

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of July 21, 2020

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, July 21, 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: Gary Drewes, Lloyd LaCroix & Ron Rossknecht. Commissioner Mark DiSanto joined by videoconference. Pursuant to SDCL 1-25-1.5, all applicable votes were taken by roll call.

REVIEW AND APPROVE AGENDA

MOVED by Drewes and seconded by LaCroix to approve the agenda as presented with the removal of item 13C. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

CONSENT ITEMS

MOVED by Drewes and seconded by DiSanto to approve the Consent Agenda with the removal of item 8. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

5. Minutes of the regular meeting – July 7, 2020.
6. Minutes from the FY2021 Budget Hearings – June 17-19 & 30, 2020.
7. Approve of the 3rd Qtr. LEMPG (Local Emergency Management Planning Grant) with the State of SD.
8. Removed for separate consideration.

End of Consent Agenda

8. **VOLUNTEERS FOR THE MONTH OF JUNE 2020:** MOVED by Drewes and seconded by LaCroix to recognize and thank the volunteers for the month of June 2020. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

ITEMS FROM AUDITOR:

- A. **FY2021 COUNTY BUDGET – PROVISIONAL APPROVAL:** MOVED by DiSanto and seconded by LaCroix to utilize current year growth, current year CPI and \$285,000, approximately .655% of stored CPI in the calculation of the 2020 Consolidated Levy. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

MOVED by Rossknecht and seconded by LaCroix to adopt the FY2021 Provisional Budget in the amount of \$109,601,124 and schedule the required public hearing for consideration of the final FY2021 budget for September 1, 2020 at 10:00 a.m. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

REQUEST FOR VARIANCE AND APPROVAL OF 2ND APPROACH: MOVED by Rossknecht and seconded by Drewes to approve the request for a variance to Ordinance 14 standards and to approve a second approach for the property located at 1494 Golf Course Rd, Wall,

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SD. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

ITEMS FROM HIGHWAY DEPARTMENT

BR 2020-1 NEMO ROAD BRIDGE REPAIR PROJECT: MOVED by Drewes and seconded by Rossknecht to approve Change Order #2 in the amount of \$173,229.75 for Nemo Road Bridge BR2020-1 Repair Project. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

ITEMS FROM EMERGENCY MANAGEMENT

A. **COVID-19 UPDATE:** Informational only.

B. **EMERGENCY COVID-19 HOMELESS SHELTER – COSTS:** MOVED by Drewes and seconded by LaCroix to approve a cost share agreement with the City of Rapid City not to exceed \$75,000 for continuing operational costs of the temporary Emergency Homeless Shelter. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

C. **EMERGENCY COVID-19 HOMELESS SHELTER – SURPLUS:** MOVED by LaCroix and seconded by Drewes to declare the following items as presented as surplus for the purpose of donation: 12 various shower surrounds, 14 shower drains, faucets and heads, 3 flexible shower heads/extensions and 6 utility sinks, drains and faucets. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

D. **EMERGENCY COVID-19 HOMELESS SHELTER - EXCEPTION TO NORMAL VOUCHER CYCLE FOR SHELTER WORKER PAY:** MOVED by Drewes and seconded by LaCroix to authorize the submission of shelter related staff contract costs on a weekly basis for payment. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

ITEMS FROM HUMAN RESOURCES

A. **NEW POSITION TITLES AND DBM RATINGS – HIGHWAY DEPT:** MOVED by LaCroix and seconded by Rossknecht to approve the new position titles and DBM ratings for the Highway Department for 2021 implementation as follows: Admin. Asst. 2 B23, Apprentice Hwy Worker B21, Journeyman Hwy Worker B23, Lead Hwy Worker B31, Heavy Equip. Mechanic B24, Office Manager C42 and Civil Engineer C42. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

B. **COMPENSATION ADMINISTRATION POLICIES AND PRACTICES – GALLAGHER PAY SCALE:** MOVED by LaCroix and seconded by DiSanto to approve the Compensation Policies and Practices as presented and to authorize Human Resources to update the employee handbook to reflect the changes for use. These changes shall be effective December 27, 2020. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

ITEM FROM PUBLIC DEFENDER

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- A. SOFTWARE UPGRADE: MOVED by LaCroix and seconded by Rossknecht to approve the purchase of the Case Management Software from LegalEdge not to exceed \$60,000. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

ITEMS FOR COMMISSION ASSISTANT

- A. HOURS OF OPERATION FOR COUNTY OFFICES: MOVED by LaCroix and seconded by Hadcock to approve the resolution to set the hours of operations for County Offices. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

**PENNINGTON COUNTY, SD RESOLUTION
A RESOLUTION TO SET HOURS OF OPERATION FOR COUNTY OFFICES**

WHEREAS, SDCL § 7-7-2 requires the Board of County Commissioners to, by resolution, establish the hours of operation for each county government office, except for the offices of the Sheriff and State's Attorney; and

WHEREAS, SDCL § 7-7-2.1. states the Chair of the Board of County Commissioners may close the courthouse in case of emergency or severe weather. The public shall be adequately notified. An emergency for the purpose of this section is an unforeseen occurrence or combination of circumstances that calls for immediate action or remedy; and

WHEREAS, Pennington County Administration is not housed in the Pennington County Courthouse. The Presiding Judge of the 7th Judicial Circuit communicates with Emergency Management Staff in the closing of the Courthouse when an emergency or severe weather circumstances exist. The Chair of the Board of County Commissioners reserves the right to close County Offices in the event of emergency or severe weather; and

NOW, THEREFORE BE IT RESOLVED, The Pennington County Board of Commissioners set the hours of operations for the administration of Pennington County, SD as follows:

The **County Administration Building** (*130 Kansas City Street, Rapid City, SD*) shall be open Monday - Friday from 8:00 a.m. to 5:00 p.m. for the following:

1. *Auditor's Office
2. Treasurer's Office
3. Commission Office
4. Public Defender
5. Register of Deeds
6. Department of Equalization
7. Human Resources
8. Planning and Zoning
9. Information Technology
10. Fire Administration

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11. Emergency Management Administration

*The County Auditor's office shall remain open, if requested by the person in charge of an election, until the closing of the polls and the tabulation of votes for that election.

Emergency Services

The Emergency Services Communications Center/911 and the Emergency Operations Center located in the County Administration Building are exempt from this resolution as they conduct 24-hour operations by nature.

Law Enforcement

The offices of the Sheriff including Administration, Jail, Juvenile Services Center, Care Campus, Patrol, Investigations and Transport are exempt from this resolution per SDCL § 7-7-2.

Buildings & Grounds (302 Kansas City Street, Rapid City, SD)

The Buildings & Grounds staff work in all complexes from 5:30 a.m. to 11:00 p.m. The administrative office shall be open Monday - Friday from 8:00 a.m. to 5:00 p.m.

4/H Youth Programming (601 E. Centre Street, Rapid City, SD)

The standard operating hours for the 4-H Office shall be Monday - Friday from 8:00 a.m. to 5:00 p.m. The 4-H Office follows the State designated closures for holidays including any other day(s) proclaimed as a holiday by the Governor or the President of the United States. The County employee at the office shall follow the County policies for pay guidelines for holidays and benefitted leave time.

Due to a small staff and 4-H programming demands, the office may experience additional closures. Closures will be posted on the door of the Extension Office and communicated ahead of time if possible via email and social media.

Health & Human Services & Veterans Services Office (321 Kansas City Street, Rapid City, SD)

The lobby shall be open Monday - Friday from 8:00 a.m. to 5 p.m. Assistance is available by telephone Monday - Friday from 6:30 a.m. to 5:00 p.m.

Highway (Main Office - 3601 Cambell Street, Rapid City, SD)

The Highway Department Main Office located in Rapid City shall be open as follows:

Summer Hours (Daylight Savings Time)

Winter Hours (Standard Time)

Monday - Friday 6:00 a.m. – 4:30 p.m.

Monday - Friday 7:00 a.m. – 3:30 p.m.

The other Division Offices located in Hill City, New Underwood and Wall shall operate with the same hours, however, may not be open to the public at all times as their entire staff is often required to be working in the field.

Weed & Pest (Main Office - 3607 Cambell Street, Rapid City, SD)

The Weed & Pest Department may be open Monday - Thursday from 5:30 a.m. – 4:00 p.m. Due to a small staff and no full-time office staff, the building may be closed during business hours.

NOW, THEREFORE BE IT FURTHER RESOLVED, all non-24/7 operations will be closed for holidays (including the day after Thanksgiving) with the exceptions of Martin Luther King Day, President's Day and Native American Day which will be open.

Dated this 21st day of July, 2020.

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/s/Deb Hadcock, Chair
Pennington County Board of Commissioners

/s/Cindy Mohler
Pennington County Auditor

- B. COMMISSION 2020 BUDGET STATUS: MOVED by Rossknecht and seconded by Drewes to acknowledge the 2020 Commission Budget status and to exempt \$16,843 in expenses as presented from 2020 10% budget reduction directive. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

ITEMS FROM CHAIR / COMMISSION MEMBERS

COMMITTEE REPORTS

APPROVAL OF VOUCHERS: MOVED by LaCroix and seconded by Rossknecht to approve the vouchers as presented below for expenditures for insurance, professional services, publications, rentals, supplies, repairs, maintenance, travel, conference fees, utilities, furniture and equipment totaling \$2,272,948.58. The motion unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – abstained.

11th Street LLC, 575.00; 2nd Street Inn & Suites, 69.50; A & B Business Inc, 2,690.98; A & B Welding Supply Co, 237.48; A To Z Shredding, 700.01; Adams-Isc LLC, 256.06; Advanced Drug Testing Inc, 105.00; Ainsworth Benning Construction Inc, 72,474.86; Al Cornella Refrigeration, 97.50; American Correctional Association, 70.00; Americas Best Value Inn, 200.00; Americinn By Wyndham Hartford, 1,596.00; Anker Law Group PC, 1,698.75; Architectural Specialties LLC, 1,242.51; Arctic Glacier USA Inc, 106.02; Arnie's Pressure Wash, 150.00; Ashley, John W, 220.00; AT&T Mobility, 1,022.36; Audra Hill Consulting Inc, 14,141.00; Avesis, 3,336.62; Axon Enterprise Inc, 57,246.00; Badlands Automotive, 13.95; Baker Shawn Henry, 50.00; Balco Uniform Co Inc, 2,935.70; Bangs, Mccullen, Butler, Foye & Simmons, LLP, 6,701.99; Banks, Bridgette R, 1,067.90; Bankwest Inc, 850.00; Bargain Printing, 197.20; Barnes Brian, 50.00; Behavior Management Systems Inc, 25.00; BH Ammunition Inc, 350.00; BH Chemical Company Inc, 4,285.41; BH Energy, 392.39; BH Energy, 570.32; BH Energy, 36.47; BH Energy, 825.40; BH Insurance Agency Inc, 60.00; BH Orthopedic & Spine Center PC, 1,715.91; BH Roofing Co, 333.00; BH Services Inc, 389.81; BH Tent And Awning, 20.00; BH Urgent Care LLC, 360.00; BH Wilbert Vault, 1,200.00; BI Inc, 7,931.75; Bierle Janelle, 600.00; Bierschbach Equipment And Supply Co Inc, 548.55; Big D Oil Co, 22.98; Birmeier Sandy, 216.00; Bishop, Lynn M, 412.50; Black Creek Integrated Systems Corp, 11,670.76; Black Hills Portables Inc, 300.00; Bob Bak Construction, 55,305.00; Bob Barker Company Inc, 5,130.59; Bravo Company USA Inc, 4,833.54; Brekke Sales Company, 114.00; Brevik Law Office PLLC, 188.65; Briggs Michael G, 375.00; Bringswhite Erik, 4,152.50; Bringswhite Morgan, 1,525.00; Brosz Engineering Inc, 2,172.50; Brown's Small Engine Repair, 20.56; Burnette Jr Arthur J., 550.00; C&B Operations LLC, 28,000.00; Cameron, George R, 596.25; Cash-Wa Distributing, 3,262.52; Cat's Cleaning, 40.00; CC Property Management LLC, 1,149.00; CDW Government Inc, 28,455.43; Central States Fair

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Inc, 56,834.38; Certified Laboratories, 1,003.27; Charm-Tex Inc, 3,110.78; Children's Home Society, 5,000.00; Chris Supply Co Inc, 208.28; City Of Box Elder, 229.53; City Of Hill City, 51.37; City Of Hill City, 126.54; City Of Rapid City, 41,415.78; City Of Wall, 142.00; Civic Research Institute, 179.95; Clark Printing, 381.05; Clayborne, Deanna K, 2,382.60; Clayborne, Loos & Sabers LLP, 504.40; Climate Control Systems And Service LLC, 1,112.10; Cline, Jean M, 1,371.15; Clinical Laboratory Of The Black Hills, 7,310.00; Clock Tower Gardens Apartments, 525.00; Colbath Atty PC, Angela M, 5,782.10; Community Health Center Of The Black Hills Inc, 480.00; Complete Property Solutions LLC, 280.66; Connections Inc EAP, 1,208.00; Cooks Correctional, 195.68; Copy Country, 117.00; Coremr LC, 1,122.00; Correct Rx Pharmacy Services Inc, 12,840.18; Corrections Products Company, 1,545.00; CPR Savers & First Aid Supply, 519.51; Crescent Electric Supply, 1,963.93; Custer County, 300.00; Dafler Beverly D., 120.00; Dakota Battery & Electric, 250.58; Dakota Business Center, 36,011.22; Dakota Fluid Power Inc, 432.41; Dakota Mill & Grain Inc, 33.75; Dakota Plains Legal Services Inc, 28,750.00; Dakota Supply Group Inc, 193.14; Dale's Tire & Retreading Inc, 12,228.22; Darby Dental Supply LLC, 71.85; Dash Medical Gloves Inc, 768.60; Davis, Jeremiah J, 8,449.70; Delta Dental Of South Dakota, 37,067.22; Demersseman Jensen Tellinghuisen & Huffman LLP, 708.10; Den Herder Law Office PC, 426.50; Dennis Supply - RC, 63.31; Denny Menholt Chevrolet, 3,700.93; Dharma Wellness Institute, 120.00; Diagostine Scott, 28.70; Diamond Vogel Paint Center, 404.80; Diesel Machinery Inc, 1,394.60; Dillon Law Office, 2,112.40; Dreamdak Holdings LLC, 300.00; Driftwood Estates, 850.00; Drury, Jessie, 75.00; DS Solutions Inc, 2,310.00; Duffy Law Firm, Prof. LLC, 14,874.15; Dyna-Kleen Service Inc, 775.00; Eastern Penn Conservation, 6,750.25; Election Systems & Software LLC, 44,092.16; Eprovider Solutions, 433.25; Ertz, Dewey J, 1,950.00; Ervin Jeri, 15.99; Estes Park Apartments, 135.00; Evergreen Office Products, 508.74; Executive Mgmt Fin Office, 727.05; F & M Rentals LLC, 660.00; Fastenal Company, 1,600.24; Federal Supply USA, 162.00; Ferguson Enterprises Inc #226, 888.10; Ferguson Safety Products Inc, 3,000.00; Fink, Teresa L, 288.80; First Focus Property Management LLC, 440.00; First Interstate Bank, 440.10; First Interstate Bank, 163.03; First Interstate Bank, 49.79; First Interstate Bank, 2,423.33; First Interstate Bank, 237.14; First Interstate Bank, 85.00; First Interstate Bank, 465.47; First Interstate Bank, 100.78; First Interstate Bank, 246.56; First Interstate Bank, 24.98; First Interstate Bank, 246.34; Fitzgerald Law Firm, 1,443.90; Flaghouse Inc, 269.52; Flooring America, 27.95; Floyd's Truck Center, 1,695.03; Fremont Industries Inc, 3,199.77; French's Upholstery, 265.00; Fresh Start Carpet Care, 45,383.98; G & H Distributing - RC, 125.95; Galls LLC, 90.37; Global Tel'Link, 16.02; Godfrey Brake Service And Supply Inc, 1,702.96; Golden West Companies, 1,087.26; Golden West Technologies, 450.00; Government Forms And Supplies LLC, 813.20; Great Western Tire Inc, 926.80; Grey & Eisenbraun Law, Prof LLC, 436.20; Grimm's Pump Service Inc, 1,193.72; Gust Victor, 37.86; Gustave A Larson Company, 109.00; H&S Uniforms And Equipment LLC, 48.00; Harris, Betsey, 1,104.40; Hartland Jamin, 250.00; Harveys Lock Shop, 258.26; Heartland Paper Company, 14,860.94; Heeren-Graber Krista, 1,200.68; Henry Schein Inc, 2,680.59; Hill City Ambulance Service, 240.00; Hill City Area Chamber Of Commerce, 100.00; Hill City Prevailer, 937.76; Hillyard/Sioux Falls, 1,028.36; Hilt Construction Inc, 7,521.44; Hix, Leroy Dean, 925.00; Horwath Laundry Equipment, 288.52; Humane Society Of The Black Hills, 4,166.67; Image All LLC, 1,261.44; Independent Optical, 60.00; Indoff Inc, 1,835.87; Inforad Inc, 586.00; Inland Truck Parts, 6,903.25; Interstate All Battery Center, 134.75; Intoximeters Inc, 85.25; Iret Properties - A North Dakota LP, 500.00; IS Restaurant Design Equipment & Supply,

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4,018.00; J & J Asphalt Co, 19,219.66; Jackson Joseph M, 600.00; Jacobs Ph.D. P.C Katherine A., 2,078.65; Jacqueline K Perli Reporting Inc, 622.50; Jantech LLC, 790.00; Jefferson Partner LP, 76.50; Jenner Equipment Co, 1,574.27; Jims Private Utility Locating, 187.50; JJ's Engraving & Sales, 51.75; Johnson Controls, 419.00; Johnson Kathryn, 50.40; Johnson, Kimberly K, 176.40; Johnstone Supply, 95.84; Juenger Joseph, 425.00; JV Bailey Company Inc, 67,281.81; Katterhagen Mark, 60.00; Kennedy Pier Loftus & Reynolds LLP, 591.70; Kieffer Sanitation/A Waste Management Co, 317.31; Kieffer Sanitation/A Waste Management Co, 136.80; Kiesler Police Supply Inc, 429.00; Kimball Midwest, 907.77; Kintigh Kylie, 89.99; Kirk Funeral Home, 3,610.00; Kirschenmann, Kevin E, 1,680.00; Kistler Crane And Hoist, 2,233.94; Klapperich Wyatt J., 2,000.00; KLJ Engineering LLC, 14,481.76; Knecht Home Center Inc, 1,309.47; Knollwood Heights Apartments, 300.00; Kone Inc, 10,453.61; Konica Minolta Premier Finance, 156.19; KPI Tactical, 460.00; Kraig Blomme Rentals, 300.00; KS Statebank, 10,325.82; Laboratory Corporation Of America Holdings, 46.00; Lacrosse Investors, 459.00; Language Line Services, 9.02; Laubach Law Office Prof LLC, 2,411.50; Law Office Of Kyle Krause Prof LLC, 368.60; Lazy U Motel, 483.00; Lewis & Clark Behavioral Health Services, 712.00; Lewno Lucille M, 743.00; Lighting Maintenance Co, 225.38; Lincoln County Auditor, 210.00; Lingo Communications LLC, 74.57; Lockwood Darcy, 60.00; Loftus, Ronald J., 2,479.50; Love, Todd A, 5,452.15; Lowe's, 55.63; Lutheran Social Services Of SD, 10,312.73; Lynn Jackson Schultz & Lebrun PC, 7,895.80; MacNally Law Offices Prof LLP, 4,343.30; Madison House LLC, 625.00; Manlove Psychiatric Group, 22,500.00; Maplewood Townhouses, 137.50; Marco Inc, 1,192.04; Marco Inc, 6,744.71; Marshall And Swift, 2,271.90; Maruska, Kayla L, 1,116.10; Matheson Tri-Gas Inc, 170.81; Matthew Bender & Co Inc, 714.00; McGas Propane LLC, 644.25; MCGowan, Wendy T, 5,087.65; McKesson Medical-Surgical Government Solutions LLC, 3,762.85; McKie Ford Inc, 71.32; McPherson Propane, 134.81; Medical Waste Transport Inc, 504.89; Medline Industries Inc, 4,748.63; Meetingone, 34.65; Menards, 134.47; MG Oil Company, 20,655.50; Midcontinent Communications, 2,394.88; Midwest Auto Chemical, 574.20; Midwest Wellness Institute PLLC, 13,331.25; Millennia River Stritar, 410.00; Minnehaha County Auditor, 138.00; Mirion Technologies (GDS) Inc, 160.00; Montana Dakota Utilities, 48.42; Monument Health, 460.40; Monument Health Home Plus LLC, 18.35; Monument Health Home Plus Pharmacy, 1,416.33; Monument Health Medical Clinic, 170.00; Monument Health Medical Clinic, 20,160.00; Monument Health Rapid City Hospital Inc., 14,434.07; Morse Watchmans Inc, 220.00; Moss Psy D LLC, William A, 5,500.00; Moyle Petroleum, 4,546.44; Mt Rushmore Telephone Co, 48.12; Muilenburg Randy, 450.00; Murphy Law Office PC, 1,490.65; Murphy Petroleum Transport LLC, 50.00; Mustang Disaster Cleanup, 56,840.14; NAADAC, 900.00; NADA Appraisal Guides, 790.00; Nelson, George J, 556.58; NMS Labs, 52.00; Nohr, Linda J, 2,200.00; Nolan Deanna, 200.00; Nooney Solay & Van Norman, 552.90; Norman Glenda, 850.00; North Central International Of Rapid City Inc, 124.80; North Central Supply Inc, 2,837.00; Northern Lights Apartments, 950.00; Northwest Pipe Fitting Inc, 5,924.23; Norton Mikayla, 1,015.00; Nutrien Ag Solutions Inc, 2,047.80; Oberle's Radiator And Repair, 75.00; O'Day, Valarie, 3,023.00; Odegard, Amber L, 1,785.00; Office Depot, 745.31; Oleson Janice, 300.00; Olson, Carolyn, 7,312.50; Olson, Leann, 240.00; Omnitech Inc., 9,100.00; Osheim & Schmidt Funeral Home, 3,400.00; Otis Elevator Co, 5,342.43; Overhead Door Of Rapid City, 206.91; Pacific Steel & Recycling, 351.01; Paradis Inc, 200.00; Parkway Carwash Inc, 5.00; Paulin John, 100.00; Pederson Law Office LLC, 3,472.50; Penn Co Council On Aging, 5,000.00; Penn Co Equalization

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Petty Cash, 161.76; Penn Co Health & Human Sv Petty Cash, 50.00; Penn Co Highway Petty Cash, 337.97; Penn Co Jail Petty Cash, 1,680.00; Penn Co Sheriff Petty Cash, 462.39; Penn Co States Atty Petty Cash, 177.00; Penn Conservation Dist, 12,727.60; Pennington County Courant, 1,966.27; Pennington County Housing & Redevelopment, 561.00; Pete Lien & Sons Inc, 1,472.43; Pharmchem Inc, 399.70; Pheasantland Industries, 3,397.45; Phoenix Supply LLC, 469.07; Pitney Bowes Reserve Account, 37,273.85; Plainsview Mobile Manor, 650.00; Power House, 257.83; Prairie Auto Parts Inc, 273.60; Pratt Linda, 75.00; Premier Real Estate Management LLC, 600.00; Pressure Services Inc, 20.00; Price LLC, 872.00; Priority Dispatch Corp, 900.00; Proforma Screening Solutions LLC, 34.00; Prompt Effect, 700.00; Pubworks, 5,900.00; Quettier Nicolas, 408.00; Quik Signs, 2,193.82; Quill Corporation, 126.96; Radiology Associates Professional LLC, 641.33; Rapid Delivery Inc, 126.50; Rapid Diesel Service Inc, 1,340.31; Rapid Rooter, 415.00; Rapid Towing LLC, 624.50; RC Area School Dist 51-4, 1,259.60; RC Emergency Services PA, 213.33; RC Journal - Advertising, 5,966.58; RC Police Dept-Evidence, 180.00; RC Winsupply, 154.00; RDO Equipment Co, 1,546.72; Record Storage Solutions, 596.87; Redwood Toxicology Laboratory Inc, 162.33; Regency Of SD Inc, 870.00; Reliance Telephone Inc, 9.35; Reliance Telephone Inc, 7.20; Ricoh USA Inc, 227.17; Ricoh USA Inc, 699.14; Riss & Associates Cabinets & Caseworks Inc, 3,110.00; Rochester Armored Car Company Inc, 439.03; Rockerville Volunteer Fire Department, 3,443.04; Rogers Construction Inc, 182,025.00; Rosenbrahn, Jennie S, 300.00; Rossknecht Ron, 408.24; Runnings Supply Inc, 232.01; Rushmore Plaza Civic Center, 2,666.00; S&P Global Market Intelligence, 91.00; Saicor, 500.00; Sand Scripts, 164.25; Sargent Lori, 175.00; Saunders Peggy D, 1,000.00; Scenic Township, 1,537.50; Schaefer, Dean, 303.00; Schindler Michael A, 50.00; Scovel Psychological, 1,575.00; Scull Construction, 21,891.20; SD Dept Health, 4,339.00; SD Dept Of Revenue, 9,221.72; SD Dept Of Revenue, 484.00; SD Dept Of Transp-Finance, 15,495.16; SD Federal Property Agency, 96.00; SD Network Against Family, 400.00; SD Overhead Doors, 97.00; SD Rose Inn, 2,005.00; SD Secretary Of State, 90.00; SDEMA, 240.00; SDN Communications, 399.60; SDN Communications, 648.00; SDRC Terra Kennedy MHP2 LLC, 340.00; SDVSO, 200.00; Securus Technologies Inc, 15,673.63; Seifert, Mary Rae, 315.00; Servall Uniform/Linen Co, 5,195.32; Sherwin Williams Paints, 70.51; Sign Express, 61.94; Signs Now, 80.00; Silver Star Septic LLC, 150.00; Simon Contractors Of South Dakota Inc, 14,163.57; SKC Communication Product, 148.32; Skinner Law Office PC, 4,879.65; Smith Darrel F, 300.00; Smoot & Utzman, 1,606.32; Sorbel Susan R. And Daniel E., 1,100.00; Sprague, Thursia R, 50.00; Steam Cleaning Specialist, 1,400.00; Stephens, Matthew T, 3,878.00; Stop Stick LTD, 2,095.00; Sturdevant's Auto Parts, 5,638.44; Sturdevant's Refinish, 293.37; Suckow Kimberly, 8.40; Summit Food Service, 123,228.61; Summit Signs & Supply Inc, 129.00; Sunshine Park, 300.00; Swanston Equipment, 39.49; SYNCB/Amazon, 471.62; Taylor Allen, 140.00; Tech M3 Inc, 2,580.46; Teppo Enterprises LLC, 2,050.00; The Hartford, 2,651.09; The Law Office Of Jamy Patterson LLC, 2,628.70; The Little Print Shop Inc, 93.76; The Medicine Shoppe, 66.58; The Palms Apartments LLC, 350.00; The Repair Shop, 535.28; The Rushmore Hotel, 77.00; Thomson Reuters-West, 1,585.54; Three Lakes Pharmacy, 250.00; Timeclock Plus LLC, 2,736.70; TKRS Properties LLC, 2,876.45; Trimin Systems Inc, 33,374.00; TS Government Solutions LLC, 147.50; Tzadik Rapid City LLC, 1,536.00; Uline, 612.87; Unkenholz Family Dental Prof LLC, 235.00; Vallette Thomas, 299.60; Vanway Trophy & Awards, 454.02; Vast Broadband, 217.27; Vast Broadband, 773.83; VB Rapid Creek, 694.50; Vemco, 5,094.77; Venture Architects, 1,212.83; Verizon Wireless, 801.46; Verizon Wireless, 129.25; Vetter Dawn, 20.00;

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Vlieger Tom, 71.82; Wall Building Center & Construction, 211.00; Warne Chemical & Equipment Co Inc, 320.80; Watertree Inc, 945.26; Weichmann, Cynthia M, 993.75; Weifenbach, Ronald L, 700.00; Wellmark, 330,150.73; West River Anesthesiology Consultants PC, 498.95; West River Electric, 1,517.90; Western Communication Inc, 3,541.62; Western Mailers, 1,202.03; Western Stationers Inc, 3,572.85; Western Thrifty Inn LLC, 200.00; Western Truck & Equipment Sales, 6,863.00; Wex Bank, 228.47; Wex Bank, 4,780.53; Where All Women Are Honored, 13,600.00; Whisler Bearing Co, 1,745.32; Whisper Rock Apartments, 613.00; Whiting Hagg Hagg Dorsey & Hagg LLP, 7,941.39; Whiting, Marcia, 1,595.65; Winner Police Dept, 220.80; Winner Regional Healthcare Center, 358.13; Winter Law Office PC, 20,165.20; Wojtanowicz Terrance, 578.00; Wolf, Ione, 396.75; Working Against Violence, 9,273.59; Yankton Co Sheriff Office, 150.00; Yankton County Treasurer, 641.60; Yellow Robe Luther P, 10,219.50; Youth & Family Services, 30.00; ZMC LLC, 11,992.42.

MOVED by Rossknecht and seconded by Drewes for a ten-minute recess. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – abstained.

MOVED by Drewes and seconded by Rossknecht to reconvene. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

ITEMS FROM PLANNING & ZONING

BOARD OF ADJUSTMENT: MOVED by LaCroix and seconded by Drewes to convene as the Board of Adjustment. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

- A. VARIANCE / VA 20-06: Donna and Alexi Zuniga. To reduce the minimum required lot size from 40 acres to 34.32 acres in a General Agriculture District in accordance with Sections 205 and 509 of the Pennington County Zoning Ordinance.

GL 2, Section 7, T1S, R9E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by LaCroix to approve Variance / VA 20-06. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

- B. VARIANCE / VA 20-07: Kieffer Land Company; Mark Kieffer. To reduce the Section Line setback from 58 feet to 33 feet to bring an existing barn into compliance in a General Agriculture District in accordance with Sections 205 and 509 of the Pennington County Zoning Ordinance.

All Less PT S of HWY, Less RR and HWY ROW, Less W218 ft of S250 ft of SW1/4NE1/4, Less E218 ft of S250 ft of SE1/4NW1/4, LESS E218 ft of N240 ft of NE1/4SE1/4, and Less W218 ft of N250 ft of NW1/4SE1/4, Section 27, T1N, R9E, BHM, Pennington County, South Dakota.

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MOVED by DiSanto and seconded by Rossknecht to approve Variance / VA 20-07, with the following condition. It was further MOVED that if the structure is torn down or removed, the new structure must meet the setbacks. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

1. That this Variance applies only for the existing barn located on the subject property. All other structures must maintain the proper setbacks, obtain separate Variance(s), or the Section Line Right-of-Way must be vacated.

MOVED by LaCroix and seconded by Rossknecht to adjourn as the Board of Adjustment and reconvene as the Board of Commissioners. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

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 LaCroix to approve the Planning and Zoning consent agenda as presented. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

- C. MINOR PLAT / MPL 20-13: Dick Kompus. To combine lots to create Lot 1R of Chase Elkhorn Subdivision in accordance with Section 400.3 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract 2 of Lot B and C and Lot 1, Chase Elkhorn Subdivision, Section 10, T2S, R6E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 1R, Chase Elkhorn Subdivision, Section 10, T2S, R6E, BHM, Pennington County, South Dakota.

Approve Minor Plat / MPL 20-13 with the following five (5) conditions:

1. 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;
2. That all natural drainage ways are maintained and are not blocked;
3. 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;

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4. That access for Lot 1R is taken from the existing approach for the subject property; and,
5. That an approved Floodplain Development permit be obtained prior to any disturbance within the Special Flood Hazard Area.

End of Consent Agenda

PLANNING & ZONING REGULAR AGENDA

- D. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 20-03: Richard Sterkel. To rezone 10.01 acres from Limited Agriculture District to Suburban Residential District in accordance with Sections 206, 208, and 508 of the Pennington County Zoning Ordinance.

Lot G, Clemmons Addition, Section 23, T1N, R8E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve Rezone / RZ 20-03. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

- E. LAYOUT PLAN / LPL 20-16: James and Marilyn Dean. To reconfigure lots lines to create Lot A, B, and C of JM Dean Subdivision and Tract 5R of Storm Hill Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: All of Eddy #1 Lode MS 523; Tract 4 and Tract 5 of Storm Hill Subdivision, all located in Section 28, T1S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots A, B, and C of JM Dean Subdivision and Tract 5R of Storm Hill Subdivision, Section 28, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by LaCroix to approve Layout Plan / LPL 20-16 with the following seven (7) conditions. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

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

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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 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; and,
7. That approval of this Layout Plan does not constitute approval of any further applications to be submitted for the above-described property.

- F. FIRST READING AND PUBLIC HEARING OF REZONE / RZ 20-04 AND COMPREHENSIVE PLAN AMENDMENT / CA 20-03: James and Marilyn Dean. To rezone 10.00 acres from General Agriculture District to Low Density Residential District and to change the Future Land Use from Planned Unit Development Sensitive to Low Density Residential District in accordance with Sections 205, 207, 213, and 508 of the Pennington County Zoning Ordinance.

All of Eddy #1 Lode MS 523, Section 28, T1S, R5E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Rossknecht to approve Rezone / RZ 20-04 and Comprehensive Plan Amendment / CA 20-03. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

- G. LAYOUT PLAN / LPL 20-14: Grandview Land, LLC (Dan Lewis); Gordon Howie – Agent. To create Lot 2 of Block 2 and Lot 1 and Lot 2 of Block 3 and Lot 7 through Lot 10 of Block 3 of Cedar Gulch No. 2 Subdivision and dedicated Right-of-Way in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Balance of Tract A, Cedar Gulch #2 Subdivision, Section 32, T1N, R9E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot 2 of Block 2 and Lot 1 and Lot 2 of Block 3 and Lot 7 through Lot 10 of Block 3 of Cedar Gulch No. 2 Subdivision and dedicated Right-of-Way, Cedar Gulch #2 Subdivision, Section 32, T1N, R9E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by Drewes to continue this item until the August 7, 2020 Commission meeting. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

- H. LAYOUT PLAN / LPL 20-15: K.W. Lindsay; Robert Livingston – Agent. To create Lots 1, 2, and 3 of Tract Lake Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

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EXISTING LEGAL: Tract Lake of SW1/4SW1/4 of Section 27 and SE1/4 of Section 28, Section 27, T2N, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1, 2, and 3 of Tract Lake Subdivision, Section 32, T1N, R9E, BHM, Pennington County, South Dakota.

MOVED by Rossknecht and seconded by LaCroix to approve Layout Plan / LPL 20-15 with the following nine (9) conditions. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

1. That the applicants obtain approved Approach Permits from the South Dakota Department of Transportation prior to installation of any approaches off of Highway 385;
2. That prior to filing the Plat with the Register of Deeds, Lots 2 and 3 be Rezoned appropriately, to include a Comprehensive Plan Amendment;
3. That the applicants ensure all natural drainage ways are maintained and not blocked;
4. That the Certifications on the Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations and Register of Deeds comments contained in this report;
5. 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;
6. 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;
7. That at the time of Minor Plat submittal, the plat contain one hundred (100) year floodplain limits in accordance with current FEMA maps and Pennington County Subdivision Regulations, Section 400.3(1)(l);
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; and,
9. That approval of this Layout Plan does not constitute approval of any further applications to be submitted for the above-described property.

- I. FIRST READING AND PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 20-03: Pennington County. To amend Section 309-C-6 “Yard, Building Setback Exceptions” [to replace and supersede Section 309-C-6 “Yard, Building Setback Exceptions”] of the Pennington County Zoning Ordinance.

MOVED by LaCroix and seconded by Drewes approve Ordinance Amendment / OA 20-03. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

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- J. FIRST READING AND PUBLIC HEARING OF ORDINANCE AMENDMENT / OA 20-04: Pennington County. To amend Section 511 “Fees” [to replace and supersede Section 511 “Fees”] of the Pennington County Zoning Ordinance.

MOVED by LaCroix and seconded by Rossknecht to approve Ordinance Amendment / OA 20-04 with the following amendment to Section H, #1 to read – “Application (Overlay).” The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

- K. REQUEST FOR ABATEMENT OF PROPERTY LOCATED AT 6480 GREENFIELD DRIVE: MOVED by LaCroix and seconded by Drewes to authorize the Planning Department to abate the public nuisance on the property located at 6480 Greenfield Drive. The special assessment against the property will include any and all fees related to mowing, clean up, trash removal and disposal and staff time. The cost of the abatement should not exceed \$1,000. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

ITEMS FROM PUBLIC

EXECUTIVE SESSION – SDCL 1-25-2

- A. Contractual/Pending litigation per SDCL 1-25-2(3)

MOVED by Drewes and seconded by LaCroix to go into Executive Session pursuant to SDCL 1-25-2(3) for the purpose of consulting with legal counsel regarding contractual matter and pending litigation matters. The motion carried unanimously on a roll call vote: DiSanto – yes, Drewes – yes, LaCroix – yes, Rossknecht – yes, Hadcock – yes.

Commissioner DiSanto did not return to the meeting after Executive Session.

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

PAYROLL

Commissioners, 8,812.63; Elections, 7,713.38; Auditor, 10,249.59; Treasurer, 37,032.51; State's Attorney, 121,781.42; Public Defender, 66,261.89; Buildings & Grounds, 61,315.46; Equalization, 39,989.67; Register of Deeds, 14,353.60; IT, 22,454.21; Human Resources, 5,554.40; Sheriff, 264,480.12; HIDTA Grant, 4,274.82; Jail, 304,644.77; JSC, 106,243.28; JSC Juvenile Alternative, 4,491.89; CCADP, 111,255.58; Economic Assistance, 33,627.58; Extension, 1,409.60; Weed & Pest, 15,481.40; Planning and Zoning, 16,234.79; Road & Bridge, 93,292.96; Fire Administration, 3,408.88; Dispatch, 92,953.61; Emergency Management, 4,933.43; 24-7 Program, 7,387.69.

PERSONNEL

Buildings & Grounds: Effective 07/26/2020: Nancy Northcutt, \$16.38/hr.

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CCADP: Effective 07/26/2020: Christie Hurtig, \$18.05/hr.; Kendra Langdeau, \$16.16/hr. & Michelle Teeslink, \$23.61/hr.

Dispatch: Effective 07/13/2020: Angelica Johnson & Audrey Metz, \$17.61/hr.

HHS: Effective 07/26/2020: Samuel Farmer, \$23.04/hr.

Highway: Effective 07/26/2020: Chris Grable, \$33.44/hr., Mark Schock, \$3,333.60/bi-wkly. & Ciara Geppert, \$22.47/hr. Effective 07/27/2020: Robert Miller, \$18.48/hr.

IT: Effective 08/09/2020: Brian Uecker, \$26.05/hr. & Caleb Straub, \$25.42/hr.

Jail: Effective 07/13/2020: Kurt Swanson, \$15.97/hr. Effective 07/26/2020: Joshua Galster, \$15.21/hr.; Nicholas Graese, Logan Hale & Trae Hood, \$23.04/hr.; Joel Kirst, \$29.46/hr.; Trevor Pates, \$23.04/hr. & Shawna Roth, \$2,387.20/bi-wkly.

Planning & Zoning: Effective 08/09/2020: Dwayne Allen, \$22.51/hr.

Sheriff: Effective 06/28/2020: Jeremy Miller, \$27.39/hr. Effective 07/26/2020: Mark Bartik, Thad Fitch, Jason Lind, Douglas Noyes, Joseph Prouty & Patrick VanLoan, \$22.47/hr.; Keith Carlson, \$29.79/hr.; Brandon Dirksen, \$24.79/hr.; Cameron Ducheneaux, \$26.05/hr.; Abbee Hall, \$14.86/hr. & Joshua Lavene, \$23.61/hr.

State's Attorney: Effective 07/20/2020: Braedon Houdek, \$16.77/hr. Effective 07/26/2020: Jamie Fischer, \$24.77/hr. Effective 08/09/2020: Allyson Crespo, \$20.38/hr.

WSD/JDC: Effective 07/26/2020: Murphy Casey, \$23.04/hr.

ADJOURN

MOVED by Drewes and seconded by LaCroix to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 12:26 p.m.

/s/ Cindy Mohler, Auditor

Published once at an approximate cost of ____.

Publish August 5, 2020