and thank the volunteers for the month of April, 2019.

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**PENNINGTON COUNTY BOARD OF MENTAL ILLNESS APPOINTMENTS:** MOVED by Drewes and seconded by DiSanto to table this item. Vote: Unanimous.

**GOVERNOR’S OFFICE OF ECONOMIC DEVELOPMENT PRESENTATION – MS. LORI FREDERICK, COMMUNITY DEVELOPMENT REPRESENTATIVE**

MOVED by Rossknecht and seconded by Drewes to take Item 12 off the table. Vote: Unanimous.

**PENNINGTON COUNTY BOARD OF MENTAL ILLNESS APPOINTMENTS:** MOVED by Drewes and seconded by Rossknecht to appoint Elizabeth Allison, Nicole Heenan & Patricia Meyers to the Board of Mental Illness for a term of three years effective 2019-2022. Vote: Unanimous.

**ITEMS FROM AUDITOR**

A. **RESOLUTION RELATING TO LEASE-PURCHASE OF COUNTY BUILDINGS, AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND APPROVING AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS AND AUTHORIZING CERTIFICATES OF PARTICIPATION:** MOVED by DiSanto and seconded by Rossknecht to approve the resolution to refinance County bonds as presented. Vote: Unanimous.

**RESOLUTION**

RESOLUTION RELATING TO LEASE-PURCHASE OF COUNTY BUILDINGS, AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND APPROVING AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS AND AUTHORIZING CERTIFICATES OF PARTICIPATION

BE IT RESOLVED by the Board of Commissioners of Pennington County, South Dakota (the “County”), as follows:

Section 1. Recitals.

1.01. The County is authorized by South Dakota Codified Laws, Chapter 7-25, inclusive, as amended (the “Act”), to enter into lease-purchase agreements for acquisition of real or personal property that the governing body considers necessary or appropriate to carry out its governmental and proprietary functions. The governing body finds that it is necessary and appropriate to enter into a lease-purchase agreement and authorize the issuance of Certificates of Participation (Limited Tax General Obligation) (the “Series 2019A Certificates”), to prepay the lease obligations associated with the outstanding Taxable Limited Tax General Obligation Certificates – Recovery Zone Economic Development Bonds, Series 2010A (the “Series 2010A Certificates”) and thereby refund the Series 2010A Certificates and to pay the costs of issuance related to the issuance of the Series 2019A Certificates.

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1.02. Pursuant to a Ground Lease Agreement, dated as of March 1, 2003, between the County and U.S. Bank National Association (the “Trustee”) as amended and supplemented (the “Ground Lease”) the Trustee acquired certain interests in real property (the “Land”) from the County. The Trustee has leased its interest in the Land to the County pursuant to a Lease-Purchase Agreement, dated as of March 1, 2003 (the “Original Lease”), as amended and supplemented by the First Amendment to Lease-Purchase Agreement dated as of March 1, 2008, the Second Amendment to Lease-Purchase Agreement, dated as of December 1, 2010, the Third Amendment to Lease-Purchase Agreement, dated as of December 1, 2011, the Fourth Amendment to Lease-Purchase Agreement, dated as of July 1, 2014, the Fifth Amendment to Lease-Purchase Agreement, dated as of October 1, 2015, the Sixth Amendment to Lease-Purchase Agreement, dated as of February 1, 2016, the Seventh Amendment to Lease-Purchase Agreement, dated as of October 1, 2016 (the “Seventh Amendment to Lease”) and the Eighth Amendment to Lease-Purchase Agreement, dated as of August 1, 2017, between the County and the Trustee. The Trustee and the County will execute and deliver a Ninth Amendment to Lease-Purchase Agreement (the “Ninth Amendment to Lease”) (the Original Lease, as so supplemented and amended, being referred to herein as the “Lease”). The Lease provides that the Facilities (as defined in the Lease) acquired, renovated, constructed and equipped on the Land are to be sold to the County in accordance with the terms thereof.

1.03. The Trustee will execute and deliver a Ninth Supplemental Declaration of Trust (the “Ninth Supplemental Trust”), which will supplement and amend the Declaration of Trust, dated as of March 1, 2003 (the “Original Trust”), as amended and supplemented by the First Supplemental Declaration of Trust, dated as of March 1, 2008, the Second Supplemental Declaration of Trust, dated as of December 1, 2010, the Third Supplemental Declaration of Trust, dated as of December 1, 2011, the Fourth Supplemental Declaration of Trust dated as of July 1, 2014, the Fifth Supplemental Declaration of Trust, dated as of October 1, 2015, the Sixth Supplemental Declaration of Trust, dated as of February 1, 2016, the Seventh Supplemental Declaration of Trust, dated as of October 1, 2016 and the Eighth Supplemental Declaration of Trust, dated as of August 1, 2017 (the Original Trust, as so supplemented, being referred to herein as the “Trust Agreement”). Pursuant to the Trust Agreement the Trustee will (i) issue Certificates of Participation (the “Series 2019A Certificates”) in the lease payments to be made by the County under the Lease, and (ii) receive, hold, invest and disburse the proceeds of the sale of the Series 2019A Certificates and other funds provided by the County in an Escrow Account established under the Ninth Supplemental Trust in order to prepay the lease obligations related to the Series 2010A Certificates. Upon execution and delivery of the Series 2019A Certificates, the Series 2010A Certificates shall be called for prior redemption on December 1, 2020 and the associated lease payments to and including the redemption date shall be prepaid in full. There is hereby appropriated, and there shall be deposited in the Escrow Account, with the proceeds of the Series 2019A Certificates, an amount sufficient without regard to investment earnings, to pay all lease payments relating to the Series 2010A Certificates to and including the December 1, 2020 redemption date thereof.

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Proceeds of the Series 2019A Certificates will also be used to pay the costs of issuance of the Series 2019A Certificates.

1.04. The Series 2019A Certificates will be purchased by Dougherty & Company LLC (the “Original Purchaser”) pursuant to a Certificate Purchase Agreement between the County and the Original Purchaser (the “Certificate Purchase Agreement”) and the Original Purchaser will offer the Series 2019A Certificates for sale to the public by an Official Statement (the “Official Statement”) to be prepared at the direction of the County.

1.05. Forms of the following documents relating to the issuance of the Series 2019A Certificates, the prepayment of the lease obligations associated with the Series 2010A Certificates and the redemption of the Series 2010A Certificates (the “Documents”) have been prepared by Kutak Rock LLP as Bond Counsel, and submitted to the County and are on file in the office of the County Auditor and the Deputy State’s Attorney: (a) the Ninth Amendment to Lease; (b) the Ninth Supplemental Trust; (c) the Certificate Purchase Agreement; and (d) a Continuing Disclosure Agreement between the County and the Trustee. The County Auditor is authorized to cause an Official Statement to be prepared in connection with the offering of the Series 2019A Certificates and to be filed in her office.

Section 2. Authorization and Approval of the Documents. The financing described above is found to be favorable and is hereby approved. The Chair, the Vice Chair and County Auditor are authorized to approve the principal amount of the Ninth Amendment to Lease, the Series 2019A Certificates, not exceeding \$8,900,000, the term thereof not exceeding twenty-three (23) years, the interest rate or rates thereon not exceeding an average yield of three and three-fourths percent (3.75%) per annum and the price not less than 99% of par (exclusive of original issue discount) and at which the Series 2019A Certificates are to be sold to the Original Purchaser, and are directed to enter into Certificate Purchase Agreement with the Original Purchaser. Execution of the Certificate Purchase Agreement by such officers shall be conclusive evidence of their approval of the principal amount, purchase price, interest rates and other terms set forth therein. The forms of the Documents are hereby approved if the County Auditor deems them appropriate and the Documents are approved by the Deputy State’s Attorney. The Chair and the County Auditor are directed to execute the Documents if approved by the County Auditor. Copies of all Documents shall be delivered, filed and recorded as provided therein. The Chair and the County Auditor and the Deputy State’s Attorney are also authorized and directed to execute such other instruments as may be required to give effect to the transactions therein contemplated. The County will cooperate in the issuance of the Series 2019A Certificates and the Chair, the County Auditor and the Deputy State’s Attorney shall execute such other instruments as are necessary to the issuance of the Series 2019A Certificates.

Section 3. Modification, Absence of Officers. The approval hereby given to the Documents includes an approval of such additional details therein as may be necessary and appropriate and such modifications thereto, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the Deputy State’s Attorney prior to the

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execution of the Documents. The execution of any instrument by the appropriate officer or officers of the County herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof. In the absence of the Chair or the County Auditor, any of the Documents authorized by this resolution to be executed may be executed by such officer as, in the opinion of the Deputy State's Attorney, may execute documents in their stead.

Section 4. Payment of Lease Payments. The County will pay to the Trustee promptly when due, all of the Lease Payments (as defined in the Lease) and other amounts required by the Lease. To provide moneys to make such payments, the County will include in its annual budget, for each fiscal year during the term of the Lease, moneys sufficient to pay and for the purposed of paying all Lease Payments and other amounts payable under the Lease. The County's current tax revenues are sufficient to make Lease Payments (as defined in the Lease) and other amounts required by the Lease, without increasing the current levy above any amount which would require an opt out or other increase under South Dakota Codified Laws Section 10-13-35.

Section 5. Arbitrage Certification. The Chair and the County Auditor, being the officers of the County charged with the responsibility for issuing the Series 2019A Certificates pursuant to this Resolution, are authorized and directed to execute and deliver to the Trustee a certificate in accordance with the provisions of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and Sections 1.148-1 et al of the Regulations, stating the facts, estimates and circumstances in existence on the date of issue and delivery of the Series 2019A Certificates which make it reasonable to expect that the proceeds of the Series 2019A Certificates will not be used in a manner that would cause the Lease or the Series 2019A Certificates to be arbitrage bonds within the meaning of the Code and Regulations.

Section 6. Official Statement. The County will participate in the preparation of the Preliminary Official Statement and the final Official Statement relating to the Series 2019A Certificates and hereby authorizes the County Auditor to consent to the distribution of the Official Statement by the Original Purchaser in connection with the sale of the Series 2019A Certificates. The Preliminary Official Statement, except for the Permitted Omissions, will be deemed final by the County when authorized by the County Auditor as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934. As used herein, "Permitted Omissions" shall mean the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, rating, if any, and other terms of the Series 2019A Certificates depending on such matters.

Section 7. Amendment. This resolution may be amended from time to time, prior to the issuance of the Certificates, by an administrative resolution adopted by this Board.

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Section 8. Partial Invalidity. If any one or more of the provisions of this Resolution shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or enforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Resolution shall be construed the same as if such invalid, illegal, or enforceable provision had never been contained herein, or therein, as the case may be.

Dated this 21<sup>st</sup> day of May, 2019.

/s/ Chair Deb Hadcock  
Pennington County Board of Commissioners

ATTEST: (SEAL)  
/s/ Cindy Mohler, Auditor

- B. NEW LIQUOR LICENSE APPLICATION – RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE – VOORHEES HOSPITALITY LLC: MOVED by Rossknecht and seconded by Drewes to approve the new retail (on-off sale) Malt Beverages & SD Farm Wine for Voorhees Hospitality, LLC. Vote: Unanimous.
- C. 9:15 A.M. BUDGET SUPPLEMENT HEARING: SP 19-011 GENERAL FUND LAW ENFORCEMENT BUDGET SUPPLEMENT IN THE AMOUNT OF \$56,185: MOVED by LaCroix and seconded by Rossknecht to approve a supplement to the General Fund Law Enforcement Budget in the amount of \$56,185 from current year revenue. Vote: Unanimous.

**ITEMS FROM THE SHERIFF**

- A. ADDICTION TREATMENT SERVICES STAFF REQUEST – 10 FTE’S: MOVED by LaCroix and seconded by DiSanto to approve 10 new Full Time Employees for the Care Campus Residential Treatment Services to be hired in September 2019 which includes 6 Detox Technicians, 2 Counselors, 1 Clinical Supervisor and 1 Nurse. Vote: Unanimous.
- B. AUTHORIZATION TO ADVERTISE AND PUT OUT TO BID FOR NEW KITCHEN AND LAUNDRY EQUIPMENT: MOVED by Drewes and seconded by DiSanto to authorize the Sheriff’s Office to advertise and put out to bid for new kitchen and laundry equipment in conjunction with the jail construction project. Vote: Unanimous.

**ITEMS FROM BUILDINGS & GROUNDS**

- A. PENNINGTON COUNTY CARE CAMPUS RESIDENTIAL TREATMENT – FURNITURE PROCUREMENT PROPOSAL, CONTRACT AWARD: MOVED by Drewes and seconded by Rossknecht to award a contract to Dakota Business Center to provide and install furnishings as described in the procurement document identified as the Pennington County Care Campus – Residential Treatment, Furniture Procurement Proposal for a total of \$19,891.23 and authorize the Chair’s signature. Vote: Unanimous.

**ITEMS FROM EQUALIZATION**

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- A. ABATEMENT APPLICATIONS – CITY OF BOX ELDER: MOVED by DiSanto and seconded by LaCroix to approve the abatement application for Tax ID #9367 – Hix Revocable Living Trust for the 2017 & 2018 year in the amount of \$1,277.58. Vote: Unanimous.

**ITEMS FROM HIGHWAY**

- A. TRANSCANADA KEYSTONE XL PIPELINE HAUL ROAD AGREEMENT: MOVED by DiSanto and seconded by Rossknecht to approve the Chair's signature on the TransCanada Keystone XL Haul Road Agreement as presented. Vote: Unanimous.
- B. JIM STREET INFORMATION: MOVED by DiSanto and seconded by Rossknecht to continue this item until the June 4, 2019 Commission meeting. Vote: Unanimous.

**GREEN VALLEY SANITATION DISTRICT – FUTURE SEWER COLLECTIONS SYSTEM**: MOVED by LaCroix and seconded by Drewes to approve a letter on behalf of the Commission supporting the Green Valley Sanitary District in their efforts to secure the funding for the construction of a sewer collection system. Vote: Unanimous.

MOVED by DiSanto and seconded by LaCroix to direct staff to come back with draft proposals in the appropriate format. Vote: Unanimous.

**EXECUTIVE SESSION – SDCL 1-25-2**

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

MOVED by Rossknecht and seconded by LaCroix to go into executive session pursuant to SDCL 1-25-2(3) for the purpose of consulting with legal counsel regarding a contractual matter. Vote: Unanimous.

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

MOVED by LaCroix and seconded by Drewes to approve the Chair's Signature on the right-of-way acquisition for Parcels #13, 15 and 16 in the amount of \$2,846. Vote: Unanimous.

MOVED by LaCroix and seconded by DiSanto to approve the Chair's signature on the right-of-way acquisition for Parcels #35, 37, 38, 39, 55 & 56 in the amount of \$24,300. Vote: Unanimous.

**ITEMS FROM PLANNING & ZONING**

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

- A. VARIANCE / VA 19-03: Patrick and Marlene Sheely – Owner; James Mack Construction (James Taylor) - Applicant. To reduce the front yard setback from 25 feet to 5 feet in order to bring an existing shop into compliance and to allow a new shop to be built in a Limited

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Agriculture District in accordance with Sections 206 and 509 of the Pennington County Zoning Ordinance.

Lot 1, Koupal Estates Subdivision, Section 14, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by LaCroix to continue Variance / VA 19-03 until such time that the applicant or owner addresses the encroachment of the existing shop into the public Right-of-Way. Vote: Unanimous.

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

**PLANNING & ZONING CONSENT AGENDA ITEMS**

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

MOVED by DiSanto and seconded by LaCroix to approve the Planning and Zoning consent agenda with the removal of Item C. Vote: Unanimous.

B. SECOND READING OF REZONE / RZ 19-04 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-04: Patrick Foley. To rezone 15.69 acres from Limited Agriculture District to General Commercial District and to amend the Pennington County Comprehensive Plan to change the Future Land Use from Limited Agriculture District to General Commercial District in accordance with Sections 206, 209, and 508 of the Pennington County Zoning Ordinance.

SW1/4NW1/4SW1/4; and Lot 2 of NE1/4SE1/4; Lot AB of NE1/4SE1/4; That PT of Lot 1 of NE1/4SE1/4 Lying East of Hwy 79, located in Sections 4 and 5, T1S, R8E, BHM, Pennington County, South Dakota.

Approve of Rezone / RZ 19-04 and Comprehensive Plan Amendment / CA 19-04.

C. Removed for Separate Consideration.

End of Consent Agenda

C. SECOND READING OF REZONE / RZ 19-02 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-02: Borglum Historical Center, Inc., Duane Pankratz; Ken Nash – Agent. To rezone 19.419 acres from General Agriculture District to Highway Service District, for proposed Lot 1, and to rezone 1.953 acres from General Agriculture District to Highway Service District, for proposed Lot 2, and to amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to Highway Service



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District in accordance with Sections 205, 207, 210, and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description for 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.

Located on the following metes and bounds description for 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 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,

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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 Drewes and seconded by Rossknecht to approve Rezone / RZ 19-02 and Comprehensive Plan Amendment / CA 19-02. Vote: The motion carried 3-2 with DiSanto & LaCroix voting no.

**PLANNING & ZONING REGULAR AGENDA**

C. ROAD NAMING: Fern and Ross Johnson. To name a proposed 30-foot-wide Section Line Right-of-Way providing access to properties located in Sections 29 and 30, T1N, R8E, BHM, Pennington County, South Dakota, to Providence Way.

MOVED by Drewes and seconded by Rossknecht to continue this item until the June 4, 2019 Commission meeting. Vote: Unanimous.

D. LAYOUT PLAT / LPL 19-09: David Grover. To create Lot 1 of Grover Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract A of HES #303 Less Tract Dean, Less Tract Drew and Less ROW, HES #303, Section 32, T1S, R5E, BHM, Pennington County, South Dakota and a portion of existing GL 5 Less Tract Drew of HES #303 and Less ROW, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 of Grover Subdivision, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by DiSanto to approve of Layout Plat / LPL 19-09 with the following six (6) conditions. Vote: Unanimous.

1. That the applicant obtain an Approach Permit from the County Highway Department prior to installation of any approaches off of Old Hill City Road;
2. That prior to the Plat being recorded with the Register of Deeds, the proposed lot obtain a Lot Size Variance or be rezoned appropriately;
3. That the applicant ensures all natural drainage ways are maintained and are not blocked;
4. That at the time of Minor Plat submittal, 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. Subdivision Regulations shall be submitted per § 700 of Pennington County Subdivision Regulations;

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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; and,
6. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

E. LAYOUT PLAT / LPL 19-08 AND SUBDIVISION REGULATIONS VARIANCE / SV 19-02: Ryan and Dawn Loraas; Fisk Land Surveying – Agent. To combine two lots to create Lot 4R of Block D, Edelweiss Mountain Development Subdivision and to waive platting requirements in accordance with Sections 400.1 and 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 4 (also in Section 20) and Lot 3 of Block D, Edelweiss Mountain Development Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 4R, Block D, Edelweiss Mountain Development Subdivision, Section 17, T1N, R5E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve of Subdivision Regulations Variance / SV 19-02 to waive the following platting requirements: (1.) Any additional easement or road improvements and design standards for Suburban Residential zoning for Danube Lane, Brenner Pass and Alpine Drive; (2.) Allow more than 2 lots to be served by a 30' wide easement; and, (3.) Allow consolidation of lots on a dead end road system exceeding specified road length and number of units. Vote: Unanimous.

MOVED by LaCroix and seconded by DiSanto to approve of Layout Plat / LPL 19-08 with the following eight (8) conditions. Vote: Unanimous.

1. That at the time of Minor Plat submittal, a minimum of an eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
2. That at the time of Minor Plat submittal, the plat meets all the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
3. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations and as deemed appropriate by the Register of Deeds;
4. That at the time of a Minor 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;
5. That the existing address continue to be properly posted in accordance with Pennington County's Ordinance #20;
6. That the applicant ensures that all natural drainage ways are maintained and are not blocked and that all necessary drainage ways are properly noted on plats;

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7. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director; and,
8. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

- F. SUBDIVISION REGULATIONS VARIANCE / SV 19-03: John and Ann Hovdenes; Fisk Land Surveying – Agent. To waive platting requirements in order to create Lots 1 and 2 of Cosmos Subdivision and dedicated Right-of-Way in accordance with Section 700.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Unplat PT of N1/2NE1/4NE1/4 Lying N of Hwy; Unplat PT of N1/2S1/2NE1/4NE1/4 Lying N of Hwy, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of Cosmos Subdivision and dedicated Right-of-Way, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by LaCroix to approve of Subdivision Regulations Variance / SV 19-03 to waive the following four (4) platting requirements: (1.) Any additional improvements to Cosmos Road; (2.) Dedication and improvements to the Section Line Right-of-Way; (3.) Reduce the standard 8-foot easement width to 6-feet on one lot line for existing structures; and, (4.) Percolation tests and soil profile hole information. Vote: Unanimous.

- G. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 19-05 AND COMPREHENSIVE PLAN AMENDMENT / CA 19-05: John and Ann Hovdenes; Fisk Land Surveying – Agent. To rezone 10.89 acres from General Agriculture District to Limited Agriculture District, for proposed Lot 1, and to rezone 6.22 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 Planned Unit Development Sensitive to Limited Agriculture District and General Commercial District in accordance with Sections 205, 206, 209, and 508 of the Pennington County Zoning Ordinance.

Located on the following metes and bounds description for proposed Lot 1: A parcel of land located in the Northeast One-Quarter of the Northeast One-Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Thirty Two (32), Township One South (T1S), Range Six East (R6E) of the Black Hills Meridian (BHM), Pennington County, South Dakota more fully described as follows: Commencing at the northeast corner of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a US Forest Service aluminum cap; thence, westerly along the north line of said Section 32, North 89°55'58" West a distance of 181.57' more or less to the point of beginning, said point being marked by a rebar with survey cap "LS 6565"; thence, South 11°08'29" West 441.61' more or less to the northeast corner of Tract A of the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 32, T1S, R6E, BHM, Pennington

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County, South Dakota, said point being marked by a rebar with survey cap "LS 1019"; thence, northwesterly on the northerly line of said Tract A of the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of said Section 32, T1S, R6E, BHM, North 78°52'33" West a distance of 361.94 feet more or less to the northwest corner of said Tract A, said point being marked by a rebar with survey cap "LS 1019"; thence, southwesterly along the west line of said Tract A of the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of said Section 32, T1S, R6E, BHM and also along the west line of Tract B of the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of said Section 32, T1S, R6E, BHM, South 11°09'30" West a distance of 434.30' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 76°05'54" West a distance of 23.01' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, curving to the right on a curve with a radius of 73.70', a delta of 41°06'00", an arc length of 52.87' and a chord bearing of North 55°32'54" West and chord distance of 51.74' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 34°59'54" West a distance of 34.10' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, curving to the left on a curve with a radius of 391.42', a delta of 15°53'00", an arc length of 108.51' and a chord bearing of North 42°56'24" West with a chord distance of 108.16' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 50°52'54" East a distance of 122.90' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, curving to the right on a curve with a radius of 999.42', a delta of 16°32'00", an arc length of 288.39' and a chord bearing of North 42°36'54" West and chord distance of 287.39' more or less to a point marked by a rebar with survey cap "LS 6565"; thence, North 34°20'54" West a distance of 133.08' more or less to a point on the southerly line of Lot 1 of Overby Subdivision, said point being marked by a rebar with survey cap "LS 6565"; thence, easterly and on the south line of said Lot 1 of Overby Subdivision, North 74°22'46" East a distance of 56.06 feet more or less to the southeast corner of said Lot 1 of Overby Subdivision, said point being marked by a rebar with survey cap "LS 6565"; thence, northerly and on the east line of said Lot 1 of Overby Subdivision, North 00°03'16" East a distance of 93.29' more or less to a point on the east line of said Lot 1 of Overby Subdivision, said point being marked by a rebar with survey cap "LS 6565"; thence, northeasterly on the east line of said Lot 1 of Overby Subdivision, North 45°03'16" East a distance of 200.06' more or less to the northeast corner of said Lot 1 of Overby Subdivision, said point being located on the north line of said Section 32, T1S, R6E, BHM and marked by a rebar with survey cap "LS 1019"; thence, east along the north line of said Section 32, T1S, R6E, BHM, South 89°55'58" East a distance of 852.10' more or less to the point of beginning. Said tract of land contains 10.89 acres more or less, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

LEGAL DESCRIPTION: Located on the following metes and bounds description for proposed Lot 2: A parcel of land located in the Northeast One-Quarter of the Northeast One-Quarter (NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>) of Section Thirty Two (32), Township One South (T1S), Range Six East (R6E) of the Black Hills Meridian (BHM), Pennington County, South Dakota more fully described as follows: Commencing at the northeast corner of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a US Forest Service aluminum cap, and the point of beginning; thence, southerly along the east line of said section, South 00°04'53" East a distance of 993.33' more or less to a point marked by a rebar

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with survey cap "LS 6565"; thence, North 89 ° 53' 50" West a distance of 254.84 feet more or less to a point marked by a rebar with survey cap "LS 6565"; thence , curving to the left on a curve with a radius of 321.20', a delta of 26° 07' 58", an arc length of 146.50' and a chord bearing of North 45°33'43" West with a chord distance of 145.23' more or less to a point on the east line of Tract B of the NE1/4NE1/4 of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, said point being marked by a rebar with survey cap "LS 6565"; thence, northeasterly along the east line of said Tract B and also along the east line of Tract A of the NE ¼ NE ¼ of said Section 32, T1S, R6E, BHM, Pennington County, South Dakota, North 11°08'29" East a distance of 908.52' more or less to a point on the north line of said Section 32, T1S, R6E, BHM, said point being marked by a rebar with survey cap "LS 6565"; thence, easterly on the north line of said Section 32, T1S, R6E, BHM, South 89°55'58" East a distance of 181.57 more or less to the point of beginning. Said tract of land contains 6.22 acres more or less, Section 32, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Drewes to approve of Rezone / RZ 19-05 and Comprehensive Plan Amendment / CA 19-05. Vote: Unanimous. Commissioner Rossknecht was absent at the time of the vote.

**ITEMS FROM THE CHAIR/COMMISSION MEMBERS**

A. APPOINTMENT OF BH COUNCIL OF LOCAL GOVERNMENT LIAISON AND ALTERNATE: MOVED by Drewes and seconded by LaCroix to appoint the Chair as the representative and the Vice Chair as the proxy for the Black Hills Council of Local Government Board. Vote: Unanimous.

**COMMITTEE REPORTS**

**APPROVAL OF VOUCHERS:** MOVED by Rossknecht and seconded by Drewes 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 5,459,642.20. Vote: Unanimous.

A & B Business Inc, 2,298.82; A & B Welding Supply Co, 887.84; A To Z Shredding, 575.59; A-1 Auto Recyclers, 135.00; ABL Inc, 285.00; Accela Inc, 922.50; Ace Steel And Recycling, 25.26; Active Data Systems Inc, 2,453.19; Adam Shiffermiller, 10.00; Adams-Isc LLC, 955.99; Advanced Drug Testing Inc, 416.00; Affordable Accommodations, 300.00; AJM Properties, 240.00; ALB Unlimited LLC, 530.00; Albertson Engineering Inc, 577.50; Alecia Fuller, 43.00; Allen Reuer, 1,040.00; Allen Taylor, 34.44; Amanda Swanson, 339.96; Amber L Odegard, 770.00; American Jail Association, 48.00; Americinn Motel, 846.00; Angela M Colbath Atty PC, 3,536.20; Anker Law Group PC, 2,823.36; Architectural Specialties LLC, 2,701.16; Arnie's Pressure Wash, 150.00; Astech Corp, 1,462.50; Audra Hill Consulting Inc, 17,895.28; Auto Body Specialties Inc, 270.16; Avanti Motel LLC, 200.00; Avera Mckennan Hospital, 1,406.00; AVI Systems Inc, 25.37; Axon Enterprise Inc, 400.00; Badlands Automotive, 676.42; Balco Uniform Co Inc, 13,027.92; Bangs Mccullen Butler Foye & Simmons LLP, 141.00; Bargain

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Printing, 636.30; Barnett Vision Healthcare LLL, 225.00; Barnier Law Office PC, 2,205.00; Behavior Management Systems Inc, 105.00; Behrens-Wilson Funeral Home, 5,520.00; BH Chemical Company Inc, 2,889.91; BH Council Of Local Governments, 8,461.25; BH Electric Cooperative Inc, 387.03; BH Energy, 69,711.60; BH Energy, 511.20; BH Energy, 616.69; BH Energy, 190.24; BH Home Builders Association, 5.00; BH Obstetrics And Gynecology LLP, 398.95; BH Oral & Maxillofacial Surgery PC, 3,275.00; BH Orthopedic & Spine Center PC, 936.58; BH Services Inc, 389.81; BH Tent And Awning, 123.75; BH Urgent Care LLC, 660.00; BH Wilbert Vault, 400.00; Bierschbach Equipment And Supply Co Inc, 1,226.66; Big D Oil Co, 50.00; Bob Barker Company Inc, 3,229.19; Bonnie Guzman, 477.24; Border States Electric, 379.50; Box Elder VFD, 240.00; Brandon Akley, 48.59; Bridger Steel Of SD LLC, 81.20; Butler Machinery Company, 68.16; Carolyn Olson, 9,825.00; Carquest Auto Parts, 63.02; Cash-Wa Distributing, 2,911.34; Cassondra Bolstad, 250.00; Cat's Cleaning, 40.00; CBM Food Service, 152,104.08; CDW Government Inc, 19,777.80; Central States Sanitation, 180.00; Century Link, 6,860.01; Century Link, 675.00; Certified Laboratories, 417.70; Charm-Tex Inc, 423.52; Chris Supply Co Inc, 406.71; Cindy Mohler, 189.60; Cindy Stolte Brown, 200.00; City Of Box Elder, 259.33; City Of Rapid City, 22,196.06; City Of Rapid City -Water, 434.59; City Of Rapid City -Water, 697.75; Clark Printing, 881.73; Clayborne Loos & Sabers LLP, 1,472.17; Climate Control Systems And Service LLC, 20,577.45; Clinical Laboratory Of The Black Hills, 9,747.00; Clock Tower Gardens Apartments, 1,604.00; Community Health Center Of The Black Hills Inc, 25,210.00; Complete Property Solutions LLC, 1,014.18; Concept Seating Division, 170.84; Connections Inc EAP, 1,170.68; Contractors Insulation And Drywall Supply, 1,170.40; Contractors Supply Inc, 42.18; Cooks Correctional, 326.48; Copy Country, 191.24; Cora Fried, 99.12; Coremr LC, 981.00; Cornerstone Apartments, 381.00; Correct Rx Pharmacy Services Inc, 40,776.31; Country Inn & Suites, 2,554.85; County Of Larimer Board Of County Commissioners, 25.40; Crescent Electric Supply, 283.21; Crum Electric Supply, 183.46; Cummins Central Power LLC, 1,182.38; Cynthia M Weichmann, 1,547.85; Dakota Battery & Electric, 229.37; Dakota Fluid Power Inc, 333.14; Dakota Plains Legal Services Inc, 28,750.00; Dakota Radiology, 84.02; Dakota Radiology Pet/Ct & MRI, 2,159.43; Dakota Saf, 200.00; Dakota Supply Group Inc, 4,457.51; Dalaina Salamun, 640.00; Dale's Tire & Retreading Inc, 1,570.21; Darby Dental Supply LLC, 152.20; Darcy Lockwood, 102.00; Darrel F Smith, 300.00; Dash Medical Gloves Inc, 790.20; Data Management Inc, 1,110.90; David Blake Kauffman, 695.84; Days Inn Pierre, 114.00; Dean Schaefer, 336.00; Deanna K Clayborne, 904.05; Demersseman Jensen Tellinghuisen & Huffman LLP, 3,167.80; Denise Cody, 12.00; Dennis Supply - RC, 76.33; Denny Menholt Chevrolet, 2,289.42; Denver Terrace Apartments, 300.00; De's Oil Inc, 1,561.91; Devin Flesher, 10.00; Dewey J Ertz, 5,155.00; Diamond Vogel Paint Center, 338.73; Diann Asher, 356.25; Diesel Machinery Inc, 3,333.50; Driftwood Estates, 300.00; Duffy Law Firm Prof. LLC, 11,695.50; Dyna-Kleen Service Inc, 12,500.00; Eagle Enterprises, 2,814.08; Eagle Ridge Apartments I, 340.00; Eastern Penn Conservation, 9,175.00; Eddie's Truck Sales Inc, 102.70; Electrical Engineering & Equipment Company, 3,904.00; Elizabeth Glynn, 21.00; Eprovider Solutions, 261.20; Eric D Whitcher, 308.28; Erik Bringswhite, 4,225.00; Estes Park Apartments, 500.00; Evergreen Office Products, 805.94; Executive Mgmt Fin Office, 24.75; Executive Mgmt Fin Office, 939.34; F & M Rentals LLC, 400.00; FAAC Inc, 1,025.00; Farmer Brothers Coffee, 675.90; Fastenal Company, 321.23; Federal Express, 59.21; Ferguson Enterprises Inc #226, 1,870.13; First Interstate Bank, 450.92;

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First Interstate Bank, 1,384.39; Flooring America, 2,102.80; Foley's Custom Print, 614.50; Forest Ridge Properties LLC, 840.00; Four Seasons Sports Center, 395.83; Fox & Youngberg P.C., 385.14; Fred Pryor Seminars, 249.00; French's Upholstery, 124.50; Fresh Start Carpet Care, 9,453.26; Frontier Auto Glass LLC, 249.29; Fruit Of The Loom, 651.24; G2 Enterprises LLC, 300.00; Galls LLC, 588.51; Garrett J Horn, 213.00; George R Cameron, 114.00; Global Equipment Company, 59.40; Global Tel'link, 14.43; Godfrey Brake Service And Supply Inc, 2,437.18; Golden West Companies, 1,395.47; Golden West Technologies, 125.00; Great Western Tire Inc, 3,162.69; Gregory J. Irwin, 111.00; Gretchen Sitzes, 195.72; Grey & Eisenbraun Law Prof LLC, 2,549.00; Grimm's Pump Service Inc, 1,349.31; H&S Uniforms And Equipment LLC, 348.00; Hainesway Apartments/BHPM, 340.00; Harney Lumber Company, 300.00; Harveys Lock Shop, 526.93; Heartland Paper Company, 13,343.60; Heavy Constructors Inc, 226,435.50; Hebron Brick Supply Co, 42.50; Heidi Miller, 1,020.27; Hill City Hardware Inc, 39.99; Hill City Prevailer, 799.92; Hill City Public Library, 14,105.50; Hills Septic Service, 1,700.00; Hillyard/Sioux Falls, 582.56; Hobart Sales & Service Inc, 931.89; Horwath Laundry Equipment, 2,460.41; Humane Society Of The Black Hills, 4,166.67; Identifix Inc, 1,428.00; Identisys Inc, 1,075.74; IIARC, 152.00; Image All LLC, 122.50; Independent Window Tinting LLC, 170.00; Indoff Inc, 1,677.01; Industrial Organizational Solutions Inc, 25.00; Infogroup Inc, 485.00; Inland Truck Parts, 33.95; Interstate All Battery Center, 1,356.80; Interstate Batteries, 188.60; Intoximeters Inc, 120.75; J & J Asphalt Co, 4,795.78; J & J Mowing And Landscaping, 235.00; James D Castleberry, 2,000.00; Janet Sayler, 140.60; Jantech LLC, 1,424.00; Jean M Cline, 236.25; Jeannette Pitts, 308.40; Jeffries Law Office PC, 1,235.70; Jenner Equipment Co, 427.17; Jessie Drury, 75.00; Jill Hower, 126.00; Jims Private Utility Locating, 150.00; JJ's Engraving & Sales, 540.25; Joan Lindstrom, 100.00; Jody H Speck, 760.00; Joe Gion, 30.00; Johnson Controls, 270.71; Johnson Controls Fire Protection LP, 190.00; Johnstone Supply, 176.14; Jon Morrill, 310.04; Joshua Updike, 300.00; Judy Kinsella, 500.00; Kahler Property Management, 300.00; Karla Macarthur Harris, 155.73; Karl's Appliance, 65.00; Kate Wellensiek, 173.00; Kathy Davis, 571.60; Kathy Dolan, 297.62; Kelly Thurman, 100.00; Kennedy Pier Knoff Loftus LLP, 444.00; Kevin A Climis, 200.00; Kevin E Kirschenmann, 875.00; Keystone City Hall, 4,757.50; Kieffer Sanitation/A Waste Management Co, 3,222.36; Kieffer Sanitation/A Waste Management Co, 136.80; Kimball Midwest, 1,228.36; Kimberly K Johnson, 270.60; Kirk Funeral Home, 3,820.00; Knecht Home Center Inc, 1,938.17; Knollwood Heights Apartments, 78.00; Konica Minolta Premier Finance, 156.19; Kpi Tactical, 8,820.00; Kristina Weckman, 247.00; Kristine K Brock, 450.36; KT Claydeen Irwin, 461.70; Laboratory Corporation Of America Holdings, 139.50; Lacrosse Estates, 919.00; Lakota Community Homes Inc, 258.00; Lands' End Business Outfitters, 218.79; Language Line Services, 122.75; Lara Roetzel, 9.59; Laubach Law Office Prof LLC, 805.50; Lauren Craft, 175.00; Lawrence D Beezley, 170.00; Leslie Hall, 189.60; Lewis & Clark Behavioral Health Services, 495.00; Liberty Chevrolet LLC, 17,591.00; Liberty Chrysler Center, 29,403.44; Lincoln County Auditor, 135.00; Linda J Nohr, 3,150.00; Linda Peterson, 75.37; Linda Pratt, 9.45; Lingo Communications Llc, 69.02; Liz Hassett, 626.80; Lloyd Lacroix, 100.80; Lone Peak Property Management LLC, 240.00; Lori Sargent, 175.00; Lowe Roofing Incorporated, 325.00; Lowe's, 395.07; Lucille M Lewno, 1,292.50; Lutheran Social Services Of SD, 29,108.03; Macnally Law Offices Prof LLP, 2,028.90; Manlove Psychiatric Group, 10,145.40; Maplewood Townhouses, 302.00; Marcia Fish Mcmahon, 1,192.88; Marco Inc, 1,291.69; Marco Inc, 5,698.90; Marissa



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Brooks, 30.00; Mark Katterhagen, 90.00; Marsha Patterson, 682.62; Mary Rae Seifert, 1,995.00; Mary Shoemaker, 1,075.70; Matheson Tri-Gas Inc, 67.35; Matt Thompson, 189.60; Matthew Bender & Co Inc, 700.00; Matthew T Stephens, 9,546.00; Mckesson Medical-Surgical Government Solutions LLC, 4,010.54; Mckie Ford Inc, 102.66; Mcleod's Printing Inc, 279.98; Meadow Ridge Apartments, 400.00; Medical Waste Transport Inc, 517.48; Medical Waste Transport Inc, 595.63; Medline Industries Inc, 2,727.77; Melanie Gothard, 398.84; Melissa J Rupert, 2,180.25; Melissa Kindt, 834.28; Menards, 998.48; Mercedes Scientific, 95.94; Mes Companies, 1,578.21; Mg Oil Company, 34,492.85; MHCA Homes LLC, 309.00; Michael G Briggs, 1,100.00; Michael J Bailly, 149.00; Michelle Mehrer, 115.00; Midcontinent Communications, 227.80; Midcontinent Communications, 4,320.95; Midwest Brothers Investments, 300.00; Midwest Tire & Muffler Inc, 31.83; Mikelson Law Office, 283.10; Montana Dakota Utilities, 3,851.96; Motive Magic Windshield Repair, 475.00; Motorola Solutions Credit Co, 169,941.43; Motorola Solutions Inc, 312.18; Mountain Plains Audiology Inc, 170.00; Moyle Petroleum, 4,368.73; Mt Rushmore Telephone Co, 47.39; NACO, 1,010.00; NADA Appraisal Guides, 455.00; National Council For Behavioral Health, 8,134.92; Native Sun News, 220.00; NCS Pearson Inc, 114.00; Nebraska Salt & Grain Co, 2,079.28; Nelson Law, 4,189.95; Nicolas Quettier, 564.00; North Central International Of Rapid City Inc, 7,645.81; North Central Supply Inc, 1,052.00; Northwest Pipe Fitting Inc, 1,949.39; Notable Corporation, 1,505.65; Nutrien Ag Solutions Inc, 3,465.88; Office Depot, 561.40; Office Depot, 939.68; Olson Towing, 189.50; Osheim & Schmidt Funeral Home, 1,910.00; Pacific Steel & Recycling, 518.31; Parkway Carwash Inc, 165.00; Pechota Law Office, 166.04; Pederson Law Office LLC, 71.25; Penn Co Equalization Petty Cash, 153.67; Penn Co Health & Human SV Petty Cash, 238.38; Penn Co Jail Petty Cash, 884.49; Penn Co Sheriff Petty Cash, 2,284.63; Penn Co States Atty Petty Cash, 321.60; Penn Co Treasurer Petty Cash, 270.58; Penn Conservation Dist, 5,428.50; Penney-Haines LLC, 240.00; Pennington County Courant, 909.82; Pennington County Housing & Redevelopment, 931.00; Pete Lien & Sons Inc, 1,815.26; Pharmchem Inc, 513.90; Pheasantland Industries, 2,309.48; Phoenix Supply LLC, 1,244.62; Pillen Optical Inc, 300.00; Pioneer Bank & Trust, 5,105.67; Pioneer Bank & Trust, 3,206.93; Pioneer Bank & Trust, 237.36; Pioneer Bank & Trust, 3,033.97; Pitney Bowes Reserve Account, 9,315.78; Ponderosa Screen Printing And Embroidery, 42.45; Power House, 204.81; Powerphone Inc, 687.00; Prairie Auto Parts Inc, 502.67; Precision Dynamics Corp, 320.00; Print Mark-Et, 126.45; Priscilla Massey, 35.32; Proforma Screening Solutions LLC, 221.00; Promotion Physical Therapy, 46.92; Pubworks, 21,925.00; Quality Transmissions Inc, 5,076.48; Quill Corporation, 230.33; Race Wheels, 568.16; Radiology Associates Professional LLC, 302.48; Rae Lyn Randolph, 700.60; Rainbow Gas Company, 2,799.36; Randal E Connelly, 1,890.70; Rapid Collision, 1,904.23; Rapid Creek Apartments, 1,454.90; Rapid Delivery Inc, 126.50; Rapid Motel, 240.00; Rapid Rooter, 910.00; Rapid Transit System, 60.00; RC Area School Dist 51-4, 2,339.89; RC Chamber Of Commerce, 260.00; RC Emergency Services Pa, 1,655.28; RC Fire & Emergency Services, 1,247.82; RC Journal - Advertising, 4,857.67; RC Medical Center LLC, 4,452.50; RC Police Dept-Evidence, 4,438.00; RC Public Library, 206,242.00; RC Regional Hospital Inc, 18,413.35; RC Regional Hospital Inc, 1,383.00; RC Regional Hospital Education & Development, 805.00; RC Regional Hospital Inc, 142.00; RC Winair, 568.65; RC Winsupply, 465.15; RDO Equipment Co, 216,880.00; RDO Equipment Co, 52,088.32; Record Storage Solutions, 361.83; Redwood Toxicology Inc, 5,679.67; Regional Health, 570.32; Regional Health Home Plus Pharmacy,

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3,060.46; Regional Health Medical Clinic, 425.00; Regional Health Reference Laboratory, 3,172.56; Reliance Telephone Inc, 9.20; RF Tax Services, 75.00; Ricoh USA Inc, 227.17; Ricoh USA Inc, 234.79; Rochester Armored Car Company Inc, 439.03; Rockerville Volunteer Fire Department, 8,549.22; Rocky Mountain Instrumental Laboratories, 640.00; Rogers Construction Inc, 6,750.00; Runnings Supply Inc, 1,246.42; Rush Funeral Home Inc, 2,150.00; Rushmore Real Estate Group Limited, 340.00; Sand Scripts, 84.20; Sandra Carter, 31.19; Sandra Sortland, 387.24; Sanford Clinic, 883.62; Sanford Medical Center, 55,043.93; Sanitation Products Inc, 111.34; Satellite Tracking Of People LLC, 832.00; Scenic Township, 3,862.50; Schmidt Legal Services Prof LLC, 1,724.72; Scott Sitzes, 166.67; Scovel Psychological, 1,250.00; Scull Construction, 124,387.13; SD Board Of Examiners Of Psychologists, 300.00; SD Dept Health, 392.00; SD Dept Of Health, 260.00; SD Dept Of Revenue, 9,200.62; SD Dept Of Revenue, 1,342.00; SD Dept. Of Military, 1,805.00; SD Div Of Motor Vehicles, 16.20; SD Federal Property Agency, 543.50; SD Gov Human Resources Association, 100.00; SD Narcotics Officers Association, 200.00; SD One Call Board, 112.35; SD Planners Association, 150.00; SD Sheriff's Association, 765.00; SD State Archives, 22.50; SDAAO, 4,075.00; SDAAC, 375.00; SDN Communications, 1,008.80; SDSU Extension, 20.00; SDSU Extension, 81.40; SDSU West River Ag Center, 16.00; Securus Technologies Inc, 21,218.61; Servall Uniform/Linen Co, 2,224.40; Shannon Croft, 83.00; Sherwin Williams Paints, 256.54; Shine Property Management LLC, 740.00; Silver Star Septic LLC, 150.00; Simon Contractors Of South Dakota Inc, 17,083.00; Simpson's Printing, 444.50; Skinner Law Office Pc, 1,649.50; Smoot & Utzman, 1,239.30; Snap On Tools, 359.00; Solemate Shoes And Uniform Center, 196.72; Sound Pro, 20.99; South Pines LLC, 300.00; Stan Houston Equipment, 605.53; Star Dust Motel, 500.00; Stephen Keegan, 300.00; Sterling R. Greni, 4,086.29; Steven J. Arity, 440.00; Streicher's, 1,904.00; Sturdevant's Auto Parts, 4,009.31; Sturdevant's Refinish, 266.00; Sun Life Financial, 33,296.87; Sundial Square Apartments, 300.00; Susan Goodhue, 80.00; Swanston Equipment, 120.14; Syncb/Amazon, 78.62; Teresa L Fink, 2,545.80; Terrace On The Green LLC, 355.00; Terri Phelps, 760.00; Tessco Incorporated, 95.35; Thad Schmit, 500.00; The Audio Shop\_RC LLC, 258.00; The Hotel Alex Johnson, 550.00; The Little Print Shop Inc, 166.00; The Medicine Shoppe, 132.03; Thomas Reese, 171.00; Thomson Reuters-West, 8,306.85; Time Equipment Rental & Sales, 560.58; Titan Machinery PPA, 1,621.98; TKRS Properties LLC, 3,311.10; Todd A Love, 4,081.85; Todd Drobny, 100.00; Tony Harrison, 267.25; Tracey R. Dollison Decker, 6,506.25; Transource Truck & Equipment Inc, 2,700.43; Travelodge - Rapid City, 200.00; Trusted Property Management, 300.00; Turbiville Industrial Electric Works LLC, 435.76; Twilight Inc, 506.01; Uline, 338.20; United Parcel Services Inc, 12.44; Unkenholz Family Dental Prof LLC, 1,201.00; Upper Deck Architects Inc, 3,536.11; US Bank, 463,925.00; US Bank Na, 2,133,305.21; US Geological Survey, 10,454.50; Valarie O'Day, 167.00; Vanway Trophy & Awards, 350.80; Vast Broadband, 766.97; Vemco, 1,406.65; Venture Architects, 16,470.10; Verizon Connect NWF Inc, 37.90; Verizon Wireless, 131.32; Verizon Wireless, 1,371.48; Vermeer High Plains, 70.72; Victor Gust, 169.28; Walkenhorst's, 918.50; Wall Building Center & Construction, 72.69; Wall Community Library, 8,365.00; Watertree Inc, 131.50; Wellmark, 441,542.55; Western Communication Inc, 7,550.20; Western Construction Inc, 1,072.74; Western Mailers, 2,236.39; Western Stationers Inc, 9,488.67; Western Thrifty Inn LLC, 750.00; Wex Bank, 9,370.80; Wex Bank, 392.51; Whisler Bearing Co, 330.46; Whiting Hagg Hagg Dorsey & Hagg LLP, 8,129.05; William Busse, 2,030.00; Winner

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Police Dept, 135.60; Winter Law Office PC, 5,234.20; Working Against Violence, 7,243.34; Wristbands Medtech USA Inc, 242.71; Yankton Co Sheriff Office, 250.00; Yankton County Treasurer, 120.00; Z & S Dust Control System, 1,387.22; Zep Sales & Service, 109.37; Zmc LLC, 10,446.14.

**ITEMS FROM THE PUBLIC**

**PERSONNEL**

CCADP: Effective 05/19/2019 – Gaylene Gibbons at \$23.12/hr. & Sara Maher at \$19.92/hr. Effective 05/20/2019 Ricky Wishon at \$17.20/hr.

Dispatch: Effective 05/19/2019 – Dustin Odegard at \$18.05/hr.

Equalization: Effective 05/28/2019 – Katie Roe at \$18.05/hr.

Jail: Effective 04/16/2019 – Colt Bentley, Megan Hutmacher, Kevin Poliszuk & Ethan Schulz at \$15.60/hr. Effective 04/21/2019 – Dale Anderson at \$27.37/hr. Effective 04/22/2019 – Heath Lowry at \$17.20/hr. Effective 05/19/2019 – Samantha Decory at \$21.94/hr., Kara Gouldin at \$16.38/hr., Jessica Gregory at \$26.68/hr. & James Hogue at \$27.35/hr. Effective 05/20/2019 – Christopher Brown, Donald Grider, Ivan Keller, David Oerlline, Oraine Powell & Robert Steele at \$21.94/hr. Effective 05/20/2019 – Alesha Ofstad & Codee Sagdalen at \$16.38/hr.

Public Defender: Effective 05/20/2019 – Josey Johnson at \$16.38/hr.

Sheriff's Office: Effective 04/19/2019 – Barry Young at \$24.19/hr. Effective 04/21/2019 Patrick Rose at \$23.06/hr. Effective 05/01/2019 – Christian Sigel at \$24.19/hr. Effective 05/19/2019 – Kimberly Bloomenrader & Joshua Lavene at \$ 21.94/hr.

State's Attorney: Effective 05/20/2019 – Dane Brost at \$13.48/hr.

Treasurer: Effective May pay period – Cora Fried at \$19.22/hr. & Laura Luthy at \$4,688.58/mo.

WSDJSC: Effective 05/20/2019 – Sara Rowley at \$14.85/hr. & Lindsay Brave Heart & Kyle Worden at \$21.94/hr.

**ADJOURN**

MOVED by Drewes and seconded by LaCroix to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 12:00 p.m.

/s/ Cindy Mohler, Auditor

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