

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of September 20, 2022

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, September 20, 2022, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Gary Drewes called the meeting to order with the following Commissioners present: Deb Hadcock, Lloyd LaCroix, Travis Lasseter and Ron Rossknecht.

REVIEW AND APPROVE AGENDA

MOVED by Hadcock and seconded by Lasseter to approve the agenda as presented. Vote: Unanimous.

EXECUTIVE PROCLAMATION – NATIONAL CUSTODIAN APPRECIATION DAY:

MOVED by LaCroix and seconded by Lasseter to approve the Chair's signature on the Proclamation declaring October 2, 2022, as National Custodian Appreciation Day. Vote: Unanimous.

CONSENT AGENDA ITEMS

MOVED by Rossknecht and seconded by Hadcock to approve the Consent Agenda with the removal of item 8. Vote: Unanimous.

8. Removed for separate consideration.
9. Recognize and thank the volunteers for the month of August 2022.

End of Consent Agenda Items

8. **APPROVE THE MINUTES OF THE SEPTEMBER 6, 2022, REGULAR MEETING:**
MOVED by LaCroix and seconded by Rossknecht to approve the minutes of the September 6, 2022, regular meeting. Vote: Unanimous.

ITEMS FROM HEALTH & HUMAN SERVICES

A. **CRISIS STABILIZATION UNIT - NEW NAME AND LOGO:** MOVED by LaCroix and seconded by Rossknecht to approve the name and logo of the new facility: Pivot Point, Your path to Behavioral Health. Vote: Unanimous.

EXECUTIVE SESSION – SDCL 1-25-2

MOVED by Hadcock and seconded by LaCroix to call the question. Vote: Unanimous.
MOVED by LaCroix and seconded by Rossknecht to go into Executive Session pursuant to SDCL 1-25-2-(3) for contractual/pending litigation. Vote: Unanimous. The Board remained in Executive Session from 9:54 a.m. until 10:25 a.m. MOVED by LaCroix and seconded by Rossknecht to come out of Executive Session. Vote: Unanimous.

ITEMS FROM BUILDINGS & GROUNDS

A. **COURTHOUSE TUNNEL REPLACEMENT – DESIGN SERVICES PROPOSAL:** MOVED by LaCroix and seconded by Rossknecht to authorize Mike Kuhl, Director, to execute an AIA Standard Form of Agreement between Pennington County and Albertson Engineering Inc. for professional services outlined in Albertson Engineering Inc. Proposal, dated August 09, 2022 for

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the 1922 Courthouse Tunnel Replacement project with a lump sum fee of \$53,650 plus any applicable reimbursable expenses, utilizing Accumulated Building Funds. Vote: Unanimous.

MOVED by LaCroix and seconded by Rossknecht to authorize Mike Kuhl, Director, to have design and administrative-making authority for the 1922 Courthouse Tunnel Replacement project, including signing application documents and necessary agreements, and expenditure authority up to \$80,000 as Pennington County's Representative. Vote: Unanimous.

B. 2022 FACILITIES NEEDS ASSESSMENT PRESENTATION: MOVED by Rossknecht and seconded by LaCroix to accept the Pennington County Facilities Needs Assessment results as outlined by BKV Group and acknowledge the space planning thoughts of how to best meet those needs for the least upfront cost. Vote: Unanimous.

C. PROPERTY PURCHASE RECOMMENDATIONS AND SPECIAL MEETING REQUEST: MOVED by Drewes and seconded by Lasseter to schedule a special meeting on Tuesday, September 27, 2022, at 8:30 a.m. to consider purchase agreements for the recommended properties. Vote: Unanimous.

D. RESOLUTION RELATING TO LEASE-PURCHASE OF COUNTY BUILDINGS: MOVED by LaCroix and seconded by Rossknecht to approve the resolution to lease- purchase of County Buildings, authorizing the execution and delivery of amendments to Lease-Purchase Agreement and Ground Lease and approving and authorizing execution of related documents and authorizing Certificates of Participation. Vote: Unanimous.

RESOLUTION

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

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

Section 1. Recitals.

1.01. The County is authorized by South Dakota Codified Laws, Chapter 7-25, inclusive, as amended (the "Act"), to enter into lease-purchase agreements for acquisition of real or personal property that the governing body considers necessary or appropriate to carry out its governmental and proprietary functions. To the extent the parameters set forth in Section 2 hereof are satisfied, the governing body finds that it is necessary and appropriate to enter into a lease-purchase agreement amendment and authorize the issuance of Certificates of Participation (Limited Tax General Obligation) (the "Series 2022A Certificates"), to pay all or a portion of the costs of acquisition, construction, renovating, furnishing and equipping County buildings consisting of some or all of the following: purchase and remodel additional office complex; purchase and build out additional jail space; remodel existing offices in the County Administration

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Building and Public Safety Building; remodel Court Annex; additions to and remodel of existing jail; and rent space to house various departments while other spaces are being remodeled (the “2022A Project”).

1.02. Pursuant to a Ground Lease Agreement, dated as of March 1, 2003, between the County and U.S. Bank National Association (the “Trustee”) as amended and supplemented (the “Ground Lease”) the Trustee acquired certain interests in real property (the “Land”) from the County. The Trustee has leased its interest in the Land to the County pursuant to a Lease-Purchase Agreement, dated as of March 1, 2003, as amended and supplemented (the “Lease”). The Lease provides that the Facilities (as defined in the Lease) acquired, renovated, constructed and equipped on the Land are to be sold to the County in accordance with the terms thereof.

1.03. The Trustee will execute and deliver an Eleventh Supplemental Declaration of Trust (the “Eleventh Supplemental Trust”), which will supplement and amend the Amended and Restated Declaration of Trust, dated as of June 1, 2021, as amended (the “Trust Agreement”). Pursuant to the Trust Agreement the Trustee will (i) issue Certificates of Participation (the “Series 2022A Certificates”) in the lease payments to be made by the County under the Lease, and (ii) receive, hold, invest and disburse the proceeds of the sale of the Series 2022A Certificates and other funds provided by the County to pay for the 2022A Project and the costs of issuance of the Series 2022A Certificates.

1.04. The Series 2022A Certificates will be purchased by Colliers & Company LLC (the “Original Purchaser”) pursuant to a Certificate Purchase Agreement between the County and the Original Purchaser (the “Certificate Purchase Agreement”) and the Original Purchaser will offer the Series 2022A Certificates for sale to the public by an Official Statement (the “Official Statement”) to be prepared at the direction of the County.

1.05. Forms of the following documents relating to the issuance of the Series 2022A Certificates (the “Documents”) have been prepared by Kutak Rock LLP as Bond Counsel and submitted to the County and are on file in the office of the County Auditor and the Deputy State’s Attorney: (a) an Eleventh Amendment to Lease; (b) the Eleventh Supplemental Trust Agreement; (c) a Sixth Amendment to Ground Lease; (d) the Certificate Purchase Agreement; and (e) a Continuing Disclosure Agreement between the County and the Trustee. The County Auditor is authorized to cause an Official Statement to be prepared in connection with the offering of the Series 2022A Certificates and to be filed in her office. Additional amendments to the Lease and Ground Lease shall be executed and delivered to describe additional property acquired in furtherance of the 2022A Project.

Section 2. Authorization and Approval of the Documents. The financing described above is found to be favorable and is hereby approved. The Chair and County Auditor are authorized to approve the principal amount of the Eleventh Amendment to Lease and the Series 2022A Certificates in an amount not exceeding \$45,000,000, with the term thereof not exceeding thirty (30) years. If the interest rate or rates on the Series 2022A Certificates does not exceed an average

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yield of five percent (5.00%)] per annum and the price at which the Series 2022 Certificates are to be sold to the Original Purchaser is not less than 99.25% of par (exclusive of original issue discount), the Chair and County Auditor are directed to enter into the Certificate Purchase Agreement with the Original Purchaser. Execution of the Certificate Purchase Agreement by such officers shall be conclusive evidence of their approval of the principal amount, purchase price, interest rates and other terms set forth therein. The forms of the Documents are hereby approved if the County Auditor deems them appropriate and the Documents are approved by the Deputy State's Attorney. The Chair and the County Auditor are directed to execute the Documents if approved by the County Auditor. Copies of all Documents shall be delivered, filed and recorded as provided therein. The Chair and the County Auditor and the Deputy State's Attorney are also authorized and directed to execute such other instruments as may be required to give effect to the transactions therein contemplated. The County will cooperate in the issuance of the Series 2022A Certificates and the Chair, the County Auditor and the Deputy State's Attorney shall execute such other instruments as are necessary to the issuance of the Series 2022A Certificates.

Section 3. Modification, Absence of Officers. The approval hereby given to the Documents includes an approval of such additional details therein as may be necessary and appropriate and such modifications thereto, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the Deputy State's Attorney prior to the execution of the Documents. The execution of any instrument by the appropriate officer or officers of the County herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof. In the absence of the Chair or the County Auditor, any of the Documents authorized by this resolution to be executed may be executed by such officer as, in the opinion of the Deputy State's Attorney, may execute documents in their stead.

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

Section 5. Official Statement. The County will participate in the preparation of the Preliminary Official Statement and the final Official Statement relating to the Series 2022A Certificates and hereby authorizes the County Auditor to consent to the distribution of the Official Statement by the Original Purchaser in connection with the sale of the Series 2022A Certificates. The Preliminary Official Statement, except for the Permitted Omissions, will be deemed final by the County when authorized by the County Auditor as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934. As used herein, "Permitted Omissions" shall mean the offering price(s), interest rate(s), selling

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compensation, aggregate principal amount, principal amount per maturity, delivery dates, rating, if any, and other terms of the Series 2022A Certificates depending on such matters.

Section 6. Amendment. This resolution may be amended from time to time, prior to the issuance of the Certificates, by an administrative resolution adopted by this Board.

Section 7. Partial Invalidity. If any one or more of the provisions of this Resolution shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or enforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Resolution shall be construed the same as if such invalid, illegal, or enforceable provision had never been contained herein, or therein, as the case may be.

Dated this 20th day of September, 2022.

/s/ Chair Gary Drewes
Pennington County Board of Commissioners

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

ITEMS FROM HIGHWAY

A. AWARDS RECOMMENDATION – AGG 2022-3 AGGREGATE STOCKPILE: MOVED by Hadcock and seconded by Lasseter to award AGG 2022-3 Aggregate Stockpile (Nichols Creek) to Timberline Services, Inc. in the amount of \$325,850. Vote: Unanimous.

B. BLACK HILLS NATIONAL FOREST SERVICE NICHOLS QUARRY ROCK CRUSHING AGREEMENT: MOVED by LaCroix and seconded by Rossknecht to approve Agreement #22-RO-11020300-051 with the Black Hills National Forest for Nichols Quarry Rock Crushing. Vote: Unanimous.

C. RESOLUTION 2022-09-20-1 DESIGNATION OF MINIMUM MAINTENANCE ROAD: MOVED by LaCroix and seconded by Hadcock to approve Resolution 2022-09-20-1 to designate Wisehart Road, from E Highway 44 north to 0.33 miles north of Highway 44, as a minimum maintenance road due to it being used only occasionally or intermittently for passenger and commercial travel. Vote: Unanimous.

RESOLUTION 2022-09-20-1

WHEREAS, the Pennington County Board of Commissioners has determined the following road is used only occasionally or intermittently for passenger and commercial travel.

WHEREAS, Section Lines are secondary highways pursuant to SDCL 31-18-1.

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WISEHART ROAD: Beginning at the intersection of E Highway 44 and Wisheart Road, north for a distance of 0.33 miles.

THEREFORE, BE IT RESOLVED by the Pennington County Board of Commissioners, that the road listed above be added to the Secondary Highway System and be designated minimum maintenance.

BE IT FURTHER RESOLVED by the Pennington County Board of Commissioners, that the costs for minimum maintenance signs be the responsibility of the applicant constructing the road.

Dated this 20th day of September, 2022.

/s/ Chair Gary Drewes
Pennington County Board of Commissioners

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

MOVED by LaCroix and seconded by Lasseter to take a ten-minute recess. Vote: Unanimous.

D. REQUEST TO MOVE HIGHWAY DEPARTMENT TO INDEPENDENT WAGE SCALE:
MOVED by LaCroix and seconded by Lasseter to approve an independent wage scale for highway workers, foreman, mechanics and traffic department employees only, as proposed, effective October 16, 2022. Vote: Unanimous.

MOVED by LaCroix and seconded by Lasseter to place current highway workers, foreman, mechanics and traffic department employees onto the Highway Department independent wage scale where they do not lose money based upon their placement on the previously approved 2023 wage budget, plus one additional step, effective October 16, 2022. Vote: Unanimous.

NOTICE OF INTENT TO RESCIND THE MOTION APPROVED ON SEPTEMBER 6, 2022, REGARDING THE IMPLEMENTATION OF THE 4-DAY COMPRESSED WORKWEEK PROPOSAL IN THE COUNTY ADMINISTRATION BUILDING: MOVED by LaCroix and seconded by Rossknecht to rescind the motion approved on September 6, 2022, implementing the 4-day, 10-hour work week starting January 2, 2023. Vote: Unanimous.

ITEMS FROM HUMAN RESOURCES

A. COUNTY ADMINISTRATION BUILDING 4-DAY COMPRESSED WORKWEEK PROPOSAL: MOVED by LaCroix and seconded by Rossknecht to approve implementing a 4-day work week for the County Administration Building being open Monday through Thursday; 7:00 a.m. to 6:00 p.m. starting January 3, 2023, to continue to support remote and flexible work schedules for all County Offices and Departments, to provide public notice in the three legal newspapers, to place notice on the County website and to review this item at the July 5, 2023, meeting. Vote: The motion carried 4-1 with Lasseter voting no.

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B. REESTABLISHMENT OF THE COMPENSATION COMMITTEE – BYLAWS: MOVED by LaCroix and seconded by Lasseter to reestablish the Compensation Committee effective September 20, 2022 and approve the bylaws. It is further moved to direct the Compensation Committee to bring forth an employee compensation structure, corresponding wage scale and compensation policies no later than April 1, 2023, to address short term needs and to also work to find long term solutions. Vote: Unanimous.

MOVED by Lasseter and seconded by Rossknecht to appoint Commissioner Hadcock to serve on the Compensation Committee. Vote: Unanimous.

ITEMS FROM THE PUBLIC: Commissioners discussed the Public Comment policy.

ITEMS FROM PLANNING & ZONING

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

A. VARIANCE / VA 22-19: Scenic Volunteer Fire Department; Charles Maude - Agent. To allow a lot smaller than 10 acres in size in an Agriculture District in accordance with Sections 205 and 509 of the Pennington County Zoning Ordinance.

E1/2SE1/4SW1/4SW1/4SE1/4; SW1/4SE1/4SW1/4 SE1/4; W1/2SE1/4SE1/4 SW1/4SE1/4; W1/2E1/2SE1/4SE1/4SW1/4SE1/4; and W1/2W1/2E1/2E1/2 SE1/4SE1/4SW1/4 SE1/4, Section 33, T2S, R13E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Lasseter to approve VA 22-19 as there are special conditions that exist on the property that would excuse literal enforcement of the Zoning Ordinance. Vote: Unanimous.

B. VARIANCE / VA 22-20: Brent and Denise Tjeerdsma; Jared Ahlstrom - Agent. To reduce the setbacks to the property line in an Agriculture District in accordance with Sections 205 and 509 of the Pennington County Zoning Ordinance.

All Less Lot A and Less ROW, Little Tiger Lode No. 1 MS 1251, Section 13, T1S, R4E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Lasseter to continue VA 22-20 to the October 4, 2022, Board of Commissioner's meeting in order to give the applicant time to modify their proposed site plan. Vote: Unanimous.

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

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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 Lasseter and seconded by LaCroix to approve the Planning and Zoning consent agenda. Vote: Unanimous.

C. ROAD NAMING: Kevin Thom. To name a 40-foot-wide private access easement providing access to properties located in Sections 11 and 12, T1N, R6E, BHM, Pennington County, South Dakota, to Labrador Trail.

Approve the Road Name of Labrador Trail.

D. ROAD NAMING: Andrew Scull. To name a 66-foot-wide private access easement providing access to properties located in Section 11, T1N, R6E, BHM, Pennington County, South Dakota, to Archer Way.

Approve of the Road Name of Archer Way.

End of Consent Agenda Items

CONTESTED HEARING(S)

E. PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 22-08: Pennington County. To amend Ordinance 735 “Pennington County Building Code and Construction Ordinance” [to amend and supersede the existing Pennington County Building Code and Construction Ordinance”].

MOVED by Hadcock and seconded by Lasseter to approve OA 22-08. Vote: Unanimous.

NOTICE OF FACT OF ADOPTION

On September 20, 2022, the Pennington County Board of Commissioners approved an amendment to the official Pennington County Building Code and Construction Ordinance: Ordinance Amendment 22-08 – To amend the Ordinance 735 - Building Code and Construction Ordinance.

F. TAX INCREMENT FINANCE DISTRICT #5 AMENDMENT: To amend the existing Tax Increment Finance District #5, which was submitted by the City of Box Elder for the purpose of developing Liberty Plaza and will consist of single-family and multi-family housing, commercial/retail space and Liberty Center to include infrastructure, such as new wells, street and sanitary upgrades. Liberty Center will replace Pride Hanger and serve as Ellsworth AFB community center located in the City of Box Elder. The property is located near the intersection of N. Ellsworth Road and Liberty Boulevard.

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MOVED by Hadcock and seconded by Lasseter to approve the resolution approving the amendment of the original Project Plan, Contract for Private Development, and the revised Assignment Agreement, Tax Increment Financing District Number Five, to allow for additional projects costs. Vote: Unanimous.

A RESOLUTION APPROVING AMENDMENT OF THE ORIGINAL PROJECT PLAN AND CONTRACT FOR PRIVATE DEVELOPMENT, TAX INCREMENT FINANCING DISTRICT NUMBER FIVE, TO ALLOW FOR ADDITIONAL PROJECT COSTS

WHEREAS, on September 16, 2020, the City of Box Elder passed a resolution consenting to Pennington County creating Tax Increment Financing District Number Five, County of Pennington (“TIF District #5”) for the purpose of developing Liberty Plaza and Liberty Center located within the City of Box Elder; and

WHEREAS, on December 15, 2020, Pennington County, by resolution, created TIF District #5 and approved the original Project Plan and Contract for Private Development with total reimbursable projects costs in the amount of \$10,359,447 for the purpose of developing Liberty Plaza which will consist of single family, multi- family, commercial/retail space and Liberty Center. Liberty Center will replace Pride Hanger and serve as Ellsworth AFB community center located in the City of Box Elder; and

WHEREAS, due to inflation and unforeseen increase in project costs, the City of Box Elder requests an amendment to the original Project Plan to allow for additional reimbursable project costs in the amount of \$3,610,624 for a total of \$13,970,072 which increase is less than 35% of the amount approved in the original Project Plan and therefore, a redetermination of the tax increment base is unnecessary as per SDCL 11-9-23; and

WHEREAS, pursuant to SDCL 11-9-14, project costs are defined as any expenditures made or estimated to be made, or monetary obligations incurred or estimated to be incurred, by a municipality that are listed in a project plan as grants or costs of public works or improvements within a district, plus any incidental costs diminished by any income, special assessments, or other revenues, other than tax increments, received, or reasonably expected to be received, by the municipality in connection with the implementation of the plan; and

WHEREAS, the Pennington County Board of Commissioners find that: (1) less than 5 years have passed since creation of TIF District #5, and (2) the additional project plan costs are warranted due to unforeseen high inflationary costs experienced since creation of the District; and

WHEREAS, the original Project Plan and Contract for Private Development have been amended to reflect the additional reimbursable project costs associated with TIF District #5.

NOW, THEREFORE, BE IT RESOLVED, THAT THE PENNINGTON COUNTY BOARD OF COMMISSIONERS HEREBY:

1. Approve the amendment of the original Project Plan to allow for additional projects costs in the amount of \$3,610,624 resulting in total reimbursable projects costs for

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TIF District #5 in the amount of \$13,970,072 the breakdown of said costs attached hereto as Exhibit A; and

2. Approve the amendment of the original Contract for Private Development to reflect the increase of total reimbursable project costs allowed in the Project Plan in the amount of \$13,970,072; and
3. Consent to the amendment of the original Assignment Agreement for TIF District #5 to reflect the increased total reimbursable projects cost allowed in the Project Plan.

This resolution shall take effect on the twentieth day after publication.

Dated this 20th day of September, 2022.

/s/ Chair Gary Drewes
Pennington County Board of Commissioners

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

ESTIMATED PROBABLE TIF COSTS

ITEM	BUDGET	ACTUAL
Environmental and Clean up	\$ 200,000.00	\$ 6,330.00
Mass Grading	\$ 627,000.00	\$ 1,794,591.20
Roads and Utilities	\$ 3,665,160.67	
Downtown		\$ 2,125,236.74
North Residential		\$ 664,538.10
South Residential		\$ 1,640,709.23
Infrastructure Phase II		\$ 2,602,294.16
City Hall Property		\$ 1,200,000.00
Landscaping	\$ 200,000.00	\$ 200,000.00
Public Building (Portion of the Costs)	\$ 2,000,000.00	\$ 2,000,000.00
TOTAL CONSTRUCTION	\$ 6,692,160.67	\$ 12,233,699.43
Contingencies	\$ 669,216.07	\$ -
TOTAL CAPITAL IMPROVEMENT COSTS	\$ 7,361,376.74	\$ 12,233,699.43
Financing Expenses	\$ 2,998,071.00	\$ 1,736,373.00
TOTAL TIF PROJECT COSTS	\$ 10,359,447.74	\$ 13,970,072.43

Percent Over budget **34.9%**

% of Increase versus allowable 35% \$ 13,985,254.45
 Allowable TIF Increase SDCL 11-9-23 \$ 3,625,806.71

New TIF Amount	\$ 13,970,072.43
Additional Request	34.85% \$ 3,610,624.69

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ITEMS FROM COMMISSION MANAGER

A. **AUTHORIZATION FOR SPENDING AUTHORITY:** MOVED by LaCroix and seconded by Lasseter to grant combined spending authority for the Courthouse Centennial Celebration Event not to exceed \$15,000 from the Commission Budget (101-0111) for programs, a photographer and prints, refreshments, and other minor expenses and the Buildings & Grounds Budget (101-0161) for costs associated with the preservation and the display of the contents of the 1922 time capsule, various historical photographs and prints to be used for permanent display and costs associated with a new time capsule. Vote: Unanimous.

APPROVAL OF VOUCHERS: MOVED by Lasseter and seconded by LaCroix to approve the voucher for the Rose Inn LLC. in the amount of \$350.00. Vote: The motion carried with Hadcock abstaining. MOVED by Lasseter and seconded by LaCroix to approve the remaining vouchers entered below for expenditures for insurance, professional services, publications, rentals, supplies, repairs, maintenance, travel, conference fees, utilities, furniture and equipment totaling \$2,865,204.87. Vote: Unanimous.

A & A Professional Property Management, 1,280.00; A & B Business Inc, 4,594.36; A & B Welding Supply Co, 543.75; A To Z Shredding, 1,194.40; A-1 Auto Recyclers, 55.00; Abl Inc, 3,051.00; Adams-ISC, 1,668.17; Adaptamed, LLC, 1,822.00; Adrian Ranch LLC, 100.00; Advanced Drug Testing Inc, 368.00; ALB Unlimited LLC, 2,266.00; Alcohol Monitoring Systems Inc, 1,065.00; All American Roofing & Sales Inc, 118,510.80; Amazon.Com Services, 3,469.72; American Correctional Association, 70.00; American Engineering Testing Inc, 1,553.75; Americinn Motel, 1,755.00; Anchortex Corporation, 859.20; Anker Law Group PC, 645.40; Architectural Specialties LLC, 255.14; AT&T Mobility, 1,093.88; Audra Hill Consulting Inc, 14,033.53; Auto Dynamic Engine Rebuilders Inc, 1,499.00; Avi Systems Inc, 6,661.00; Axon Enterprise Inc, 540.00; Bakley Regina, 260.00; Balco Uniform Co Inc, 7,407.36; Bargain Printing, 510.55; Barnier Law Office PC, 2,488.50; Batteries Plus Bulbs #934, 46.32; Battle Creek Fire, 5,000.00; Beardsley Jensen & Lee Prof. LLC, 557.20; Beezley, Lawrence D, 340.00; Behavior Management Systems Inc, 465.00; Behrens-Wilson Funeral Home, 5,730.00; Benson, Teresa L, 2,280.00; Best Western Of Huron, 2,100.00; BH Ammunition Inc, 22,200.00; BH Chemical Company Inc, 8,316.81; BH Energy, 36,499.83; BH Energy, 50,173.87; BH Insurance Agency Inc, 480.00; BH Neuropsychology LLC, 512.09; BH Regional Eye Institute LLP, 83.86; BH Tent And Awning, 25.00; BH Urgent Care LLC, 1,945.00; BH Wilbert Vault, 400.00; BH Works Inc, 598.00; Bi Inc, 5,415.85; Bierschbach Equipment And Supply Co Inc, 9,239.10; Big D Oil Co, 45.00; Bintliff Joyce, 100.00; Bio-One Of South Dakota, 75.00; BKV Group, 15,199.78; Black Creek Integrated Systems Corp, 4,874.90; Blackstrap Inc, 14,724.72; Bluepeak, 779.62; Bob Barker Company Inc, 12,025.97; Borge Bradley T, 3,765.25; Borries Robert, 74.00; Brant Annette, 49.56; Briarwood Products LLC, 177.17; Bringswhite, Erik, 5,500.00; Bringswhite, Morgan, 4,277.97; Brosz Engineering Inc, 19,905.00; Buehler Holly, 10.36; Burleigh County Sherff, 45.00; Cameron, George R, 13.60; Caputa Acres LLC, 100.00; Carquest Of Rapid City, 432.44; Castleberry, James D, 2,992.66; Cat's Cleaning, 90.00; CDW Government Inc, 20,965.01; Charm-Tex Inc, 763.20; Chris Supply Co Inc, 631.22; City Of Box Elder, 178.22; City Of Hill City, 116.98; City Of Rapid City -Water, 158.02; City Of Rapid City -Water, 31,542.37; City Of Rapid

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City, 28,853.93; City Of Winner, 287.64; Clark Printing, 1,606.69; Climate Control Systems And Service LLC, 6,621.52; Cline, Jean M, 661.50; Clinical Laboratory Of The Black Hills, 9,540.43; Clubhouse Hotel & Suites Pierre, 163.39; Colbath & Sperlich PC, 37,948.06; Commercial Laundry Systems Of The Rockies, 41.91; Concordance Healthcare Solutions LLC, 132.23; Congdon Sue Ellen, 506.40; Connections Inc Eap, 1,163.52; Contractors Supply Inc, 144.00; Co-Op Architecture, 8,500.00; Copy Country, 148.00; Coremr LC, 916.50; Corr Construction Service, 6,359.40; Correct Rx Pharmacy Services Inc, 26,499.02; Crescent Electric Supply, 1,436.03; Croell Redi-Mix Inc, 1,269.27; Crum Electric Supply, 1,662.23; Culligan Water, 86.00; Cummins Central Power LLC, 2,239.12; Dahlke Brenda, 193.80; Dakota Asphalt LLC, 12,771.00; Dakota Battery & Electric, 349.32; Dakota Business Center, 18,750.00; Dakota Fluid Power Inc, 121.08; Dakota Hills Pest Service, 75.00; Dakota Plains Legal Services Inc, 31,625.00; Dakota Radiology Pet/Ct & MRI, 1,413.36; Darby Dental Supply LLC, 121.01; Dash Medical Gloves Inc, 4,270.50; Delta Dental Of South Dakota, 38,810.32; Den Herder Law Office PC, 176.75; Dennis Supply - RC, 576.08; Denny Menholt Chevrolet, 1,770.25; Dharma Wellness Institute, 140.00; Dillon Law Office, 813.05; Djwebbie LLC, 1,500.00; Door Security Products Inc, 107.14; Dustbusters Enterprises Inc, 42,511.70; Eagle Aaron, 95.83; Evergreen Office Products, 2,048.44; Executive Mgmt Fin Office, 72.50; Farmer Brothers Coffee, 620.93; Fastenal Company, 1,599.83; Federal Express, 143.27; Ferber Engineering Company, 9,020.00; Ferguson Enterprises Inc #226, 604.63; Fidelity Security Life, 5,651.72; First Interstate Bank, 800.72; First Interstate Bank, 1,063.64; First Interstate Bank, 786.05; First Interstate Bank, 341.71; Fitzgerald Law Firm, 2,496.30; Floyd's Truck Center, 2,890.33; FMG Inc, 570.60; Fremont Apartments LLC, 579.67; Fresh Start Carpet Care, 4,144.80; Fruit Of The Loom, 4,570.02; Funk Heather, 74.00; G & H Distributing - RC, 432.41; Galls LLC, 133.14; Genpro Energy Solutions, 115.13; Ghost Global Security, 53,896.00; Global Tel'link, 24.55; Godfrey Brake Service And Supply Inc, 364.60; Goetz Mike, 140.00; Golden West Companies, 733.99; Golden West Companies, 382.70; Golden West Technologies, 2,758.89; Gomez Victor, 100.00; Great Western Tire Inc, 13,969.03; Grey & Eisenbraun Law, Prof LLC, 2,665.80; Grimm's Pump Service Inc, 1,001.37; H&S Uniforms And Equipment LLC, 200.00; Haas, Christopher K, 60.00; Harms Oil Company, 62,069.35; Harveys Lock Shop, 133.14; Hermansen Chris, 255.59; Hillyard/Sioux Falls, 14.33; Hobart Sales & Service, 2,286.94; Hub International Mountain States Limited, 100.00; Humane Society Of The Black Hills, 4,166.67; IAED, 156.50; Image All LLC, 185.94; Independent Window Tinting LLC, 465.00; Indoff Inc, 685.42; Industrial Organizational Solutions Inc, 125.00; Inland Truck Parts, 10.57; Innovative Office Solutions LLC, 6,536.62; Intab LLC, 414.79; Interstate All Battery Center, 89.95; Intoximeters Inc, 975.00; Isakson John, 327.90; J & J Asphalt Co, 2,978.90; Jacqueline K Perli Reporting Inc, 466.36; Jantech LLC, 925.00; Jenner Equipment Co, 3,225.09; Jerald L Johnson Trust, 100.00; Jims Private Utility Locating, 595.00; JJ's Engraving & Sales, 80.75; Johnson Controls Fire Protection LP, 3,975.81; Johnson Controls Inc / Hvac, 3,708.60; Johnstone Supply, 105.36; Karen Paige Hunt Prof LLC, 121.20; Karl Chevrolet Inc, 4,692.86; Karley Kevin, 40.00; Kennedy Pier Loftus & Reynolds LLP, 383.80; Kenrick Casey, 407.46; Kieffer Sanitation/A Waste Management Co, 578.29; Kieffer Sanitation/A Waste Management Co, 3,781.38; Kimball Midwest, 1,734.99; Kinkade Funeral Chapel, 1,910.00; Kintigh Kylie, 70.78; Kirk Funeral Home, 7,220.00; Kirschenmann, Kevin E, 945.00; KLJ Engineering LLC, 10,143.25; Knecht Home Center Inc, 2,024.30; Knight's Quality Welding, 210.00; Koletzky Law Office Prof LLC, 187.80;

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Kone Inc, 365.36; Konica Minolta Premier Finance, 156.19; KS Statebank, 10,325.82; Laboratory Corporation Of America Holdings, 120.10; Lacroix Heather M, 207.80; Landis Chad, 40.00; Lands' End Business Outfitters, 184.73; Language Line Services, 113.33; Larson Valerie J, 33.00; Laughing Bear Inc, 6,823.72; Lawson Products Inc, 1,800.92; Lehnen Maria, 200.00; Lewis & Clark Behavioral Health Services, 184.00; Lewno Lucille M, 361.64; Liberty Chrysler Center, 1,375.64; Lingo Communications LLC, 88.17; Linstrom Dustin, 100.00; Lockwood Darcy, 33.00; Love, Todd A, 2,204.25; Lutheran Social Services Of SD, 54,787.77; Lynn Jackson Schultz & Lebrun PC, 7,382.90; M&M Sales LLC, 410.50; Marco Inc, 1,495.06; Marco Inc, 7,194.97; Marlow White Uniforms Inc, 1,070.85; Maruska, Kayla L, 8,246.00; Matheson Tri-Gas Inc, 839.35; McGowan, Wendy T, 4,464.20; McKesson Medical-Surgical Government Solutions LLC, 1,295.00; Medical Waste Transport Inc, 618.60; Medical Waste Transport Inc, 1,228.20; Medline Industries Inc, 5,056.49; Menards, 1,031.43; MG Oil Company, 39,729.25; Midcontinent Communications, 1,450.50; Midcontinent Communications, 2,767.56; Midwest Auto Chemical-Mac, 784.50; Midwest Connect, 529.00; Milstead Jeremy, 298.00; Mohler Cindy, 216.70; Montana Dakota Utilities, 200.93; Montana Dakota Utilities, 5,652.62; Monument Health - Urgent Clinics Rapid City, 100.00; Monument Health Home Plus Pharmacy, 96.31; Monument Health Rapid City Hospital, 175.63; Monument Health Rapid City Hospital Inc., 14,353.71; Monument Health Reference Laboratory, 3,424.67; Morrell Thomas, 100.00; Moss Psy D LLC, William A, 6,425.00; Motorola Solutions Inc, 891.00; Mountain Plains Evaluation LLC, 800.00; Mt Rushmore Telephone Co, 50.24; Muller David, 100.00; MyPlace - Fort Pierre, 539.00; Nelson Jacquelyn R, 1,710.00; Nelson Law, 2,491.10; Nelson Lisa, 186.00; Nena, 1,000.00; Nguyen Lam, 100.00; Nohr, Linda J, 2,100.00; Nolan Deanna, 305.40; North Central International Of Rapid City Inc, 44.29; North Central Supply Inc, 3,085.00; Northwest Pipe Fitting Inc, 4,784.76; Odegard, Amber L, 900.00; Office Depot, 1,924.57; Office Of Attorney General, 10,000.00; Olson, Carolyn, 9,375.00; Onsite First Aid, 1,830.24; O'Reilly Auto Parts, 34.93; Osheim & Schmidt Funeral Home, 5,730.00; Ostendorf Matthew, 40.00; Otis Elevator Co, 3,821.57; Overhead Door Of Rapid City, 104.72; Oyler Lucas, 145.53; Pacific Steel & Recycling, 829.54; Paradis Inc, 4,600.00; Parr Law PC, 303.00; Pasqualucci Law Office PC, 493.40; Pechota Terry, 27,630.33; Pederson Law Office LLC, 5,184.70; Penn Co Extension Petty Cash, 29.30; Penn Co Health & Human Sv Petty Cash, 495.00; Penn Co Highway Petty Cash, 57.50; Penn Co Human Resources Petty Cash, 184.03; Penn Co Jail Petty Cash, 1,620.00; Penn Co Jsc Petty Cash, 50.00; Penn Co Sheriff Petty Cash, 807.38; Penn Co States Atty Petty Cash, 811.09; Penn Co Treasurer Petty Cash, 81.96; Pennington County Courant, 988.31; Pennington County Housing & Redevelopment, 1,076.51; Pfefferle Sarah C., 564.66; Pharmchem Inc, 471.75; Phoenix Investigations, 1,457.38; Phoenix Supply LLC, 5,595.44; Pillen Optical Inc, 310.00; Pioneer Bank & Trust, 1,270.36; Pioneer Bank & Trust, 5,185.81; Pioneer Bank & Trust, 3,106.18; Pioneer Bank & Trust, 6,773.29; Pomp's Tire Service, 821.64; Positive Promotions, 53.18; Power Dms, 3,982.95; Power House, 227.12; Prairie Acres North LLC, 1,770.00; Prairie Auto Parts Inc, 5,013.34; Precision Auto, 4,465.97; Precision Eyecare PC, 274.18; Print Mark-Et, 544.65; Priority Dispatch Corp, 550.00; Proforma Screening Solutions LLC, 475.48; Purcell Alexander, 140.00; QR Rushmore LLC, 1,000.00; Quettier Nicolas, 450.00; Quill Corporation, 288.96; Quinn VFD, 721.20; Race Wheels, 600.00; Radiology Associates Professional LLC, 1,494.59; Rainbow Gas Company, 8.55; Ramkota Hotel, 144.00; Ramos Lacey, 829.71; Rapid Collision, 728.40; Rapid Delivery Inc, 179.40; Rapid Rooter, 510.00;

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RC Emergency Services PA, 1,522.52; RC Fire & Emergency Services, 2,214.79; RC Journal - Advertising, 4,096.44; RC Medical Center LLC, 2,195.36; RCS Construction Inc, 375,113.68; RDO Equipment Co, 2,862.59; Record Storage Solutions, 310.80; Redwood Toxicology Inc, 3,891.98; Reliance Telephone Inc, 7.50; Remily Stacey, 140.00; Renfro Corporation, 482.45; Rice Ralph, 100.00; Rinker Materials, 71,528.00; Ro Investigation And Research LLC, 5,310.50; Roadway Asset Services LLC, 8,630.00; Robert Overturf LLC, 648.00; Robert Sharp & Associates Inc, 1,596.25; Rochester Armored Car Company Inc, 495.08; Roetzel Lara, 421.60; Rose Dan, 104.00; Rosenburg Andrea, 353.16; Runnings Supply Inc, 709.46; Sanford Medical Occupational Medicine, 420.00; Satterwhite Therapy Services LLC, 297.87; Scenic Township, 6,112.50; Scenic VFD, 255.67; Scheels, 224.22; Scovel Psychological, 7,862.50; SD Dept Of Health, 2,656.00; SD Dept Of Public Safety, 5,400.00; SD Dept Of Public Safety, 146.00; SD Dept Of Revenue, 11,415.78; SD Dept. Of Military, 1,805.00; SD Federal Property Agency, 304.00; SD One Call Board, 196.35; SD Secretary Of State, 240.00; SD Sheriff's Association, 345.00; SDACC, 1,755.00; SDN Communications, 2,657.84; SDSU Admin Shared Service Center, 17.33; SDSU Extension, 791.40; Securus Technologies Inc, 18,516.52; Seifert, Mary Rae, 2,115.00; Servall Uniform/Linen Co, 2,508.62; Signs Now, 427.61; Silver Star Septic LLC, 160.00; Simon Contractors Of South Dakota Inc, 215,996.10; Simpliverified LLC, 960.00; Sit On It Seating, 25,065.20; Sitzes Scott, 500.00; Snow Tyler, 140.00; Solemate Shoes And Uniform Center, 29.74; Southern Hills Publishing, 890.97; Speck, Jody H, 2,293.00; Stan Houston Equipment, 39.95; Staybridge Suites - Rapid City Rushmore, 135.00; Stephens, Matthew T, 10,420.00; Streicher's, 1,201.63; Sturdevant's Auto Parts, 4,313.15; Sturdevant's Refinish, 590.15; Summit Fire Protection, 216.00; Summit Food Service, 161,907.59; Summit Signs & Supply Inc, 191.00; Super Clean Tunnel Wash, 18.00; Superior Press, 92.53; Survival Armor Inc, 10.00; Swanson Erik T DDS PC, 1,348.00; Synch/Amazon, 1,383.58; Sysco Montana Inc, 147.25; Tessco Incorporated, 468.54; The Little Print Shop Inc, 110.22; The Medicine Shoppe, 396.68; The Palms Apartments LLC, 6,640.00; The Rehab Doctors PC, 307.65; Thomson Reuters-West, 17,987.75; Thovson Jim, 67.14; Thurman, Creighton, 556.92; Timeclock Plus, LLC, 4,161.95; Titan Machinery, 847.50; TKRS Properties LLC, 3,276.33; Tow Pros, 125.00; Traverse County, 80.00; Tru Green LP, 779.79; Truenorth Steel, 63,103.02; Twisted Shears LLC, 96.00; Uline, 2,243.06; Upper Deck Architects Inc, 2,940.00; US Bank Na Fees, 6,277.00; USPS-POC 8100669, 7,533.32; Vallette Thomas, 74.00; Vanness Donna L, 61.24; Vanway Trophy & Awards, 404.23; Vemco, 787.57; Verizon Connect Inc, 34.90; Verizon Wireless, 176.46; Verizon Wireless, 419.10; Vermeer High Plains, 49,261.91; Vista Pointe LLC, 3,299.00; Vliieger Tom, 98.28; Walker John K, 300.00; Wall Building Center & Construction, 65.83; Wall VFD, 520.20; Warne Chemical & Equipment Co Inc, 347.33; Watertree Inc, 1,291.44; Webstaurantstore, 3,252.27; Wegner Auto Company, 68,107.00; Wehrle Stacey, 140.00; Weichmann, Cynthia M, 2,405.40; Wellmark, 166,545.06; Wells Fargo Financial Leasing Inc, 126.35; Wendell Gordon, 14.00; West River Anesthesiology Consultants PC, 330.31; West River Electric, 1,384.93; West River Trailer Sales, 79.98; Western Construction Inc, 38,270.13; Western Mailers, 314.79; Western States Fire, 925.00; Western Stationers, 5,047.71; Wex Bank, 13,017.70; Wex Bank, 608.38; White Alexa, 86.00; Willett Dustin, 1,508.69; Winter Law Office PC, 1,925.06; Wolf, Ione, 598.75; Woodford County, 65.00; Yankton Co Sheriff Office, 300.00; Yankton County Treasurer, 147.70; Yellow Robe Luther P,

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11,093.00; Youngberg Law Prof LLC, 195.22; Zep Sales & Service, 364.18; Zimney, Maureen A, 100.00; ZMC LLC, 10,467.35; Zuercher Technologies LLC, 32,618.48.

EXECUTIVE SESSION – SDCL 1-25-2

MOVED by Lasseter and seconded by Rossknecht 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 2:05 p.m. until 2:55 p.m.

PAYROLL

Commissioners, 11,710.29; Elections, 9,811.19; Auditor, 13,695.47; Treasurer, 35,584.80; State's Attorney 149,271.04; Public Defender, 86,873.43; Buildings & Grounds, 66,028.39; Equalization, 44,550.54; Register of Deeds, 12,512.80; IT, 30,061.10; Human Resources, 8,348.82; Sheriff, 320,641.29; Jail, 357,368.32; JSC, 110,063.81; JSC Juvenile Alternative, 3,736.50; CCADP, 115,427.77; Economic Assistance, 40,244.83; Extension, 1,520.82; Natural Resources, 12,386.80; Planning & Zoning, 20,229.35; Road & Bridge, 107,209.36; Fire Administration, 4,082.43; Dispatch, 114,252.53; Emergency Management, 5,554.38; 24-7 Program, 8,960.05; MacArthur Safety & Justice, 9,701.49.

PERSONNEL: Amounts listed are hourly, bi-weekly or per meeting depending on position.

24/7: Effective 10/03/2022: Ryland Lamke, \$16.67.

Buildings & Grounds: Effective 09/04/2022: Joe Queriapa Arias, \$18.40.

Care Campus: Effective 10/03/2022: Zachary Hiebert, \$16.67.

Highway: Effective 09/19/2022: Mark Gohsman, \$18.40. Effective 10/02/2022: Matthew Harvey, \$21.18.

Jail: Effective 09/19/2022: Daniel Pank, \$15.44. Effective 10/02/2022, Colton Reichert, \$28.88. Effective 10/03/2022, Genevieve Sandoval, \$18.66; Nathaniel Drake, \$16.67; Sammi Goodvoicecrow, \$18.66; Thomas Malone, \$24.35; Mariah Vanderlaan, \$16.67.

Sheriff: Effective 09/04/2022: Ryan Schuler, \$25.55.

State's Attorney: Effective 09/04/2022: Andrea Rosenburg, \$2,861,60; Candice Lucklum, \$3,162.40. Effective 10/03/2022: Pamela Smallwood, \$20.65.

Weed & Pest: Effective 09/06/2022: Mark DiSanto, \$50.00.

WSDJSC: Effective 10/03/2022: Leighton Shangreau, \$23.14.

ADJOURN

MOVED by Lasseter and seconded by Hadcock to adjourn the meeting. Vote: Unanimous. The meeting was adjourned at 2:55 p.m.

/s/ Cindy Mohler, Auditor

Published once at an approximate cost of _____.

Publish: October 5, 2022