

PENNINGTON COUNTY BOARD OF COMMISSIONERS
Meeting of March 16, 2021

The Pennington County Board of Commissioners met at 9:00 a.m. on Tuesday, March 16, 2021, in the Commission Chambers in the County Administration Building, Rapid City, South Dakota. Chair Gary Drewes called the meeting to order with the following Commissioners present: Deb Hadcock, Lloyd LaCroix, Travis Lassetter and Ron Rossknecht.

REVIEW AND APPROVE AGENDA

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

CONSENT AGENDA

MOVED by Lassetter and seconded by LaCroix to approve the Consent Agenda as presented. Vote: Unanimous.

5. Approve the minutes of the special meeting February 26, 2021, meeting.
6. Approve the minutes of the regular March 2, 2021, meeting.
7. Accept the recommendation for the appointment of Germaine Little Bear to the Pennington County Housing and Redevelopment Commission.
8. Acknowledge the notice of intent to conduct a raffle – Rochford Community Hall.
9. Acknowledge the notice of intent to conduct a raffle – Rochford Chapel.
10. Schedule a special meeting on Friday May 7, 2021 @ 8:30 a.m. for a budget work session.
11. Declare one NICE Call Focus II Recording System, one NICE-Log Recording System Asset #5917, one Freedom Recording System Asset #s 5145, 5146, 5493, one Kenwood UHF repeater Asset #4697 and one Gateway ALR 7200 Server Asset #5277 as surplus for the purpose of disposal or donation.
12. Recognize and thank the volunteers for the month of February 2021.
13. Approve the request for authorization to re-apply for the VOCA and Stop/VAWA Grants.

End of Consent Agenda

ITEMS FROM EMERGENCY MANAGEMENT

A. COVID-19 UPDATE: Informational only.

RESOLUTION RELATING TO LEASE-PURCHASE OF COUNTY BUILDINGS, AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND APPROVE AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS AND AUTHORIZING CERTIFICATES OF PARTICIPATION – TOM GRIMMOND, COLLIERS INTERNATIONAL: MOVED by LaCroix and seconded by Rossknecht to approve the resolution to refinance County Bonds. Vote: Unanimous.

RESOLUTION

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

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

Section 1. Recitals.

1.1. The County is authorized by South Dakota Codified Laws, Chapter 7-25, inclusive, as amended (the “Act”), to enter into lease-purchase agreements for acquisition of real or personal property that the governing body considers necessary or appropriate to carry out its governmental and proprietary functions. The governing body finds that it is necessary and appropriate to enter into a lease-purchase agreement and authorize the issuance of Taxable Certificates of Participation (Limited Tax General Obligation) (the “Series 2021A Certificates”), to prepay the lease obligations associated with the outstanding Certificates of Participation (Limited Tax General Obligation), Series 2017A (the “Series 2017A Certificates”) and thereby refund the Series 2017A Certificates and to pay the costs of issuance related to the issuance of the Series 2021A Certificates.

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

1.3. The Trustee will execute and deliver a Tenth Supplemental Declaration of Trust (the “Tenth Supplemental Trust”), which will supplement and amend the Declaration of Trust, dated as of March 1, 2003, as amended (the “Trust Agreement”). Pursuant to the Trust Agreement the Trustee will (i) issue Taxable Certificates of Participation (the “Series 2021A Certificates”) in the lease payments to be made by the County under the Lease, and (ii) receive, hold, invest and disburse the proceeds of the sale of the Series 2021A Certificates and other funds provided by the County in an Escrow Account established under the Tenth Supplemental Trust in order to prepay the lease obligations related to the Series 2017A Certificates. Upon execution and delivery of the Series 2021A Certificates, the Series 2017A Certificates shall be called for prior redemption on June 1, 2025 and the associated lease payments to and including the redemption date shall be prepaid in full. There is hereby appropriated, and there shall be deposited in the Escrow Account, with the proceeds of the Series 2021A Certificates, an amount sufficient without regard to investment earnings, to pay all lease payments relating to the Series 2017A Certificates to and including the June 1, 2025 redemption date thereof. Proceeds of the Series 2021A Certificates will also be used to pay the costs of issuance of the Series 2021A Certificates.

1.4. The Series 2021A Certificates will be purchased by Colliers & Company LLC (the “Original Purchaser”) pursuant to a Certificate Purchase Agreement between the County and the Original Purchaser (the “Certificate Purchase Agreement”) and the Original Purchaser will offer the Series 2021A Certificates for sale to the public by an Official Statement (the “Official Statement”) to be prepared at the direction of the County.

1.5. Forms of the following documents relating to the issuance of the Series 2021A Certificates, the prepayment of the lease obligations associated with the Series 2017A Certificates and the redemption of the Series 2017A Certificates (the “Documents”) have been prepared by Kutak Rock LLP as Bond Counsel, and submitted to the County and are on file in the office of the County Auditor and the Deputy State’s Attorney: (a) the Tenth Amendment to Lease; (b) the Tenth Supplemental Trust; (c) the Certificate Purchase Agreement; and (d) a Continuing Disclosure Agreement between the County and the Trustee. The County Auditor is authorized to cause an Official Statement to be prepared in connection with the offering of the Series 2021A Certificates and to be filed in her office.

Section 2. Authorization and Approval of the Documents. The financing described above is found to be favorable and is hereby approved. The Chair and County Auditor are authorized to approve the principal amount of the Tenth Amendment to Lease, the Series 2021A Certificates, not exceeding \$22,600,000, the term thereof not exceeding seventeen (17) years, the interest rate or rates thereon not exceeding an average yield of two percent (2.00%) per annum and the price not less than 99.2% of par (exclusive of original issue discount) and at which the Series 2021A Certificates are to be sold to the Original Purchaser, and are directed to enter into Certificate Purchase Agreement with the Original Purchaser. Execution of the Certificate Purchase Agreement by such officers shall be conclusive evidence of their approval of the principal amount, purchase price, interest rates and other terms set forth therein. The forms of the Documents are hereby approved if the County Auditor deems them appropriate and the Documents are approved by the Deputy State’s Attorney. The Chair and the County Auditor are directed to execute the Documents if approved by the County Auditor. Copies of all Documents shall be delivered, filed and recorded as provided therein. The Chair and the County Auditor and the Deputy State’s Attorney are also authorized and directed to execute such other instruments as may be required to give effect to the transactions therein contemplated. The County will cooperate in the issuance of the Series 2021A Certificates and the Chair, the County Auditor and the Deputy State’s Attorney shall execute such other instruments as are necessary to the issuance of the Series 2021A Certificates.

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

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

Section 5. Official Statement. The County will participate in the preparation of the Preliminary Official Statement and the final Official Statement relating to the Series 2021A Certificates and hereby authorizes the County Auditor to consent to the distribution of the Official Statement by the Original Purchaser in connection with the sale of the Series 2021A Certificates. The Preliminary Official Statement, except for the Permitted Omissions, will be deemed final by the County when authorized by the County Auditor as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934. As used herein, "Permitted Omissions" shall mean the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, rating, if any, and other terms of the Series 2021A Certificates depending on such matters.

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

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

Dated this 16th day of March, 2021
/s/ Chair Gary Drewes
Pennington County Board of Commissioners

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

PUBLIC DEFENDER ADVISORY COMMITTEE APPOINTMENT – ERIK BRINGSWHITE: MOVED by Hadcock and seconded by LaCroix to appoint Mr. Erik

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Bringswhite to the Public Defender Advisory Committee for a term of three years. Vote: Unanimous.

A RESOLUTION TO DECLARE PENNINGTON COUNTY, SD A "SECOND AMENDMENT SANCTUARY COUNTY": MOVED by Lasseater and seconded by Hadcock to approve the resolution to declare Pennington County, SD a "Second Amendment Sanctuary County. Vote: Unanimous.

**PENNINGTON COUNTY, SD RESOLUTION
A RESOLUTION TO DECLARE PENNINGTON COUNTY, SOUTH DAKOTA A
"SECOND AMENDMENT SANCTUARY COUNTY"**

WHEREAS, The Constitution of the United States of America is the supreme law of our nation. The Second Amendment to the Constitution states "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed"; and

WHEREAS, the Constitution of the State of South Dakota in Article 6, Section 24 states, "Right to bear arms. The right of the citizens to bear arms in defense of themselves and the State shall not be denied."; and

WHEREAS, the right of the citizens to keep and bear arms is guaranteed as an individual right under the Second Amendment to United States Constitution and under the Constitution of the State of South Dakota; and

WHEREAS, the right of the citizens to keep and bear arms for the defense of Life, Liberty and Property is regarded as an inalienable right by the citizens of Pennington County, South Dakota; and

WHEREAS, the citizens of Pennington County, South Dakota, derive substantial economic and personal benefit from all safe forms of firearm recreation, hunting and shooting conducted within Pennington County as allowed under the United States and South Dakota Constitutions, and

WHEREAS, it is the desire of the Pennington County Board of County Commissioners to declare its support of the Second Amendment to the Constitution of the United States of America and Article 6, Section 24 of the Constitution of the State of South Dakota protecting citizens' right to keep and bear arms; and

WHEREAS, the Pennington County Board of County Commissioners fully supports the Ninety-Sixth Legislature of the State of South Dakota Concurrent Resolution 607 which strongly favors and supports the constitutional right of citizens to own and possess firearms. It also firmly opposes any effort by the current administration to require the registration, confiscation or mandated sale of firearms, and any other unconstitutional restriction on the individual right to keep and bear arms;

WHEREAS, the members of the Pennington County Board of Commissioners took an oath to support and defend the Constitutions of the United States and of the State of South Dakota.

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NOW, THEREFORE, BE IT RESOLVED that the Pennington County Board of Commissioners strongly supports the Second Amendment of the Constitution of the United States of America and Article 6, Section 24 of the Constitution of the State of South Dakota and that the Board strongly believes that it is the right of the citizens of Pennington County to keep and bear arms for the defense of life, liberty and property; and

FURTHER BE IT RESOLVED, to defend the rights and liberties of the citizens, the Pennington County Board of Commissioners hereby declares Pennington County, SD to be a:

"Second Amendment Sanctuary County"

Dated this 16th day of March, 2021.

ATTEST:

/s/ Chair Gary Drewes - District 5
Pennington County Board of Commissioners

/s/ Vice Chair Ron Rossknecht – District 1
Pennington County Board of Commissioners

/s/ Lloyd LaCroix, Commissioner – District 2
Pennington County Board of Commissioners

/s/ Deb Hadcock, Commissioner – District 3
Pennington County Board of Commissioners

/s/ Travis Lasseter, Commissioner – District 4
Pennington County Board of Commissioners

ATTEST: (SEAL)

/s/ Cindy Mohler, Auditor

ITEMS FROM HIGHWAY

A. **AGREEMENT FOR MAINTENANCE OF HAWTHORNE DITCH FACILITIES:** MOVED by Hadcock and seconded by Lasseter to authorize the Highway Superintendent to enter into and sign an agreement with Wyatt Klapperich for maintenance of the Hawthorne Ditch inverted syphons and trash racks for 2021. Vote: Unanimous.

B. **2021 ANNUAL BID AWARD RECOMMENDATIONS:** MOVED by Hadcock and seconded by Rossknecht to approve the 2021 bid award recommendations for the following projects and the 2021 bid award for annual supplies as listed: ASC 2021 Asphalt Surface Crack Sealing to Asphalt Surface Technologies Corp. aka ASTECH Corp., St. Cloud MN, in the amount of \$184,520; AST

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2021 Asphalt Surface Treatment to Simon Contractors of SD, Inc., Rapid City, SD, in the amount of \$739,602.50; GR 2021-1 Gravel Haul and Place (Wall Area), Alternative C with Water to Western Construction, Inc., Rapid City, SD, in the amount of \$512,540.75; BR 2021-2 Bridge Repair 52-312-433 (Old Hill City Road) to J.V. Bailey Co. Inc., Rapid City, SD, in the amount of \$125,950.40; BR 2021-3 Bridge Repair 52-326-320 (Hisega Road) to J.V. Bailey Co. Inc., Rapid City, SD, in the amount of \$120,781; BR 2021-4 Bridge Repairs 52-306-261, 52-311-263, 52-313-265, 52-321-266, 52-324-266 and 52-344-276 (Nemo Road) to J.V. Bailey Co., Inc., Rapid City, SD, in the amount of \$169,872.95. Vote: Unanimous.

C. PROFESSIONAL SERVICES AGREEMENT #2103-00312: MOVED by Rossknecht and seconded by Lasseter to approve Professional Services Agreement #2103-00312 with KLJ Engineering LLC, in the amount of \$36,500 for preliminary engineering for the replacement of BR 52-246-298 on Sherman Street. Vote: Unanimous.

D. 2021 BRIDGE REINSPECTION PROGRAM RESOLUTION 2021-03-16-1: MOVED by LaCroix and seconded by Lasseter to approve the Bridge Reinspection Program Resolution 2021-03-16-1, requesting the SDDOT to hire KLJ to perform Pennington County's 2021 bridge inspections. Vote: Unanimous.

**BRIDGE REINSPECTION
PROGRAM RESOLUTION 2021-03-16-1
FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Pennington County is desirous of participating in the Bridge Inspection program using Bridge Replacement funds.

The County requests SDDOT to hire KLJ (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 16th day of March, 2021, at Rapid City, South Dakota.

/s/ Chair Gary Drewes

Pennington County Board of Commissioners

ATTEST: (SEAL)

/s/ Cindy Mohler, Auditor

E. CONSTRUCTION CHANGE ORDER NO. 6: MOVED by Rossknecht and seconded by

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LaCroix to approve Construction Change Order No. 6 for the Sheridan Lake Road Reconstruction Project in the amount of \$153,356 and contract extension of 36 working days. Vote: Unanimous.

B. 2021 ANNUAL BID AWARD RECOMMENDATIONS: Revisited item B to approve the supply listing. MOVED by LaCroix and seconded by Hadcock to approve the 2021 supplies as listed: AS 2021-01 Aggregate Materials, Item No. 1 and 4 to Croell, Inc., Sundance, WY and Pete Lien and Sons, Inc., Rapid City, SD, based on location; AS 2021-01 Aggregate Materials, Item No. 2, 3 and 5 to Pete Lien and Sons, Inc., Rapid City, SD; AS 2021-01 Aggregate Materials, Item No. 6 to Western Construction, Inc., Rapid City, SD; AS 2021-01 Aggregate Materials, Item No. 7, 8 and 9 to Pete Lien and Sons, Inc., Rapid City, SD and Western Construction, Inc., Rapid City, SD, for materials awarded; AS 2021-02 Asphalt Concrete Composite to J & J Asphalt Co., Rapid City, SD, based on simulated project costs; AS 2021-03 Asphalt Maintenance Materials to Simon Contractors of SD, Inc., Rapid City, SD, based upon most frequently purchased material (Item No. 1); AS 2021-04 Pre-Cast Concrete Pipe and Bridge Products to Forterra Concrete Products, Inc., Rapid City, SD; AS 2021-05 Cutback and Emulsified Asphalt to Simon Contractors of SD, Inc., Rapid City, SD; AS 2021-06 De-Icing Sand to Croell, Inc.; Sundance, WY; AS 2021-07 Fencing to M & M Fencing, Rapid City, SD; AS 2021-08 Guardrail to Hilt Construction, Inc., Rapid City, SD; AS 2021-09 Magnesium Chloride Solution to Dustbusters Enterprises, Inc., Evanston, WY; AS 2021-10 Seeding, Fertilizing, Mulching and Erosion Control Blanket to M & M Fencing, Rapid City, SD; AS 2021-11 Timber Bridge Materials to Wheeler Lumber, LLC, Whitewood, SD. Vote: Unanimous.

ITEMS FROM HUMAN RESOURCES

A. NEW POSITION REQUESTS: MOVED by Hadcock and seconded by LaCroix to approve the position title of Administrative Assistant 1 in the Commission Office at DBM of A13, \$14.46/hr. and update the position listing on file. Vote: Unanimous.

MOVED by LaCroix and seconded by Lasseter to approve the position title of Grant and Budget Analyst in the Health and Human Services Department at DBM of B25, \$25.74/hr. and update the position listing on file. Vote: Unanimous.

MOVED by Rossknecht and seconded by LaCroix to approve the position title of Senior Construction Project Manager in the Buildings & Grounds Department at DBM of C43, \$31.46/hr. and update the position listing on file. Vote: Unanimous.

ITEMS FROM NATURAL RESOURCES

A. DEPARTMENT NAME CHANGE: MOVED by Hadcock and seconded by Lasseter to change the name of the Pennington County Weed & Pest Department to Pennington County Natural Resources Department. Vote: Unanimous.

2021 LEGISLATIVE SESSION

A. UPDATE ON PROPOSED BILLS/SESSION ACTIVITY: Informational only.

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

ITEMS FROM PLANNING & ZONING

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

A. SUBDIVISION REGULATIONS VARIANCE / SV 21-01: Allen and Tamera Schmidt. To waive the requirement to not construct additional water storage for domestic use and fire protection requirements in a Planned Unit Development District in accordance with Sections 213, 500.7, and 700.1 of the Pennington County Subdivision Regulations and Zoning Ordinance. MOVED by Rossknecht and seconded by LaCroix to approve SV 21-01 with one (1) condition because (1) granting the variance doesn't run counter to the public interest based on Staff's findings; and (2) special conditions exist, to wit: the developer – not the applicants – is the entity responsible for adding additional water storage for the entire subdivision and it didn't do that, that excuse literal enforcement of the ordinance in that (a) enforcement causes “unnecessary hardship,” to wit: the applicants cannot place a home – use-by-right in that district – without bringing the entire subdivision into compliance with the subdivision regulations, and (b) granting the variance not only observes the ordinance's spirit but also ensures substantial justice is done.

Substitute motion: MOVED by Hadcock and seconded by Lasseter to deny Subdivision Regulations Variance / SV 21-01 and adopt Staff's findings for the variance as requested. Vote: The motion failed 2-3 on a roll call vote: Hadcock – yes, LaCroix – no, Lasseter – yes, Rossknecht – no, Drewes – no.

Original motion failed 3-2 on a roll call vote: Hadcock – no, LaCroix – yes, Lasseter – no, Rossknecht – yes, Drewes – yes.

MOVED by Hadcock and seconded by Lassiter to reconsider SV21-01 based on new facts that came to light during the meeting. Vote: Unanimous.

MOVED by Rossknecht and seconded by LaCroix to approve SV 21-01 with one (1) condition because (1) granting the variance doesn't run counter to the public interest on Staff's findings; and (2) special conditions exist, to wit: the developer – not the applicants – is the entity responsible for adding additional water storage for the entire subdivision and it didn't do that,, that excuse literal enforcement of the ordinance in that (a) enforcement causes “unnecessary hardship,” to wit: the applicants cannot place a home – a use-by-right in that district – without bringing the entire subdivision into compliance with the subdivision regulations, and (b) granting the variance not only observes the ordinance's spirit but also ensures substantial justice is done. Vote: Unanimous.

Lot 4, Block 1, Mountain Meadows Subdivision, Section 17, T2S, R7E, BHM,
Pennington County, South Dakota.

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B. SUBDIVISION REGULATIONS VARIANCE / SV 21-02: Allen and Tamera Schmidt. To waive submittal of the Fire Mitigation requirements to not install fire sprinklers in a single-family residence in a Planned Unit Development District in accordance with Sections 213, 500.8, and 700.1 of the Pennington County Subdivision Regulations and Zoning Ordinance. MOVED by LaCroix and seconded by LaCroix to deny Subdivision Regulations Variance / SV 21-02 and adopt Staff's findings for the variance request as presented. Vote: Unanimous.

Lot 4, Block 1, Mountain Meadows Subdivision, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

C. VARIANCE / VA 21-02: Thomas and Marie Barrett. To reduce the Section Line setback from 58 feet to 48 feet to bring an existing shop/pole barn into compliance in a General Agriculture District in accordance with Sections 205 and 509 of the Pennington County Subdivision Regulations and Zoning Ordinance. MOVED by Hadcock and seconded by Rossknecht to approve SV 21-01 with one (1) condition because (1) granting the variance doesn't run counter to the public interest; and (2) special conditions exist, to wit: this is an ag business, that excuse literal enforcement of the ordinance in that (a) enforcement causes "unnecessary hardship," to wit: business, and (b) granting the variance not only observes the ordinance's spirit but also ensures substantial justice is done. Vote: Unanimous. 2hr29min

NW1/4; W1/2NE1/4; W1/2SE1/4; SE1/4SE1/4, Section 24, T1N, R9E, BHM, Pennington County, South Dakota.

MOVED by Hadcock and seconded by Rossknecht to approve VA 21-02 with one (1) condition because (1) granting the variance doesn't run counter to the public interest in that the property conforms to the neighborhood and doesn't harm the public health, safety, and welfare of the community; and (2) special conditions exist, to wit: agribusiness, that excuse literal enforcement of the ordinance in that (a) enforcement causes "unnecessary hardship," to wit: ag business, and (b) granting the variance not only observes the ordinance's spirit but also ensures substantial justice is done. Vote: Unanimous.

MOVED by LaCroix and seconded by Lasseter 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.

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

D. MINOR PLAT / MPL 21-08: David Spear; Fisk Land Surveying – Agent. To subdivide and create Lots 1 and 2 of Grindstone Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Lot A of Lots 1 and 2, Section 3, T2S, R5E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lots 1 and 2 of Grindstone Subdivision, Section 3, T2S, R5E, BHM, Pennington County, South Dakota.

Approve Minor Plat / MPL 21-08 with the following five (5) conditions.

1. That prior to filing the mylar with the Register of Deeds, the Certifications on the Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations;
2. That prior to filing the mylar with the Register of Deeds, 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 requirements that are not met;
3. That prior to filing the mylar with the Register of Deeds, 8-foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines;
4. That the applicant ensures all natural drainage ways are maintained and not blocked; and,
5. 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.

E. MINOR PLAT / MPL 21-09: Cory Brown; Fisk Land Surveying – Agent. To create Tracts 17R and 78R of Rushmore Ranch Estates Subdivision in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract 17 and Tract 78 of Rushmore Ranch Estates, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Tract 17R and Tract 78R of Rushmore Ranch Estates, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

Approve Minor Plat / MPL 21-09 with the following six (6) conditions. Vote: Unanimous.

1. That prior to filing the mylar with the Register of Deeds, the Plat heading be corrected per Register of Deeds comments. (Formerly needs to say Tract instead of Lot before 78);

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2. That prior to filing the mylar with the Register of Deeds, the Certifications on the Minor Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations;
3. That prior to filing the mylar with the Register of Deeds, 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 requirements that are not met;
4. That prior to filing the mylar with the Register of Deeds, 8-foot Minor Drainage and Utility Easements be dedicated on the interior sides of all lot lines;
5. That the applicant ensures all natural drainage ways are maintained and not blocked; and,
6. 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.

PLANNING & ZONING REGULAR AGENDA

F. SECOND READING OF PLANNED UNIT DEVELOPMENT (OVERLAY) / PU 21-03:
Yardley and Co., Inc.; Shelby Woodland. To rezone 40 acres from General Agriculture District to a Planned Unit Development (Overlay District) to allow for a Seasonal Event Venue / Specialty Resort on the subject property in accordance with Sections 205, 213, and 508 of the Pennington County Zoning Ordinance.

SE1/4SW1/4, Section 21, T2N, R17E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Lasseter to approve the second reading of Planned Unit Development (Overlay) / PU 21-03 with the following twenty-nine (29) conditions. Vote: Unanimous.

1. That the purpose of this Planned Unit Development (Overlay) be to allow a Seasonal Event Venue/Specialty Resort and events, such as: live music, weddings, caterers/food trucks, markets, community events, beer and wine sales, rental space, overnight rental camper, canvas wall tent(s), primitive tent camping, and dry RV camping and other types of small gatherings similar in nature;
2. That the maximum capacity of guests be limited to 200 people;
3. That this Planned Unit Development be considered an overlay district; whereby, the provisions of the underlying General Agriculture District still apply, and, if the property is no longer being utilized as an Event Venue / Specialty Resort, the zoning revert back to Agriculture, assuming the same lot configuration;
4. That prior to operation of the Seasonal Event Venue/Specialty Resort, the applicant create an Emergency Plan to evacuate guests from the property in the event of an emergency. The Emergency Plan must be posted in the event structure (Barn) and rental camper at all times. Copies of the plan shall also be provided to all overnight guests in case there is a need to evacuate and that a copy of said plan be submitted to the Planning Department and be kept on file;

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5. That the Seasonal Event Venue/Specialty Resort operate only May 1st to January 1st of each year;
6. That the hours of operation for the events be 9 a.m. to 12:00 a.m. on Friday and Saturday, and 9 a.m. to 10 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday;
7. That quiet hours be 10:00 p.m. to 9:00 a.m., Sunday through Thursday and from 12:00 a.m. to 9:00 a.m., Friday and Saturday;
8. That the RV rental be hooked to an approved onsite wastewater treatment system;
9. That port-a-potties be provided to the primitive tent camping and dry RV camp sites (one per 50 guests);
10. That a smoke detector be placed on each level of the event structure (Barn);
11. That a portable fire extinguisher with a minimum 2 A-BC rating shall be placed on each floor level of the event structure (Barn) and overnight rental camper, so it accessible to all guests at all times and the fire extinguisher shall be inspected and tagged annually;
12. That daily and event operations of the Seasonal Event Venue/Specialty Resort be conducted by owners, on-site manager, and staff as necessary;
13. That the maximum occupancy for both primitive tent camping and dry RV camping be 20 tent sites and 20 dry RV camping sites, not to exceed 40 sites total;
14. That use of the overnight rental camper, canvas wall tent(s), primitive tent camping, and dry RV camping is only allowed during the operation of the Seasonal Event Venue/Specialty Resort from May 1st to January 1st of each year and no permanent living is allowed on the property at any time;
15. That the intensity and duration of sound from any and all sources follow South Dakota Codified Law 22-18-35;
16. That prior to operation of the Seasonal Event Venue/Specialty Resort, the address be properly posted on both the event structure (Barn) and at the approach so it is visible in both directions of travel along Kelly Hill Road, accordance with Pennington County's Ordinance #20;
17. That the applicant continually works with the Quinn Volunteer Fire Department and the Pennington County Fire Administrator on an Emergency Plan;
18. That no open pit fire places or fire pits are allowed on the property at any time;
19. That a minimum of 46 parking spaces be provided on-site, each measuring a minimum of 9 feet by 18 feet and maintained in a dust-free manner in accordance with Section 310 of the Pennington County Zoning Ordinance;
20. That no on-street vehicular parking shall be permitted along Kelly Hill Road;
21. That temporary structures, such as tents, only be erected for a period not to exceed three (3) continuous months in any calendar year, after the approval of a Temporary Building Permit, or the applicant obtain a regular approved Building Permit for a tent or a more permanent structure;
22. That temporary port-a-potties only be placed on the subject property when needed, not to exceed three (3) continuous months in any calendar year;
23. That all exterior lighting must be of low-level intensity, which does not result in excessive glare upon surrounding neighbors;

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24. That prior to placement of any on-premise sign(s), the applicant obtain approval of a Sign Permit;
25. That the applicants obtain all necessary permits from other governing bodies for operation of the Seasonal Event Venue/Specialty Resort including, but not limited to, approval from the South Dakota Department of Health, Specialty Resort and a Sales Tax License from the South Dakota Department of Revenue;
26. That the onsite wastewater system be pumped every three (3) years and that a current Operating Permit is obtained;
27. That a Building Permit be obtained for any structure exceeding 144 square feet or permanently anchored to the ground, which includes the necessary site plans to be reviewed and approved by the Planning Director;
28. That the applicants ensure the agriculture character of the property is maintained at all times and is kept free of junk and debris;
29. That this Planned Unit Development be reviewed in six (6) months, on a complaint basis, or as deemed necessary by the Pennington County Planning Commission or Board of Commissioners to verify that all Conditions of Approval are being met.

G. LAYOUT PLAN / LPL 21-07: Davis Homestead Reserve; David Stone – Agent. To create Lot B of Guy Davis Homestead in accordance with Section 400.1 of the Pennington County Subdivision Regulations.

EXISTING LEGAL: Tract 1 (also in Section 14) of Guy Davis Homestead and S12NE1/4; GL 2-4 Less Lot A of GL 4; SE1/4 all located in Section 11, T6N, R17E, BHM, Pennington County, South Dakota.

PROPOSED LEGAL: Lot B of Guy Davis Homestead, Section 11, T6N, R17E, BHM, Pennington County, South Dakota.

MOVED by Lasseter and seconded by Hadcock to approve of Layout Plan / LPL 21-07 with the following twelve (12) conditions. Vote: Unanimous.

That prior to Preliminary Plat submittal, the applicant identifies the locations of all existing structures on the subject properties and verifies compliance with the Pennington County Zoning Ordinance;

1. That prior to Preliminary Plat submittal, the applicant identifies the locations of all existing structures on the subject properties and verifies compliance with the Pennington County Zoning Ordinance;
2. That prior to Preliminary Plat submittal, the applicant identifies any existing means of wastewater disposal on the subject properties and verifies compliance with the Pennington County Zoning Ordinance;

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3. That at the time of Preliminary Plat submittal, the Certifications on the Plat be in accordance with Section 400.3.1(n) of the Pennington County Subdivision Regulations;
4. That at the time of Preliminary Plat submittal, the Plat heading be corrected from “Homested” to “Homestead”;
5. That at the time of Preliminary Plat submittal, a legal means of access (easements or rights-of-way) to proposed Lot B be identified on the plat, per Highway Department comments contained in this report;
6. That at the time of Preliminary Plat submittal, the remaining balances of each affected parcel be noted on the Plat, per Department of Equalization comments contained in this report;
7. That at the time of Preliminary Plat submittal, the plat meets the requirements of Section 400.2 of the Pennington County Subdivision Regulations, or an approved Subdivision Regulations Variance be obtained waiving any of these requirements that are not met;
8. That at the time of Preliminary 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;
9. That at the time of Preliminary Plat submittal, the applicant provides percolation tests and soil profile hole information for proposed Lot B or obtain an approved Subdivision Regulations Variance to waive these requirements;
10. That prior to the mylar being filed at Register of Deeds, the applicant obtains either an approved Rezone or Lot Size Variance for the proposed Lot B;
11. That the applicant ensures all natural drainage ways are maintained and not blocked; and,
12. That approval of this Layout Plan does not constitute approval of any further applications to be submitted for the above-described property.

H. VACATION OF PLAT / VP 21-02: Allen and Tamera Schmidt. To vacate notes on Lot 4, Block 1 of Mountain Meadows Subdivision in Section 17, T2S, R7E.

Lot 4, Block 1, Mountain Meadows Subdivision, Section 17, T2S, R7E, BHM, Pennington County, South Dakota.

MOVED by LaCroix and seconded by Lasseter to continue Vacation of Plat / VP 21-02 to the April 6, 2021, Board of Commissioner’s Commission meeting to allow the applicant’s Subdivision Regulations Variances to be heard. Vote: Unanimous.

I. PUBLIC HEARING OF COMPREHENSIVE PLAN AMENDMENT / CA 20-04: David Grover. To amend the Comprehensive Plan to change the Future Land Use from Low Density Residential / Rural Residential District and Open Space District to Ranchette Residential District in accordance with Section 508 of the Pennington County Zoning Ordinance.

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Tract B of HES #303 Less Tract Drew 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 Lasseter and seconded by LaCroix to approve Comprehensive Plan Amendment / CA 20-04. Vote: Unanimous.

J. PUBLIC HEARING OF REZONE / RZ 20-06: David Grover. To rezone 69.84 acres from General Agriculture District to Ranchette Residential District in accordance with Sections 205 and 508 of the Pennington County 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 Lasseter and seconded by LaCroix to approve of Rezone / RZ 20-06. Vote: Unanimous.

K. REQUEST TO REFUND BUILDING PERMIT PENALTY FEE: Jennifer Boerger.

MOVED by Hadcock and seconded by Lasseter to approve the request to refund the penalty fee associated with building permit COBP21-0086 for Jennifer Boerger in the amount of \$113. Vote: Unanimous.

L. REQUEST TO REFUND CONDITIONAL USE PERMIT PENALTY FEE: Joseph Wright.

MOVED by LaCroix and seconded by Hadcock to withdraw the request to refund the penalty fee associated with a Conditional Use Permit for Joseph Wright in the amount of \$300. Vote: Unanimous.

M. APPROVAL OF THE ANNUAL MS4 STORMWATER REPORT: MOVED by Hadcock and seconded by Lasseter to approve the 2020 Annual MS4 Stormwater Report. Vote: Unanimous.

APPROVAL OF VOUCHERS: MOVED by Lasseter and seconded by LaCroix to approve the voucher in the amount of \$190 to Rose Inn LLC. Vote: The motion carried 4-0 with Hadcock abstaining. MOVED by Lasseter and seconded by LaCroix 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 \$1,691,386.45. Vote: Unanimous.

392 Creations, 500.00; A & A Professional Property Management, 3,571.28; A & B Business Inc, 3,081.01; A & B Welding Supply Co, 702.98; A To Z Shredding, 1,346.39; Aarms, 2,805.00;

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Action Mechanical Inc, 75.00; Adams-Isc LLC, 1,718.66; Adaptamed, LLC, 1,285.00; Advanced Auto Glass LLC, 225.00; Advanced Drug Testing Inc, 322.00; Air Works, 513.16; Amazon.Com Services, 3,461.36; American Engineering Testing Inc, 860.00; American Jail Association, 60.00; Americinn Motel, 1,250.00; Anker Law Group PC, 138.60; Armijo Jr Amos, 168.00; AT&T Mobility, 5,099.35; Audra Hill Consulting Inc, 17,611.10; Avera Health, 200.00; Axon Enterprise Inc, 1,634.12; Balco Uniform Co Inc, 4,928.60; Banks, Bridgette R, 370.70; Bargain Printing, 10.00; Barnier Law Office PC, 1,543.50; Basler Printing Co, 403.50; Beardsley Peggy, 7,200.00; Beck Motors, 43,098.00; Behavior Management Systems Inc, 930.00; Behrens-Wilson Funeral Home, 11,713.10; BH Chemical Company Inc, 14,082.02; BH Council Of Local Governments, 14,505.00; BH Energy, 15,932.19; BH Energy, 2,068.27; BH Energy, 287.97; BH Energy, 52,854.18; BH Harley Davidson, 21.99; BH Insurance Agency Inc, 120.00; BH Oral & Maxillofacial Surgery PC, 249.00; BH Orthopedic & Spine Center PC, 32.47; BH Regional Eye Surgery Center LLC, 1,262.39; BH Services Inc, 995.00; BH Tent And Awning, 399.00; BH Urgent Care LLC, 65.00; BH Wilbert Vault, 2,000.00; Bi Inc, 5,512.00; Biddle Consulting Group Inc, 4,995.00; Big D Oil Co, 30.00; Bishop, Lynn M, 237.50; Black Creek Integrated Systems Corp, 219.86; Bob Barker Company Inc, 37,475.52; Bob's Auto Service, 316.88; Boden Photography LLC, 450.00; Border States Electric, 90.52; Box Elder VFD, 1,211.00; Bringswhite, Erik, 5,142.50; Bringswhite, Morgan, 3,475.00; Burroughs Counseling And Consultation LLC, 350.00; Cadpage, 25.00; Cameron, George R, 415.50; Cash-Wa Distributing, 2,145.06; Catholic Social Services, 200.00; Cat's Cleaning, 40.00; CC Property Management LLC, 4,766.00; CDW Government Inc, 28,122.84; Centerspace LP, 2,200.44; Central States Fair Inc, 33,745.27; Century Link, 145.86; Certified Laboratories, 1,572.58; Charm-Tex Inc, 158.70; Cherry Ave LLC, 2,365.00; Chris Supply Co Inc, 574.44; City Of Hill City, 26.03; City Of Rapid City -Water, 576.13; City Of Rapid City -Water, 229.49; City Of Rapid City, 35,122.36; City Of Wall, 146.00; Clark Printing, 376.95; Clayborne, Deanna K, 848.50; Clia Laboratory Program, 180.00; Climate Control Systems And Service LLC, 7,819.94; Cline, Jean M, 1,610.85; Clinical Laboratory Of The Black Hills, 12,600.79; Colbath Atty PC, Angela M, 3,837.80; Community Health Center Of The Black Hills Inc, 846.10; Connections Inc EAP, 1,246.20; Contractors Supply Inc, 52.20; Copy Country, 723.00; Coremr LC, 1,059.00; Correct Rx Pharmacy Services Inc, 19,742.42; Cortech, 1,226.04; Countryside Property Management LLC, 685.00; Creative Surfaces Inc, 101.12; Crum Electric Supply, 83.65; Culligan Water, 150.00; Dakota Battery & Electric, 77.81; Dakota Business Center, 419.00; Dakota Fluid Power Inc, 40.98; Dakota Plains Legal Services Inc, 28,750.00; Dakota Radiology Pet/Ct & MRI, 558.97; Dakota Supply Group Inc, 331.94; Dale's Tire & Retreading Inc, 5,068.78; Darby Dental Supply LLC, 146.45; Davis, Jeremiah J, 287.10; Delta Dental Of South Dakota, 39,443.24; Dennis Supply - RC, 972.08; Denny Menholt Chevrolet, 23,816.15; Dharma Wellness Institute, 180.00; Dillon Law Office, 831.00; Door Security Products Inc, 96.94; Douglas County Sheriff, 50.00; Drury, Jessie, 75.00; Duffy Law Firm, Prof. LLC, 6,434.60; Eaton Corporation, 26,619.60; Ertz, Dewey J, 1,275.00; Evergreen Office Products, 497.04; Executive Mgmt Fin Office, 106.50; Fancy Fox LLC, 250.00; Farmer Brothers Coffee, 800.64; Farrar Nichole, 300.00; Fastenal Company, 2,194.33; Federal Express, 36.08; Ferber Engineering Company, 450.00; Ferguson Enterprises Inc #226, 338.57; Fidelity Security Life,

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5,559.21; Fink, Teresa L, 1,459.10; First Interstate Bank, 1,005.77; First Interstate Bank, 384.59; First Interstate Bank, 195.67; First Interstate Bank, 1,833.02; First Interstate Bank, 1,009.85; First Interstate Bank, 1,658.32; First Interstate Bank, 115.64; First Interstate Bank, 160.97; First Interstate Bank, 589.58; First Interstate Bank, 699.01; First Interstate Bank, 109.95; First Interstate Bank, 53.30; First Interstate Bank, 886.14; First Interstate Bank, 2,419.85; First Interstate Bank, 68.08; Fisk Land Surveying & Consulting Engineers Inc, 2,200.00; Flooring America, 162.00; Floyd's Truck Center, 458.14; Fox Run Rentals, 8,400.00; Fremont Industries Inc, 2,009.33; Fresh Start Carpet Care, 8,080.48; Fried Cora, 99.12; Frontier Auto Glass LLC, 370.18; Fruit Of The Loom, 586.08; G & H Distributing - RC, 2,566.62; Galls LLC, 291.27; Glasgow Jodi, 57.43; Global Equipment Company, 176.00; Godfrey Brake Service And Supply Inc, 2,433.20; Golden West Companies, 1,001.94; Golden West Companies, 310.29; Golden West Technologies, 5,012.41; Great Western Tire Inc, 906.50; Grimm's Pump Service Inc, 526.70; Ground Control Systems Inc, 64.00; Guffey Scott, 56.00; Gustave A Larson Company, 287.11; H&S Uniforms And Equipment LLC, 158.00; Harms Oil Company, 14,978.15; Harrison Tony, 429.69; Harveys Lock Shop, 394.55; Henry Roy Photography, 100.00; Hill City Hardware Inc, 52.33; Hill City Prevailer, 1,028.19; Hill, Ross, 2,700.00; Hillyard/Sioux Falls, 4,451.43; Hobart Sales & Service Inc, 566.30; Holiday Stationstores LLC, 13.00; Honeywell Inc, 7,597.43; Horwath Laundry Equipment, 138.18; Hrachovec Joel Jay, 100.00; Hub International Mountain States Limited, 266.00; Humane Society Of The Black Hills, 4,166.67; Hurting Christie, 150.00; IAED, 30.00; Idemia Identity & Security Use LLC, 10,366.00; Identifix Inc, 1,428.00; Image All LLC, 314.86; Imaging Sciences International Dexis Gendex, 2,049.00; Independent Window Tinting LLC, 160.00; Indoff Inc, 223.54; Industrial Organizational Solutions Inc, 50.00; Informer Systems LLC, 8,580.00; Interstate All Battery Center, 147.05; Intoximeters Inc, 90.25; Isakson John, 500.00; Jantech LLC, 650.00; Jefferson Partner LP, 84.50; Jenner Equipment Co, 489.90; JJ's Engraving & Sales, 20.25; Johns & Kosel Attorneys At Law A Prof LLC, 350.00; Johnson Angelica, 159.60; Johnson, Kimberly K, 1,158.75; Kahler Property Management, 5,785.00; Karen Paige Hunt Prof LLC, 125.00; Katterhagen Mark, 52.50; Kennedy Pier Loftus & Reynolds LLP, 257.40; Kieffer Sanitation/A Waste Management Co, 3,546.33; Kieffer Sanitation/A Waste Management Co, 136.80; Kimball Midwest, 1,913.14; Kirk Funeral Home, 5,520.00; Kirschenmann, Kevin E, 315.00; KLJ Engineering LLC, 14,575.75; Knecht Home Center Inc, 2,309.07; Knollwood Townhouse Properties, 549.00; Konica Minolta Premier Finance, 156.19; KS Statebank, 10,325.82; Laboratory Corporation Of America Holdings, 23.00; Lands' End Business Outfitters, 265.60; Language Line Services, 29.90; Lewis & Clark Behavioral Health Services, 920.00; Lewno Lucille M, 524.50; Liberty Chrysler Center, 21,690.00; Lingo Communications LLC, 68.66; Lockwood Darcy, 52.50; Loftus, Ronald J., 1,624.50; Love, Todd A, 2,381.85; Lowe's, 153.11; Lutheran Social Services Of SD, 41,035.16; Lynn Jackson Schultz & Lebrun PC, 6,355.99; Maplewood Townhouses, 1,052.00; Marco Inc, 1,175.88; Marco Inc, 5,714.86; Maruska, Kayla L, 893.20; Massey Priscilla, 33.14; Matthew Bender & Co Inc, 1,428.00; Maxine J. Risty Reporting, 540.00; McGas Propane LLC, 2,025.10; McGowan, Wendy T, 3,134.34; MCI Service Parts Inc, 334.11; McKesson Medical - Surgical Inc, 256.96; McKesson Medical-Surgical Government Solutions LLC, 1,883.05; McLeod's Printing Inc, 84.11; Medical Waste Transport

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Inc, 581.62; Medical Waste Transport Inc, 619.99; Medline Industries Inc, 681.48; Meetingone, .84; Menards, 891.50; MG Oil Company, 1,595.48; Midcontinent Communications, 1,724.08; Midcontinent Communications, 3,751.00; Midwest Auto Chemical-Mac, 1,712.50; Miller Jeremy, 229.68; Mirion Technologies (Gds) Inc, 160.00; Montana Dakota Utilities, 235.27; Montana Dakota Utilities, 513.14; Monument Health, 375.36; Monument Health Home Plus LLC, 652.25; Monument Health Home Plus Pharmacy, 133.12; Monument Health Rapid City Hospital Inc., 5,780.12; Moss Psy D LLC, William A, 2,975.00; Motorola Solutions Inc, 8,760.90; Mount Rushmore Motorsports, 6,599.00; Moyle Petroleum, 14,074.25; Mt Rushmore Telephone Co, 48.62; Mulcahy Company Inc, 2,050.54; Naeve Steven, 2,000.00; National Institute For Jail Operations, 11,278.00; Nat'l Sheriff's Association, 210.00; Nelson Jacquelyn R, 945.00; NMS Labs, 417.00; Nohr, Linda J, 1,100.00; North Central International Of Rapid City Inc, 892.16; North Central Supply Inc, 498.00; Northern Truck Equipment, 19,402.41; Northwest Pipe Fitting Inc, 270.97; Norton, Mikayla, 1,755.00; NWE Management, 1,275.00; Oberle's Radiator And Repair, 100.00; O'Day, Valarie, 1,323.00; Office Depot, 766.99; Olson Cody, 100.00; Olson, Carolyn, 6,225.00; Omnitech, Inc., 13,200.00; Osheim & Schmidt Funeral Home, 1,910.00; Overhead Door Of Rapid City, 558.68; Pacific Properties LLC, 440.00; Pacific Steel & Recycling, 1,100.60; Paradis Inc, 420.00; Parkway Carwash Inc, 16.00; Parr Law PC, 3,524.60; Pederson Law Office LLC, 817.80; Penn Co Health & Human Sv Petty Cash, 665.50; Penn Co Jail Petty Cash, 1,601.84; Penn Co Sheriff Petty Cash, 161.80; Penn Co States Atty Petty Cash, 130.50; Penn Co Treasurer Petty Cash, 159.15; Pennington County Courant, 1,478.75; Petrik Tysen, 100.00; PH&S Products, 20,416.00; Phoenix Supply LLC, 463.96; Pine Lawn Memorial Park Inc, 5,100.00; Pioneer Bank & Trust, 2,098.70; Pitney Bowes Reserve Account, 10,985.08; Ponderosa Screen Printing And Embroidery, 45.45; Positive Promotions, 274.85; Power House, 546.73; Prairie Auto Parts Inc, 1,861.47; Prairie Tree Consolidated LLC, 1,980.00; Pratt Linda, 75.00; Precision Eyecare PC, 126.30; Print Mark-Et, 31.45; Priority Dispatch Corp, 550.00; Proforma Screening Solutions LLC, 68.00; Qualified Presort Service LLC, 20,415.72; Quettier Nicolas, 300.00; Quill Corporation, 269.93; Radiology Associates Professional LLC, 640.10; Rapid Collision, 2,558.95; Rapid Delivery Inc, 109.25; Rapid Rooter, 440.00; Rapid Tire & Alignment, 278.10; Rapid Valley Sanitary District, 113.25; RC Area School Dist 51-4, 357.44; RC Emergency Services Pa, 795.24; RC Journal - Advertising, 2,745.24; RC Journal - Subscription, 464.99; RC Medical Center LLC, 71.15; RC Police Dept-Evidence, 3,940.00; RDO Equipment Co, 2,289.53; Record Storage Solutions, 107.69; Redwood Toxicology Inc, 1,499.47; Regional West Medical Center, 8,151.10; Reliance Telephone Inc, 8.70; Renfro Corporation, 1,006.20; Ricoh USA Inc, 227.17; Ricoh USA Inc, 33.26; Rittberger Shannon, 40.00; RO Investigation And Research LLC, 1,592.50; Rochester Armored Car Company Inc, 492.78; Rose Inn LLC, 190.00; Runnings Supply Inc, 354.11; Rushmore Safety Supplies, 16.95; Scenic Township, 2,287.50; Schlimgen Law Firm Prof. LLC, 500.37; Scovel Psychological, 3,895.00; SD Assoc Of Co Hwy Supt, 1,350.00; SD Building Officials Assn, 210.00; SD Dept Health, 1,839.00; SD Dept Of Public Safety, 5,400.00; SD Dept Of Revenue, 9,309.84; SD Dept. Of Military, 1,805.00; SD Federal Property Agency, 387.00; SD Law Review, 70.00; SD One Call Board, 28.35; SD Secretary Of State, 60.00; SD Sheriff's Association, 1,725.00; SDACC, 30.00; SDACDL, 1,250.00; SDN Communications,

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964.44; SDSU Extension, 278.87; Securus Technologies Inc, 14,943.75; Seifert, Mary Rae, 990.00; Servall Uniform/Linen Co, 3,566.31; Sherwin Williams Paints, 1,368.02; Shrm, 219.00; Signs Now, 893.64; Silver Star Septic LLC, 300.00; Simpliverified LLC, 220.00; Simpson's Printing, 161.25; Smith Jr Darrel F, 240.00; Smith Kari, 496.07; Smoot & Utzman, 2,852.71; Soderquist Karen, 300.00; Sonnel Technologies LLC, 926.50; Speck, Jody H, 297.00; Stan Houston Equipment, 361.30; Stephens, Matthew T, 1,830.00; Stevens Paul, 89.46; Sturdevant's Auto Parts, 3,524.19; Sturdevant's Refinish, 386.61; Suckow Kimberly, 10.08; Summit Companies, 5,230.50; Summit Food Service, 115,363.00; Summit Signs & Supply Inc, 206.00; Superior Press, 40.18; Survival Armor Inc, 2,192.72; Swank Motion Pictures Inc., 2,714.37; Swisher Ardith Faye, 100.00; SYNCB/Amazon, 208.96; Terrace On The Green LLC, 1,450.00; The Hartford, 2,651.09; The Little Print Shop Inc, 201.37; The Repair Shop, 156.00; The Salvation Army, 100.00; Thomas Auto Service & Towing, 100.00; Thompson Lori, 43.25; Thomson Reuters-West, 8,836.96; Timeclock Plus, LLC, 938.70; Timekeeping Systems Inc, 1,215.00; TK Properties & Investments, 300.00; TKRS Properties LLC, 3,114.89; Tracker Software Corp, 2,925.00; Transource Truck & Equipment Inc, 40.46; Trimin Systems Inc, 3,535.00; Tyler Technologies, 4,580.00; Unkenholz Family Dental Prof LLC, 493.00; US Postmaster, 1,410.00; Vallette Tools Inc, 175.95; Vanway Trophy & Awards, 547.85; Vari Sales Corporation, 6,570.00; Vast Broadband, 1,782.14; Vast Broadband, 778.55; Venture Architects, 49,024.68; Verizon Wireless, 743.68; Verizon Wireless, 127.06; Verizon Wireless - Lert B, 65.00; Vermeer High Plains, 417.40; Vliem Emmet, 680.00; Walkenhorst's, 550.00; Walker Tyler, 2,860.00; Walk-N-Roll, 1,949.37; Wall Building Center & Construction, 240.96; Warne Chemical & Equipment Co Inc, 112.71; Watertree Inc, 976.76; Weber Kelsey, 28.56; Weichmann, Cynthia M, 737.40; Wellmark, 236,747.41; Wesolick Law Firm / Aspen Legacy Planning, 2,248.20; West River Electric, 2,509.92; West River Electric, 119.75; Western Communication Inc, 275.00; Western Mailers, 274.28; Western States Fire, 4,183.86; Western Stationers Inc, 1,417.53; Wex Bank, 7,238.22; Wex Bank, 985.45; Wex Bank, 123.27; Whisler Bearing Co, 1,971.39; Whiting, Marcia, 999.10; Wiege Sanitation, 300.00; Wikle, Leon, 650.00; Winner Police Dept, 221.60; Wolf, Ione, 680.00; Woodbury County Sheriff, 10.00; Woodford Samantha J., 240.00; Working Against Violence, 39,391.00; Yankton Co Sheriff Office, 150.00; Yankton County Treasurer, 615.10; Yankton Medical Clinic PC, 651.28; Yellow Robe Luther P, 10,219.50; Z & S Dust Control System, 1,460.00; Zep Sales & Service, 4,499.28; ZMC LLC, 13,322.51.

EXECUTIVE SESSION – SDCL 1-25-2

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

MOVED by Lasseter and seconded by LaCroix to go into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of discussing personnel matters. Vote: Unanimous. The Board remained in Executive Session from 12:42 p.m. until 12:56 p.m. MOVED by Rossknecht and seconded by Lasseter to come out of Executive Session. Vote: Unanimous.

MOVED by Drewes and seconded by LaCroix to hire William Huggins as a seasonal non-benefited flagger, DBM A12, Step 11, \$15.18/hr., effective April 5, 2021. Vote: Unanimous.

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MOVED by Hadcock and seconded by Lasseter to hire Barbara Salyers as a seasonal non-benefited flagger, DBM A12, Step 9, \$14.82/hr., effective April 5, 2021. Vote: Unanimous.

PAYROLL

Commissioners, 9,195.65; Elections, 7,082.40; Auditor, 11,623.23; Treasurer, 37,922.48; State's Attorney, 146,376.69; Public Defender, 81,855.72; Buildings & Grounds, 66,413.64; Equalization, 40,640.87; Register of Deeds, 13,420.00; IT, 26,966.03; Human Resources, 7,751.20; Sheriff, 272,634.14; Jail, 332,675.47; JSC, 114,411.34; JSC Juvenile Alternative, 4,732.68; CCADP, 110,168.11; Economic Assistance, 31,534.41; Extension, 1,436.80; Weed & Pest, 5,353.60; Natural Resource Management, 4,423.20; Planning and Zoning, 15,220.05; Road & Bridge, 110,264.89; Fire Administration, 3,630.70; Dispatch, 102,939.37; Emergency Management, 4,989.33; 24-7 Program, 11,003.28; MacArthur Safety & Justice Challenge, 13,092.78.

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

Buildings & Grounds: Effective 03/22/2021: Jody Sorenson, \$15.97.

CCADP: Effective 02/21/2021: Amber Kirkpatrick, \$16.42. Effective 03/21/2021: Nicholas Kochutin, \$16.42.

Dispatch: Effective 03/21/2021: Kelsey Davis, \$21.93; Levi Woodard, \$21.93.

Highway: Effective 03/21/2021: Sean Smith, \$2,708.80.

Jail: Effective 03/07/2021: Tammi Salo, \$16.42. Effective 03/08/2021: Madison Houston, \$14.46. Effective 03/22/2021: Cody Duncan, \$22.80; Isaac Broussard, \$22.80; Skye Row, \$16.42.

ADJOURN

MOVED by Rossknecht and seconded by Lasseter to adjourn the meeting. Vote: Unanimous. There being no further business, the meeting adjourned at 1:00 p.m.

/s/ Cindy Mohler, Auditor

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