

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, December 1, 2020, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Deb Hadcock called the meeting to order with the following Commissioners present: Mark DiSanto, Gary Drewes, Lloyd LaCroix & Ron Rossknecht.

**REVIEW AND APPROVE AGENDA**

MOVED by Drewes and seconded by LaCroix to approve the agenda as presented with the addition of item 8q. Vote: Unanimous.

**CONSENT AGENDA**

MOVED by Drewes and seconded by DiSanto to approve the Consent Agenda as presented with the removal of item 9c. Vote: Unanimous.

7. Approve the minutes of the November 17, 2020, regular meeting.
8. Schedule public hearings at 9:15 a.m. on Tuesday, December 15, 2020, for the following 2020 budget supplements:
  - a. SP20-011 – Emergency Management Fund Budget in the amount of \$291,640, from current year revenue and restricted fund balance.
  - b. SP20-012 – General Fund Law Enforcement Budget in the amount of \$258,735, from current year revenue.
  - c. SP20-013 – Capital Project Fund Jail Laundry and Kitchen Remodel Budget in the amount of \$2,680,000, from restricted fund balance.
  - d. SP20-014 – General Fund Jail Budget in the amount of \$15,000, from current year revenue.
  - e. SP20-015 – General Fund Weed & Pest Budget in the amount of \$22,000, from current year revenue.
  - f. SP20-016 – General Fund Natural Resources Budget in the amount of \$5,000, from current year revenue.
  - g. SP20-017 – Accumulated Building Fund 2010B Budget in the amount of \$23,740,000, from restricted fund balance.
  - h. SP20-018 – MacArthur Fund State’s Attorney Budget, in the amount of \$80,000, from current year revenue.
  - i. SP20-019 – Accumulated Building 2017A Master Plan Refinance Budget, in the amount of \$927,850, from Restricted for Debt Service fund balance.
  - j. SP20-020 – Accumulated Building Fund Capital Improvement Budget, in the amount of \$1,235,000, from current year revenue and restricted fund balance.
  - k. SP20-021 – General Fund Abuse and Neglect Budget, in the amount of \$50,000, from unassigned fund balance.
  - l. SP20-022 – General Fund Court Appointed Attorney Budget in the amount of \$200,000, from unassigned fund balance.
  - m. SP20-023 – Accumulated Building Fund Capital Project Budget, in the amount of \$547,000, from restricted fund balance.
  - n. SP20-024 – General Fund Elections Budget, in the amount of \$100,000, from current year revenue.

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

- o. SP20-025 – General Fund John T Vucurevich Budget, in the amount of \$16,800 and Health and Human Services Budget, in the amount of \$1,155,300, both from current year revenue.
- p. SP20-026 – Accumulated Building Fund Stalling Barn Budget, in the amount of \$555,000, from current year revenue and restricted fund balance.
- q. SP20-027 – TIF #4 Fund, TIF #4 Budget in the amount of \$250,000, from current year revenue.
- 9. Authorize the following Operating Transfers:
  - a. From the General Fund Assigned Emergency/Indigent Care fund balance, to the Emergency Management Fund, in the amount of \$126,820.
  - b. From the Accumulated Building Fund to the Capital Project Fund, in the amount of \$500,000.
  - c. Removed for Separate Consideration.
  - d. From the General Fund to the Accumulated Building Fund Capital Project Budget, in the amount of \$547,000.
- 10. Set the 2021 Board of Commissioners meeting dates.

End of Consent Agenda

9c. OPERATING TRANSFER: MOVED by Drewes and seconded by DiSanto to authorize the operating transfer from the Accumulated Building 2017A Fund to the Accumulated Building Fund in the amount of \$23,740,000. Vote: Unanimous.

**SEALED BID OPENING & SALE OF REAL PROPERTY – TAX DEED #39631 – 3960 TWILIGHT DRIVE, RAPID CITY, SD:** MOVED by Drewes and seconded by LaCroix to award the sale of Tax ID# 39631 to Daniel Scheurer per the sealed bid received in the amount of \$12,000 and to issue the deed per the conditions detailed in the public notice of sale. Vote: The motion carried 3-2 with DiSanto and Rossknecht voting no.

**PROPOSED WEST RIVER MISSOURI RIVER WATER PROJECT – MS. CHERYL CHAPMAN, BANNER ASSOCIATES, INC.:** MOVED by DiSanto and seconded by Drewes to approve the Chair’s signature on the letter of support for completion of a need’s assessment for Missouri River water for western South Dakota. Vote: Unanimous.

**LIEN RELEASE REQUEST (JS):** MOVED by DiSanto and seconded by Rossknecht to deny the lien release request in the amount of \$13,703.49 (name withheld per SDCL 28-13-42). Vote: Unanimous.

**ITEMS FOR AUDITOR**

A. LIQUOR LICENSE PUBLIC HEARING: MOVED by LaCroix and seconded by Rossknecht to approve a new Retail (On-Off Sale) Wine and Cider License for BJ’s Country Store, Dvorak Convenience Stores, Inc. Vote: Unanimous.

MOVED by Rossknecht and seconded by Drewes to approve the renewals of the Retail (on sale) Liquor with Sunday Sales licenses as follows and release licenses upon payment of appropriate property taxes: Central States Fair, Central States Fair Inc.; Horse Creek Inn, Castle Creek Enterprises Inc.; Mount Rushmore Concession, Xanterra Parks and Resorts Inc.; Powder House

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

Lodge & Restaurant, Little Guys LLC/Powder House Lodge & Restaurant; Rimrock Happy Tavern, Rimrock Holdings LLC; Sally O'Malley's Pub & Casino, KJL Inc.; Silver Dollar Saloon, Etho LLC; Sweet Grass Bed & Breakfast/Shipwreck Bar & Grill, MRH Services; The Gaslight Saloon & Restaurant, Rockin' 4 LLC; The Peak Grill & Tap Room, Hansen Investments Inc.; Three Forks Bar & Grill, Three Forks C-Store Inc. Vote: Unanimous.

MOVED by Rossknecht and seconded by DiSanto to approve the renewals of the Retail (on-off sale) Wine and Cider licenses as follows and release licenses upon payment of appropriate proper taxes: Corner Pantry #21, MG Oil Company; Dollar General Store #15207, Dolgen Midwest LLC; Hart Ranch Camping Resort, Hart Ranch Camping Resort Club, Inc.; Hart Ranch Golf Course, Hart Ranch Development Co.; Mount Rushmore KOA, Recreational Adventures Co.; Powder House Restaurant, Little Guys LLC/Powder House Lodge & Restaurant; Prairie Berry Winery, Prairie Berry LLC; Retile Gardens, Black Hills Reptile Garden Inc.; Three Forks Bar & Grill, Three Forks C-Store Inc.; Under Canvas Inc., Under Canvas Inc. Vote: The motion carried 4-0 with LaCroix abstaining.

MOVED by DiSanto and seconded by Rossknecht to approve the renewals of the Package (off sale) Liquor license as follows and release license upon payment of appropriate property taxes: Johnson Siding General Store, JSGS LLC. Vote: Unanimous.

**ITEMS FROM SHERIFF**

A. POLICY REVISION FOR 12-HOUR SHIFTS: MOVED by Drewes and seconded by LaCroix to approve the 14-day work period exemption policy addition as outlined follows: "As outlined in Section 7(k) of the Fair Labor Standards Act employees engaged in law enforcement to include security personnel in correctional institutions may be paid on a work period basis of 14-days for the purposes of computing overtime. Employees meeting this exemption criteria will earn overtime after 80 hours in a 14-day work period. The work period mirrors the 7-day work week running Sunday to Saturday." Vote: Unanimous.

**ITEMS FROM EMERGENCY MANAGEMENT**

A. COVID-19 UPDATE

**ITEMS FROM HIGHWAY DEPARTMENT**

A. UTILITIES CERTIFICATE: MOVED by Drewes and seconded by DiSanto to approve the Utilities Certificate on Project EM 6403(06) PCN00CL for the reconstruction of South Rochford Road. Vote: Unanimous.

B. WORK ORDER R-08-20 SOUTH ROCHFORD ROAD BRIDGE: MOVED by Rossknecht and seconded by LaCroix to approve Work Order R-08-20 with FMG Engineering, Inc. and the South Dakota Department of Transportation for contract administration and construction engineering for the South Rochford Road Bridge 52-162-272 replacement project. Vote: Unanimous.

C. RESOLUTION 2020-12-01-1 MYSTIC ROAD SPEED LIMIT: MOVED by Rossknecht and

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

seconded by Drewes to approve Resolution 2020-12-01-01 to change the speed limit on Mystic Road to 40 miles per hour from the intersection of Deerfield Road north for 5.1 miles. Vote: Unanimous.

**RESOLUTION 2020-12-01-1**

WHEREAS, the Pennington County Board of Commissioners have determined that it would be in the best interest of the residents of Pennington County that a speed limit on Mystic Road be established effective January 4, 2021; and

WHEREAS, this Board has the authority to establish such a speed zone on Mystic Road pursuant to SDCL 32-25-9.1 and SDCL 7-18A-2;

THEREFORE BE IT RESOLVED, that a speed zone limiting the maximum speed of travel to 40 miles per hour be established on Mystic Road, beginning at Deerfield Road north for a distance of 5.10 miles.

BE IT FURTHER RESOLVED, that a speed zone limiting the maximum speed of travel to 35 miles per hour be established on Mystic Road, beginning 5.10 miles north of Deerfield Road north to Rochford Road for a distance of 6.40 miles.

Dated this 1<sup>st</sup> day of December, 2020.

/s/ Chair Deb Hadcock  
Pennington County Board of Commissioners

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

D. FTE REQUESTS: MOVED by LaCroix and seconded by Drewes to add one FTE (Highway Maintenance Worker) effective December 14, 2020 and one FTE (Shop Staff Assistant) effective December 27, 2020 to the Highway Department. Vote: Unanimous.

**ITEMS FROM HUMAN RESOURCES**

A. NEW POSITION – HIGHWAY DEPARTMENT: MOVED by Drewes and seconded by LaCroix to approve the position title of Shop Staff Assistant at the DBM Rating of A13, \$14.46/hr. base rate and authorize Human Resources to update the position listing on file in the Human Resource office. Vote: Unanimous.

MOVED by DiSanto and seconded by Rossknecht to take a five-minute recess. Vote: Unanimous.

**APPROVAL OF VOUCHERS**: MOVED by Drewes and seconded by LaCroix to approve the vouchers entered below for expenditures for insurance, professional services, publications, rentals,

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

supplies, repairs, maintenance, travel, conference fees, utilities, furniture and equipment totaling \$28,387,178.87. Vote: Unanimous.

MOVED by Rossknecht and seconded by DiSanto to approve the voucher to Lloyd LaCroix in the amount of \$2,325. The motion carried 4-0 with LaCroix abstaining.

1st Tribal Lending, 1,439.08; Ace Property Management LLC, 2,629.17; BDH Properties LLC, 500.00; Beardsley Peggy, 240.00; Bell, Shirley J, 1,520.00; Bertsch Mary, 2,200.00; BH Energy, 5,131.93; BH Energy, 21,936.32; BH Energy, 1,131.84; BH Energy, 3,838.12; Bridgewood Estates LP, 905.00; CC Property Management LLC, 2,500.00; City Of Rapid City -Water, 198.31; City Of Rapid City -Water, 16,024.31; Cornerstone Apartments, 357.00; Driftwood Estates, 214.00; Evenson, Barbara L., 3,500.00; Executive Mgmt Fin Office, 87.75; First Focus Property Management LLC, 4,500.00; First Interstate Bank, 1,773.56; First Interstate Bank, 515.71; First Interstate Bank, 256.09; First Interstate Bank, 165.92; Garcia Jesus J, 1,513.05; Global Tel'link, 9.95; Golden West Companies, 307.36; Grajczuk Patricia, 450.00; Hampden Hills Homeowners Association, 125.00; Hartshorn Donna, 1,535.00; Hill, Ross, 900.00; Howe Raina, 1,875.00; Howie Gordon, 1,700.00; IRet Properties - A North Dakota LP, 6,142.21; Jackson Rentals LLC, 3,155.00; Johnson Jean L, 3,435.00; Junek Brad E, 4,750.00; Kahler Property Management, 2,369.57; KB Management Inc, 950.00; Kieffer Sanitation/A Waste Management Co, 541.31; Kieffer Sanitation/A Waste Management Co, 3,205.75; Kirkwood Apartments, 2,475.00; Knight Norma, 7,105.00; Kraig Blomme Rentals, 1,400.00; LaCroix Lloyd C, 2,325.00; Lacrosse Investors, 1,932.26; Lakota Community Homes Inc, 4,073.00; Lazy U Motel, 200.00; Lewis Kirkeby & Hall Management Inc, 2,000.00; Lingo Communications LLC, 70.13; Mama Bear LLC, 10,150.00; Maplewood Townhouses, 319.00; Medical Waste Transport Inc, 981.22; Midcontinent Communications, 4,029.38; Midcontinent Communications, 818.40; Middleton Management, 1,600.00; Montana Dakota Utilities, 368.74; Montana Dakota Utilities, 6,699.39; Muth Holdings LLC, 3,175.00; Naeve Steven, 2,500.00; NGB Investment Co, 320.00; Pennington County Housing & Redevelopment, 2,107.00; Pike Alice Ann, 9,000.00; Pioneer Bank & Trust, 2,965.07; Pioneer Bank & Trust, 7,661.49; Pioneer Bank & Trust, 12,513.95; Plainsview Mobile Manor, 1,200.00; Premier Real Estate Mgmt LLC, 815.00; Rainbow Gas Company, 2,445.01; Regency Of SD Inc, 890.00; Reliance Telephone Inc, .80; Sakura LLC, 125.00; San Joaquin Valley Railroad Co., 380.40; SDRC Terra Kennedy Mhp2 LLC, 1,125.00; Skyemad Properties, 1,600.00; Southern Cross LLC, 2,865.00; Sundby Kathryn L, 1,790.00; Sundial Square Apartments, 3,565.18; Terrace On The Green LLC, 750.00; The Palms Apartments LLC, 13,021.67; Trusted Property Management, 1,550.00; Tzadik Rapid City LLC, 8,424.16; US Bank, 24,203,925.00; US Bank NA, 3,699,588.48; Vast Broadband, 773.83; Verizon Connect NWF Inc, 32.38; Verizon Wireless, 689.42; Weiland, Bradley J, 2,590.00; Wellmark, 236,966.36; West River Electric, 581.05; West River Electric, 201.90; Western Thrifty Inn LLC, 200.00; Westridge Apartments, 1,475.00; Wex Bank, 763.77; Whisper Rock Apartments, 4,357.12; Witt Matthew Mckenzie, 2,345.00; Young William, 3,150.00.

MOVED by LaCroix and seconded by Rossknecht to approve the voucher to IIARC in the amount of \$222,003.60. Vote: Unanimous.

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

**ITEMS FROM PLANNING & ZONING**

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

A. SUBDIVISION REGULATIONS VARIANCE / VA 20-04: David Grover. To waive submittal of percolation tests and soil profile information and to waive submittal of a Fire Mitigation Plan in a General Agriculture District in accordance with Sections 205, 500.8, 500.10, and 509 of the Pennington County Subdivision Regulations and Zoning Ordinance.

Tract B of HES #303 Less Tract Drew; Tract A of HES #303 Less Buzmar Subdivision, Less Tract Dean, Less Tract Drew, and Less ROW; and GL Less Buzmar Subdivision, Less Tract Dean, Less Tract Drew and Less ROW, all located in Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Drewes to approve the Variance request to waive the requirements for percolation tests and soil profile information for proposed Lots A-L of Mills Ranch Subdivision and not for any further development, subdivision, or rezoning of this subdivision. Vote: Unanimous.

MOVED by DiSanto and seconded by Drewes to deny the Variance request to waive the requirement for submittal of a Fire Mitigation Plan. Vote: Unanimous.

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

**PLANNING & ZONING CONSENT AGENDA ITEMS**

The following item(s) have been placed on the Consent Agenda for action to be taken on all items by a single vote of the Board of Commissioners. Any item may be removed from the Consent Agenda for separate action.

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

B. MINOR PLAT / MPL 20-37: Dean and Jennifer Karschnik. To reconfigure lots lines to create Lot 2R of Lot 2 of Marshall Gulch Subdivision and Tract CR of Tract C of Lot 1 in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract C of Lot 1 NW1/4NW1/4; and Lot 2 of Marshall Gulch Subdivision, Section 19, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract CR of Lot 1 and Lot 2R of Marshall Gulch Subdivision, Section 19, T1S, R5E, BHM, Pennington County, South Dakota.

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

Approve Minor Plat / MPL 20-37 with the following eight (8) conditions.

1. That prior to filing the Plat with the Register of Deeds, Proposed Tract CR be given a new subdivision name or be included in the Marshall Gulch Subdivision;
2. That the owners of proposed Tract CR, Timothy and Teresa Ripley, work with The Planning and Zoning Department in order to resolve the Section Line setback violation;
3. That the applicants ensure all natural drainage ways are maintained and not blocked;
4. That prior to filing the Plat with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or approved Variance(s) to Subdivision Regulations be obtained waiving any of these requirements that are not met. Subdivision Regulations Variances shall be submitted per Section 700 of Pennington County Subdivision Regulations;
5. That prior to Minor Plat submittal, the Certifications on the Minor Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations;
6. That at the time of Minor Plat submittal, the plat meets the requirements of Section 400.3 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
7. That at the time of Minor Plat submittal, eight (8) foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines, or an approved Subdivision Regulations Variance be obtained waiving this requirement; and,
8. That following platting of the proposed lot, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit.

C. PLANNED UNIT DEVELOPMENT REVIEW / PU 16-03: Dan and Nancy Evangelisto / Century Home Crafters, LLC; Century Land Holdings, LLC; and Summer Creek Inn, LLC. To review a Planned Unit Development to allow for a Specialty Resort Development to include uses, such as vacation home rentals, weddings, receptions, picnics, family reunions, single-family residences, bed and breakfast, storage gift shop, spa, cabana, bistro, detached accessory structure with living quarters, duplex, etc., on the subject properties, in accordance with Section 213 of the Pennington County Zoning Ordinance.

Lot 3 and that 1/2 of private drive adjacent to said lot; Lot 4; Lot 7 and that 1/2 of private drive adjacent to said lot; Lot 10 and that 1/2 of private drive adjacent to said lot; Lot 11 and that 1/2 of private drive adjacent to said lot; Lot 12 and that 1/2 of private drive adjacent to said lot; Lot 13 and that 1/2 of private drive adjacent to said lot; Lot 14 and that 1/2 of private drive adjacent to said lot; Lot 15 and that 1/2 of private drive adjacent to said lot; Lot 16 and that 1/2 of private drive adjacent to said lot; Lot 17 and that 1/2 of private drive adjacent to said lot; Lot 18 and that 1/2 of private drive adjacent to said lot; Lot 19 and that 1/2 of private drive adjacent to said lot; Lot 20 and that 1/2 of private drive adjacent to said lot; Lot 21, Lot 22 and that part of private drive adjacent to said lot; Lot 23B and that 1/2 of private drive adjacent to said lot; Lot 27 and that 1/2 of private drive adjacent to said lot; Lot 28 and that 1/2 of private drive adjacent to said lot; Lot 29

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

and that 1/2 of private drive adjacent to said lot; Lot 30 and that 1/2 of private drive adjacent to said lot; Lot 31 and that 1/2 of private drive adjacent to said lot, Lot 32 and that 1/2 of private drive adjacent to said lot; Lot 33 and that 1/2 of private drive adjacent to said lot; Lot 34 and that 1/2 of private drive adjacent to said lot; Lot 35 and that 1/2 of private drive adjacent to said lot; Lot 36 and that 1/2 of private drive adjacent to said lot; Lot 37 and that 1/2 of private drive adjacent to said lot; Lot 41 and that 1/2 of private drive adjacent to said lot; Lot 42 and that 1/2 of private drive adjacent to said lot; Lot 43 and that 1/2 of private drive adjacent to said lot; Lot 44, Lot 45 and that 1/2 of private drive adjacent to said lot; all located in Custer Trails Subdivision #1, Section 22, T1N, R5E, BHM, Pennington County, South Dakota.

Continue the review of Planned Unit Development / PU 16-03 to the February 2, 2021, Board of Commissioner's meeting, per the request of the applicants.

End of Consent Agenda

**PLANNING & ZONING REGULAR AGENDA**

D. ROAD NAMING: David Grover. To name a proposed 40-foot-wide road to be dedicated as a Private Easement providing access to property located in Section 32, T1S, R5E, BHM, Pennington County, South Dakota, Mills Ranch Road.

MOVED by LaCroix and seconded by DiSanto to the Road Naming of Mills Ranch Road. Vote: Unanimous.

E. LAYOUT PLAN / LPL 20-35: Shane Swedlund. To subdivide and create Lot 1 and Lot 2 of Swedlund Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract 2 B West Sub-Division of Lot 2 of SW1/4NW1/4, Section 19, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1 and Lot 2 of Swedlund Subdivision, Section 19, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve Layout Plan / LPL 20-35 with the following fourteen (14) conditions. Vote: Unanimous.

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



PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

requirements of Pennington County Subdivision Regulations, or approved Subdivision Regulations Variance(s) be obtained waiving any of these requirements that are not met. Subdivision Regulations shall be submitted per Section 700 of Pennington County Subdivision Regulations;

4. That the applicant ensures that all-natural drainage ways are maintained and are not blocked;
5. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance, including the requirement to obtain an Operating Permit;
6. That the applicant ensures that all-natural drainage wats are maintained and are not blocked;
7. That the applicants adhere to the requirements of the United States Forest Service;
8. That at a minimum an approved Floodplain Development Permit be obtained prior to any disturbance in the Special Flood Hazard Area;
9. That at the time of the Minor Plat submittal, the proposed Plat contain the one hundred (100) year floodplain limits in accordance with current FIRM Panel
10. That prior to the Plat being recorded with the Register of Deeds, that the 40' wide private access easement be shown on the plat to verify legal access;
11. That prior to the plat being recorded with the Register of Deeds, the proposed lot obtain a Lot Size Variance or be rezoned appropriately;
12. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director;
13. That only one point of access be utilized for both lots; and,
14. That approval of this Layout Plat does not constitute approval of any further applications to be submitted for the above-described property.

F. PRELIMINARY PLAT / PPL 20-36: David Grover. To create Lots A through L of Mills Ranch Subdivision in accordance with Section 400.2 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract B of HES #303 Less Tract Drew; Tract A of HES #303 Less Buzmar Subdivision, Less Tract Dean, Less Tract Drew, and Less ROW; and GL Less Buzmar Subdivision, Less Tract Dean, Less Tract Drew and Less ROW, all located in Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots A through L of Mills Ranch Subdivision, Section 32, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by DiSanto to approve of Preliminary Plat / PPL 20-36 with the following eight (8) conditions. Vote: Unanimous.

1. That prior to submittal of the Final Plat, a Rezone or Lot Size Variance is obtained for

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

- the proposed twelve (12) lots;
2. That the applicant ensures all natural drainage ways are maintained and are not blocked;
  3. That the road name “Mills Ranch Road” be shown on the plat;
  4. That the Certifications on the plat be in accordance with Section 400.3.1.n of the Pennington County Subdivision Regulations and as deemed appropriate by the Register of Deeds;
  5. That following platting of the proposed lots, any on-site wastewater treatment system(s) be subject to the requirements of Section 204(J) of the Pennington County Zoning Ordinance;
  6. That the applicant obtains Approach Permits from the County Highway Department prior to installation of any approaches off of Old Hill City Road;
  7. That prior to the Plat being recorded with the Register of Deeds, the plat meets all requirements of Pennington County Subdivision Regulations, or an approved Variance to the Subdivision Regulations Variance(s) be obtained; and,
  8. That an approved Building Permit be obtained for any structure(s) exceeding 144 square feet or permanently anchored to the ground, which requires a site plan to be reviewed and approved by the Planning Director.

**EXECUTIVE SESSION – SDCL 1-25-2**

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

MOVED by Drewes and seconded by LaCroix to go into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of discussing personnel matters. Vote: Unanimous. The Board remained in Executive Session from 12:00 p.m. until 2:09 p.m. MOVED by DiSanto and seconded by LaCroix to come out of Executive Session. Vote: Unanimous.

MOVED by DiSanto and seconded by Drewes to grant two pay steps on the current pay scale to Craig Smith, placing him at Grade 14, Step 19 at \$25.48 effective December 13, 2020, followed by placement into the Foremen Position on the Gallagher scale at B31, Step 6 for an hourly rate of \$25.77/hr. effective December 27, 2020. Vote: Unanimous.

MOVED by LaCroix and seconded by Drewes to grant four steps on the current pay scale to Aaron Eagle, placing him at a Grade 16, Step 12 at \$25.76 effective December 13, 2020, followed by placement on the Gallagher pay scale at grade B24, Step 7, for an hourly rate of \$26.36, effective December 27,2020. Vote: Unanimous.

**PAYROLL**

Commissioners, 8,812.62; Elections, 52,629.95; Auditor, 10,393.00; Treasurer, 37,740.05; State's Attorney, 135,163.06; Public Defender, 77,374.40; Buildings & Grounds, 66,822.94; Equalization, 44,136.45; Register of Deeds, 13,185.60; IT, 23,149.54; Human Resources, 7,363.46; Sheriff, 272,822.94; Jail, 322,467.61; JSC, 107,371.07; JSC Juvenile Alternative, 4,478.92; CCADP, 113,929.97; Economic Assistance, 31,983.22; Extension, 1,409.62; Weed & Pest, 5,162.40; Natural Resource Management, 4,292.80; Planning and Zoning, 15,581.22; Road

PENNINGTON COUNTY BOARD OF COMMISSIONERS  
Meeting of December 1, 2020

& Bridge, 94,964.53; Fire Administration, 3,532.62; Dispatch, 101,550.72; Emergency Management, 4,881.80; 24-7 Program, 9,496.21.

**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 November 18, 2020: Total balances of checking/savings accounts 17,922,786.53; Total balance of Treasurer's Office safe cash, 14,000.00; Total certificates of deposit, 4,536,727.02; Total Prime Value Investment, 81,790,311.31; Total petty cash, 17,040.00; Total long/short, (570.66); Total, 104,280,294.20. Submitted by Lori Wessel, Deputy Auditor.

**PERSONNEL: Amounts listed are hourly, bi-weekly or per meeting depending on position.**  
**Buildings & Grounds:** Effective 11/15/2020: William Stewart, \$16.77. Effective 11/29/2020: Zachry Lawson, \$21.42; Cathy Stewart, \$15.60; William Stewart, \$17.19; Steven Bender, \$17.85; James Wickre, \$17.85.  
**Dispatch:** Effective 11/29/2020: Chad Landis, \$22.47. Effective 12/13/2020: Courtney Wood, \$23.32; Alleah Weygaerts, \$22.21.  
**Highway:** Effective 12/13/2020: Paul Faiman, \$19.68; Christopher Hermansen, \$18.73. Effective 12/14/2020: Nathan Curtice, \$18.48; Casey Filipek, \$18.48.  
**Public Defender:** Effective 12/13/2020: Evan Hoel, \$2,779.20.  
**Sheriff's Office:** Effective 12/13/2020: Karen Olson, \$23.74.  
**State's Attorney:** Effective 11/23/2020: Allison Morrisette, \$20.38.

**ADJOURN**

MOVED by DiSanto and seconded by Drewes to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 2:10 p.m.

/s/ Cindy Mohler, Auditor

Published once at an approximate cost of \_\_\_\_\_.

Publish: December 16, 2020