

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of February 18, 2020

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, February 18, 2020, 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 & 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 Drewes and seconded by LaCroix to approve the Consent Agenda as presented with the removal of Items 5 & 8. Vote: Unanimous.

5. Removed for separate consideration.
6. Approval of the Permit to occupy right-of-way and the request for road closure/traffic control for the 2020 Deadwood Mickelson Trail Marathon.
7. Acknowledge the notice of intent to conduct a raffle – Team Ellsworth Spouses Club.
8. Removed for separate consideration.

End of Consent Agenda

Removed for Separate Consideration

5. Approve minutes of the regular meeting: MOVED by Drewes and seconded by DiSanto to approve the minutes as amended of the regular meeting – February 4, 2020. Vote: Unanimous.
8. Recognize and thank the volunteers: MOVED by LaCroix and seconded by Drewes to recognize and thank the volunteers for the month of January 2020. Vote: Unanimous.

**COUNTY LIAISON APPOINTMENT TO THE AIR QUALITY BOARD – CHRIS ORR:**

MOVED by Drewes and seconded by DiSanto to appoint Mr. Chris Orr to the Rapid City Area Quality Board for a term of three years and approve the Chair's signature to the warrant of appointment. Vote: Unanimous.

**NOTICE OF INTENT FOR FURTHER DISCUSSION AND CONSIDERATION OF A MOTION TO RESCIND – CRAZY HORSE SCENIC BYWAY APPLICATION:**

MOVED by Rossknecht and seconded by DiSanto to rescind the motion previously adopted on November 5, 2019 to approve the Chair's signature on the letter of support for the proposed Crazy Horse Scenic Byway Application. Vote: Unanimous.

MOVED by Drewes and seconded by LaCroix to continue this item until the March 17, 2020 Commission meeting for further consideration. Vote: Unanimous.

**WHISPERING PINES DRIVE REQUEST FOR MAINTENANCE - MICHELLE ENEVOLDSEN:**

MOVED by DiSanto and seconded by Drewes to deny the request for the County to provide maintenance and plowing on Whispering Pines Dr. Vote: The motion carried 4-1 with Rossknecht voting no.

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**ITEMS FROM AUDITOR**

- A. PUBLIC HEARING: RENEWAL OF LIQUOR LICENSE WITH SUNDAY SALES – HORSE CREEK INN: MOVED by DiSanto and seconded by Drewes to approve the renewal of the Retail (On Sale) Liquor license with Sunday Sales for the Horse Creek Inn. Vote: Unanimous.
- B. 9:15A.M. BUDGET SUPPLEMENT PUBLIC HEARING(S):
1. SP20-002: MOVED by LaCroix and seconded by DiSanto to approve Budget Supplement SP20-002 to the General Fund Health & Human Services budget in the amount of \$1,340.09 from unassigned fund balance. Vote: Unanimous.
  2. SP20-003: MOVED by LaCroix and seconded by Rossknecht to approve Budget Supplement SP20-003 to the General Fund John T Vucurevich budget in the amount of \$112,000.00 from restricted fund balance. Vote: Unanimous.
  3. SP20-004: MOVED by LaCroix and seconded by Drewes to approve Budget Supplement SP20-004 to the General Fund Sheriff's Office budget in the amount of \$126,507.70 from unassigned fund balance. Vote: Unanimous.
  4. SP20-005: MOVED by LaCroix and seconded by Drewes to approve Budget Supplement SP20-005 to the General Fund Health & Human Services Community Development Block Grant Budget in the amount of \$19,850.80 from restricted fund balance. Vote: Unanimous.
  5. SP20-006: MOVED by Drewes and seconded by LaCroix to approve Budget Supplement SP20-006 to the General Fund Search & Rescue budget in the amount of \$3,878.71 from unassigned fund balance. Vote: Unanimous.

**ITEMS FROM EQUALIZATION**

- A. ABATEMENT APPLICATIONS: MOVED by DiSanto and seconded by Rossknecht to approve the following two abatements for the 2019 tax year. Vote: Unanimous.
1. Jenelle Benike, Tax ID #8011246, \$7.42
  2. Michael Wolf, Tax ID #8003315, \$23.94

**ITEMS FROM HIGHWAY**

- A. USDA, FOREST SERVICE, REGION 2, BLACK HILLS NATIONAL FOREST GUARD REMOVAL, CLEANING & REPAIR AGREEMENT: MOVED by Rossknecht and seconded by LaCroix to approve agreement #20-RO-11020300-009 with the Black Hills National Forest for livestock guard removal, cleaning and repairs. Vote: Unanimous.
- B. WORK ORDER R-04-20 TESTING, INSPECTIONS, PUBLIC INFORMATION AND PUBLIC RELATIONS FOR SHERIDAN LAKE ROAD RECONSTRUCTION: MOVED by LaCroix and seconded by Rossknecht to approve work order R-04-20 with Ferber Engineering Company, Inc. and the SD Dept. of Transportation for testing inspections, public information and public relations for the Sheridan Lake Road reconstruction project. Vote: Unanimous.
- C. PROFESSIONAL SERVICES AGREEMENT FOR THUNDERHEAD FALLS ROAD: MOVED by Rossknecht and seconded by Drewes to approve Professional Services Agreement #1903-02237 with KLJ for preliminary engineering for the replacement of BR 52-316-316 and BR 52-317-318 on Thunderhead Falls Road. Vote: Unanimous.

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- D. AUTHORIZATION TO PURSUE PURCHASE OF A NEW MOWING TRACTOR: MOVED by DiSanto and seconded by Drewes to approve authorization to pursue purchase of a new mowing tractor, pending receipt of proposals to be presented to the Board of Commissioners on March 3, 2020, from two major dealers in the area, under current government cooperative purchasing. Vote: Unanimous.

**ITEMS FROM HUMAN RESOURCES**

- A. ELECTED OFFICIALS BASE COMPENSATION LEVELS – PROPOSED 2020 RESOLUTION: MOVED by LaCroix and seconded by Rossknecht to continue this item until the March 17, 2020 Commission meeting. Vote: Unanimous.

MOVED by Drewes and seconded by LaCroix to take a five-minute recess. Vote: Unanimous.

**ITEMS FROM PLANNING & ZONING**

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

- A. SUBDIVISION REGULATIONS VARIANCE / SV 20-01: Gordon and Jennifer Sabo. To waive road improvements to Martin Ranch Trail; to waive improvements to the undeveloped Section Line located along the eastern property line between Sections 8 and 9, T2S, R7E; and to waive submittal of percolation tests and profile information in a General Agriculture District in accordance with Sections 205, 700, and 509 of the Pennington County Subdivision Regulations and Zoning Ordinance.

E1/2NE1/4; NE1/4SE1/4; NW1/4SE1/4, Section 8, T2S, R7E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Drewes to continue this item until the March 3, 2020 Commission meeting. Vote: Unanimous.

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

- B. MINOR PLAT / MPL 20-01: Gordon Howie. To reconfigure lot lines to create Lot 4R and Lot 5R of Bromegrass Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

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EXISTING LEGAL: Lot 4 and Lot 5, Bromegrass Subdivision; Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 4R and Lot 5R, Bromegrass Subdivision; Section 2, T1S, R9E, BHM, Pennington County, South Dakota.

Approve of Minor Plat / MPL 20-01 with the following six (6) conditions. Vote: Unanimous.

1. That at the time of Minor Plat submittal, the Plat contain a 40-foot wide access easement between Lot 4R and Lot 7 that would allow current access from Antelope Creek Road to Lot 5R or an approved Approach Permit be obtained for Lot 5R from Antelope Creek Road;
2. That prior to filing the Plat with the Register of Deeds, all previous lot lines be identified on the Plat;
3. That prior to filing the Plat with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Variance(s) to Subdivision Regulations be obtained waiving any of these requirements that are not met. Subdivision Regulations Variances shall be submitted per §700 of Pennington County Subdivision Regulations;
4. That the applicant ensures 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 an approved Floodplain Development Permit be obtained prior to any disturbance within the regulated Special Flood Hazard Area.

End of Consent Agenda

**PLANNING & ZONING REGULAR AGENDA**

C. **REQUEST TO NOT SUBMIT ENGINEERED ROAD CONSTRUCTION PLANS AND NOT TO BUILD TO ORDINANCE 14 STANDARDS Nathan and Marie Lapsley:** MOVED by DiSanto and seconded by Drewes to deny the request to waive the requirements to submit engineered road construction plans, have a road width be 12 ft. wide instead of 24 ft, have a gravel surface depth of 4 inches instead of 6 inches, have ditches be 1 ft. in depth instead of 2 ft and have slopes greater than 4:1 for Road Construction within a Section Line Right-of-Way / CS 20-01: Nathan and Marie Lapsley.

Substitute motion: MOVED by Drewes and seconded by Rossknecht to approve a request waiving the requirement of engineered road construction plans. The Board further directed that the road width shall not be less than 16 ft., shall have a gravel surface depth of no less than 6 inches and the ditches shall be 2 ft. in depth with 4:1 slopes – Road Construction within a Section Line Right-of-Way / CS 20-01. Vote: Unanimous.

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D. ROAD CONSTRUCTION WITHIN A SECTION LINE RIGHT-OF-WAY / CS 20-01:

Nathan and Marie Lapsley. To construct a road within the Section Line Right-of-Way to provide access to property located in Section 13, T1N, R9E and to bring an existing 289 feet of Section Line road into compliance.

Sections 13 and 14, T1N, R9E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by Rossknecht to approve Road Construction within a Section Line Right-of-Way / CS 20-01 which includes constructing the section line right-of-way to County Ordinance 14 Standards with eight (8) conditions. Vote: Unanimous.

1. That the roadway located within the Section Line Right-of-Way be improved to meet all requirements of Pennington County Ordinance 14 (which includes submittal of engineered road construction plans) or a request to waive these requirements be approved by the Board of Commissioners;
2. That any waivers granted by the Board of Commissioners to Pennington County Ordinance #14 Standards be only for access to the property described as N425 ft of W1075 ft of SW1/4SW1/4, Section 13, T1N, R9E, BHM, Pennington County, South Dakota, and that any future development that takes access off 153<sup>rd</sup> Avenue would require additional approval of waivers to Ordinance #14 Standards for this 1,253 foot road extension and any further road extension south,
3. That if the amount of disturbed area exceeds one (1) acre, a Department of Environment and Natural Resource's Storm Water Construction Permit is obtained;
4. That the requirements, guidelines, and criteria for storm water and erosion control in the Pennington County Storm Water Manual, or equivalent, shall be followed during construction;
5. That dust control measures be implemented to prevent dust from leaving the site and impacting the adjacent properties;
6. That if culverts are installed, the design is submitted to the County Drainage Engineer for review prior to installation;
7. That any disturbed areas shall be stabilized and re-vegetated as required in §507(A) of the Pennington County Zoning Ordinance; and,
8. That any monuments establishing property boundaries be replaced as necessary, if disturbed by construction of the road.

E. FIRST READING AND PUBLIC HEARING OF MAJOR PLANNED UNIT

DEVELOPMENT AMENDMENT / PU 19-09: Donna Hartshorn. To amend an existing Planned Unit Development Overlay to allow for seasonal commercial recreation and amusement structures to include racetracks, miniature golf, paintball, arcade games, and to allow five (5) lighted, on-premise signs to be located within 1,500 feet of a residential district and/or dwelling unit in accordance with Section 213 of the Pennington County Zoning Ordinance.

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Lot 4 of Tract E of Government Lot 2 of NW1/4SE1/4, NE1/4SW1/4 and SW1/4SE1/4; and NE1/4SE1/4 less Lot 1, Tract D of NW1/4SE1/4 less Lot 1, all located in Section 3, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by DiSanto and seconded by Rossknecht to approve of Major Planned Unit Development Amendment / PU 19-09 with the following twenty-six (26) conditions. Vote: Unanimous.

1. That the purpose of this Planned Unit Development be to allow a Resort Development for a single-family residence with outbuildings, a single-wide mobile home as ranch-hand's residence, and seasonal commercial recreation and amusement structures supporting events such as: weddings, wedding receptions, chapel use (weddings, funerals and services), small gatherings, school tours, wagon rides, pony rides, farmer's market, pumpkin patch, corn maze, sunflower farm/maze, rodeo/riding arena, horse stabling, livestock pasturing, on-premise signage, beer and wine sales, hovercraft track, paintball range, and to allow up to five (5) illuminated, on-premise signs to be located within 1,500 feet of a residential district and/or dwelling unit;
2. That the number of guests be limited up to a maximum of 300 at any one-time;
3. That the Planned Unit Development be considered an overlay zoning district whereby the provisions of the underlying General Agriculture District, Limited Agriculture District, and Highway Service District still apply and, if the property is no longer utilized in accordance with Major Planned Unit Development Amendment / PUD 19-09, the zoning reverts back to General Agriculture District, Limited Agriculture District, and Highway Service District, assuming the same lot configuration;
4. That the applicant notifies the Planning Director prior to transferring ownership of the property so that Major Planned Unit Development Amendment / PUD 19-09 may be brought forth for review;
5. That any changes to an emergency plan be discussed with the Pennington County Fire Coordinator and submitted to the Planning Director;
6. That prior to starting any outdoor fires, the applicant must obtain a Fire Permit from the South Dakota Wildland Fire Division. Further, the owners are responsible for adhering to Pennington County Ordinance #632;
7. That grass, weeds and other vegetation must be cut short so as to reduce the possibility of a fire;
8. That the west parking area be large enough for a minimum of ninety-one (91) parking spaces and the arena parking area be large enough for a minimum of sixty-seven (67) parking spaces. Each parking space shall measure a minimum of 9 feet by 18 feet, with travel lanes measuring a minimum of eighteen (18) feet wide between rows of parking spaces. Each parking lot shall be maintained in a dust-free manner and in accordance with §310 of the Pennington County Zoning Ordinance, and a parking site plan shall be submitted showing each designated parking space for the three lots and the applicant shall place signage stating that there is no parking on the road and in the easement;
9. That the internal driveway continue to be eighteen (18) feet wide;

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10. That the applicant complete a road naming request for the in-use access roads and, upon approval, new addresses be assigned to the residences and structures used in support of the Resort Development on the subject properties;
11. That the physical addresses for both existing residences, and any future addresses that are assigned, be posted in accordance with Pennington County Ordinance #20;
12. That the days of operation for the farmer's market, pumpkin patch, corn maze, sunflower farm/maze, hovercraft track, and paintball range be allowed seven (7) days per week. Hours of operation, for the above-mentioned, shall be between 10 a.m. and 10 p.m. and music being provided for any activities shall end by 10 p.m.;
13. That the applicant maintain directional signs along the in-use access roads to direct visitors;
14. That temporary structures, such as tents and port-o-potties, only be erected when needed and not on a permanent basis;
15. That all lighting be installed and maintained to minimize spillage of light outside of the area, so as not to create a nuisance. Lighting must be effectively shielded to prevent beams or rays from being directed towards any portion of the traveled ways and must not be of such intensity or brilliance as to cause glare or impair the vision of any motor vehicle drivers;
16. That the applicant maintain all necessary permits from other governing bodies for the operation, including, but not limited to, South Dakota Department of Health and South Dakota Department of Revenue;
17. That a portable fire extinguisher with a minimum 2A:10B:C rating shall be placed in each structure supporting the Resort Development so it is accessible at all times. The fire extinguisher shall be inspected and tagged annually;
18. That prior to the installation of any On-site Wastewater System, or alteration to the existing On-site Wastewater System, the landowner shall meet with the appropriate County and/or City Staff;
19. That if another well is to be dug on the property, it be continually tested and monitored per South Dakota Department of Environment and Natural Resources regulations;
20. That port-o-potties may be utilized by the guests of the events for wastewater disposal, but any other means of wastewater disposal will require proper permitting and review by the City of Rapid City and the Pennington County Planning Department;
21. That prior to the placement of any on-premise signs, the applicant must adhere to §312 of the Pennington County Zoning Ordinance;
22. That an approved Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
23. That the Planning Director may allow additional development or construction, which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land uses, as determined by the Planning Director, shall require an amendment to this Planned Unit Development;
24. That the operation be conducted by members of the family residing on the premises and event staff, as necessary;

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25. That the applicant signs a Statement of Understanding within ten (10) business days of approval of Major Planned Unit Development Amendment / PUD 19-09, which is available at the Planning Office; and,
26. That Major Planned Unit Development Amendment / PUD 19-09 be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.

F. FIRST READING AND PUBLIC HEARING OF PLANNED UNIT DEVELOPMENT / PU 19-05: Rockerville Gold Town, LLC (Pat Hall); Brian Hammerbeck – Agent. To rezone 20.8 acres from Highway Service District and General Agriculture District to a Planned Unit Development in accordance with Sections 205, 210, 213, and 508 of the Pennington County Zoning Ordinance.

W1/2SE1/4SE1/4 South of Hwy 16 Westboundless Lot A, Less Lot 1, and Less ROW;  
E1/2SE1/4SE1/4 South of Hwy 16 Westbound Less ROW; and That Part of the  
SW1/4SW1/4 lying S of Hwy 16 and W of CO RD, Sections 13 and 14, T1S, R6E, BHM,  
Pennington County, South Dakota.

MOVED by LaCroix and seconded by Drewes to approve of Planned Unit Development / PU 19-05 to rezone 20.8 acres from Highway Service District and General Agriculture District to a Planned Unit Development with the following twenty-three (23) conditions. Vote:  
Unanimous.

1. That the purpose of this Planned Unit Development be to allow a mixed-use development that includes up to thirty-two (32) multi-family dwelling units that include duplexes, triplexes, and fourplexes; and neighborhood commercial businesses;
2. That the multi-family dwelling units be permitted to be utilized as a Vacation Home Rental provided all the requirements of Section 319 of the PCZO are met;
3. That the commercial businesses be limited to those neighborhood commercial businesses as allowed in Section 302 of the PCZO;
4. That an Engineered Drainage Study is performed by the applicant's engineer and approved by the County Drainage Engineer prior to the increase in the impervious area greater than 15 percent which includes the area located in both PU 19-05 and PU 19-06;
5. That the required setbacks for all structures be a minimum of 25 feet from all exterior property lines which includes front, side and rear yard setbacks and zero-foot (0) setbacks from the interior property lines, and a 58-foot setback from Section Lines or the Section Line Right-of-Ways be vacated;
6. That the interior access roads off of Rockerville Road and Main Street allow for two-way traffic, meet Ordinance 14 Standards and meet AASHTO Standards;
7. That the interior access roads be named and the street sign posted in accordance with Ordinance 20 prior to the issuance of Building Permits for residences or structures taking access off of the access roads;



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8. That all onsite wastewater treatment systems designed and installed in accordance with Section 204-J of the PCZO and if a conventional onsite wastewater treatment system cannot be located on the property due to inadequate soils, an alternative system will be required. All onsite wastewater treatment systems must be reviewed and approved by the South Dakota Department of Environment and Natural Resources;
  9. That all septic tanks be pumped every three (3) years and be inspected at the time of being pumped;
  10. That the Planning Director may allow additional development or construction which is consistent with the existing development on this property. Significant changes in the use or impacts on adjacent land uses as determined by the Planning Director shall require an amendment to this Planned Unit Development;
  11. That a minimum of two (2) off-street parking spaces be provided for each unit in the multi-family dwelling unit. All off-street parking spaces on the site shall measure at least 9 feet by 18 feet, be surfaced with gravel, concrete, or asphalt and maintained in such a manner that no dust will result from continuous use;
  12. That parking for commercial business and apartment buildings be addressed at the time of Building Permit submittal, per Section 310 of the PCZO;
  13. That a Building Permit be obtained for any structures exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
  14. That all roads be constructed to Local Road Standards which includes a minimum of a 24-foot wide driving surface or a Variance to the Subdivision Regulations is obtained;
  15. That a Homeowner's Association be created for the care and maintenance of the "Common Areas";
  16. That a Road District be formed for the care and maintenance of all roads;
  17. That Pennington County's Drainage Engineer and Pennington County's Fire Administrator approve the central water system for the Planned Unit Development that will serve the water needs for the development and for fire protection;
  18. That the entire water system must be fully operational by the time the 4th Building Permit for a multi-family dwelling is submitted or when 25 people are residing in the PUD, which includes the area located in both PU 19-05 and PU 19-06; or prior to the issuance of a Commercial Building Permit;
  19. That all roads be maintained in a dust free manner;
  20. That all-natural drainage ways be maintained;
  21. That prior to the placement of any on-premise sign, the applicant must obtain a Sign Permit in accordance with Section 312 of the PCZO;
  22. That a Sanitary District is formed for the care and maintenance of the sewer and water systems; and,
  23. That Planned Unit Development / PUD 19-05, be reviewed in one (1) year, on a complaint basis, or as directed by the Pennington County Planning Commission and/or Board of Commissioners to verify that all Conditions of Approval are being met.
- G. COMPREHENSIVE PLAN AMENDMENT / CA 20-01: Rockerville Gold Town, LLC (Pat Hall); Brian Hammerbeck – Agent. To amend the Comprehensive Plan to change the Future

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Land Use from Highway Service District to a Planned Unit Development District in accordance with Sections 210, 213, and 508 of the Pennington County Zoning Ordinance.

W1/2SE1/4SE1/4 South of Hwy 16 Westboundless Lot A, Less Lot 1, and Less ROW; E1/2SE1/4SE1/4 South of Hwy 16 Westbound Less ROW; and That Part of the SW1/4SW1/4 lying S of Hwy 16 and W of CO RD, Sections 13 and 14, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve of Comprehensive Plan Amendment / CA 20-01.

Substitute motion: MOVED by DiSanto and seconded by Rossknecht to continue this item until the March 3, 2020 Commission meeting. Vote: Unanimous.

- H. FIRST READING AND PUBLIC HEARING OF MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT / PU 19-06: Rockerville Gold Town, LLC (Pat Hall); Brian Hammerbeck – Agent. To amend an existing Planned Unit Development to allow for townhomes, apartments, and commercial businesses in accordance with Section 213 of the Pennington County Zoning Ordinance.

W1/2SE1/4SE1/4 South of Hwy 16 Westboundless Lot A, Less Lot 1, and Less ROW; E1/2SE1/4SE1/4 South of Hwy 16 Westbound Less ROW; and That Part of the SW1/4SW1/4 lying S of Hwy 16 and W of CO RD; and Lots 6-15, Lot 17, Tract B-1 and Tract B-2; and Common Lot B of Rockerville Ghost Town Subdivision, Sections 13 and 14, T1S, R6E, BHM, Pennington County, South Dakota.

MOVED by Drewes and seconded by Rossknecht to continue this item until the March 3, 2020 Commission meeting. Vote: Unanimous.

- I. APPROVAL OF THE ANNUAL MS4 STORMWATER REPORT and STORMWATER MANAGEMENT PLAN: MOVED by DiSanto and seconded by Drewes to approve the 2019 MS4 Annual Report as presented. Vote: Unanimous.

**ITEMS FOR COMMISSION ASSISTANT**

- A. PROPOSED COMMISSION RETREAT: MOVED by Drewes and seconded by DiSanto to schedule a Commission Retreat on April 3, 2020 starting at 9:00 a.m. and direct staff to make the necessary arrangements. Vote: Unanimous.

**ITEMS FROM CHAIR/COMMISSION MEMEBERS**

**COMMITTEE REPORTS**

**2020 LEGISLATIVE SESSION**

- A. UPDATE ON PROPOSED BILLS/SESSION ACTIVITY:

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**APPROVAL OF VOUCHERS:** MOVED by LaCroix and seconded by Rossknecht to approve the vouchers as presented below for expenditures for insurance, professional services, publications, rentals, supplies, repairs, maintenance, travel, conference fees, utilities, furniture and equipment totaling \$2,375,487.58. Vote: The motion carried 4-0 with Hadcock abstaining from Price LLC in the amount of \$600.00.

3D Specialties Inc, 2,409.84; 731 Gold Street LLC, 300.00; A & B Business Inc, 2,848.92; A & B Welding Supply Co, 751.29; A & J Screening Park Bench Apparel LLC, 120.00; A To Z Shredding, 830.66; AAF-Black Hills, 170.00; Ace Steel And Recycling, 23.77; Adams-Isa LLC, 450.16; Advanced Auto Glass LLC, 60.00; Albertson Engineering Inc, 712.50; Alderman Jay, 54.00; Americinn Motel, 1,363.00; Anderson-Pelton Lisa, 167.53; Apco International Inc, 995.00; Aspen Dental, 1,500.00; AT&T Mobility, 852.38; Audra Hill Consulting Inc, 17,129.52; Ault Melissa, 87.20; Auto Body Specialties Inc, 195.25; Avesis, 3,387.29; Axon Enterprise Inc, 1,038.00; Badger Plumbing & Heating Inc, 1,142.55; Badlands Automotive, 739.46; Balco Uniform Co Inc, 8,885.47; Banks, Bridgette R, 1,020.75; Bargain Printing, 414.90; Barnier Law Office PC, 1,648.50; Basler Printing Co, 403.50; Batteries Plus Bulbs #934, 42.00; Behrens-Wilson Funeral Home, 3,445.35; BH Chemical Company Inc, 5,873.29; BH Energy, 23,110.95; BH Energy, 172.51; BH Energy, 49,038.22; BH Funeral Home & Cremation Service Inc, 1,910.00; BH Insurance Agenc Inc, 180.00; BH Obstetrics And Gynecology LLP, 153.26; BH Oral & Maxillofacial Surgery PC, 249.00; BH Orthopedic & Spine Center PC, 393.75; BH Powersports, 458.97; BH Regional Eye Institute LLP, 171.80; BH Services Inc, 389.81; BH Tent And Awning, 95.00; BH Urgent Care LLC, 1,050.00; BH Wilbert Vault, 400.00; Bi Inc, 9,701.25; Binder Tracy Lynn, 83.60; Birmeier Sandy, 108.00; Black Creek Integrated Systems Corp, 2,172.67; Black Hills Figure Skating Club, 3,306.23; Blackstrap Inc, 17,307.62; Bob Barker Company Inc, 10,990.87; Boken Melanie, 20.00; Boken Ryker, 20.00; Borden Michaela, 268.75; Bringswhite Erik, 4,042.50; Bringswhite Morgan, 3,450.00; Brownells Inc, 2,699.80; Cameron, George R, 75.40; Cash-Wa Distributing, 2,792.14; Cat's Cleaning, 40.00; CDW Government Inc, 53,266.58; Cedar Face, Ruth L, 4,000.00; Chris Supply Co Inc, 1,418.55; City Of Hill City, 29.45; City Of New Underwood, 1,303.20; City Of Rapid City -Water, 79.99; City Of Rapid City -Water, 637.77; City Of Rapid City -Water, 14.42; City Of Rapid City, 22,320.45; Clark Printing, 1,875.68; Clayborne, Deanna K, 550.60; Cline, Jean M, 926.65; Clinical Laboratory Of The Black Hills, 6,752.91; Combined Building Specialties Inc, 292.00; Community Health Center Of The Black Hills Inc, 968.00; Connections Inc EAP, 1,204.98; Contractors Insulation And Drywall Supply, 215.90; Copy Country, 732.00; Coremr LC, 981.00; Cornerstone Apartments, 289.00; Corral Park Apartments LLC, 1,295.00; Correct Rx Pharmacy Services Inc, 195.46; Crescent Electric Supply, 302.89; Crum Electric Supply, 1,965.65; Cummins Central Power LLC, 303.76; Dakota Battery & Electric, 211.16; Dakota Fluid Power Inc, 406.10; Dakota Plains Legal Services Inc, 28,750.00; Dakota Radiology Pet/Ct & MRI, 359.17; Dakota Sports, 145.00; Dakota Supply Group Inc, 2,346.23; Dale's Tire & Retreading Inc, 934.98; Darby Dental Supply LLC, 185.75; Data Management Inc, 968.10; Davignon Ivan B, 240.00; Davis, Jeremiah J, 582.00; Debnhads Investments LLC, 340.00; Defensive Edge Training & Consulting Inc, 46.15; Delaney Joseph, 100.00; Delta Dental Of South Dakota, 38,211.26; Dennis Supply - RC, 1,020.75; Denny Menholt Chevrolet, 2,396.70; De's Oil Inc, 1,672.00; Dharma Wellness Institute, 70.00; Diamond Vogel

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Paint Center, 480.11; Diesel Machinery Inc, 248.38; Dollison Decker Tracey R., 48.00; Drury, Jessie, 75.00; Duffy Law Firm, Prof. LLC, 6,596.00; Dupres Trista, 237.98; Eagle Enterprises, 3,024.94; Eagle Ridge Apartments I, 888.00; Eastern Penn Conservation, 7,788.75; Eaton Corporation, 10,640.60; Eide Brook M, 3,500.00; Election Systems & Software LLC, 47,333.73; Elevate Rapid City, 520.00; Eprovider Solutions, 471.00; Everbridge Inc, 18,000.00; Evergreen Office Products, 373.81; Executive Mgmt Fin Office, 24.00; Exhaust Pros, 50.00; Fairbanks Rhonda, 168.00; Fastenal Company, 582.56; Federal Express, 79.53; Fennell Design Inc, 5,303.60; Ferguson Enterprises Inc #226, 3,297.01; Fink, Teresa L, 1,068.75; First Interstate Bank, 1,282.92; First Interstate Bank, 472.56; First Interstate Bank, 62.81; First Interstate Bank, 53.86; Fish Veronica, 34.20; Fisher Anne, 600.00; Floyd's Truck Center, 6,079.13; Fmg Inc, 713.40; Foothills East Apartments, 280.00; Franco Leah, 20.00; Freed's Fine Furnishings, 962.08; French's Upholstery, 164.50; Fresh Start Carpet Care, 463.76; Fried Cora, 99.12; Frontier Auto Glass LLC, 500.00; Fruit Of The Loom, 668.28; Fuller Alecia, 80.00; G & H Distributing - RC, 165.13; G2 Enterprises, LLC, 240.00; Gallagher Benefit Services, Inc, 8,587.50; Galls LLC, 295.72; Gion Joe, 168.00; Global Tel'link, 11.31; GNS LLC., 240.00; Godfrey Brake Service And Supply Inc, 2,960.01; Goetz Mike, 175.00; Golden West Companies, 1,397.86; Great Western Tire Inc, 652.35; Grellind Printing Center, 1,216.55; Grey & Eisenbraun Law, Prof LLC, 2,357.50; Grimm's Pump Service Inc, 232.04; Grizzly Industrial Inc, 108.79; Gust Victor, 57.52; H&S Uniforms And Equipment LLC, 40.00; Harveys Lock Shop, 753.62; Haven Technology Corporation, 5,268.12; Heartland Paper Company, 7,832.94; Heffron Peter, 100.00; Hencken Process Service Inc, 50.00; Hill City Dental, 1,642.00; Hill City Hardware Inc, 299.17; Hill City Prevailer, 978.73; Hillyard/Sioux Falls, 526.56; Holiday Inn & Express - Brookings, 210.17; Holiday Stationstores LLC, 19.50; Humane Society Of The Black Hills, 4,166.67; Hurd Barik, 20.00; Hurd Garth, 20.00; Hurd Pierce, 20.00; Hurtig Christie, 150.00; Huschle Jesse, 169.97; Iacp, 1,225.00; Image All LLC, 1,441.92; Imaging Sciences International Dexis Gendex, 2,049.00; Independent Window Tinting LLC, 390.00; Indoff Inc, 3,162.57; Industrial Organizational Solutions Inc, 125.00; Institutions Services Inc, 297,815.07; International Public Management Association, 417.00; Interstate All Battery Center, 285.50; Intoximeters Inc, 3,750.00; Iret Properties - A North Dakota LP, 240.00; Jackson County, 330.00; Jackson Joseph M, 900.00; Jacqueline K Perli Reporting Inc, 896.25; Jantech LLC, 950.00; Jenner Equipment Co, 1,658.56; JJ's Engraving & Sales, 134.25; Johnson Controls Fire Protection LP, 486.00; Johnson, Kimberly K, 26.60; Jones Danielle, 23.78; Karley Kevin, 168.00; Katterhagen Mark, 42.00; Kennedy Pier Knoff Loftus LLP, 597.90; Keystone Ambulance Service, 455.00; Kieffer Sanitation/A Waste Management Co, 3,272.36; Kieffer Sanitation/A Waste Management Co, 136.80; Kimball Midwest, 1,299.50; Kinkade Funeral Chapel, 2,464.80; Kirk Funeral Home, 5,780.00; Kirschenmann, Kevin E, 1,155.00; Knecht Home Center Inc, 2,104.53; Knollwood Heights Apartments, 226.00; Knollwood Townhouse Properties, 977.00; Koch Company RC LLC, 240.00; Konica Minolta Premier Finance, 156.19; Lacrosse Investors, 700.00; Language Line Services, .68; Lazy U Motel, 400.00; Leadsonline LLC, 4,194.00; Lewno Lucille M, 602.00; Lingo Communications LLC, 72.54; Lockwood Darcy, 42.00; Loftus Ronald J., 1,667.25; Love, Todd A, 349.95; Lynn Jackson Schultz & Lebrun PC, 2,920.70; Manlove Psychiatric Group, 3,589.10; Maplewood Townhouses, 225.00; Marco Inc, 1,586.02; Marco Inc, 8,579.57; Maruska, Kayla L, 1,840.35; Matthew Bender & Co Inc, 714.00; Mcgas Propane LLC, 519.94; McGowan, Wendy T, 2,137.88; MCI Service Parts Inc, 164.74; Mckesson Medical-Surgical Government Solutions LLC, 3,365.90; Mckie Ford Inc,

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64.78; Medical Waste Transport Inc, 325.45; Medical Waste Transport Inc, 423.13; Medline Industries Inc, 406.98; Meetingone, 30.46; Menards, 1,272.05; MG Oil Company, 24,273.15; Midcontinent Communications, 39.49; Midcontinent Communications, 3,727.09; Midcontinent Testing Lab, 276.00; Midwest Auto Chemical, 1,701.65; Mitchell Clinic LTD, 62.13; Mogensen Mikki, 3.36; Mohler Cindy, 269.20; Morrill Jon, 100.00; Morse Watchmans Inc, 237.00; Moss Psy D LLC, William A, 5,100.00; Moyle Petroleum, 9,329.20; Mt Rushmore Telephone Co, 47.61; Mueller Brian, 66.96; Muhlbeier James, 200.00; Naadac, 440.00; National District Attorney's Association, 95.00; Nelson Law, 1,089.70; Nelson's Oil & Gas Inc, 1,185.90; New Start Rental Assistance Program, 248.00; Nohr, Linda J, 1,295.00; Norman Ted, 300.00; North Central International Of Rapid City Inc, 483.99; North Central Supply Inc, 900.00; Northern Heights Apartments, 156.00; Northern Truck Equipment, 13,120.70; Northwest Pipe Fitting Inc, 670.50; O'Day, Valarie, 214.40; Odegard, Amber L, 665.00; Office Depot, 3,231.95; Olson Carolyn, 6,862.50; Olson David, 320.45; Olson Stephanie, 168.00; Openlattice Inc, 1,500.00; O'Reilly Auto Parts, 7.07; Osheim & Schmidt Funeral Home, 1,700.00; Oster David, 168.00; Pacific Steel & Recycling, 1,492.53; Paradis Inc, 725.00; Parkway Carwash Inc, 16.00; Pederson Law Office LLC, 668.26; Penn Co Health & Human Sv Petty Cash, 726.49; Penn Co Jail Petty Cash, 1,664.00; Penn Co JSC Petty Cash, 20.00; Penn Co Sheriff Petty Cash, 1,767.54; Penn Co States Atty Petty Cash, 288.25; Pennington County Courant, 1,552.95; Pennington County Housing & Redevelopment, 831.00; Pepperball, 535.00; Pharmchem Inc, 1,290.70; Phoenix Supply LLC, 874.54; Pillen Optical Inc, 120.00; Pine Lawn Memorial Park Inc, 2,125.00; Pioneer Bank & Trust, 5,818.82; Pippit Samantha, 351.48; Pitney Bowes Reserve Account, 1,171.40; Ponderosa Screen Printing And Embroidery, 234.20; Power House, 1,033.13; Prairie Acres LLC, 287.00; Prairie Auto Parts Inc, 1,126.96; Prairie Schooner Towing, 388.75; Precision Mapping & Reconstruction LLC, 1,038.75; Pressure Services Inc, 667.99; Price LLC, 600.00; Print Mark-Et, 196.80; Priority Dispatch Corp, 22,643.00; Productivity Plus Account, 115.00; Proforma Screening Solutions LLC, 51.00; Quettier Nicolas, 396.00; Quill Corporation, 586.71; Radiology Associates Professional LLC, 423.19; Rapid Collision, 2,002.97; Rapid Delivery Inc, 126.50; Rapid Rooter, 1,170.00; Rapid Transit System, 90.00; RC Area School Dist 51-4, 2,221.61; RC Emergency Services PA, 308.83; RC Journal - Advertising, 4,203.39; RC Journal - Subscription, 220.00; RC Medical Center LLC, 286.09; RC Pizza Ranch, 185.59; RC Regional Hospital Inc, 4,517.82; RC Regional Hospital Inc, 1,831.00; RC Winair, 176.62; RDO Equipment Co, 33.13; RDO Equipment Co, 10,973.19; Record Storage Solutions, 384.30; Redwood Toxicology Inc, 728.11; Regional Health Home Plus LLC, 148.46; Regional Health Home Plus Pharmacy, 5,637.50; Reliance Telephone Inc, 18.00; Renfro Corporation, 187.36; Renner & Associates LLC, 1,436.50; Reuer, Allen, 840.00; Ricoh USA Inc, 2,260.33; Ricoh USA Inc, 138.17; Riter Dawn, 150.00; Rittberger Shannon, 114.00; RO Investigation And Research LLC, 5,320.75; Rochester Armored Car Company Inc, 439.03; Rocky Mountain Instrumental Laboratories, 1,000.00; Rose Dan, 129.92; Runnings Supply Inc, 98.91; Rushmore Safety Supplies, 44.00; Sand Scripts, 29.40; Sanford Labs, 200.30; Schiraldi, Angelo D, 300.00; Scovel Psychological, 13,860.00; Scull Construction, 606,399.28; SD Assoc Of Co Hwy Supt, 200.00; SD Council Of Community Behavioral Health, 3,097.23; SD Dept Health, 1,038.00; SD Dept Of Revenue, 10,640.10; SD Dept. Of Military, 1,805.00; SD Div Of Motor Vehicles, 10.00; SD Gov Human Resources Association, 75.00; SD Ltap, 875.00; SD Secretary Of State, 90.00; SDACC, 17,661.00; SDML Workers', 2,147.00; SDN Communications, 392.20; SDSU Extension, 65.70; Securus Technologies Inc, 18,333.26; Seifert,

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Mary Rae, 1,820.00; Servall Uniform/Linen Co, 1,602.47; Sherwin Williams Paints, 14.06; Sign Express, 179.94; Silver Star Septic LLC, 150.00; Simpliverified LLC, 495.00; Simpson's Printing, 330.50; Skinner Law Office PC, 9,214.85; Smith, George S, 300.00; Smoot & Utzman, 1,667.10; Snap On Tools, 34.50; Spencer David Chissie, 4,000.00; Stalker Radar, 1,795.00; Stan Houston Equipment, 123.66; Stand Up Desk Store, 1,015.07; Steinley Craig, 2,520.00; Stephens, Matthew T, 200.00; Stevens Paul, 168.27; Stop Stick LTD, 165.00; Street Smart Rentals Inc, 1,145.00; Sturdevant's Auto Parts, 8,100.16; Sturdevant's Refinish, 239.76; Suckow Kimberly, 22.68; Summit Food Service, 121,404.39; Summit Signs & Supply Inc, 81.00; Sundial Square Apartments, 478.00; SNYCB/Amazon, 40.24; Tessco Incorporated, 2,034.31; Tessier's Inc, 76.73; The Hartford, 2,626.72; The Little Print Shop Inc, 484.16; The Medicine Shoppe, 64.09; The Rehab Doctors Pc, 115.54; The Rushmore Hotel, 188.00; Thomson Reuters-West, 2,200.69; Thurman Kelly, 100.00; Tindall Bartels & Associates LLC, 5,871.00; Tkrs Properties LLC, 2,310.03; Trane U.S. Inc, 104,933.70; Transource Truck & Equipment Inc, 89.99; Tschetter And Adams Law Office PC, 1,142.90; Tuhy Allan, 700.00; Twilight Inc, 142.55; Tzadik Rapid City LLC, 150.00; Unkenholz Family Dental Prof LLC, 1,055.00; Upper Knollwood Townhouse, 176.00; Valley Village Park, 203.00; Vanway Trophy & Awards, 324.85; Vargo Mark, 2,026.94; Venture Architects, 3,694.30; Verizon Connect NWF Inc, 37.90; Verizon Wireless, 52.48; Verizon Wireless, 131.61; Vermeer High Plains, 421.63; Vlieger Tom, 72.24; Waddell Rachel, 188.00; Wagner Candace, 20.00; Walkenhorst's, 880.00; Wall Building Center & Construction, 712.40; Watertree Inc, 834.61; Weichmann, Cynthia M, 1,223.25; Wellmark, 268,066.28; Western Communication Inc, 4,728.75; Western Detention, 3,465.50; Western Mailers, 252.26; Western Stationers Inc, 4,453.49; Wex Bank, 323.20; Wex Bank, 973.11; Wex Bank, 9,850.65; Whelchel Amanda, 200.00; Whisler Bearing Co, 3,215.93; Whiting Hagg Hagg Dorsey & Hagg LLP, 2,282.67; Wiege Sanitation, 210.00; Winner Police Dept, 86.80; Winstead Cody, 20.00; Wolf, Ione, 267.50; Wood Stock Supply, 331.88; Working Against Violence, 1,009.52; Yankton Co Sheriff Office, 100.00; ZMC LLC, 15,469.21.

**ITEMS FROM PUBLIC**

**EXECUTIVE SESSION – SDCL 1-25-2**

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

MOVED by DiSanto and seconded by Rossknecht to go into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of discussing personnel matters. Vote: Unanimous.

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

**PAYROLL**

Commissioners, 8,812.61; Elections, 6,402.02; Auditor, 11,217.12; Treasurer, 30,693.12; State's Attorney, 137,889.66; Public Defender, 81,078.71; Buildings & Grounds, 66,203.13; Equalization, 42,548.05; Register of Deeds, 13,012.00; IT, 26,922.59; Human Resources, 5,554.41; Sheriff, 281,561.28; Jail, 320,114.46; JSC, 114,231.86; JSC Juvenile Alternative, 5,281.97; CCADP, 99,660.61; Economic Assistance, 34,885.61; Extension, 1,375.20; Weed & Pest, 5,084.00; Natural Resource Management, 4,188.00; Planning and Zoning, 18,955.24; Road

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& Bridge, 92,966.95; Fire Administration, 3,518.90; Dispatch, 100,290.63; Emergency Management, 4,761.13.; 24-7 Program, 13,095.31.

**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 29, 2020: Total balances of checking/savings accounts 11,604,406.09; Total balance of Treasurer's Office safe cash, 13,400.00; Total certificates of deposit, 10,534,212.33; Total Prime Value Investment, 19,617,306.30; Total petty cash, 16,740.00; NSF Check 868.00; Total long/short, (238.67); Total, 41,786,694.05. Submitted by Lori Wessel, Deputy Auditor.

**PERSONNEL**

Auditor: Effective 02/23/2020 – Sabrina Green at \$23.91/hr.

Buildings & Grounds: Effective 02/23/2020 – Rod Standing at \$21.70/hr.

Detox: Effective 02/23/2020 – Charisa Wilhelm at \$23.13/hr., Nicole Williams at \$21.18/hr. & Cynthia Woods at \$19.51/hr.

Dispatch: Effective 02/23/2020 – Kelsey Davis & Victoria Swedin at \$20.90/hr., Stefanie Jenks at \$21.15/hr., Chandra Neilan at \$30.63/hr., Nicole Nelson at \$22.49/hr., Levi Woodard at \$20.14/hr., Suzanne Comrie at \$20.90/hr. & Bryce Hoven & Selena Parce at \$19.90/hr.

Jail: Effective 02/23/2020 – Jacob Andrews, Caleb Dirksen & Savanna Warren at \$23.61/hr., Kasey Ballard & Kathleen Burns at \$24.79/hr., Aaron Bridges & Michael Clark at \$23.04/hr., Brian Burgner at \$24.51/hr., Christine Heying at \$17.85/hr., Mary Lee at \$17.62/hr., Steve McCune at \$28.43/hr., Tami Rosser at \$28.01/hr. & Alyssa Virgil at \$17.19/hr. Effective 02/24/2020 – Meggie Espinosa at \$16.77/hr. & Michael Cooper, Bobbie Rice & Tucker Watstonveal at \$22.47/hr.

Planning & Zoning: Effective 02/23/2020 – Jason Theunissen at \$23.62/hr., TJ Doreff at \$22.21/hr. & Dwayne Allen at \$21.96/hr.

Sheriff: Effective 02/23/2020 – Samuel Black at \$23.04/hr., Billy Davis at \$28.01/hr., William Davis Jr at \$21.70/hr., Elizabeth Doyle at \$17.02/hr., Jayson Herra, Jeffrey Jones, Christian Raby, Cody Rhoden & Jacob Tweeten at \$24.79/hr., Shawn Stalder at \$25.11/hr. & Melanie Strong at \$23.91/hr. Effective 02/24/2020 – Tyrel Minor at \$22.47/hr. & Matthew Scharn at \$23.32/hr.

State's Attorney: Effective 02/23/2020 – Tracey Dollison Decker at \$3,133.60/mo. & Mikenzi Petersen at \$21.42/hr.

Treasurer: Effective 02/23/2020 – Tina Christofferson, James Cross, Dawn Keegan, Miles Penticoff, & Brooke Walker at \$17.61/hr., Darsha Nelson at \$17.83/hr., Kaylee Sparks at \$16.98/hr. & Lauren Stanton at \$17.19/hr.

WSDJSC: Effective 02/23/2020 – Adam Byrd at \$23.61/hr., Mary Fair at \$23.91/hr., Joshua Logan at \$23.04/hr. & Collette Lucas at \$32.55/hr.

**ADJOURN**

MOVED by DiSanto and seconded by Rossknecht to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 1:49 p.m.

/s/ Cindy Mohler, Auditor

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