

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of September 1, 2020

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, September 1, 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: Gary Drewes, Lloyd LaCroix & Ron Rossknecht. Commissioner Mark DiSanto joined by videoconference. Pursuant to SDCL 1-25-1.5, all applicable votes were taken by roll call. All motions were unanimous unless otherwise stated.

**REVIEW AND APPROVE AGENDA**

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

**CONSENT AGENDA**

MOVED by LaCroix and seconded by Drewes to approve the Consent Agenda as presented. Vote: Unanimous.

6. Approve the minutes of the August 18, 2020, meeting.

**ITEMS FROM SHERIFF**

A. FLEET VEHICLE PURCHASE: MOVED by LaCroix and seconded by Drewes to award the bid for the purchase of four new 2021 Chevrolet Malibu 4-door sedans to Denny Menholt Chevrolet, Rapid City, SD, for a total purchase price of \$77,032. Vote: Unanimous.

**ITEMS FROM BUILDINGS & GROUNDS**

A. IONIZATION EQUIPMENT FOR HVAC SYSTEMS: MOVED by LaCroix and seconded by Rossknecht to authorize Mike Kuhl, Director of Buildings & Grounds, to accept O'Connor Company Quote P20-138DR dated August 24, 2020, totaling \$315,088 to install air purification equipment in HVAC air handling units at the Jail, Jail Annex, Public Safety Building, Building & Ground's Building & Juvenile Services Center. Vote: Unanimous.

**ITEMS FROM EMERGENCY MANAGEMENT**

A. 2021 LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (LEMPG): MOVED by Drewes and seconded by LaCroix to approve the 2021 LEMPG agreement and to authorize the Chair's signature thereto. Vote: Unanimous.

B. LOCAL EMERGENCY OPERATIONS PLAN REVIEW: Informational only.

C. 2021 US GEOLOGICAL SURVEY JOINT-FUNDING AGREEMENT (FLOOD WARNING SYSTEM): MOVED by LaCroix and seconded by Drewes to approve the 2021 Joint-Funding Agreement #21NTJFASD0017 and to authorize the Chair's signature thereto. Vote: Unanimous.

D. COVID-19 UPDATE: Informational only.

**ITEMS FROM EMERGENCY SERVICES COMMUNICATIONS CENTER**

A. DISPATCHER 4 POSITION IN 2020: MOVED by DiSanto and seconded by LaCroix to approve the addition of the Dispatcher 4 position at a Grade 16/DBM B24 to the current position listing on file in the Human Resources Office. Vote: Unanimous.

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**ITEMS FROM HIGHWAY DEPARTMENT**

A. **SD GAME, FISH & PARKS GENERAL SERVICE CONTRACT – HILL TOP PARKING LOT**: MOVED by DiSanto and seconded by LaCroix to authorize the Highway Department to enter into the General Services Contract with South Dakota Department of Game, Fish and Parks for snow removal and fall mowing at Hill Top Parking Lot for the 2020-2021 season. Vote: Unanimous.

B. **LETTING AUTHORIZATION SOUTH ROCHFORD ROAD BRIDGE**: MOVED by Rossknecht and seconded by Drewes to approve the letting authorization on Project BRF 6403(09) PCN02JT for the reconstruction of the South Rochford Road Bridge 52-162-272. Vote: Unanimous.

**ITEMS FROM HUMAN RESOURCES**

A. **EXCLUDED POSITION LIST – TREASURER’S OFFICE POSITIONS (ESSENTIAL POSITIONS TO BE EXCLUDED UNDER FFCRA HR 6201)**: MOVED by Drewes and seconded by Rossknecht to include the following positions in the Treasurer’s Office on the excluded/exempt positions list: Accountant, Tax and Title Assistant 1,2 and 3. Vote: Unanimous.

**REQUEST FOR REDUCTION IN THE SPEED LIMIT ON 159<sup>TH</sup> AVE – CHARLES SCHAAF**: Discussion only.

**10:00 A.M. PUBLIC HEARING PER SDCL 7-21-8 CONSIDERATION OF THE FY2021 PROVISIONAL BUDGET AS THE ANNUAL BUDGET OF APPROPRIATIONS, EXPENDITURES AND REVENUES**

MOVED by LaCroix and seconded by Drewes to increase the Operating Transfer from General Fund to E911 Fund in the amount of \$9,666. Vote: Unanimous.

MOVED by Drewes and seconded by Rossknecht to keep \$50,000 in the Public Defender’s 2021 budget for software needs but not designate it as an assigned long-term reserve. Vote: Unanimous.

MOVED by LaCroix and seconded by Drewes to reduce the Treasurer’s budget by \$150,000. Vote: Unanimous.

MOVED by Drewes and seconded by LaCroix to increase the Human Resource’s budget by \$15,000 which is to be budgeted as a long-term reserve for a future wage scale review. Vote: Unanimous.

MOVED by Rossknecht and seconded by Drewes to approve moving the Drug Diversion FTE to the State’s Attorney’s General Fund Budget, to approve a Pre-Trial Investigator position and new FTE for an Attorney effective in 2021 for a total increase of 3 FTE’s and further move to increase the State’s Attorney 2021 budget by \$125,827. Vote: The motion carried 4 to 1 with Hadcock voting no.

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MOVED by LaCroix and seconded by Rossknecht to combine the State's Attorney, Law Enforcement and Health and Human Services budgets into a new budget in the MacArthur Fund called the Safety and Justice Challenge budget. Vote: Unanimous.

MOVED by Drewes and seconded by LaCroix to continue the final approval of the 2021 Budget to the September 17, 2020, Board of Commissioners' meeting. Vote: Unanimous.  
No public comment was received.

MOVED Rossknecht and seconded by LaCroix for a five-minute recess. Vote: Unanimous.

MOVED by Drewes and seconded by LaCroix to reconvene. Vote: Unanimous.

**ITEMS FROM PLANNING & ZONING**

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

A. SUBDIVISION REGULATIONS VARIANCE / SV 20-03: David and Kari Kelting;  
Fisk Land Surveying - Agent. To waive submittal of road improvements and to waive submittal of percolation tests and soil profile information in a Low Density Residential District in accordance with Sections 207, 700, and 509 of the Pennington County Subdivision Regulations and Zoning Ordinance.

EXISTING LEGAL: Lot 4 of Tract 3, Tigerville Subdivision, Section 9, T1S, R4E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 4A and 4B of Tract 3 of Tigerville Subdivision, Section 9, T1S, R4E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by LaCroix to approve Subdivision Regulations Variance / SV 20-03, with the following two (2) conditions. Vote: Unanimous.

1. That this Variance is to waive road construction plans and road improvements to Tigerville Road only for proposed Lot 4B of Tigerville Subdivision and not for any further development or subdivision that accesses Tigerville Road; and,
2. That this Variance is to waive percolation tests and soil profile hole information only for proposed Lot 4B of Tigerville Subdivision and not for any further development, subdivision, or rezoning of this lot.

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

**PLANNING & ZONING REGULAR AGENDA**

B. SECOND READING OF ORDINANCE AMENDMENT / OA 20-05: Pennington County.

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To amend Section 510 “Conditional Use Permits” [to amend and supersede the existing Section 510 “Conditional Use Permits”] of the Pennington County Zoning Ordinance. MOVED by Drewes and seconded by LaCroix to approve the second reading and final adoption of Ordinance Amendment / OA 20-05. Vote: Unanimous.

**ORDINANCE #34-45**

AN ORDINANCE AMENDMENT TO THE PENNINGTON COUNTY ZONING ORDINANCE.

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

SECTION 510: Section 510 Conditional Use Permit shall be amended to read as follows:

SECTION 510 - CONDITIONAL USE PERMIT

Within each zoning district there are uses that are allowed by right. However, due to special characteristics attendant to their operation, other uses may be permitted in a zoning district subject to evaluation and approval by the approving authority. A Permit is required for any use identified in the Zoning Ordinance as a Conditional Use.

A. Applicability

Due to public health, safety, and welfare concerns, some Conditional Uses may be regulated by specific ordinance. For example, aggregate mining is permitted subject to approval by the Board of Commissioners under the procedures prescribed in PCZO Section 320. Conditional Uses not regulated by specific ordinance are considered and decided under PCZO Section 510.

B. Permit Process and Notice Requirements

1. Application.

Conditional Use Permit applications may be obtained from the Planning Department. Applications must be complete prior to consideration by the Planning Commission and include all of the following:

- a. Application fee.
- b. Name, mailing address, e-mail address, and telephone number of the applicant and property owner, and any authorized agent (if applicable).

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- c. Legal description, street address, or other description of real property that clearly identifies the real property which is the subject of the application.
- d. Current zoning district and surrounding zoning.
- e. Size and physical description of the subject property.
- f. Site plan showing location and yard setback distance for proposed and all existing buildings or structures. The site plan must also include location of wells, drain fields, septic tanks, recorded easements, driveways, and Special Flood Hazard areas.
- g. Utilities, size of any on-site wastewater treatment system, and water source.
- h. Current use and requested conditional use.
- i. Information relevant to specified criteria set forth in subsection D “Criteria for Evaluating Conditional Use Application.” *See* Application guidelines.
- j. Signature of applicant or authorized agent (if applicable) and property owner.
- k. Other information and documentation as required by the Planning Department.

FURTHER INFORMATION MAY BE REQUESTED AND REQUIRED BY THE PLANNING COMMISSION.

2. Notice.

Upon receipt of a complete application and payment of application fee, the Planning Department must provide the applicant a sign to be posted on the property that is the subject of the application. The purpose of the sign is to inform the public of the Conditional Use Permit application and must be posted in a location with the greatest visibility to the public. The sign must be posted no less than ten days prior to the public hearing on the application.

The applicant must also notify all property owners (including recorded Contract for Deed buyers) of land located within 500 feet, inclusive of any right-of-way, of the outer boundaries of the subject property of the pending CUP application. Based upon Department of Equalization records, the Planning Department will determine and provide a list of property owners within 500 feet. Notice must be by registered

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or certified mail at least 10 days prior to the public hearing on the application. The applicant must use “Notice of Hearing” letters provided by the Planning Department.

3. Public Hearing

Upon receipt of a complete application (including application fee) and proper notice to adjoining landowners, The Planning Commission must hold a public hearing on the application. Notice of time and place of hearing must be given at least 10 days in advance by publication in the legal newspapers of the County.

C. Approving Authority

The Planning Commission is the approving authority of a Conditional Use regulated under PCZO Section 510. The Planning Commission may approve, approve with conditions, or deny the Conditional Use application. Approval of a Conditional Use requires the affirmative majority vote of the Commission.

D. Criteria for Evaluating Conditional Use Application

Conditional Uses decided under PCZO Section 510 must meet the following criteria:

**Criteria 1:** The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.

Application guideline: Explain how the proposed land use will fit into the neighborhood. If there is going to be lighting, noise, outdoor storage, traffic, or other outside activities, explain how the activities will be limited to a reasonable level.

**Criteria 2:** The uses, values and enjoyment of other property in the neighborhood for purposes already permitted may not be in any foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

Application guideline: Explain how the proposed land use will fit into the neighborhood and what will be done to avoid potential nuisances, such as limiting the hours of operation, noise control measures, adequate parking, paving the parking area, or the screening of outdoor storage.

**Criteria 3:** That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

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Application guideline: Explain how the proposed land use will not interfere with the development of the surrounding property.

**Criteria 4:** That adequate utilities, access roads, drainage and other necessary site improvements will be provided.

Application guideline: Explain what impact the proposed use has on such things as water, septic, storm water, electricity, and traffic. Provide information on improvements that may be needed or if additional buildings are needed.

**Criteria 5:** Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Application guideline: Provide information on vehicle traffic that the proposed use will generate include frequency and types of vehicles.

**Criteria 6:** That the Conditional Use will conform to all applicable regulations of the district in which it is located.

Application guideline: Review the current zoning districts to ensure your project is compliant and in harmony with current land use guidelines.

**Criteria 7:** That the Conditional Use is consistent with the adopted County Comprehensive Plan.

Application guideline: Review the current Pennington County Comprehensive Plan to ensure your project is compliant and in harmony with future land use guidelines.

E. Appeal

An appeal of a decision granting or denying a Conditional Use Permit must be brought under a petition, duly verified, for a writ of certiorari directed to the Planning Commission and as prescribed in SDCL Chapter 11-2.

F. Review of Conditional Use

Conditional Uses are subject to review by the Planning Commission for compliance with conditions of approval. A review may occur as a condition of approval, at the request of the Planning Commission, or upon a substantiated complaint. At the conclusion of the review, the Planning Commission may (1) approve the Conditional Use under the conditions already imposed; (2) approve the Conditional Use with additional conditions, subject to another review; (3) schedule another review; or (4) schedule a revocation hearing in accordance with subsection (I) of this Ordinance.

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G. Expiration

A Conditional Use Permit expires if:

1. The Conditional Use for which the Permit was granted ceased for a period of one year; or,
2. The Conditional Use for which the Permit was granted was not established, according to the terms and conditions of the Permit, within two years from date of approval.

H. Building Permit

If a Building Permit application is submitted for purpose of a Conditional Use, the Building Permit may be issued only upon approval of the Conditional Use application. A decision approving a Conditional Use is subject to appeal by filing a petition for writ of certiorari. Applicants are advised any and all construction must cease upon the filing of a petition.

I. Revocation of Conditional Use Permit

Any Conditional Use approved under the provisions of PCZO Section 510 must be established and conducted in conformity with the conditions of approval of the Permit. Failure to comply with conditions of approval is cause for revocation of the Permit.

The Planning Director may schedule a revocation hearing before the Planning Commission if:

- the owner or applicant has failed repeatedly to comply with the conditions of the approved Permit; or,
- the continued Conditional Use is a threat to public health, safety, or general welfare.

Notice of time and place of hearing shall be given, in writing, to the permit holder at least 10 days in advance of hearing. Surrounding property owners must also be given written notice of the hearing as provided under Section 510.B.2. In addition, notice of time and place of the hearing shall be published at least 10 days in advance of hearing in the legal newspapers of the County.

J. Enforcement:



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Failure to comply with conditions of approval of a Conditional Use Permit is a violation of Pennington County Zoning Ordinance and subject to the enforcement provisions of PCZO Section 514.

K. Amendments:

Amendments to a Conditional Use Permit will be considered and approved in the same manner as required for a separate Conditional Use application.

L. Ratification of Conditional Uses:

The South Dakota Supreme Court decision of *Pennington County v. Moore*, 525 N.W.2d 257 (SD 1994) invalidated the then in effect Pennington County Zoning Laws. All Conditional Uses established at the time of the *Moore* decision are ratified and approved pursuant to the conditions of the Permit.

C. PLANNED UNIT DEVELOPMENT REVIEW / PU 08-01: Leslie McGourty. To review a Planned Unit Development in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 1 of Voshall Addition, Section 10, T2S, R6E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Drewes to end Planned Unit Development / PU 08-01 as it is no longer needed. Vote: Unanimous.

D. ROAD NAMING: Richard and Lorayna Papousek. To name a 20-foot-wide Section Line road providing access to properties located in Sections 25 and 36, T1N, R16E, BHM, South Dakota, to Papousek Road. MOVED by DiSanto and seconded by LaCroix to approve the Road Naming of Papousek Road. Vote: Unanimous.

E. PRELIMINARY PLAT / PPL 20-21: David Grover. To create Lots A, B, C, and D of Buzmar Subdivision in accordance with Section 400.2 of the Pennington County Subdivision Regulations.

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

PROPOSED LEGAL: Lots A, B, C, and D of Buzmar Subdivision, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by LaCroix to approve Preliminary Plat / PPL 20-21 with the following five (5) conditions. Vote: Unanimous.

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1. That the applicant ensures all natural drainage ways are maintained and are not blocked;
2. That the Certifications on the plat be in accordance with Section 400.2 of the Pennington County Subdivision Regulations and as deemed appropriate by the Register of Deeds;
3. That prior to filing the plat with the Register of Deeds, all the requirements of Pennington County Subdivision Regulations are met, or approved Variances to the Subdivision Regulations be obtained waiving any of these requirements that are not met;
4. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance; and,
5. 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.

F. LAYOUT PLAN / LPL 20-23: Link SD Ranches, LLC; Dwight Gubbrud - Agent. To create Tract A, Tract B, Tract C, Tract D, and Tract E of Denke Ranch Addition in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: PT NW1/4SW1/4 Lying S and E of Hwy ROW; PT NE1/4NW1/4 Lying S and W of Hwy ROW; S1/2SW1/4; PT SE1/4 Lying S and W of HWY ROW and PT SW1/4 Lying S and W of Hwy ROW, Sections 21 and 22, T5N, R16E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract A, Tract B, Tract C, Tract D, and Tract E of Denke Ranch Addition, Sections 21 and 22, T5N, R16E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by DiSanto to approve Layout Plan / LPL 20-23 with the following eight (8) conditions. Vote: Unanimous.

1. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
2. That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;
3. That prior to the Plat being recorded with the Register of Deeds, the Notary Certificate for the Acknowledgement of Owner be corrected;
4. That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of the requirements that are not met. A Variance request for the Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;
5. That the applicant ensures that all natural drainage ways are maintained and are not blocked;

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6. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
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 Plan does not constitute approval of any further applications to be submitted for the above-described property.

G. LAYOUT PLAN / LPL 20-22: David and Kari Kelting; Fisk Land Surveying – Agent. To subdivide and create Lots 4A and 4B of Tract 3 of Tigerville Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 4 of Tract 3, Tigerville Subdivision, Section 9, T1S, R4E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 4A and 4B of Tract 3 of Tigerville Subdivision, Section 9, T1S, R4E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Drewes to approve Layout Plan / LPL 20-22 with the following nine (9) conditions. Vote: Unanimous.

1. That the applicants obtain approved Approach Permits from the Tigerville Road District prior to installation of any approaches off of Tigerville Road;
2. That prior to Minor Plat submittal, the applicant improve Tigerville Road to Pennington County Road Standards or obtain an approved Subdivision Regulations Variance to waive these requirements;
3. That prior to Minor Plat submittal, the applicant provide percolation tests and soil profile hole information or obtain an approved Subdivision Regulations Variance to waive these requirements;
4. That the applicant ensures all natural drainage ways are maintained and not blocked;
5. That prior to Minor Plat submittal, the Certifications on the Minor Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations;
6. That at the time of Minor Plat submittal, the plat meets 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;
7. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
8. That following platting of the proposed lot, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit; and,

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9. That approval of this Layout Plan does not constitute approval of any further applications to be submitted for the above-described property.

**ITEMS FROM CHAIR/COMMISSION MEMBERS**

A. REMINDER – NEXT COMMISSION MEETING – THURSDAY, SEPTEMBER 17, 2020  
DUE TO SDACC ANNUAL CONVENTION

B. 2020 PROPOSED RESOLUTIONS AND POLICY STATEMENT CHANGES – SOUTH  
DAKOTA ASSOCIATION OF COUNTY COMMISSIONERS: MOVED by LaCroix and seconded by Drewes to support the three resolutions proposed which will be voted upon at convention. Vote: Unanimous.

**APPROVAL OF VOUCHERS:** MOVED by Drewes and seconded by LaCroix 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 \$450,414.78. Vote: Unanimous.

A & A Professional Property Management, 500.00; Affordable Accommodations, 340.00; Ashley, John W, 200.00; AT&T Mobility, 4,629.20; Bailey-Meier Derick, 800.00; Bear Runner Apalonia, 800.00; BH Energy, 351.69; BH Energy, 75,195.18; BH Energy, 445.88; BH Energy, 415.99; BH Energy, 338.05; BH Energy, 315.60; Center Jonathan William, 800.00; Century Link, 270.21; Chase Alone Adeline, 800.00; City Of Hill City, 40.89; City Of Rapid City -Water, 1,060.98; City Of Rapid City -Water, 20,792.71; City Of Rapid City -Water, 5,754.03; Clifford Chantel, 800.00; Conroy Tina, 800.00; Cornerstone Apartments, 500.00; Custer Gas, 86.58; Driftwood Estates, 677.00; Eagle Ridge Apartments I, 211.00; Evenson, Barbara L., 875.00; Executive Mgmt Fin Office, 87.75; Fancy Fox LLC, 500.00; Freedom Mortgage Corporation, 900.00; G2 Enterprises LLC, 400.00; Green Realty, 300.00; Harmony Heights, 1,958.00; Iron Cloud Chelsea, 800.00; Kieffer Sanitation/A Waste Management Co, 3,984.56; Knight Norma, 500.00; Kraig Blomme Rentals, 390.00; Lacrosse Investors, 541.04; Lazy U Motel, 300.00; Lingo Communications LLC, 74.59; Little Katie Eileen, 880.00; Martinez Edward, 800.00; Medical Waste Transport Inc, 562.44; Midcontinent Communications, 4,431.45; Midcontinent Communications, 530.47; Midcontinent Communications, 4,080.66; Montana Dakota Utilities, 330.00; Montana Dakota Utilities, 3,083.04; Montana Dakota Utilities, 170.74; Northern Heights Apartments, 305.00; Paradis Inc, 210.00; Pennington County Housing & Redevelopment, 1,873.94; Pioneer Bank & Trust, 8,487.21; Pioneer Bank & Trust, 5,114.75; Pioneer Bank & Trust, 14,457.82; Pioneer Bank & Trust, 1,806.23; Pioneer Bank & Trust, 1,489.59; Poor Bear Shannon Rae, 960.00; Quiver Robert, 800.00; Randash James M, 300.00; Reliance Telephone Inc, 11.00; Rushmore Real Estate Group Limited, 340.00; Sakura LLC, 213.00; Sd Rose Inn, 370.00; SDN Communications, 648.00; SDRC Terra Kennedy Mhp2 LLC, 288.00; Simpson & Associates Appraisal Services, 5,150.00; The Palms Apartments LLC, 306.00; Tzadik Rapid City LLC, 1,918.60; Vast Broadband, 120.15; Vast Broadband, 1,618.30; VB Rapid Creek, 1,011.00; Verizon Connect NWF Inc, 32.38; Verizon Wireless, 771.73; Verizon Wireless, 1,616.87; Wellmark, 254,639.00; West Park Ltd, 221.00; West River Electric, 314.03; West River Electric, 1,036.45; Whisper Rock Apartments, 240.00; Willy's Saw Shop LLC, 340.00.

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**EXECUTIVE SESSION – SDCL 1-25-2**

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

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

MOVED by Drewes and seconded by LaCroix to go into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of discussing personnel matters and SDCL 1-25-2(3) for contractual/pending litigation. Vote: Unanimous. The Board remained in Executive Session from 12:18 p.m. until 1:02 p.m. MOVED by LaCroix and seconded by Drewes to come out of Executive Session. Vote: Unanimous.

Commissioner Rossknecht did not return right away after Executive Session.

MOVED by LaCroix and seconded by DiSanto to approve back Out-of-Class differential pay for Correctional Officer Caleb Billings, in the amount of \$885.47, for regular and overtime hours between January 27, 2020, and August 15, 2020. Vote: Unanimous.

Commissioner Rossknecht returned to the meeting at 1:04 p.m.

MOVED by LaCroix and seconded by DiSanto to approve back Out-of-Class differential pay for Correctional Officer Robert Snyder, in the amount of \$905.02, for regular and overtime hours between January 27, 2020, and August 22, 2020. Vote: Unanimous.

**PAYROLL**

Commissioners, 8,812.60; Elections, 7,839.00; Auditor, 10,327.42; Treasurer, 35,299.48; State's Attorney, 139,729.80; Public Defender, 74,198.40; Buildings & Grounds, 63,226.49; Equalization, 40,390.21; Register of Deeds, 14,391.21; IT, 23,200.72; Human Resources, 5,607.22; Sheriff, 276,098.28; HIDTA Grant, 4,348.26; Jail, 314,823.13; JSC, 105,607.89; JSC Juvenile Alternative, 4,554.78; CCADP, 106,417.91; Economic Assistance, 33,148.00; Extension, 1,409.60; Weed & Pest, 14,615.68; Planning and Zoning, 18,294.67; Road & Bridge, 90,747.90; Fire Administration, 3,532.60; Dispatch, 97,528.16; Emergency Management, 4,881.82; 24-7 Program, 8,599.45.

**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 August 24, 2020: Total balances of checking/savings accounts 13,483,172.02; Total balance of Treasurer's Office safe cash, 13,400.00; Total certificates of deposit, 8,559,017.19; Total Prime Value Investment, 17,448,106.65; Total petty cash, 17,040.00; Total long/short, (530.69); Total, 39,520,205.17. Submitted by Lori Wessel, Deputy Auditor.

**PERSONNEL: Amounts listed are hourly, bi-weekly or per meeting depending on position.**  
**Buildings & Grounds:** Effective 09/06/2020: James Bohn, \$27.07; Rodney Weller, \$15.98. Effective 09/08/2020: Zachry Lawson, \$20.38; Cathy Stewart, \$15.21.

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of September 1, 2020

CCADP: Effective 09/06/2020: Brenda Sehr, \$29.53; Austin Sorensen, \$19.43; Amanda Whelchel, \$2,240.80.

Equalization: Effective 09/08/2020: Joseph Hedrick, \$18.48; Christina Willar, \$18.48; Megan Premer, \$18.48.

HHS: Effective 09/20/2020: Michael Goetz, \$22.47.

Highway: Effective 09/08/2020: Lee Mader, \$18.48.

Jail: Effective 09/06/2020: Cassandra Paulson, \$15.21; Trevor Grueb, \$25.11; Kathleen Houston, \$2,848.80; Andrew Diro, \$28.08; Eric Mendez, \$18.05.

JSC: Effective 09/06/2020: Rebecca MacLanders, \$2,014.40.

Planning & Zoning: Effective 09/20/2020: Jeri Ervin, \$24.82.

Public Defender: Effective 09/08/2020: Ryan Sutton, \$2,642.40.

Sheriff: Effective 09/06/2020: Corey Brubakken, \$2,136.00; Michael Bock, \$19.70; Matthew Bowman, \$23.61; Christopher Plawman, \$28.08; Jerome Smith, \$31.70.

Weed & Pest: Effective 10/04/2020: Peter Heffron, \$16.78.

**ADJOURN**

MOVED by Drewes and seconded by LaCroix to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 1:05 p.m.

/s/ Cindy Mohler, Auditor

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