

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of June 6, 2023

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, June 6, 2023, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Lloyd LaCroix called the meeting to order with the following Commissioners present: Deb Hadcock & Ron Rossknecht.

REVIEW AND APPROVE AGENDA

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

CONSENT AGENDA ITEMS

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

5. Approve the minutes of the May 16, 2023, regular meeting.
6. Approve the Order for Organization and Incorporation for the Cliff View Lane Road District.
7. Approve the renewal of the Retail (on-off sale) Malt Beverage & SD Farm Wine Licenses for Black Elk Resort, LLC under Black Elk Resort, LLC; O'Malley's Casino under TNH LLC, and Sugar Shack under Trevor Kautzman and to release license upon payment of appropriate property taxes.
8. Removed for separate consideration.
9. Acknowledge the notice of intent to conduct a raffle – Baseball Parents, Inc., d/b/a Post 22 Baseball.
10. Acknowledge the notice of intent to conduct a raffle – Silver City Volunteer Fire Department.
11. Acknowledge the notice of intent to conduct a raffle – Rochford Chapel.
12. Acknowledge the notice of intent to conduct bingo – Rochford Community Hall.
13. Approve the S.D. Department of Transportation Railroad Joint Powers Agreement for weed spraying services.
14. Authorize the purchase of two (2) Dodge Chargers, State Contract #17620 from Wegner Auto, Pierre, SD for a total purchase price of \$70,194.

End of Consent Agenda Items

8. PLANNING COMMISSION REAPPOINTMENT: MOVED by Rossknecht and seconded by Hadcock to reappoint Mr. Charles Johnson and Mr. Mikal Lewis to the Planning Commission for a term of three (3) years effective July 1st, 2023. Vote: Unanimous.

ITEMS FROM AUDITOR

A. NEW RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE LICENSE: MOVED by Hadcock and seconded by Rossknecht to approve the new Retail (on-off sale) Malt Beverage & SD Farm Wine Licenses for the Firehouse Campground under Fat Boys, Inc. and for the Horsethief Campground under MOS AMS LLC. Vote: Unanimous.

ITEMS FROM BUILDINGS & GROUNDS

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A. CONTRACT AWARD: MOVED by Rossknecht and seconded by Hadcock to award the bid for the Courthouse 3rd Floor Buildout Project as designed by Co-op Architecture, to SECO Construction in the amount of \$320,000 and authorize the Chair's signature to an AIA Construction Contract when ready. Vote: Unanimous.

B. BKV FACILITIES NEEDS ASSESSMENT UPDATE PRESENTATION: No action taken.

ITEMS FROM HIGHWAY DEPARTMENT

A. AUTHORIZATION TO PURCHASE BULK DIESEL AND GAS PRODUCTS: MOVED by Hadcock and seconded by Rossknecht to authorize the Highway Department to purchase bulk diesel and gas products from the State Contract List for Contract #17752, Harm's Oil, Brookings, SD, and Contract #17756, Moyle Petroleum, Rapid City, SD. Vote: Unanimous.

B. AUTHORIZATION TO PURCHASE GUARDRAIL REPAIR: MOVED by Rossknecht and seconded by Hadcock to authorize the Highway Department to purchase guardrail repair, on an as needed basis, from Hilt Construction, Rapid City, SD, utilizing the State Contract for project 000N-469, PCN i77h and 000P-469, PCN i77j. Vote: Unanimous.

C. AWARD RECOMMENDATION: MOVED by Hadcock and seconded by Rossknecht to award BC 2023-1 Box Culvert (Wilsey Road) to TDM Excavating, Wall, SD in the amount of \$145,513.11. Vote: Unanimous.

D. BLACK HILLS NATIONAL FOREST LIVESTOCK GUARD AGREEMENT: MOVED by Hadcock and seconded by Rossknecht to approve Agreement #23-RO-11020300-042 with the Black Hills National Forest for livestock guard work. Vote: Unanimous.

E. JOINT POWERS MAINTENANCE, ENCROACHMENT & FINANCIAL AGREEMENT - LAMB ROAD & RESERVOIR ROAD INTERSECTION: MOVED by Hadcock and seconded by Rossknecht and to approve the Joint Powers Maintenance, Encroachment and Financial Agreement with the SD Department of Transportation for Project PH 6637(01) PCN 08W0. Vote: Unanimous.

F. AGREEMENT PROVIDING A FEDERAL FUNDS LOAN: MOVED by Rossknecht and seconded by Hadcock to approve the Agreement providing a Federal Funds Loan to Pennington County with the SD Department of Transportation for the South Rochford Road Reconstruction Project P 6403(10) PCN 08P3. Vote: Unanimous.

ITEMS FROM BUILDING COMMITTEE

A. ACTION – COURTHOUSE STEAM TUNNEL FOR ASBESTOS ABATEMENT: MOVED by Hadcock and seconded by Rossknecht to authorize Mike Kuhl, Buildings & Grounds Director, to sign an agreement with L & L Insulation for the abatement of asbestos insulation on abandoned steam piping located in the utility tunnels around the Courthouse with spending authority up to \$20,000 using Accumulated Building Funds. Vote: Unanimous.

ITEMS FROM COMPENSATION COMMITTEE

A. ACTION – WORKERS' COMPENSATION EXCEPTION: MOVED by Hadcock and seconded by Rossknecht to approve the revision to Policies 4.1 Vacation Leave and 4.3a Sick Leave to include Workers Compensation exemption allowing employees who have missed work due to work related injuries or illness to continue to accrue benefit time. Vote: Unanimous.

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ITEMS FROM COMMISSION MANAGER

- A. **PURCHASING/SIGNATURE AUTHORITY POLICY**: MOVED by Rossknecht and seconded by Hadcock to approve the purchasing policy for contracts and leases with signature authority as presented. Vote: Unanimous.
- B. **AGENDA MANAGEMENT SOFTWARE**: MOVED by Rossknecht and seconded by Hadcock to approve the implementation of the new Granicus Peak Agenda management software. Vote: Unanimous.
- C. **BLACK HILLS NATIONAL FOREST SERVICE NEWS RELEASE**: MOVED by Hadcock and seconded by Rossknecht to continue this item until the June 20, 2023, meeting. Vote: Unanimous.
- D. **PROPOSED RESOLUTIONS FOR BH ASSOCIATION OF COUNTY COMMISSIONERS (BHACC)/SD ASSOCIATION OF COUNTY COMMISSIONERS (SDACC)**: MOVED by Hadcock and seconded by Rossknecht to approve the resolution in support of amending current South Dakota State Laws § 12-4-5, 12-6-4, 12-6-8.1, 12-6-55, 12-7-1, 12-7-7, 12-8-8 and 12-19-2.1 that restrict certain election related filings to being done by 5:00 p.m. Vote: Unanimous.

PENNINGTON COUNTY RESOLUTION

A RESOLUTION IN SUPPORT OF AMENDING CURRENT SOUTH DAKOTA STATE LAWS § 12-4-5, 12-6-4, 12-6-8.1, 12-6-55, 12-7-1, 12-7-7, 12-8-8, and 12-19-2.1, THAT RESTRICT CERTAIN ELECTION RELATED FILINGS TO BEING DONE BY 5:00

P.M.

WHEREAS, SDCL § 12-4-5 states “The county auditor shall enter in the master registration file the name of each eligible person whose completed application for registration and mail registration card is received no later than 5:00 p.m. local time at least fifteen days preceding the election by the county auditor or the local, state, or federal agency responsible for conducting voter registration under this chapter” and also states “The name of any voter who has registered to vote by 5:00 p.m. local time fifteen days preceding a runoff election shall be added to the file used for the runoff election.” And;

WHEREAS, SDCL § 12-6-4 states “ Except as provided by § 12-5-4 and as may be otherwise provided in chapter 12-9, no candidate for any office to be filled, or nomination to be made, at either or both the primary or general election, other than a presidential election, may have that person's name printed upon the official primary election ballot of that person's party, unless a petition has been filed on that person's behalf after December thirty-first and by the last Tuesday of March at five p.m. local time before the date of the primary election. If the petition is mailed by registered mail by the last Tuesday of March at five p.m. local time before the primary election, the petition shall be considered timely submitted.” And;

WHEREAS, SDCL § 12-6-8.1 states “The request shall be filed with the officer with whom the nominating petition was filed pursuant to § 12-6-4, not later than two days after the last Tuesday in March at five p.m. If the request is mailed by registered mail not later than two days after the last Tuesday in March at five p.m., the request is properly filed.” And;

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WHEREAS, SDCL § 12-6-55 states “The request shall be filed with the officer with whom the nominating petition was filed pursuant to § 12-6-4, not later than the first Tuesday in August at 5:00 p.m. before the next election.” And;

WHEREAS, SDCL § 12-7-1 states “Any candidate for nonjudicial public office, except as provided in § 12-7-7, who is not nominated by a primary election may be nominated by filing a certificate of nomination with the secretary of state or county auditor as prescribed by § 12-6-4, after December thirty-first and by the last Tuesday of April at 5:00 p.m. local time before the election. A certificate of nomination shall be executed as provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the last Tuesday of April at 5:00 p.m. local time before the election, it is timely submitted.” And;

WHEREAS, SDCL § 12-7-7 states “Any candidate for President or Vice President of the United States who is not nominated by a primary election may be nominated by filing with the secretary of state, after December thirty-first and by the first Tuesday in August at 5:00 p.m. central time before the election, a certificate of nomination which shall be executed as provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the first Tuesday in August at 5:00 p.m. central time before the election, it is timely submitted.” And;

WHEREAS, SDCL § 12-8-8 states “The secretary of state, not later than the third Tuesday in August at five p.m. before the general election, shall certify to the county auditor of each county within which any voters of this state vote for the officer or officers nominated at the preceding primary, whose certificates of nomination have been filed in the Office of the Secretary of State, or who have been regularly named or petitioned for filling of a vacancy, the name and description of each person so nominated.” And;

WHEREAS, SDCL § 12-19-2.1 states “At anytime prior to an election, a voter may apply in person at the office of and to the person in charge of the election for an absentee ballot during regular office hours up to 5:00 p.m. on the day before the election”; and

WHEREAS, regular office hours for counties across the state vary and some are not open until 5:00 p.m. while others may be open past 5:00 p.m.; and

NOW, THEREFORE, BE IT RESOLVED by the Pennington County Commission that SDCL 12-4-5 be amended to read as follows “The county auditor shall enter in the master registration file the name of each eligible person whose completed application for registration and mail registration card is received during regular office hours, local time at least fifteen days preceding the election by the county auditor or the local, state, or federal agency responsible for conducting voter registration under this chapter” and also states “The name of any voter who has registered to vote by close of regular office hours, local time fifteen days preceding a runoff election shall be added to the file used for the runoff election.” And;

SDCL § 12-6-4 be amended to read as follows “ Except as provided by § 12-5-4 and as may be otherwise provided in chapter 12-9, no candidate for any office to be filled, or nomination to be

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made, at either or both the primary or general election, other than a presidential election, may have that person's name printed upon the official primary election ballot of that person's party, unless a petition has been filed on that person's behalf after December thirty-first and by the last Tuesday of March by close of regular office hours of the office in which the petition is to be filed, local time before the date of the primary election. If the petition is mailed by registered mail by the last Tuesday of March by close of regular office hours of the office in which the petition is to be filed, local time before the primary election, the petition shall be considered timely submitted.” And;

SDCL § 12-6-8.1 be amended to read as follows “The request shall be filed with the officer with whom the nominating petition was filed pursuant to § 12-6-4, not later than two days after the last Tuesday in March by close of regular office hours of the office in which the petition is to be filed. If the request is mailed by registered mail not later than two days after the last Tuesday in March by close of regular office hours of the office in which the petition is to be filed, the request is properly filed.” And;

SDCL § 12-6-55 be amended to read as follows “The request shall be filed with the officer with whom the nominating petition was filed pursuant to § 12-6-4, not later than the first Tuesday in August by close of regular office hours of the office in which the petition is to be filed before the next election.” And;

SDCL § 12-7-1 be amended to read as follows “Any candidate for nonjudicial public office, except as provided in § 12-7-7, who is not nominated by a primary election may be nominated by filing a certificate of nomination with the secretary of state or county auditor as prescribed by § 12-6-4, after December thirty-first and by the last Tuesday of April by close of regular office hours of the respective office for which the certificate of nomination is to be filed, local time before the election. A certificate of nomination shall be executed as provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the last Tuesday of April by close of regular office hours of the respective office for which the certificate of nomination is to be filed, local time before the election, it is timely submitted.” And;

SDCL § 12-7-7 be amended to read as follows “Any candidate for President or Vice President of the United States who is not nominated by a primary election may be nominated by filing with the secretary of state, after December thirty-first and by the first Tuesday in August by close of regular office hours, central time before the election, a certificate of nomination which shall be executed as provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the first Tuesday in August by close of regular office hours, central time before the election, it is timely submitted.” And;

SDCL § 12-8-8 be amended to read as follows “The secretary of state, not later than the third Tuesday in August before the general election, shall certify to the county auditor of each county, by close of regular office hours for the respective county, within which any voters of this state vote for the officer or officers nominated at the preceding primary, whose certificates of nomination

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have been filed in the Office of the Secretary of State, or who have been regularly named or petitioned for filling of a vacancy, the name and description of each person so nominated.” And;

SDCL § 12-19-2.1 be amended to read as follows “At anytime prior to an election, a voter may apply in person at the office of and to the person in charge of the election for an absentee ballot during regular office hours or until 5:00 p.m. on the day before the election, whichever is later.”

Dated this 6th day of June, 2023.

/s/ Chair, Lloyd LaCroix
Pennington County Board of Commissioners

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

Supporting Criteria

Justification for the resolution: Hours may vary from office to office.

Counties affected by the resolution: The statute applies to all 66 South Dakota Counties.

Impact of the resolution: Addresses the fact that not all offices across the state operate on a strictly 8:00 a.m. to 5:00 p.m., Monday through Friday schedule.

APPROVAL OF VOUCHERS: MOVED by Hadcock and seconded by Rossknecht 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 \$730,416.49. Vote: Unanimous.

AT&T Mobility, 5,212.25; BH Electric Cooperative Inc, 120.03; BH Energy, 1,395.16; BH Energy, 38.40; BH Energy, 343.53; BH Oxford House, 360.00; Bluepeak, 120.28; Bluepeak, 1,633.45; Bluepeak, 97.68; Cedar Ridge Townhouses Inc, 477.00; Centerspace LP, 451.00; Century Link, 67.62; Century Link, 88.96; City Of Hill City, 185.13; City Of Rapid City -Water, 161.76; City Of Rapid City -Water, 1,282.28; City Of Rapid City -Water, 1,521.78; Cornerstone Apartments, 547.00; Eagle Ridge Apartments I, 549.00; Eagle Ridge Apartments II, 300.00; F & M Rentals LLC, 500.00; First Interstate Bank, 5,066.55; First Interstate Bank, 2,001.25; First Interstate Bank, 247.52; First Interstate Bank, 858.16; First Interstate Bank, 277.87; First Interstate Bank, 756.28; Foothills East Apartments, 360.00; Global Tel'link, 17.59; Golden West Companies, 79.95; Hainesway Apartment, 450.00; Heartland Heights Apartments, 400.00; Horizon Apartments LLC, 355.00; Knollwood Townhouse Properties, 500.00; Life Insurance Company Of North America, 2,826.76; Lowe's, 284.99; Maher William J, 341.00; Medical Waste Transport Inc, 641.70; Midcontinent Communications, 618.55; Midcontinent Communications, 3,706.65; Midcontinent Communications, 1,279.64; Montana Dakota Utilities, 8,479.24; Montana Dakota Utilities, 1,076.88; Montana Dakota Utilities, 514.74; Muth Holdings LLC, 450.00; Northern Heights Apartments, 251.00; Ohana Properties, 450.00; Paradis Inc, 450.00; Pennington County Housing & Redevelopment, 730.00; Pioneer Bank & Trust, 9,402.56; Pioneer Bank & Trust,

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3,812.85; Pioneer Bank & Trust, 6,030.46; Pioneer Bank & Trust, 2,839.92; Premier Real Estate Mgmt LLC, 970.00; Rainbow Gas Company, 3,374.44; Rapid Valley Sanitary District, 80.73; Reliance Telephone Inc, 15.50; RH Financial Management LLC, 856.00; Silver Leaf MHP, 559.84; Southern Cross LLC, 660.00; Sunshine Park, 976.00; The Palms Apartments LLC, 100.00; Tzadik Lacrosse Apartments LLC, 1,054.80; Tzadik Rapid City LLC, 450.00; Upper Knollwood Townhouse, 900.00; USPS-POC 8100669, 5,000.00; Verizon Wireless, 1,219.26; Verizon Wireless, 610.73; Verizon Wireless, 160.04; Wellmark, 641,716.74; West River Electric, 192.99; Yapsody Living, 510.00.

ITEMS FROM PUBLIC: No public comment.

MOVED by Rossknecht and seconded by Hadcock to approve a ten-minute recess. Vote: Unanimous.

ITEMS FROM PLANNING & ZONING
UNCONTESTED HEARING(S)

A. PLANNED UNIT DEVELOPMENT OVERLAY REVIEW / PU 22-04: John and Tracy Wiebe. To review a Specialty Resort to include three tent spots, one tree house with living quarters, and a caretaker/manager's residence in accordance with the Pennington County Zoning Ordinance.

Lot 2 of Tract A in NE½ and Tract 0061, Section 10, T2S, R6E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Rossknecht to approve PU 22-04 with twenty-six (26) conditions. Vote: Unanimous. (Full conditions are available on the web at https://www.pennco.org/boc_agendas and in person at the Pennington County Planning & Zoning Office).

B. PUBLIC HEARING OF REZONE / RZ 23-06: Free Range Rentals, LLC; Davis Engineering - Agent. To rezone 7.2 acres from Agriculture District to Rural Residential District in accordance with the Pennington County Zoning Ordinance.

Tract A of Willison B White HES No. 2440 and That PT of the W½NE¼ lying E of Tract A of Willison B White Homestead, HES #2440 and W of Gold Mountain Subdivision, Section 14, T1S, R4E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Rossknecht to approve Rezone / RZ 23-06. Vote: Unanimous.

NOTICE OF FACT OF ADOPTION

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On June 6, 2023, the Pennington County Board of Commissioners approved an amendment to the official Zoning Map: Rezone 23-06 (Free Range Rentals) to rezone from Agriculture District to Rural Residential District.

CONTESTED HEARING(S)

C. PUBLIC HEARING OF COMPREHENSIVE PLAN AMENDMENT / CA 23-05: Pink Cabin, LLC; KTM Design Solutions - Agent. To amend the Comprehensive Plan to change the Future Land Use from Suburban Residential District to Urban Residential District in accordance with the Pennington County Zoning Ordinance.

Commencing at the Northeast corner of Lot 1, Block 2, of Colvins Subdivision, located in Section 14, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; THENCE (1) with the easterly boundary of said Colvins Subdivision, South 2°04'19" West, 17.00 feet to the point of beginning; THENCE (2) leaving said easterly boundary, South 88°17'25" East, 63.58 feet to a point on the westerly boundary of Murphy Ranch Estates Subdivision, being the northwest corner of Lot 10, Block 1; THENCE (3) with said westerly boundary, South 1°54'30" West, 90.63 feet to the beginning of a curve; THENCE (4) continuing with said westerly boundary, on a curve turning to the left with an arc length of 67.75 feet, with a radius of 67.00 feet, with a chord bearing of South 27°03'26" East, with a chord length of 64.88 feet; THENCE (5) continuing with said westerly boundary, South 56°00'19" East, 109.04 feet to the beginning of a non-tangent curve; THENCE (6) continuing with said westerly boundary, on a curve turning to the left with an arc length of 108.82 feet, with a radius of 52.00 feet, with a chord bearing of North 87°25'04" East, with a chord length of 90.02 feet to the beginning of a curve; THENCE (7) continuing with said westerly boundary, on a curve turning to the right with an arc length of 15.87 feet, with a radius of 40.50 feet, with a chord bearing of North 38°41'39" East, with a chord length of 15.77 feet to the northwest corner of Lot 1, Block 12; THENCE (8) continuing with said westerly boundary, South 2°04'39" West, 99.54 feet; THENCE (9) continuing with said westerly boundary, South 2°06'42" West, 76.62 feet; THENCE (10) continuing with said westerly boundary, South 2°03'07" West, 76.10 feet; THENCE (11) continuing with said westerly boundary, South 2°03'41" West, 75.87 feet; THENCE (12) continuing with said westerly boundary, South 2°01'40" West, 75.97 feet; THENCE (13) continuing with said westerly boundary, South 2°05'17" West, 75.86 feet; THENCE (14) continuing with said westerly boundary, South 1°57'23" West, 76.10 feet to the northwest corner of Lot 8, Block 12; THENCE (15) continuing with said westerly boundary, South 1°57'23" East, 15.45 feet to the beginning of a non-tangent curve; THENCE (16) continuing with said westerly boundary, on a curve turning to the left with an arc length of 86.07 feet, with a radius of 236.00 feet, with a chord bearing of South 8°08'06" East, with a chord length of 85.59 feet to the beginning of a curve; THENCE (17) continuing with said westerly boundary, on a curve turning to the left with an arc length of 18.88 feet, with a radius of 236.00 feet, with a chord bearing of South 20°52'25" East, with a chord length of 18.87 feet; THENCE (18) continuing with said westerly boundary, South 23°50'25" East, 57.98 feet; THENCE (19) continuing with said westerly boundary, South 23°27'08" East, 70.00 feet to the southwest

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corner of Lot 10, Block 12; THENCE (20) continuing with said westerly boundary, North 66°14'23" East, 9.95 feet to the beginning of a non-tangent curve; THENCE (21) continuing with said westerly boundary, on a curve turning to the right with an arc length of 88.59 feet, with a radius of 886.47 feet, with a chord bearing of South 18°16'37" East, with a chord length of 88.55 feet to the beginning of a curve and being on the northerly right-of-way of Springfield Road; THENCE (22) continuing with said westerly boundary, on a curve turning to the right with an arc length of 52.20 feet, with a radius of 886.47 feet, with a chord bearing of South 13°43'31" East, with a chord length of 52.19 feet to the southerly right-of-way of Springfield Road; THENCE (23) leaving said westerly boundary, South 81°11'31" West, 13.97 feet to the beginning of a curve; THENCE (24) on a curve turning to the left with an arc length of 98.18 feet, with a radius of 174.00 feet, with a chord bearing of South 65°01'40" West, with a chord length of 96.88 feet; THENCE (25) North 41°08'11" West, 26.00 feet; THENCE (26) North 41°08'11" West, 26.00 feet; THENCE (27) North 41°08'11" West, 84.05 feet; THENCE (28) North 88°02'41" West, 222.96 feet to a point on the easterly line of Colvins Subdivision; THENCE (29) continuing with said easterly boundary, North 1°47'44" East, 138.09 feet; THENCE (30) continuing with said easterly boundary, North 1°53'35" East, 234.91 feet; THENCE (31) continuing with said easterly boundary, North 1°58'44" East, 114.92 feet; THENCE (32) continuing with said easterly boundary, North 1°54'11" East, 115.99 feet; THENCE (33) continuing with said easterly boundary, North 1°49'45" East, 115.95 feet; THENCE (34) continuing with said easterly boundary, North 1°42'12" East, 116.43 feet; THENCE (35) continuing with said easterly boundary, North 2°04'19" East, 213.64 feet to the point of beginning; Said parcel contains 6.52 acres more or less; Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Rossknecht to continue CA 23-05 to the June 20, 2023, meeting. Vote: Unanimous.

D. PUBLIC HEARING OF REZONE / RZ 23-08: Pink Cabin, LLC; KTM Design Solutions - Agent. To rezone 0.13 acre from Urban Residential District to Suburban Residential District in accordance with the Pennington County Zoning Ordinance.

The subject property is located on the following metes and bounds description: Commencing at the Southeast corner of Lot 2, Block 3, of Colvins Subdivision, located in Section 14, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, being monumented with a ½ inch rebar; THENCE (1) contiguous with the easterly boundary of said Colvins Subdivision, North 1°47'44" East, 68.92 feet to the point of beginning; THENCE (2) continuing with said easterly boundary of Colvins Subdivision, North 1°47'44" East, 23.13 feet; THENCE (3) leaving said easterly boundary, South 88°02'41" East, 222.96 feet; THENCE (4) South 41°08'11" East, 84.05 feet; THENCE (5) North 48°43'36" West, 60.36 feet; THENCE (6) North 88°02'33" West, 233.61 feet to the point of beginning; Said parcel contains 0.13 acres (5616 sq. ft.) more or less; Section 14, T1N, R8E, BHM, Pennington County, South Dakota.

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MOVED by Hadcock and seconded by Rossknecht to continue RZ 23-08 to the June 20, 2023, meeting. Vote: Unanimous.

E. ORDINANCE AMENDMENT / OA 23-01: Pennington County. To amend Section 319 Vacation Home Rental [to amend and supersede the existing Section 319 Vacation Home Rental] of the Pennington County Zoning Ordinance.

MOVED by Hadcock and seconded by Rossknecht to send proposed OA 23-01 and the proposed document presented by the SD Short-Term Rental Association back to the VHR Committee for review and comments. Vote: Unanimous.

EXECUTIVE SESSION – SDCL 1-25-2

MOVED by Hadcock 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 11:56 a.m. until 1:29 p.m. MOVED by LaCroix and seconded by Hadcock to come out of Executive Session. Vote: Unanimous.

PAYROLL

Commissioners, 12,658.42; Elections, 5,913.80; Auditor, 16,583.42; Treasurer, 44,238.27; State's Attorney, 159,293.51; Public Defender, 96,183.65; Buildings & Grounds, 69,418.17; Equalization, 42,930.90; Register of Deeds, 12,771.20; IT, 30,369.03; Human Resources, 8,718.40; Sheriff, 300,363.28; Jail, 392,309.36; JSC, 118,408.51; JSC Juvenile Alternative, 3,173.20; CCADP, 126,021.19; Innovation Reentry Grant, 1,911.95; Economic Assistance, 37,915.12; Extension, 1,585.62; Natural Resources, 11,583.20; Planning & Zoning, 21,864.57; Road & Bridge, 123,585.78; Fire Administration, 5,734.40; Dispatch, 116,596.55; Emergency Management, 6,312.83; 24-7 Program, 9,607.52; MacArthur Safety & Justice, 3,176.66.

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 May 30, 2023: Total balances of checking/savings account 14,609,405.27; Total balance of Treasurer's Office safe cash, 17,000.00; Wells Fargo Securities Investments 20,607,507.37; Total Prime Value Investment, 43,584,399.94; Total petty cash, 17,690.00; NSF Checks, 152.30; Total long/short, (305.83); Total, 78,835,849.05. Submitted by Lori Wessel, Deputy Auditor.

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

Care Campus: Effective 06/26/2023: Kelly Surrounded, \$21.70.

Equalization: Effective 05/30/2023: Patsy Laubach, \$21.48; Kelsey Miller, \$21.48.

HHS: Effective 05/28/2023: Alicia Hansen, \$22.81.

Jail: Effective 05/28/2023: Kisha Thompson, \$19.41; Daryl Robinson, \$19.39; Jessica Schmidt, \$28.59. Effective 06/11/2023: Priscilla Steele, \$24.07. Effective 06/12/2023: Tiffany Davies,

PENNINGTON COUNTY BOARD OF COMMISSIONERS
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\$19.41; Kobie Davis, \$19.41; Traci Holtz, \$24.07; Robin Buchanan, \$17.34; Leona Dougi, \$19.41; Megumi Fogg, \$24.07; Zachary Hackmann, \$24.07.

Register of Deeds: Effective 05/28/2023: Claudia Uecker, \$20.14. Effective 06/25/2023: Sandie Ingersoll, \$22.02.

Sheriff: Effective 06/25/2023: Mary Lee, \$22.02; Jose Romero, \$29.63.

State's Attorney: Effective: 05/14/2023: Olivia Siglin, \$3,278.40; Alex Weiss, \$3,832.80. Effective 05/30/2023: Quinn Daniel, \$19.41; Kelsey Blair, \$3,895.20. Effective 06/12/2023: Kari Nordstrom, \$3,278.40; Rebecca Henry, \$20.65.

WSCJSC: Effective 05/28/2023: Heather Heinert, \$38.79. Effective 06/12/2023: Shelby Brantley, \$24.07.

ADJOURN

MOVED by Hadcock and seconded by Rossknecht to adjourn the meeting. Vote: Unanimous. The meeting was adjourned at 1:30 p.m.

/s/ Cindy Mohler, Auditor

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