

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of May 19, 2020

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, May 19, 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 LaCroix to approve the agenda as presented with the removal of Items 13A & B and move Executive Session to follow the Consent Agenda. Vote: Unanimous.

CONSENT ITEMS

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

5. Minutes of the regular meeting – May 5, 2020.
6. Approve the renewals of the Retail (on-off sale) Malt Beverage & SD Farm Wine Licenses as presented and to release the licenses upon payment of appropriate property taxes.
7. Schedule a hearing at 9:15 am on Thursday, June 4, 2020 to supplement the General Fund Sheriff's Office budget in the amount of \$10,000 from current year revenue.
8. Declare surplus for the purpose of sale or disposal, one Glock 19, Serial number BCHV831.
9. Recognize and thank the volunteers for the month of April 2020.

End of Consent Agenda

EXECUTIVE SESSION – SDCL 1-25-2

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

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

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

MOVED by Drewes and seconded by LaCroix to approve the reclassification of three internal applicants; one Booking Technician, one Detox Technician and one Medical Technician to the position of Correctional Officer, effective 05/31/2020. Vote: Unanimous.

MOVED by LaCroix and seconded by DiSanto to authorize the Highway Department to advertise for the hire one highway foreman, for the Hill City division and to back-fill any position that that may become vacant from an inhouse applicant. Vote: Unanimous.

ASSIGNMENT AGREEMENT – B-1 DEVELOPMENT INC. (TIF #4): MOVED by LaCroix and seconded by Rossknecht to approve the Chair's signature to the Assignment Agreement between B-1 Development, Inc. and Dacotah Bank relating to Tax Increment District #4. Vote: Unanimous.

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VARIANCE TO ORDINANCE 14: MOVED by Rossknecht and seconded by Drewes to approve a variance to Ordinance 14 Standards and allow a second approach to the property located at 10030 Pioneer Ave, Rapid City, SD, as long as it complies with the Highway Department standards. Vote: Unanimous.

ITEMS FROM AUDITOR

- A. **REQUEST TO FILL OPEN FTE:** MOVED by LaCroix and seconded by Drewes to approve the request to fill the open FTE. Vote: Unanimous.
- B. **SP20-007 SUPPLEMENTAL JAIL AND DEBT BUDGETS:** MOVED by LaCroix and seconded by Drewes to supplement the following budgets within the General Fund: Jail budget in the amount of \$345,533; from Proceeds from Long Term Debt; the Principal-Kitchen Equipment Lease budget in the amount of \$72,156; and the Interest-Kitchen Equipment Lease budget in the amount of \$10,452, from unassigned fund balance. Vote: Unanimous.

ITEMS FROM EMERGENCY MANAGEMENT

- A. **COVID-19 UPDATE – ANY AND ALL OTHER BUSINESS RELATED TO THE COVID-19 VIRUS**
- B. **EMERGENCY HOMELESS SHELTER COST SHARE:** MOVED by Drewes and seconded by LaCroix to approve a cost share agreement with the City of Rapid City up to \$75,000 to cover the initial operational costs of the temporary Emergency Homeless Shelter. Vote: Unanimous.

ITEMS FROM EQUALIZATION

- A. **ABATEMENT APPLICATION:** MOVED by Rossknecht and seconded by LaCroix to approve the following abatement application for the 2019 tax year. Vote: Unanimous.
 - 1. Angela Carter, Tax ID #8009309, \$49.00.

ITEMS FROM HIGHWAY

- A. **ROAD AND BRIDGE INFRASTRUCTURE CONDITION REPORT**

LaCroix acknowledged that four of the liquor licenses that were on the Consent Agenda were LaCroix's employer MG Oil.

ITEMS FROM HUMAN RESOURCES

- A. **NEW POSITION TITLES – GALLAGHER WAGE STUDY:** MOVED by LaCroix and seconded by Drewes to approve the following new position titles and DBM ratings for 2021 implementation:
 - Commission Office:** Commission Manager C44; Commission Assistant B23.
 - Weed & Pest Department:** Natural Resources Director D61; Natural Resources Foreman B31; Natural Resources Technician B21; Natural Resources Sawyer A12; Weed & Pest Enforcement Technician A12; Weed & Pest Applicator A12.
 - Planning Department:** Administrative Assistant B23; Administrative Specialist A13; Administrative Support A11; Senior Planner C41; Planner B23; Assistant Planner B21;

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Planning Technician A13; Senior Environmental Planner C42; Environmental Planner B24; Assistant Environmental Planner B22; Environmental Planner Technician A13; Ordinance Enforcement Officer B31; Building Inspector B22.

Register of Deeds: Deputy Clerk 1 A13; Deputy Clerk 2 B22.

Treasurer's Office: Administrative Support A11; Tax & Title Lead B22, Training Coordinator B23; Office Manager C41. Vote: Unanimous.

ITEMS FOR COMMISSION OFFICE MANAGER

A. PROPOSED RESOLUTIONS FOR BHACC/SDACC

ITEMS FROM CHAIR/COMMISSION MEMEBERS

COMMITTEE REPORTS

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 \$4,120,158.29. Vote: The motion carried 4-0 with Hadcock abstaining from Price LLC in the amount of \$936.00.

A & A Professional Property Management, 1,278.00; A & B Business Inc, 2,396.72; A & B Welding Supply Co, 849.55; A To Z Shredding, 634.81; Active Data Systems Inc, 1,950.47; Adams-Isc LLC, 967.11; Advanced Drug Testing Inc, 92.00; Affordable Accommodations, 400.00; Americas Best Value Inn, 588.00; Americinn By Wyndham Hartford, 798.00; Americinn Motel, 611.00; Apco International Inc, 94.00; Architectural Specialties LLC, 21,399.40; Asphalt Zipper, 212.36; Audra Hill Consulting Inc, 14,338.98; Auto Body Specialties Inc, 172.19; Autoclear LLC, 6,300.00; Avanti Motel, 240.00; Avesis, 3,425.83; Axon Enterprise Inc, 1,363.00; Bahr PJ, 154.36; Balco Uniform Co Inc, 2,586.46; Bangs, Mccullen, Butler, Foye & Simmons, LLP, 5,112.60; Bargain Printing, 1,133.05; Barnier Law Office PC, 1,669.50; Bauerkemper's Inc, 14,650.00; Behrens-Wilson Funeral Home, 1,959.10; Best Western Ramkota Hotel, 459.95; BH Chemical Company Inc, 13,849.37; BH Energy, 99.05; BH Energy, 17,139.47; BH Energy, 51,849.87; BH Funeral Home & Cremation Service Inc, 1,910.00; BH Orthopedic & Spine Center PC, 895.27; BH Services Inc, 389.81; BH Surgical Hospital LLC, 3,260.12; BH Tent And Awning, 72.50; BH Urgent Care LLC, 435.00; BH Wilbert Vault, 800.00; BH Window Cleaning Inc, 36,400.00; Bi Inc, 8,300.30; Bierschbach Equipment And Supply Co Inc, 260.00; Big Sky Lodge, 200.00; Black Hills Portables Inc, 300.00; Blake's Trailer Sales & Repair, 101.00; Bob Barker Company Inc, 3,910.68; Border States Electric, 499.07; Bridgewood Estates LP, 660.00; Bringswhite Erik, 2,887.50; Bringswhite Morgan, 1,500.00; Brosz Engineering Inc, 14,440.00; Carrot-Top Industries Inc, 394.04; Cash-Wa Distributing, 2,459.36; Cat's Cleaning, 40.00; CC Property Management LLC, 2,530.00; CDW Government Inc, 44,968.69; Cedar Canyon Camp, 600.00; Chris Supply Co Inc, 126.20; Christy Brayden, 412.50; City Of Rapid City, 85.00; City Of Rapid City -Water, 196.89; City Of Rapid City, 18,679.58; City Of Wall, 144.50; Clark Printing, 15,788.46; Clayborne, Loos & Sabers LLP, 3,192.90; Climate Control Systems And Service LLC, 2,709.99; Cline, Jean M, 1,683.00; Clinical Laboratory Of The Black Hills,

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11,545.72; Clyde Shannon, 189.00; CMI-Teco, 216.36; Colbath Atty PC, Angela M, 6,925.60; Community Health Center Of The Black Hills Inc, 995.00; Connections Inc EAP, 1,204.98; Contractors Insulation And Drywall Supply, 82.16; Contractors Supply Inc, 112.40; Copy Country, 1,504.50; Coremr LC, 1,122.00; Correct Rx Pharmacy Services Inc, 14,270.21; Cozy Property Rentals LLC, 550.00; Crescent Electric Supply, 845.62; Crum Electric Supply, 7.64; Culligan Water, 75.00; Cummins Central Power LLC, 1,216.27; D & R Service Inc, 953.73; Dahlke Renee A, 300.00; Dakota Battery & Electric, 211.16; Dakota Fluid Power Inc, 38.29; Dakota Plains Legal Services Inc, 28,750.00; Dakota Supply Group Inc, 3,965.31; Dakotaland Autoglass Inc, 400.00; Dale's Tire & Retreading Inc, 446.64; Darby Dental Supply LLC, 312.85; Dash Medical Gloves Inc, 1,468.68; Davis, Jeremiah J, 1,346.70; Delta Dental Of South Dakota, 38,816.38; Dennis Supply – RC, 671.18; Denny Menholt Chevrolet, 4,026.76; Dharma Wellness Institute, 70.00; Diamond Vogel Paint Center, 312.31; Diesel Machinery Inc, 267.10; Dillon Law Office, 1,312.55; Driftwood Estates, 1,141.00; Drury, Jessie, 75.00; Duffy Law Firm, Prof. LLC, 4,342.35; Dyna-Kleen Service Inc, 775.00; Eagle Ridge Apartments II, 253.00; Eprovider Solutions, 588.50; Ertz, Dewey J, 2,100.00; Estes Park Apartments, 1,040.00; Evergreen Office Products, 645.52; Executive Mgmt Fin Office, 25.00; Executive Mgmt Fin Office, 25.00; Fagerland Jesse, 63.97; Faiman Paul, 100.00; Fair Value Inn, 652.40; Fastenal Company, 5,295.78; Federal Express, 69.07; Ferber Engineering Company, 85,660.00; Ferguson Enterprises Inc #226, 316.40; Fink, Teresa L, 1,332.90; First Interstate Bank, 237.32; First Interstate Bank, 506.45; First Interstate Bank, 1,235.91; Fisher Anne, 1,200.00; Fitzgerald John, 462.00; Flooring America, 20.00; Floyd's Truck Center, 2,101.07; Foothills Seed Inc, 2,293.27; Fox & Youngberg P.C., 763.48; Fresh Start Carpet Care, 484.00; Gallagher Benefit Services, Inc, 3,000.00; Galls LLC, 144.55; Global Tel'link, 10.49; Godfrey Brake Service And Supply Inc, 982.76; Golden West Companies, 1,078.06; Golden West Companies, 309.32; Golden West Technologies, 635.83; Gotcha Covered, 3,530.65; Governmentjobs.Com Inc, 20,535.00; Great Western Tire Inc, 24.95; Grey & Eisenbraun Law, Prof LLC, 6,234.20; Grimm's Pump Service Inc, 375.67; Haakon County Auditor, 440.00; Hainesway Apartments/BHPM, 300.00; Hajoca Corporation, 2,068.36; Harris, Betsey, 1,958.95; Harveys Lock Shop, 1,455.45; Heartland Paper Company, 16,900.59; Held, Aspen, 137.50; Hill City Hardware Inc, 44.97; Hill City Prevailer, 917.13; Hill City Public Library, 14,444.00; Hill, Ross, 900.00; Hills Septic Service, 2,100.00; Hillyard/Sioux Falls, 1,494.74; Horn, Garrett J, 241.50; Horwath Laundry Equipment, 1,156.46; Huber, Kerri Cook, 90.00; Humane Society Of The Black Hills, 4,166.67; Image All LLC, 906.48; Inclusion Solutions LLC, 164.96; Indoff Inc, 1,193.54; Infogroup Inc, 485.00; Interstate All Battery Center, 340.80; Intoximeters Inc, 863.75; Jantech LLC, 825.00; Jefferson Partner LP, 120.50; Johnson Controls, 345.17; Johnson, Kimberly K, 26.60; Kahler Property Management, 2,380.00; Karen Paige Hunt Prof LLC, 95.00; Katterhagen Mark, 142.50; KCI USA Inc, 4,482.09; Keegan, Stephen, 275.00; Kennedy Pier Knoff Loftus LLP, 358.20; Keystone Ambulance Service, 729.59; Keystone City Hall, 4,872.00; Kieffer Sanitation/A Waste Management Co, 175.43; Kieffer Sanitation/A Waste Management Co, 3,034.43; Kieffer Sanitation/A Waste Management Co, 136.80; Kimball Midwest, 1,899.05; Kirschenmann, Kevin E, 1,890.00; KLJ Engineering LLC, 17,300.56; Knecht Home Center Inc, 1,620.79; Knollwood Heights Apartments, 536.00; Konica Minolta Premier Finance, 156.19; KPI Tactical, 222.00; KS Statebank, 10,350.82; Lacial Equipment, 4,207.86; Lacroix Heather M, 106.70; Lakota Community Homes Inc, 678.00; Language Line Services, 11.02; Laubach Law Office Prof LLC, 1,666.25; Law Office Of Kyle Krause Prof LLC, 4,520.50;

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Lena, Justin R, 412.50; Lewis & Clark Behavioral Health Services, 712.00; Lewno Lucille M, 1,546.00; Liberty Chrysler Center, 652.05; Lifestyle Property Management, 1,795.00; Lingo Communications LLC, 74.57; Link Carpet Service, 675.00; Lockwood Darcy, 154.50; Loftus, Robert, 855.00; Loftus, Ronald J., 2,479.50; Love, Todd A, 4,766.31; Loyal Plumbing LLC, 20,500.14; Lutheran Social Services Of Sd, 36,832.04; Lynn Jackson Schultz & Lebrun PC, 3,664.40; M & M Fencing, 20,430.00; Macnally Law Offices Prof LLP, 929.60; Maple Green LLC, 675.00; Maplewood Townhouses, 225.00; Marco Inc, 1,259.63; Marco Inc, 10,176.98; Maruska, Kayla L, 478.80; Matrix Design Group Inc, 3,152.00; Matthew Bender & Co Inc, 714.00; Megas Propane LLC, 405.56; MCGowan, Wendy T, 5,510.57; Mckesson Medical - Surgical Inc, 73.33; Mckesson Medical-Surgical Government Solutions LLC, 2,570.80; Mckie Ford Inc, 120.96; Medical Waste Transport Inc, 759.99; Medline Industries Inc, 497.21; Meetingone, 1,140.00; Menards, 1,139.08; Meyers, Patricia A, 370.00; MG Oil Company, 15,920.95; Midcontinent Communications, 448.97; Midcontinent Communications, 3,501.72; Midwest Card And Id Solutions LLC, 1,050.00; Midwest Tire & Muffler Inc, 123.48; Midwest Wellness Institute PLLC, 8,793.75; Monument Health Home Plus LLC, 66.59; Monument Health Home Plus Pharmacy, 2,707.95; Monument Health Physicians, 85.00; Monument Health Rapid City Hospital Inc., 9,811.46; Moss Psy D LLC, William A, 2,825.00; Motorola Solutions Credit Co, 169,941.43; Mountain Plains Evaluation LLC, 63.00; Mountain View Village Apartments, 600.00; Moyers Lynn, 100.00; Moyle Petroleum, 2,706.19; Mt Rushmore Telephone Co, 47.46; Murphy Law Office PC, 2,891.45; National 4-H Council, 16.75; Nelson, George J, 543.20; Nohr, Linda J, 735.00; North Central International Of Rapid City Inc, 134.00; North Central Supply Inc, 169.00; Northern Truck Equipment, 289.00; Northwest Pipe Fitting Inc, 1,488.41; Nutrien Ag Solutions Inc, 18,619.50; Oberle's Radiator And Repair, 1,051.00; Office Depot, 2,084.71; Office Of Attorney General, 27,720.95; Olson Carolyn, 5,775.00; Oneheart, 3,090.05; Pacific Steel & Recycling, 1,296.66; Parr Law PC, 2,082.40; Passages Women's Transitional Living, 250.00; Pederson Law Office LLC, 2,883.24; Penn Co Health & Human Sv Petty Cash, 250.00; Penn Co Jail Petty Cash, 1,560.00; Penn Co JSC Petty Cash, 20.00; Penn Co Sheriff Petty Cash, 702.05; Penn Co States Atty Petty Cash, 20.00; Pennington County Courant, 1,046.73; Pennington County Housing & Redevelopment, 1,028.00; Pharmchem Inc, 919.55; Phoenix Supply LLC, 419.93; Pillen Optical Inc, 120.00; Pioneer Bank & Trust, 1,010.23; Pioneer Bank & Trust, 352.96; Pioneer Bank & Trust, 2,632.84; Pitney Bowes Reserve Account, 1,506.60; Power House, 29.97; Prairie Auto Parts Inc, 933.59; Pressure Services Inc, 214.00; Price LLC, 936.00; Print Mark-Et, 79.80; Productivity Plus Account, 94.00; Proforma Screening Solutions LLC, 8.50; Pubworks, 7,767.86; Quettier Nicolas, 276.00; Quill Corporation, 391.94; Rapid Collision, 801.80; Rapid Delivery Inc, 126.50; Rapid Refrigeration LLC, 599.46; Rapid Rooter, 150.00; RC Area School Dist 51-4, 734.77; RC Fire & Emergency Services, 667.96; RC Journal - Advertising, 2,107.71; RC Medical Center LLC, 160.15; RC Police Dept-Evidence, 5,210.00; RC Public Library, 211,192.00; RC Winsupply, 3,480.10; RDO Equipment Co, 3,719.39; Record Storage Solutions, 362.50; Redwood Toxicology Inc, 529.90; Regional West Medical Center, 538.30; Reliance Telephone Inc, 39.65; Rensch Law Office, 715.75; Reuer, Allen, 1,600.00; Rh LLC, 240.00; Rhoden Cody, 90.53; Ricoh USA Inc, 98.68; Rochester Armored Car Company Inc, 439.03; Rodeway Inn, 735.28; Runnings Supply Inc, 147.95; Rushmore Safety Supplies, 67.20; Sand Scripts, 14.40; Scenic Township, 5,512.50; Schaefer, Dean, 348.00; Scull Construction, 198,473.08; SD Board Of Examiners Of Psychologists, 300.00; SD Dept Health, 8,000.00; SD Dept Of Public Safety, 75.00; SD Dept Of

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Revenue, 9,904.17; SD Dept Of Revenue, 924.00; SD Dept Of Transp-Finance, 150.00; SD Dept. Of Military, 902.50; SD Human Services Center, 7.40; SD One Call Board, 67.20; SD Rose Inn, 609.85; SDN Communications, 392.20; SDN Communications, 636.00; SDSU Extension, 73.00; Securus Technologies Inc, 15,493.06; Seifert, Mary Rae, 700.00; Servall Uniform/Linen Co, 7,968.55; Silver Star Septic LLC, 150.00; SKC Communication Product, 496.43; Skinner Law Office PC, 4,175.75; Smoot & Utzman, 7,816.92; Southern Cross LLC, 300.00; Speck, Jody H, 533.50; Stan Houston Equipment, 156.00; Steam Cleaning Specialist, 1,400.00; Stephens, Matthew T, 4,915.00; Strang Kyle, 452.00; Stratis Industries, 978.84; Streicher's, 2,989.00; Sturdevant's Auto Parts, 3,273.93; Sturdevant's Refinish, 517.37; Suckow Kimberly, 4.62; Summit Food Service, 99,397.32; Sundial Square Apartments, 500.00; Super 8, 350.00; Superior Press, 39.24; Survival Armor Inc, 17,822.40; Synch/Amazon, 506.80; Tanglewood Properties LLC, 240.00; Tessco Incorporated, 148.87; Tessier's Inc, 1,208.35; The Hartford, 2,626.72; The Little Print Shop Inc, 272.26; The Palms Apartments LLC, 2,030.00; Thomson Reuters-West, 1,113.61; Timeclock Plus LLC, 6,833.51; Tindall Bartels & Associates LLC, 250.00; TK Properties & Investments, 900.00; TKRS Properties LLC, 2,927.77; Trane U.S. Inc, 11,948.85; Transource Truck & Equipment Inc, 197.50; Tritech Software Systems, 6,862.80; Turbiville Industrial Electric Works LLC, 544.57; Tzadik Rapid City LLC, 4,020.00; Uline, 129.32; Upper Deck Architects Inc, 16,475.00; US Bank Na, 1,935,864.56; US Geological Survey, 21,015.00; US Postmaster, 3,500.00; Vanway Trophy & Awards, 308.25; Variphy Inc., 1,402.50; Vast Broadband, 767.69; Vemco, 1,598.56; Verizon Wireless, 129.25; Walkenhorst's, 44.00; Wall Building Center & Construction, 51.58; Wall Community Library, 8,566.00; Warne Chemical & Equipment Co Inc, 1,582.06; Watertree Inc, 1,341.23; Watson Furniture Group, 816.73; Wellmark, 236,104.19; West River Anesthesiology Consultants PC, 478.24; West River Electric, 259.08; Western Communication Inc, 191.58; Western Detention, 3,940.50; Western Mailers, 1,022.00; Western Stationers Inc, 5,038.12; Western Thrifty Inn LLC, 590.00; Wex Bank, 210.98; Wex Bank, 6,079.00; Whisler Bearing Co, 2,922.82; Whiting Hagg Hagg Dorsey & Hagg LLP, 4,502.52; Whiting, Marcia, 814.80; Wiege Sanitation, 180.00; Wikle, Leon, 152.00; Wilkinson Ryan, 2,190.00; Winter Law Office PC, 2,784.30; Wolf, Ione, 326.50; Wood Stock Supply, 104.53; Yankton Co Sheriff Office, 250.00; Yankton County Treasurer, 744.70; ZMC LLC, 11,915.00; Zuercher Technologies LLC, 2,639.48.

ITEMS FROM PLANNING & ZONING

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

- A. VARIANCE / VA 19-03: Patrick and Marlene Sheely. To reduce the minimum required front yard setback from 25 feet to 15 feet to bring an existing pole barn building, retaining wall, and propane tank into compliance in a Limited 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.

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MOVED by Drewes and seconded by Rossknecht to approve Variance / VA 19-03, with the following condition. Vote: The motion carried 4-1 with DiSanto voting no.

1. That this Variance applies only for the existing 60' x 80' pole barn building, retaining wall, and propane tank. All other structures and/or additions must maintain the proper setbacks or obtain separate Variance(s).

- B. VARIANCE / VA 20-03: Keystone Adventures, Inc. / Andrew Busse. To reduce the front yard setback from five (5) feet to a zero (0) foot setback for an on-premise sign in a Highway Service District in accordance with Sections 210, 312, and 509 of the Pennington County Zoning Ordinance

The Unplatted Balance of GL 16 Less ROW; Lot A of W1/2NE1/4SE1/4; Unplatted Balance of GL 21 Less, Section 31, T1S, R6E, BHM, Pennington County, South Dakota.

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

1. That a Sign Permit is obtained for the proposed sign prior to its installation, according to Section 312(A)(1)(a) of the Pennington County Zoning Ordinance; and,
 2. That this Variance applies only to the proposed on-premise sign, and all other structures must meet the minimum setback requirements or obtain separate Variances.
- Check with planning and zoning on the setbacks.

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

- C. SECOND READING 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

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Tract B-2; and Common Lot B of Rockerville Ghost Town Subdivision, Sections 13 and 14, T1S, R6E, BHM, Pennington County, South Dakota.

Approve of Major Planned Unit Development Amendment / PU 19-06 with the following twenty-three (23) conditions.

1. That the purpose of this Planned Unit Development be to allow a mixed-use development that includes up to three (3) multi-family dwelling units that include duplexes, triplexes, and four-plexes; two (2) three-story apartment complexes; 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;
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;

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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 the Rockerville Fire Protection Plan dated 3-9-2020 be implemented as proposed;
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; and,
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 19-06, 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.

D. MINOR PLAT / MPL 20-08: Gorden and Jennifer Sabo. To reconfigure lots lines to create Lots 1, 2, and 3 of Hideaway Hills Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

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

PROPOSED LEGAL: Lots 1, 2, and 3 of Hideaway Hills Subdivision, Section 8, T2S, R7E, BHM, Pennington County, South Dakota.

Approve of Minor Plat / MPL 20-08 with the following six (6) conditions.

1. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage Easements to be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement;
2. That at the time of the Minor Plat submittal, the proposed Plat be prepared by a Registered Land Surveyor;
3. That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained;

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4. That the applicant ensures that all-natural drainage ways are maintained and are not blocked;
5. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit; and,
6. That approval of this Minor Plat does not constitute approval of any further applications to be submitted for the above-described property.

End of Consent Agenda

PLANNING & ZONING REGULAR AGENDA

- E. LAYOUT PLAN / LPL 20-09: H & H Land Company No. 2, LLC; Brian Hammerbeck – Agent. To create Tract D of Hook J Addition in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: PT GL1; N1/2NE1/4SE1/4; S1/2NE1/4SE1/4; SE1/4SE1/4; all located in Section 1, T1S, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract D of Hook J Addition, Section 1, T1S, R9E, BHM, Pennington County, South Dakota.

MOVED by Drewes and seconded by LaCroix to approve of Layout Plan / LPL 20-09 with the following eleven (11) conditions. Vote: Unanimous.

1. That the applicants obtain approved Approach Permits from the County Highway Department prior to installation of any approaches off of Derby Road;
2. That an approved Floodplain Development Permit be obtained prior to any disturbance within the regulated Special Flood Hazard Area;
3. That prior to filing the Plat with the Register of Deeds, the remaining unplatted portions of the parent lots (Tax IDs 650, 651, 13381) be Rezoned appropriately, to include a Comprehensive Plan Amendment, or an approved Lot Size Variance be obtained;
4. That prior to filing the Plat with the Register of Deeds, the applicant improves Derby Lane to Pennington County Design Standards or obtain an approved Subdivision Regulations Variance to waive these requirements;
5. That the applicants ensure all-natural drainage ways are maintained and not blocked;
6. That the Certifications on the Minor Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations and Register of Deeds comments contained in this report;
7. 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;
8. 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;

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9. That at the time of Minor Plat submittal, the plat contain one hundred (100) year floodplain limits in accordance with current FEMA maps and Pennington County Subdivision Regulations, Section 400.3(1)(l);
10. 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,
11. That approval of this Layout Plan does not constitute approval of any further applications to be submitted for the above-described property.

- F. ROAD CONSTRUCTION WITHIN A SECTION LINE RIGHT-OF-WAY / CS 20-04:
Jessica Arehart. To construct a road within the Section Line Right-of-Way to provide access to property located in Section 11, T2N, R8E, BHM, Pennington County.

Sections 11 and 14, T2N, R8E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve Road Construction within a Section Line Right-of-Way / CS 20-04, which includes constructing the Section Line Right-of-Way to County Ordinance 14 Standards with nine (9) 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 PT SW1/4SE1/4 (In Pennington County), Section 11, T2N, R8E, BHM, Pennington County, South Dakota, and that any future development that takes access off this portion 225th Avenue would require additional approval of waivers to Ordinance #14 Standards for this 1,300 foot road extension and any further road extension east,
3. That if the amount of disturbed area exceeds one (1) acre, a Department of Environment and Natural Resource's Storm Water Construction Permit be 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;
8. That any monuments establishing property boundaries be replaced as necessary, if disturbed by construction of the road; and,
9. That this Construction in a Section Line be reviewed in six (6) months to verify that the site has been stabilized.

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G. REQUEST TO NOT SUBMIT ENGINEERED ROAD CONSTRUCTION PLANS AND NOT TO BUILD TO ORDINANCE 14 STANDARDS: Jessica Arehart. MOVED by DiSanto and seconded by Rossknecht to approve the request to not submit engineered road designed plans; to have a road width be 16 feet instead of 24 feet; to not construct a turnaround and no ditch requirements. Vote: Unanimous.

H. FIRST READING AND PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 20-01: Pennington County. To amend Section 507 “Construction Permits” [to supersede Section 507-A “Erosion and Storm Water Control”] and to amend Section 511 “Fees” to set fees regarding Storm Water Permits of the Pennington County Zoning Ordinance.

MOVED by Drewes and seconded by Rossknecht to approve of Ordinance Amendment / OA 20-01. Vote: Unanimous.

I. REQUEST FOR REFUND OF PENALTY FEES – IVAN DAVIGNON.

MOVED by DiSanto and seconded by LaCroix to approve the request for \$800 in penalty fees to be refunded. Vote: Unanimous.

ITEMS FROM PUBLIC

PAYROLL

Commissioners, 8,812.62; Elections, 14,203.31; Auditor, 8,391.98; Treasurer, 33,119.43; State's Attorney, 134,530.62; Public Defender, 84,021.63; Buildings & Grounds, 61,265.68; Equalization, 38,566.81; Register of Deeds, 14,353.60; IT, 23,247.14; Human Resources, 5,554.40; Sheriff, 282,501.43; Jail, 301,088.08; JSC, 103,265.27; JSC Juvenile Alternative, 4,490.53; CCADP, 102,997.29; Economic Assistance, 31,731.74; Extension, 1,409.61; Weed & Pest, 9,388.80; Planning and Zoning, 15,566.40; Road & Bridge, 91,146.14; Fire Administration, 3,408.88; Dispatch, 95,100.72; Emergency Management, 6,561.12; 24-7 Program, 13.

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

24/7: Effective 05/31/2020 – Melissa Schoeberl at \$16.58/hr.

Buildings & Grounds: Effective 05/31/2020 – Erin Bender at \$14.33/hr., Miranda Hanson at \$15.79/hr., Tana Koch at \$15.60/hr. & Steve Luken at \$16.58/hr.

Care Campus: Effective 05/31/2020 – Tonya Lore at \$23.32/hr., Dawn Riter at \$19.44/hr. & Ricky Wishon at \$17.83/hr.

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Emergency Mgmt: Effective 05/17/2020: Alexa White, \$2,272.80/bi-wkly. Effective 06/28/2020: Priscilla Massey, \$17.40/hr.

HHS: Effective 06/14/2020: Tyler Snow, \$29.17/hr. & Nanette Oines, \$23.61/hr.

Highway: Effective 05/31/2020: Ted Forbes, Jeff Hoffman & Kelly Thurman, \$19.43/hr. & William Welk, \$2,860.00/bi-wkly. Effective 06/01/2020: Nikolas Larson & Thomas Malone, \$13.80/hr. & Anthony Linde, \$18.48/hr.

Jail: Effective 05/31/2020: Caleb Billings, Tristan Dufrene, Raul Garza, Colton Reichert, Rachael Smith & Robert Snyder, \$23.32/hr., Christopher Brown, Donald Grider, Ivan Keller, David Oerlline, Oraine Powell & Robert Steele, \$22.75/hr., Dennis Feller, \$29.87/hr., Greg Ferweda, \$26.05/hr., Tina Morford, \$21.42/hr. & Teresa Stecher, \$24.48/hr.

Public Defender: Effective 05/03/2020: Thomas Vlieger, \$2,328.80/bi-wkly.

Register of Deeds: Effective 06/28/2020: Kathleen Rice, \$18.73/hr.

Sheriff: Effective 05/31/2020: Brian Austin, Joseph Luper & Micah Mesman, \$23.32/hr., Kirk Buchholz, \$28.01/hr., Tana Gajeski, \$24.62/hr., Justin Grable, \$24.48/hr., Wendy Johnson, \$14.86/hr., Gordon Larsen, \$23.61/hr., Dustin Meyer, \$23.91/hr. & Jack Thomas, \$18.28/hr.

Treasurer: Effective 06/28/2020: Lauren Stanton, \$17.40/hr.

Weed & Pest: Effective 05/18/2020: Jeff Dargatz, \$17.20/hr., Jim Thovson, \$16.81/hr., Ben Bailey, \$14.86/hr., Brant Glader, \$14.66/hr. & David Holst, \$14.49/hr.

WSC/JSC: Effective 05/31/2020: Aaron Austin & Nicholas Wright, \$23.31/hr., Eric Lindsey, \$30.98/hr., Sara Rowley, \$15.41/hr., Jeffrey Taul, \$17.01/hr. & Kyle Worden, \$22.75/hr.

ADJOURN

MOVED by Drewes and seconded by Rossknecht to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 12:17 p.m.

/s/ Cindy Mohler, Auditor

Published once at an approximate cost of ____.

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