

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of April 19, 2022

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, April 19, 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.

CONSENT AGENDA ITEMS

MOVED by Lasseter and seconded by Rossknecht to approve the Consent Agenda with the removal of item 7. Vote: Unanimous.

5. Approve the minutes of the April 5, 2022, regular meeting.
6. Acknowledge the filing of petitions signed by 25% of the eligible voters in the area to be annexed and 25% of the eligible voters in the existing district, and the resolution approving the annexation request by the road district, and to set an election date on the question of annexation to the Murphy Ranch Road District not more than 60 days from this date. The election is to be held May 3, 2022.
7. Removed for separate consideration.
8. Acknowledge disinterment permit #1456094.
9. Approve the 2nd QTR 2022, Local Emergency Management Planning Grant.
10. Approve Utilities Certificate P 6403(10) PCN 08P3 – South Rochford Road Reconstruction.
11. Recognize and thank the volunteers for the month of March 2022.

End of Consent Agenda

7. VACATION HOME RENTAL ORDINANCE COMMITTEE: MOVED by LaCroix and seconded by Rossknecht to accept the recommendation for the appointments of Tara Flanery, Jessica Ginger, Jordan Hirschfeld, Laura Jones, Desyl Peterson, Christopher Quail and Kathy Skorzewski, to the Vacation Home Rental Ordinance Committee. Vote: Unanimous.

PENNINGTON COUNTY PLANNING COMMISSION APPOINTMENTS: MOVED by Rossknecht and seconded by LaCroix to appoint Kevin Kuehn to the Planning Commission to fulfill the remainder of term ending June 30, 2024. Vote: Unanimous.

MOVED by LaCroix and seconded by Rossknecht to appoint Kevin Burton to the Planning Commission for a term commencing on July 1, 2022, ending June 30, 2025. Vote: The motion carried 3-2 with Hadcock and Lasseter voting no.

CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

1. BOX ELDER CLEAN WATER PRIORITIES REQUEST: MOVED by Rossknecht and seconded by Lasseter to acknowledge the request to withdraw the request for ARPA funds by Box Elder. Vote: Unanimous.

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2. RAPID VALLEY SANITARY DISTRICT –WATER SYSTEM EXPANSION REQUEST: MOVED by Lasseter and seconded by Hadcock to approve the request for \$5,486,040 in ARPA funds by Rapid Valley Sanitary District for water system expansion.

Substitute motion: MOVED by Hadcock and seconded by Lasseter to continue this item to a special meeting to be held April 27, 2022, at 5:00 p.m. Vote: Unanimous.

3. DESIGNATION OF ARPA FUNDS: MOVED by LaCroix and seconded by Lasseter to continue this item to special meeting to be held April 27, 2022, at 5:00 p.m. Vote: Unanimous.

ITEMS FROM AUDITOR

A. LIQUOR LICENSE PUBLIC HEARINGS: MOVED by LaCroix and seconded by Rossknecht to approve the transfer of the Retail (on-off sale) Malt Beverage & SD Farm Wine License from Moonshine Gulch Saloon under Betty Harn into Moonshine Gulch Saloon, LLC, under Paul Zweifel. Vote: Unanimous.

MOVED by Rossknecht and seconded by Lasseter to approve the new Retail (on-off sale) Wine & Cider & new Retail (on-sale) Liquor with Sunday Sales License for Moonshine Gulch Saloon, LLC, under Paul Zweifel. Vote: Unanimous.

ITEMS FROM BUILDINGS & GROUNDS

A. BUILDING COMMITTEE PROJECT RECOMMENDATION: STATES ATTORNEY OFFICE REMODEL, PROJECT & FUNDING AUTHORIZATION: Informational only.

ITEMS FROM EMERGENCY SERVICES

A. POSITION RATING ADJUSTMENTS: MOVED by Hadcock and seconded by Lasseter to approve eliminating the Telecommunicator position and to update the job descriptions and pay bands for the Dispatcher 1 position at a DBM of B22/\$18.66/hr.; the Dispatcher 2 position at a DBM of B23/\$20.65/hr.; the Dispatcher 3 position at a DBM of B24/\$23.14/hr.; and the Dispatcher 4 position at a DBM of B31/\$23.14/hr. It was further moved to place existing staff on the new grade with no reduction in pay and to update the position listings on file, effective May 1, 2022. Vote: Unanimous.

ITEMS FROM EQUALIZATION

A. ABATEMENT APPLICATION: MOVED by Rossknecht and seconded by LaCroix to approve the abatement application for tax year 2021 for Steve Moore, Parcel #41783, \$1,138.52. Vote: Unanimous.

ITEMS FROM HIGHWAY

A. BLACK HILLS NATIONAL FOREST SERVICE CHALLENGE COST SHARE AGREEMENT: MOVED by Rossknecht and seconded by LaCroix to approve the Challenge Cost Share Agreement 22-CS-11020306-039 with the Black Hills National Forest for South Rochford Road right-of-way fencing. Vote: Unanimous.

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- B. CONSTRUCTION STAKING AGREEMENT: MOVED by LaCroix and seconded by Rossknecht to approve the agreement with Interstate Engineering, Inc. for construction staking for the South Rochford Road reconstruction project in a not to exceed amount of \$15,000. Vote: Unanimous.
- C. CONSTRUCTION ADMINISTRATION AGREEMENT: MOVED by LaCroix and seconded by Rossknecht to approve Professional Services Agreement #2103-01451 with KLJ Engineering, LLC for bridge preservation construction administration of four bridges at estimated cost of \$108,000. Vote: Unanimous.
- D. AUTHORIZATION TO PURSUE PURCHASE OF A NEW BRUSH CHIPPER: MOVED by Lasseter and seconded by LaCroix to grant authorization to pursue the purchase of a new brush chipper under current government cooperative purchasing contracts. Vote: Unanimous.

ITEMS FROM HUMAN RESOURCES

- A. NEW POSITION TITLE REQUEST: MOVED by LaCroix and seconded by Hadcock to approve the addition of the Office Lead position in the Register of Deeds Office at a DBM rating of B23, \$20.65/hr. effective April 17, 2022, and to authorize Human Resources to update the position listing on file. Vote: Unanimous.
- B. POSITION RATING ADJUSTMENT: MOVED by LaCroix and seconded by Rossknecht to approve the recommended DBM pay grade of B23, \$20.65/hr. for the Caseworker position in the Public Defender's Office effective April 17, 2022, and to authorize Human Resources to update the position listing on file. Vote: Unanimous.
- C. EMERGENCY PERSONAL LEAVE POLICY CORRECTION: MOVED by Hadcock and seconded by Lasseter to reinsert the following statement in the Emergency Personal Leave Policy in the Employee Handbook: "Any additional hours needed must be approved by the Department Head or Elected Official; up to a maximum of 80 hours. If the employee has exhausted their Sick Leave and Vacation balances, any additional hours granted under this section would be unpaid personal leave time (LWOP)." Vote: Unanimous.
- D. UPDATED RETENTION BONUS REQUEST: MOVED by Rossknecht and seconded by Drewes to rescind the pay action motion approved at the April 5, 2022, meeting that granted \$1,000 retention bonuses to employees who are no longer on the scale and have not had their pay adjusted by any other actions since January 1, 2021. Vote: Unanimous.
- MOVED by Hadcock and seconded by Rossknecht to grant one-time \$1,000 bonuses to active County employees who are at pay step 24 or are off the applicable pay scale for their position, and receive no compression steps. Employees who have experienced pay adjustments outside pay policy since January 1, 2021, are excluded from receiving any bonus under this action. Eligible employees must be actively employed through July 9, 2022, to receive the bonus. The bonus will be paid with the pay period ending July 9, 2022. This bonus action is not available to Elected Officials, and anyone moving to the approved Law Enforcement pay scale or the approved Medical pay scale. Vote: Unanimous.
- E. COMPENSATION PRESENTATION – PART 2: Informational only.
- F. 2023 WAGE SCALE SELECTION & IMPLEMENTATION PROCESS: MOVED by LaCroix and seconded by Rossknecht to approve the use of the 2023 pay structure with elevated state rates for Grade A and B positions as presented, and further move for placement on the scale

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where the employee will receive a 1.5% adjustment plus one step, and the application of an additional single pay step as required to avoid new compression. Vote: The motion carried 3-2 with Hadcock and Lasseter voting no.

ITEMS FROM NATURAL RESOURCES

A. **REQUEST TO INCREASE SEASONAL STAFF POSITIONS STARTING WAGE: MOVED** by LaCroix and seconded by Rossknecht to approve the starting wage for the Natural Resources Applicator and Enforcement Tech positions to DBM A12, Step 9, \$15.04/hr. Vote: Unanimous.

ITEMS FROM PLANNING & ZONING

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

A. **APPEAL OF BUILDING PERMIT / COBP21-0652:** Tina Bechly; Owner – Lex Burger.

Lot 5, Block 1, Green Valley Estates, Section 23, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Lasseter to deny without prejudice the appeal of Building Permit COBP21-0652 for Tina Bechly for the mobile home located at 6078 Green Tree Drive, Rapid City, SD. It is further moved to direct staff to amend the zoning ordinance in Section 304E – Construction Standards. Vote: Unanimous.

B. **VARIANCE / VA 22-03:** SDN Communications; Steve Angerhofer - Agent. To reduce the required setbacks from 500 feet to 43 feet to Residential Zoning Districts, including Agriculture District containing less than 40 acres, for a proposed 120-foot-tall broadband tower in a Suburban Residential District in accordance with Sections 209, 316, and 509 of the Pennington County Zoning Ordinance.

Lot 2, Block 9, Dakota Lode MS 2109, Section 23, T2N, R3E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Lasseter to deny VA 22-03 and adopt Staff's findings for the variance request as presented. Vote: The motion carried 4-0 with Rossknecht abstaining.

C. **VARIANCE / VA 22-05:** Shane and Kimberly Geidel. To exceed 40 dwelling units on a dead-end road system in an Agriculture District in accordance with Sections 204-F, 205 and 509 of the Pennington County Zoning Ordinance.

Lot B, Jundt Subdivision, Section 33, T1N, R9E, BHM, Pennington County, South Dakota.

MOVED by Lasseter and seconded by LaCroix to deny VA 22-05 and adopt Staff's findings for the variance request as presented. Vote: Unanimous.

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

MOVED by LaCroix and seconded by Lasseter to take a ten-minute break. 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 Lasseter to approve the Planning and Zoning consent agenda as presented. Vote: Unanimous.

D. MINOR PLAT / MPL 22-09: Michael and Joslyn Sullivan. To subdivide and create Tracts 4A and 4B, A Subdivision of Tract Four (4) of Schacher Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract 4, Schacher Subdivision, Section 24, T1S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract 4A and Tract 4B, A Subdivision of Tract Four (4) of Schacher Subdivision, Section 24, T1S, R6E, BHM, Pennington County, South Dakota.

Approve MPL 22-09 with eight (8) conditions. (Full conditions are available on the web at https://www.pennco.org/boc_agendas and in person at the Pennington County Planning & Zoning Office). Vote: Unanimous.

E. PRELIMINARY PLAT / PPL 22-11: ELS Properties LLC; Rick Schulke. To subdivide and create Lots 3A, 3B, 3C, 3D, and 3E of Battle Creek Mountain Estates Subdivision in accordance with Section 400.2 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot 3 and Lot A3 of Lot 3, Less Lot H1 of Lot 3 (Also in Section 17, 19), Battle Creek Mountain Estates, Sections 18, T2S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 3A, Lot 3B, Lot 3C, Lot 3D, and Lot 3E, Battle Creek Mountain Estates Subdivision, Section 18, T2S, R7E, BHM, Pennington County, South Dakota.

Approve PPL 22-11 with six (6) conditions. (Full conditions are available on the web at https://www.pennco.org/boc_agendas and in person at the Pennington County Planning & Zoning Office). Vote: Unanimous.

UNCONTESTED HEARING

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F. PUBLIC HEARING OF COMPREHENSIVE PLAN AMENDMENT / CA 22-03: Tiffany Wolla. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

Lot 1, Engesser Subdivision No. 2, Section 35, T2N, R8E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve CA 22-03. Vote: Unanimous.

NOTICE OF FACT OF ADOPTION

On April 19, 2022, the Pennington County Board of Commissioners approved by resolution an amendment to the official Comprehensive Plan “View to 2040” – Comprehensive Plan Amendment 22-03 (Tiffany Wolla) to change the Future Land Use from Agriculture District to Ranchette District.

G. PUBLIC HEARING OF REZONE / RZ 22-03: Tiffany Wolla. To rezone 5.03 acres from Agriculture District to Ranchette District in accordance with Sections 205, 206, and 508 of the Pennington County Zoning Ordinance.

Lot 1, Engesser Subdivision No. 2, Section 35, T2N, R8E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Lasseter to approve RZ 22-03. Vote: Unanimous.

NOTICE OF FACT OF ADOPTION

On April 19, 2022, the Pennington County Board of Commissioners approved an amendment to the official Zoning Map: Rezone 22-03 (Tiffany Wolla) to rezone from Agriculture District to Ranchette District.

H. PUBLIC HEARING OF COMPREHENSIVE PLAN AMENDMENT / CA 22-05: Black Hills Tiny Resort, LLC (Joleen Zoller); KTM Design Solutions - Agent. To amend the Comprehensive Plan to change the Future Land Use from Agriculture District and Highway Service District to Highway Service District in accordance with Sections 205, 212, and 508 of the Pennington County Zoning Ordinance.

Lot 1, BHTR Subdivision, Section 3, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Lasseter to approve CA 22-05. Vote: Unanimous.

NOTICE OF FACT OF ADOPTION

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On April 19, 2022, the Pennington County Board of Commissioners approved by resolution an amendment to the official Comprehensive Plan “View to 2040” – Comprehensive Plan Amendment 22-05 (Black Hills Tiny Resort, LLC; Joleen Zoller) to change the Future Land Use from Highway Service District and Agriculture District to Highway Service District.

I. PUBLIC HEARING OF REZONE / RZ 22-05: Black Hills Tiny Resort, LLC (Joleen Zoller); KTM Design Solutions - Agent. To rezone 13.79 acres from Agriculture District and Highway Service District to Highway Service District in accordance with Sections 205, 212, and 508 of the Pennington County Zoning Ordinance.

Lot 1, BHTR Subdivision, Section 3, T1S, R7E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by LaCroix to approve RZ 22-05. Vote: Unanimous.

NOTICE OF FACT OF ADOPTION

On April 19, 2022, the Pennington County Board of Commissioners approved an amendment to the official Zoning Map: Rezone 22-05 (Black Hills Tiny Resort, LLC; Joleen Zoller) to rezone from Highway Service District and Agriculture District to Highway Service District.

CONTESTED HEARING(S)

J. ROAD CONSTRUCTION WITHIN A SECTION LINE RIGHT-OF-WAY / CS 22-03: Site Work Specialists. To construct a road within the Section Line Right-of-Way between Sections 11, 12, 13, and 14, T1N, R8E to provide access to property located in Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

Sections 11, 12, 13, and 14, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve CS 22-03 with eight (8) conditions. (Full conditions are available on the web at https://www.pennco.org/boc_agendas and in person at the Pennington County Planning & Zoning Office). Vote: Unanimous.

K. ROAD CONSTRUCTION WITHIN A SECTION LINE RIGHT-OF-WAY / CS 22-04: Site Work Specialists. To construct a road within the Section Line Right-of-Way between Sections 13 and 14, T1N, R8E to provide access to property located in Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

Sections 13 and 14, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Lasseter to approve CS 22-04 with eight (8) conditions. (Full conditions are available on the web at https://www.pennco.org/boc_agendas and in person at the Pennington County Planning & Zoning Office). Vote: Unanimous.

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L. VACATION OF SECTION LINE RIGHT-OF-WAY / VS 22-03 BY RESOLUTION: Slate Creek Partners, LLC. To vacate the Section Line Right-of-Way lying between Sections 21 and 28, T1N, R4E, BHM, Pennington County, South Dakota.

E1/2SE1/4SE1/4 of Section 21, T1N, R4E, and E1/2NE1/4NE1/4 of Section 28, T1N, R4E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Drewes to approve VS 22-03. Vote: The motion carried 4-1 with Lasseter voting no.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
PENNINGTON COUNTY, SOUTH DAKOTA, THAT WHEREAS
A VACATION OF SECTION LINE

To vacate the Section Line Right-of-Way located in the E1/2SE1/4SE1/4 of Section 21, T1N, R4E, and the E1/2NE1/4NE1/4 of Section 28, T1N, R4E, BHM, Pennington County, South Dakota in Pennington County, South Dakota, was duly filed with the County Commissioners for the purpose of examination and approved by the Governing Body, and whereas, the vacation of section line right-of-way of said property has been executed according to law, NOW THEREFORE, BE IT RESOLVED that

To vacate the Section Line Right-of-Way located in the E1/2SE1/4SE1/4 of Section 21, T1N, R4E, and the E1/2NE1/4NE1/4 of Section 28, T1N, R4E, BHM, Pennington County, South Dakota

in Pennington County, South Dakota, be and the same is hereby approved and the County Auditor of Pennington County is hereby authorized to endorse on such vacation of section line right-of-way a copy of this resolution and certify to its correctness.

Dated this 19th day of April, 2022.

/s/ Chair Gary Drewes
Pennington County Board of Commissioners

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

M. PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 22-02: Pennington County. To amend Section 303 “Multiple-Family Dwellings” [to amend and supersede the existing Section 303 “Multiple-Family Dwellings”] of the Pennington County Zoning Ordinance.

MOVED by Hadcock and seconded by Lasseter to approve OA 22-02. Vote: Unanimous.

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NOTICE OF FACT OF ADOPTION

On April 19, 2022, the Pennington County Board of Commissioners approved an amendment to the official Pennington County Zoning Ordinance: Ordinance Amendment 22-02 – To amend Section 303 – Multiple-Family Dwellings of the Pennington County Zoning Ordinance.

N. PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 22-03: Pennington County. To amend Section 103 “Definitions” [to amend and supersede the existing Section 103 “Definitions”] of the Pennington County Zoning Ordinance.

MOVED by Lasseter and seconded by Rossknecht to approve OA 22-03. Vote: Unanimous.

NOTICE OF FACT OF ADOPTION

On April 19, 2022, the Pennington County Board of Commissioners approved an amendment to the official Pennington County Zoning Ordinance: Ordinance Amendment 22-03 – To amend Section 103 – Definitions of the Pennington County Zoning Ordinance.

O. PUBLIC HEARING OF COMPREHENSIVE PLAN AMENDMENT / CA 22-04: Black Hills Industrial Center, LLC; KTM Design Solutions - Agent. To amend the Comprehensive Plan to change the Future Land Use from Low Density Residential District to Heavy Industrial District in accordance with Sections 208, 214, and 508 of the Pennington County Zoning Ordinance.

All of the SE1/4, Section 29, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Lasseter to approve CA 22-04. Vote: Unanimous.

NOTICE OF FACT OF ADOPTION

On April 19, 2022, the Pennington County Board of Commissioners approved by resolution an amendment to the official Comprehensive Plan “View to 2040” – Comprehensive Plan Amendment 22-04 (Black Hills Industrial Center, LLC) to change the Future Land Use from Low Density Residential District to Heavy Industrial District.

P. PUBLIC HEARING OF REZONE / RZ 22-04: Black Hills Industrial Center, LLC; KTM Design Solutions - Agent. To rezone 162 acres from Agriculture District to Heavy Industrial District in accordance with Sections 205, 214, and 508 of the Pennington County Zoning Ordinance.

All of the SE1/4, Section 29, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Rossknecht to approve RZ22-04. Vote: Unanimous.

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NOTICE OF FACT OF ADOPTION

On April 19, 2022, the Pennington County Board of Commissioners approved an amendment to the official Zoning Map: Rezone 22-04 (Black Hills Industrial Center, LLC) to rezone from Agriculture District to Heavy Industrial District.

Q. TAX INCREMENT FINANCE DISTRICT #6 – APPLE VALLEY AFFORDABLE HOUSING DEVELOPMENT: Tax Increment Finance District (TIF) by Pink Cabin, LLC for the Apple Valley Affordable Housing Development.

Resolution approving the Contract for Private Development Tax Increment Financing District Number Six, County of Pennington.

SW1/4NW1/4; NW1/4SW1/4; and NW1/4NW1/4 (including Lot A) Less ROW all located in Section 13, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by LaCroix to approve the resolution for the Contract for Private Development Tax Increment Financing District Number Six, County of Pennington. Vote: The motion carried 3-2 with Hadcock and Lasseter voting no.

**RESOLUTION APPROVING THE CONTRACT FOR PRIVATE
DEVELOPMENT
TAX INCREMENT FINANCING DISTRICT NUMBER SIX**

WHEREAS, the Pennington County Commission has determined that it is in the best interest of the County to implement plans to promote economic development and growth in the County; and

WHEREAS, the Commission approved the creation of Tax Increment Financing District Number Six (TIF District #6) by resolution dated December 7, 2021, for the purpose of increasing availability of affordable housing in the Rapid City area and to improve associated community infrastructure; and

WHEREAS, the Commission approved the Project Plan for TIF District #6 by resolution dated December 7, 2021; and

WHEREAS, the Commission has received for consideration a Contract for Private Development, attached hereto as Exhibit A, which sets forth the duties and obligations of the respective parties in bringing the Project Plan for TIF District #6 to fruition; and

WHEREAS, the use of Tax Increment Funding to promote this development is in keeping with the purpose of the statutes adopted by the South Dakota State Legislature; and

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NOW, THEREFORE, BE IT RESOLVED by the Pennington County Board of Commissioners that the Contract for Private Development (TIF District #6), attached to this Resolution as Exhibit A, is hereby approved and shall take effect on the twentieth day after completed publication.

Dated this 19th day of April, 2022.

/s/ Chair Gary Drewes
Pennington County Board of Commissioners

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

ITEMS FROM COMMISSION MANAGER

A. PUBLIC COMMENT PERIOD POLICY & PROCEDURE: MOVED by Hadcock and seconded by LaCroix to approve the new Public Comment Period policy and procedure as presented. Vote: Unanimous.

B. RECORDING OF PUBLIC MEETING POLICY AND PROCEDURE UPDATE: MOVED by LaCroix seconded by Rossknecht to approve the updated policy and procedure for Recording of Public Meetings as presented. Vote: Unanimous.

C. PETITION CIRCULATOR POLICY UPDATE: MOVED by Drewes and seconded by Rossknecht to approve the updated Petition Circulator policy as presented. Vote: Unanimous.

D. RESCHEDULE 2023 BUDGET HEARINGS: MOVED by LaCroix and seconded by Drewes to reschedule the 2023 Budget hearings to June 28 - 29, 2022, starting at 8:30 a.m. Vote: Unanimous.

APPROVAL OF VOUCHERS: MOVED by Rossknecht and seconded by Lasseter 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 \$2,731,418.89. Vote: Unanimous.

A & A Professional Property Management, 575.00; A & B Business Inc, 4,951.01; A & B Welding Supply Co, 1,389.83; A & M Transport Service LLC, 2,016.75; A To Z Shredding, 1,030.49; Active Data Systems Inc, 1,787.24; Adams-Isc, 2,958.99; Adaptamed, LLC, 1,470.00; Advanced Drug Testing Inc, 679.00; Affordable Accommodations, 700.00; Aggressive Auto & Salvage, 18,000.00; Alcohol Monitoring Systems Inc, 1,145.00; All American Glass & Mirror, 140.80; Amazon.Com Services, 1,766.90; Americinn Motel, 1,550.00; Amick Sound Inc, 53.46; Apex Court Reporting, 103.05; Architectural Specialties LLC, 382.65; Assured Partners Aerospace, 5,089.00; AT&T Mobility, 277.54; Audra Hill Consulting Inc, 13,374.59; Avi Systems Inc, 4,942.21; Axon Enterprise Inc, 7,161.00; B-1 Development, Inc, 4,800.18; Badlands Automotive, 231.58; Bakley Regina, 52.64; Balco Uniform Co Inc, 12,647.78; Bangs, Mccullen, Butler, Foye & Simmons, LLP, 688.50; Banks, Bridgette R, 810.20; Bargain Printing, 327.25; Barnier Law Office PC, 1,554.00; Beachem Bryce, 100.00; Beezley, Lawrence D, 250.00; Behavior Management Systems Inc, 945.00; Behrens-Wilson Funeral Home, 7,230.00; BH Area

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Community Foundation, 1,324.00; BH Chemical Company Inc, 9,493.34; BH Energy, 119.84; BH Energy, 27,349.71; BH Energy, 462.30; BH Energy, 52,185.37; BH Insurance Agency Inc, 120.00; BH Obstetrics & Gynecology LLC, 327.00; BH Oral & Maxillofacial Surgery PC, 1,383.11; BH Roofing Co, 310.00; BH Services Inc, 1,196.00; BH Tent And Awning, 38.50; BH Urgent Care LLC, 130.00; BH Window Cleaning Inc, 2,100.00; Bi Inc, 4,774.25; Biddle Consulting Group Inc, 6,090.00; Biers Tool Sales LLC, 125.10; Bierschbach Equipment And Supply Co Inc, 661.07; BKV Group, 26,364.85; Black Creek Integrated Systems Corp, 379.50; Bloom Law Office Prof LLC, 1,549.54; Bob Barker Company Inc, 5,838.11; Bob's Auto Service, 1,384.07; Border States Electric, 3,416.55; Borresen Karabeth, 150.00; Box Elder VFD, 951.00; Bringswhite, Erik, 5,690.80; Bringswhite, Morgan, 4,066.60; Bronson Richard, 100.00; Bronson Sandra, 590.56; Brosz Engineering Inc, 1,007.50; Cameron, George R, 745.65; Carlson, Jean, 1,070.00; Carquest Of Rapid City, 2,011.35; Cass County Sheriff's Office, 37.00; Castleberry, James D, 2,992.66; Cat's Cleaning, 80.00; CBH Cooperative, 2,023.29; CDW Government Inc, 55,592.87; Central States Fair Inc, 30,399.23; Certified Laboratories, 3,305.07; Champion Rhonda, 2,020.00; Charles Mix Co. Sheriff's Office, 120.00; Charm-Tex Inc, 1,239.90; Cherry Ave LLC, 1,800.00; Chris Supply Co Inc, 254.66; City Of New Underwood, 1,321.20; City Of Rapid City -Water, 330.00; City Of Rapid City -Water, 24,317.75; City Of Rapid City, 41,727.18; City Of Winner, 671.86; Clark Printing, 1,253.55; Clayborne, Deanna K, 771.40; Clayborne, Loos & Sabers LLP, 814.80; Climate Control Systems And Service LLC, 18,066.23; Climate Systems Inc, 613.00; Cline, Jean M, 593.25; Clinical Laboratory Of The Black Hills, 6,436.57; Colbath & Sperlich PC, 6,750.82; Colonial House, 418.79; Community Health Center Of The Black Hills Inc, 26,000.00; Complete Property Solutions, 5,275.00; Connections Inc EAP, 1,172.16; Contractors Insulation And Drywall Supply, 623.92; Contractors Supply Inc, 223.20; Cooks Correctional, 456.90; Copy Country, 610.70; Coremr LC, 916.50; Correct Rx Pharmacy Services Inc, 12,138.09; Crescent Electric Supply, 484.35; Crisis Prevention Institute Inc, 200.00; Crum Electric Supply, 533.29; Culligan Water, 156.00; Dakota Fluid Power Inc, 2,457.46; Dakota Plains Legal Services Inc, 31,625.00; Dakota Supply Group Inc, 146.35; Dale's Tire & Retreading Inc, 1,749.24; Darby Dental Supply LLC, 1,441.20; Debtbook, 6,500.00; Delta Dental Of South Dakota, 41,148.28; Dennis Supply - RC, 651.11; Denny Menholt Chevrolet, 1,289.67; De's Oil Inc, 3,346.50; Dharma Wellness Institute, 140.00; Diamond Mowers Inc, 12,617.00; Diamond Vogel Paint Center, 470.40; Diesel Machinery Inc, 720.73; Discovery Village Apartments LLLP, 2,670.37; Djwebbie LLC, 1,500.00; Door Security Products Inc, 107.14; Doran Joe, 384.00; Duffy Law Firm, Prof. LLC, 1,842.40; Dyna-Kleen Service Inc, 1,170.00; Eaton Corporation, 6,836.00; Ekeren Marvin R, 24.00; Election Systems & Software LLC, 1,483.96; Elite Fabz & Design, 3,747.37; Enzminger Kristyn, 362.46; Ertz, Dewey J, 3,145.00; Everbridge Inc, 25,102.00; Evergreen Office Products, 3,250.23; Executive Mgmt Fin Office, 2,208.81; Falken, Kellie, 7,500.00; Farmer Brothers Coffee, 1,084.20; Fastenal Company, 2,250.57; Federal Express, 93.96; Ferguson Enterprises Inc #226, 2,330.66; Fidelity Security Life, 5,939.93; Fink, Teresa L, 3,104.80; First Interstate Bank, 3,653.47; First Interstate Bank, 117.51; First Interstate Bank, 1,163.29; First Interstate Bank, 12,911.46; First Interstate Bank, 275.00; First Interstate Bank, 25.57; First Interstate Bank, 1,158.05; First Interstate Bank, 12.95; Flooring America, 776.40; Floyd's Truck Center, 4,288.92; FMG Inc, 2,370.80; Ford Brodie, 49.56; Ford Signs, 44.50; Forest Ridge Properties LLC, 2,558.99; Fox & Youngberg P.C., 539.93; Fresh Start Carpet Care, 11,056.20; Frey, Gregory L., 35.00; Frontier

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Precision Inc, 4,000.00; Fruit Of The Loom, 2,598.86; G & H Distributing - RC, 55.28; Garon Products Inc, 555.59; Genpro Energy Solutions, 853.94; Gerhardt-Whiddon Kimberly A, 1,043.00; Gion Joe, 206.00; Godfrey Brake Service And Supply Inc, 2,643.42; Golden West Companies, 838.82; Golden West Companies, 197.65; Golden West Technologies, 20,038.46; Great Western Tire Inc, 882.68; Grey & Eisenbraun Law, Prof LLC, 540.00; Grey Squirrel LLC, 4,700.00; Grimm's Pump Service Inc, 1,609.48; Grote Deb, 198.00; Gust Victor, 244.94; H&S Uniforms And Equipment LLC, 42.50; Hainesway Apartment, 2,712.00; Hall John, 1,300.00; Harms Oil Company, 36,041.82; Hartford Life And Accident Insurance Company, 2,707.50; Harvey Jerome, 31.89; Harveys Lock Shop, 283.27; Hills Septic Service, 325.00; Hillyard/Sioux Falls, 2,339.22; Hilpert & Hale Prof LLC, 190.98; Hobart Sales & Service, 1,439.12; Holiday Stationstores LLC, 19.50; Horan Tyler, 93.01; Horn Law Office Prof LLC, 626.20; Humane Society Of The Black Hills, 4,166.67; IAED, 186.00; Identisys Inc, 3,782.30; Image All LLC, 1,174.08; Indoff Inc, 1,281.36; Industrial Organizational Solutions Inc, 67.00; Inland Truck Parts, 1,028.14; Innovative Office Solutions LLC, 8,907.49; Interprecops, 122.50; Intoximeters Inc, 480.00; Isakson John, 500.00; Jacqueline K Perli Reporting Inc, 1,143.80; Jantech LLC, 730.00; Jenner Equipment Co, 6,510.94; Jims Private Utility Locating, 450.00; JJ's Engraving & Sales, 31.50; Johnson Controls, 66,539.02; Johnson, Kimberly K, 606.80; Johnstone Supply, 24.72; Juliano Ralph, 66.00; Kansas City Holdings LLC, 1,800.00; Karen Paige Hunt Prof LLC, 282.80; Karley Kevin, 206.00; Karl's Appliance, 145.00; Katterhagen Mark, 84.00; Kieffer Sanitation/A Waste Management Co, 4,429.53; Kimball Midwest, 2,480.74; Kintigh Kylie, 50.40; Kirk Funeral Home, 1,910.00; Kirschenmann, Kevin E, 1,350.00; Knecht Home Center Inc, 1,511.62; Knight's Quality Welding, 185.00; Koletzky Law Office Prof LLC, 193.90; Kone Inc, 11,517.54; Konica Minolta Premier Finance, 156.19; KS Statebank, 10,325.82; KT Connections, 274.00; Laboratory Corporation Of America Holdings, 46.00; Laboratory Corporation Of America Holdings, 221.58; Lacial Equipment, 6,708.08; LaCroix Lloyd, 1,720.48; Lands' End Business Outfitters, 97.04; Language Line Services, 170.22; Lawrence County Highway Dept, 6,065.64; Legion Investments LLC, 2,300.00; Lewis & Clark Behavioral Health Services, 1,288.00; Lewno Lucille M, 970.18; Liberty Chrysler Center, 1,228.32; Lingo Communications LLC, 80.30; Lockwood Darcy, 60.00; Love, Todd A, 4,295.25; Lowe Roofing Incorporated, 458.04; Lutheran Social Services Of SD, 70,137.15; Lynn Jackson Schultz & Lebrun PC, 5,989.30; M & M Fencing, 2,463.35; Marco Inc, 1,996.81; Marco Inc, 6,976.13; Matheson Tri-Gas Inc, 326.77; Matthew Bender & Co Inc, 224.51; Mayer Dan, 35.00; McGas Propane LLC, 1,901.48; McGowan, Wendy T, 3,832.91; MCI Service Parts Inc, 1,252.01; McKesson Medical-Surgical Government Solutions LLC, 3,604.66; McKie Ford Inc, 51.12; Medical Waste Transport Inc, 581.04; Medical Waste Transport Inc, 256.68; Medline Industries Inc, 1,356.35; Menards, 1,616.08; MG Oil Company, 25,367.78; Midcontinent Communications, 1,396.95; Midcontinent Communications, 2,997.09; Midcontinent Testing Lab, 348.00; Midwest Auto Chemical-Mac, 69.90; Midwestern Mechanical-Rapid Inc, 697.21; Miller Joseph, 34.00; Mindys Custom Embroidery & More, 82.50; Montana Dakota Utilities, 103.39; Montana Dakota Utilities, 8,335.32; Monument Health - Urgent Clinics Rapid City, 300.00; Monument Health Home Plus Pharmacy, 11.63; Monument Health Rapid City Hospital Inc., 18,323.12; Monument Health Reference Laboratory, 2,823.25; Moss Psy D LLC, William A, 3,575.00; Motorola Solutions Inc, 79,149.60; Moyle Petroleum, 8,310.71; Mt Rushmore Telephone Co, 49.36; Neilan Chandra, 206.00; Nelson Jacquelyn R, 405.00; Nelson Law,

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7,862.94; Nelson's Oil & Gas Inc, 2,198.21; Nohr, Linda J, 1,800.00; North Central International Of Rapid City Inc, 2,104.62; North Central Supply Inc, 2,565.00; Northern Heights Apartments, 388.00; Northern Truck Equipment, 1,211.82; Northwest Pipe Fitting Inc, 568.51; Norton, Mikayla, 945.00; O'Day, Valarie, 1,385.40; Office Depot, 2,875.91; Olson Stephanie, 206.00; Olson, Carolyn, 9,825.00; Omni Distribution Inc, 942.00; Omnitech, Inc., 774.00; O'Reilly Auto Parts, 467.33; Osheim & Schmidt Funeral Home, 1,700.00; Otis Elevator Co, 7,081.18; Overhead Door Of Rapid City, 147.96; Pacific Steel & Recycling, 2,085.12; Park Dietz & Associates Inc, 29,370.00; Parkway Carwash Inc, 16.00; Parr Law PC, 646.50; Pederson Law Office LLC, 382.58; Penn Co Council On Aging, 7,500.00; Penn Co Health & Human Sv Petty Cash, 490.55; Penn Co Highway Petty Cash, 227.50; Penn Co Jail Petty Cash, 1,896.00; Penn Co Jsc Petty Cash, 84.00; Penn Co Sheriff Petty Cash, 132.00; Penn Co States Atty Petty Cash, 306.35; Pennington County Courant, 3,856.05; Pennington County Housing & Redevelopment, 250.00; Peterson Company, 2,735.00; Pharmchem Inc, 251.60; Philly Teds Cheezesteaks, 145.02; Phoenix Supply LLC, 665.69; Pillen Optical Inc, 200.00; Pine Lawn Memorial Park Inc, 1,425.00; Pioneer Bank & Trust, 14,917.15; Pioneer Bank & Trust, 3,741.43; Pomp's Tire Service, 2,023.79; Powell, Michael, 390.00; Power House, 359.59; Prairie Auto Parts Inc, 5,777.70; Precision Eyecare PC, 129.33; Print Mark-Et, 79.50; Priority Dispatch Corp, 1,100.00; Proforma Screening Solutions LLC, 258.99; QR Rushmore LLC, 1,200.00; Quadient Inc, 890.79; Quadient Leasing Usa Inc, 6,426.96; Quettier Nicolas, 525.00; Quill Corporation, 147.89; Radiology Associates Professional LLC, 1,207.27; Rapid Collision, 2,053.00; Rapid Delivery Inc, 149.50; Rapid Rooter, 1,840.00; Rapid Transit System, 30.00; RC Area School Dist 51-4, 3,946.27; RC Emergency Services Pa, 989.08; RC Journal - Advertising, 7,439.88; RC Journal - Subscription, 794.99; RC Police Dept-Evidence, 10,700.00; RC Winsupply, 245.72; RCS Construction Inc, 458,761.64; RDO Equipment Co, 4,683.35; Record Storage Solutions, 291.05; Redwood Toxicology Inc, 2,034.97; Regional West Medical Center, .60; Rittberger Shannon, 214.74; RO Investigation And Research LLC, 6,803.00; Robert Sharp & Associates Inc, 240.00; Rochester Armored Car Company Inc, 492.39; Rousselle Erick, 100.00; Runnings Supply Inc, 580.88; Rushmore Safety Supplies, 166.00; Russ Bassett Corp, 3,650.00; Sanitation Products Inc, 160.99; Sargent Jennifer, 500.00; Scenic Township, 1,612.50; Scovel Psychological, 12,998.75; SD Dept Of Health, 112.50; SD Dept Of Health, 4,641.00; SD Dept Of Labor, 9,909.82; SD Dept Of Public Safety, 71.00; SD Dept Of Revenue, 10,628.76; SD Dept Of Transp-Finance, 7,278.68; SD Dept. Of Military, 1,805.00; SD Federal Property Agency, 2,530.00; SD Human Services Center, 600.00; SD Law Review, 35.00; SD One Call Board, 67.20; SD Secretary Of State, 30.00; SDAAO, 325.00; SDACC, 30.00; SDACO, 740.00; SDML Workers', 2,519.00; SDN Communications, 316.44; SDN Communications, 648.00; Securus Technologies Inc, 37,405.20; Seifert, Mary Rae, 2,340.00; Sentencing Advocacy Group Of Evanston LLC, 9,452.70; Serfontein Mateo, 3,186.00; Servall Uniform/Linen Co, 4,331.76; Sherwin Williams Paints, 99.21; Signs Now, 1,945.03; Silver Leaf MHP, 600.00; Silver Star Septic LLC, 160.00; Silver State Industries, 120.35; Silverstone Group Inc, 7,425.00; Simon Contractors Of South Dakota Inc, 3,382.43; Simpliverified LLC, 740.00; Simpson's Printing, 495.00; Skinner Law Office PC, 7,271.90; Smith Craig, 100.00; Smith Sean, 34.00; Smoot & Utzman, 517.30; Sonnel Technologies LLC, 9,984.25; Southern Cross LLC, 3,115.00; Southern Hills Publishing, 3,908.13; Speck, Jody H, 1,744.50; Spencer Fluid Power Inc, 5,000.64; Spizzirri Press Inc, 1,500.00; Stalker Radar, 9,764.00; Stan Houston Equipment, 123.23; Steinley Craig,

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175.00; Stephens, Matthew T, 10,856.00; Stone III Irving D, 1,500.00; Streicher's, 4,042.25; Sturdevant's Auto Parts, 2,719.14; Sturdevant's Refinish, 493.65; Suckow Kimberly, 18.90; Summit Fire Protection, 1,179.25; Summit Food Service, 183,391.70; Summit Signs & Supply Inc, 276.50; Suncourse, 548.58; Super 8, 220.00; Survival Armor Inc, 14,845.63; Swanson Erik T Dds PC, 2,990.00; Synch/Amazon, 1,472.59; Sysco Montana Inc, 453.33; Team Laboratory Chemical Co, 41,250.00; Tessco Incorporated, 78.29; Tessier's Inc, 225.00; The Crossroads Hotel & Huron Event Center, 459.95; The Little Print Shop Inc, 94.90; The Medicine Shoppe, 170.95; The Palms Apartments LLC, 840.32; The Repair Shop, 1,142.23; The Rushmore Hotel, 727.00; The Salvation Army, 100.00; Thompson, Lori, 37.00; Thomson Reuters-West, 13,132.58; Time Equipment Rental & Sales, 120.74; Titan Machinery, 217.93; TKRS Properties LLC, 3,311.65; Tout Advertising LLC, 129.60; Transource Truck & Equipment Inc, 1,118.80; Trc Gateway LLC, 4,771.20; Trittech Software Systems, 7,566.25; Tru Green LP, 1,303.11; Truman Ranae, 141.05; Tyler Technologies, 9,750.00; Tzadik Rapid City LLC, 855.00; Uline, 2,139.63; Upper Deck Architects Inc, 2,948.50; UPS Store #3912, 260.94; US Bank Na Fees, 1,500.00; USPS-POC 8100669, 3,933.13; USPS-POC 8100669, 1,000.00; Vanway Trophy & Awards, 742.01; Vast Broadband, 774.07; Velocity Systems, 4,362.00; Venture Architects, 6,279.00; Verizon Connect NWF Inc, 32.38; Verizon Wireless, 126.93; Vigilant Business Solutions, 215.00; Vlioger Tom, 88.62; Wall Building Center & Construction, 78.13; Wambliska Society, 450.00; Warne Chemical & Equipment Co Inc, 93.31; Watertree Inc, 2,293.38; Webstaurantstore, 1,404.33; Weichmann, Cynthia M, 3,539.80; Wellmark, 286,123.22; West River Anesthesiology Consultants PC, 256.62; West River Trailer Sales, 361.82; West River Welding & Machine, 285.00; Western Communication Inc, 114.56; Western Detention, 265.00; Western Mailers, 376.36; Western Stationers, 2,405.24; Western Thrifty Inn LLC, 3,255.00; Wex Bank, 11,619.75; Wex Bank, 326.14; Wolf, Ione, 803.25; Working Against Violence, 7,455.00; Yankton Co Sheriff Office, 300.00; Yankton County Treasurer, 1,097.00; Z & S Dust Control System, 1,540.70; ZMC LLC, 10,583.26.

EXECUTIVE SESSION – SDCL 1-25-2

MOVED by Lasseter and seconded by LaCroix to go into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of discussing personnel matters. Vote: Unanimous. The Board remained in Executive Session from 2:40 p.m. until 3:25 p.m. MOVED by LaCroix and seconded by Lasseter to come out of Executive Session. Vote: Unanimous.

Hadcock left the meeting at 2:40 p.m.

PAYROLL

Commissioners, 11,128.91; Elections, 7,411.98; Auditor, 13,383.26; Treasurer, 39,994.95; State's Attorney, 143,737.99; Public Defender, 86,258.04; Buildings & Grounds, 68,939.70; Equalization, 38,787.83; Register of Deeds, 13,393.61; IT, 29,500.01; Human Resources, 7,879.22; Sheriff, 295,903.67; Jail, 368,694.78; JSC, 114,589.11; JSC Juvenile Alternative, 6,839.58; CCADP, 112,970.79; Economic Assistance, 34,764.83; Extension, 1,475.20; Natural Resources, 5,537.60; Pest Control, 4,562.40; Planning and Zoning, 17,343.85; Road & Bridge, 102,389.19; Fire Administration, 3,992.05; Dispatch, 105,935.88; Emergency Management, 5,531.98; 24-7 Program, 8,956.10; MacArthur Safety & Justice, 9,987.91.

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

Buildings & Grounds: Effective 05/02/2022: Joe Queriapa Arias, \$16.67.

CCADP: Effective 04/17/2022: Larissa Nelson-Martin, \$23.14. Effective 04/18/2022: Theresa Geibel, \$17.54.

IT: Effective 05/01/2022: Caden Lambert, \$28.17.

Jail: Effective 04/17/2022: Matthew Krogen, \$17.10; Mark Steele, \$21.09; Christina Runsagainst, \$33.59. Effective 04/18/2022: Roland Traveny, \$23.14; Ricketa Hunt, \$23.14; Mark Callaghan, \$24.95.

Planning & Zoning: Effective 05/01/2022: Kelsey Rausch, \$16.67.

Public Defender: Effective 05/01/2022: Mikayla Gallagher, \$30.96.

State's Attorney: Effective 04/18/2022: Madison Preble, \$26.13; Chelsie Rostad, \$26.13; Cristina Zeifer Dowling, \$26.13; Penny Wetch, \$26.13. Effective 05/31/2022: Warren Kadrmas, \$18.66; Anthony Conte, \$18.66; Annika Enevoldsen, 18.66.

ADJOURN

MOVED by Lasseter and seconded by LaCroix to adjourn the meeting. Vote: Unanimous. The meeting was adjourned at 3:26 p.m.

/s/ Cindy Mohler, Auditor

Published once at an approximate cost of _____.

Publish: May 4, 2022