

**PENNINGTON COUNTY BOARD OF COMMISSIONERS  
PROPOSED MEETING AGENDA  
MAY 7, 2024  
9:00 A.M.  
COMMISSION CHAMBERS  
COUNTY ADMINISTRATION BUILDING**



*Lloyd LaCroix, Chair, District 2  
Ron Rossknecht, Vice Chair, District 1*

*Deb Hadcock, District 3  
Travis Lasseter, District 4  
Gary Drewes, District 5*

**Agenda disclaimer:** The preferred practice of the Board is to proceed thru the agenda in the order it is published. From time to time, agenda items may be disposed of quickly leaving a gap in the meeting agenda prior to the next advertised agenda item start time. To utilize time effectively in those circumstances, the Board may move items up on the agenda to fill those gaps.

*Welcome to the May 7<sup>th</sup>, 2024 Board of Commissioners Meeting.  
Please silence cell phones, pagers and other electronic communication devices.  
Agendas and speaker request forms are located at the back of the Chambers.*

1. Call to Order
2. Moment of Silent Reflection
3. Pledge of Allegiance
4. Review and Approve Agenda
5. National Correctional Officer's Week Recognition May 5-11, 2024

The Board of Commissioners uses a **Consent Agenda** to act on non-controversial and routine items. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Board member or a Citizen. The consent agenda contains the following items:

6. Minutes of the regular meeting – April 16, 2024
7. To approve the renewals of the following Retail (on-off sale) Malt Beverage & SD Farm Wine licenses and to release the licenses upon payment of appropriate property taxes: Billy Bob's Smoke Shack, BJ's Country Store Hwy 16, Black Hills Helicopters Inc, Black Hills Receptions and Rentals, Black Hills Speedway, Corner Pantry #21 (license no. RB-25294), Corner Pantry #21 (license no. RB-24086), Corner Pantry – Moon Meadows, Country Store at Three Forks, Dollar General Store #15207, Happy Holiday RV Resort, Hart Ranch Camping Resort, Hart Ranch Golf Course, High Country Guest Ranch, Horse Creek Resort, Horse Thief Campground, Johnson Siding General Store, Larsson's Crooked Creek Resort, Mexico Tipico, Moonshine Gulch Saloon, Mt Meadow Store and Campground LLC, Mt Rushmore Concession, Mt Rushmore KOA, Pactola Pines Marina, Putz N Glo, Rafter J Bar Ranch Campground, Reptile Gardens, Rochford Mall, Rockerville Lodge & Cabins LLC, Rushmore Candy Company LLC, Rushmore Cave LLC, The Marina at Sheridan Lake, Sick N Twisted Brewing Co, SOBO'S LLC, Summer Creek Inn, Under Canvas Inc, Valley Square Casino, Valley Square Sports Pub, Whispering Pines Campground (AUD)

Pennington County fully subscribes to the Americans with Disabilities Act. If you desire to attend this public meeting and need accommodations, please notify the Commissioners' Office at (605) 394-2171 at least 24 hours prior to the meeting so that appropriate services and auxiliary aids are available.



Scan the code to access the agenda packet online.

8. To acknowledge the filing of petitions as application for incorporation of the proposed Cavern Road South Road District by the voters within the proposed district boundaries (*AUD*)
9. To authorize the chair's signature to the Order for Organization and Incorporation for the Darlington Estates Road District, with the following legal description: Lots 1-6 inclusive, Lot 7R, Lot 8R, Lots 9-18 inclusive all located in the Darlington Estates Subdivision (*AUD*)
10. To approve the first half 2024 budgeted operating transfers from the General Fund: E911 Fund \$477,782; Emergency Management Fund \$89,213; 24/7 Fund \$39,813 (*AUD*)
11. To acknowledge disinterment permit #1579915 (*COM*)
12. To approve the Chair's signature on letters to the SD Congressional Delegation encouraging support of the full reauthorization of Payment in Lieu of Taxes (PILT) Program funding (*COM*)
13. To declare one (1) HP OfficeJet Pro X576dw MPF copier as surplus for the purpose of disposal (*DOE*)
14. Approval of the Adopt-A-Highway Application for a portion of Highway 1416 by the Air Force Sergeants Association (*HWY*)
15. To authorize the Auditor's Office to issue payment of the \$1 million donation received to West River Mental Health (Pivot Point), courtesy of The Leona M. and Harry B. Helmsley Charitable Trust (*HS*)

**End of Consent Agenda**

**Regular Agenda Items:**

16. Request for funding from the Western Dakota Regional Water System – Mr. Doug Curry, President & Dr. Cheryl Chapman, Executive Director
17. Items From Auditor
  - a. New license for a Retail (on-off sale) Wine and Cider license for HICOW Co. dba Rafter J Bar Ranch
  - b. Transfer of Retail (On-Off Sale) Malt Beverage & SD Farm Wine License:
    - Firehouse Wine Cellars to Billy Bob's Smoke ShackTransfer of Retail (On- Sale) Liquor License with Sunday Sales:
    - Sweet Grass Bed & Breakfast / Shipwreck Bar & Grill, Grade A Enterprises LLC to Sweet Grass Inn / Shipwrecks Bar & Grill, Adub Adventures Inc.
18. Items From Sheriff
  - a. New Position – Sheriff's Office Intern
19. Items From Buildings & Grounds
  - a. Lease Agreement, Pivot Point - Genoa Pharmacy

20. Items From Equalization

- a. Abatement Application – Tax Year 2023:
  - Brumbaugh, Marilyn, Parcel #25291, \$2,451.56

21. Items From Highway Department

- a. Award Recommendation – PM 2024-2 Pavement Marking
- b. Black Hills National Forest – Nichols Quarry Rock Crushing Agreement
- c. Black Hills National Forest – Livestock Guard Agreement

22. Items From Building Committee

- a. Recommendation: Jail Infrastructure and Tower Project - Construction Manager at Risk (CMAR)

23. Items From Compensation Committee

- a. Special meeting request - Wage Study (2025 Budget Prep Directives)

24. Items From Commission Manager

- a. Request to reschedule FY2025 Budget Hearings
- b. 2024 Procedures for Due Process Resolutions - SD Association of County Commissioners
- c. SD Association of County Commissioners 2024 Elections – 2<sup>nd</sup> Vice President (West River Candidate)

25. 171<sup>st</sup> Avenue Section Line - Request for designation as a No Maintenance County Highway (*Commissioner Travis Lasseter*)

26. Items from the Public per SDCL § 1-25-1 (Speaker request form is required)

(A time for the members of the public to discuss or express concerns to the Board of Commissioners on policies and issues affecting County government and its function. Action will not be taken during this item on any issues brought forth that are not properly noticed. Speakers under this item will be recorded in the minutes by name and area of interest.)

27. Items From Planning & Zoning – 10:30 a.m.

**The Board of Commissioners uses a Consent Agenda to act on non-controversial and routine Planning and Zoning items. The Consent Agenda is acted upon by one motion and vote of the Board. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Board member or a Citizen. The Consent Agenda for Planning and Zoning contains the following items:**

**CONSENT AGENDA:**

- a. Preliminary Plan / COPPL 24-0006: Lynn and Jodi Jensen. To subdivide and create Lots 1, 2, and 3 of Nebraska Placer MS 676 Subdivision (*Planning Commission recommended approval of COPPL 24-0006 with five (5) conditions*)
- b. Preliminary Plan / COPPL 24-0005: Charles and Jenny Hanson. To subdivide and create Lot A of Sam’s Addition (*Planning Commission recommended approval COPPL 24-0005 with seven (7) conditions*)

**End of Consent Agenda**

**Regular Agenda Items:**

**UNCONTESTED HEARING(S):**

- c. Public Hearing of Ordinance Amendment / OA 24-03: Pennington County. To amend Section 319 “Vacation Home Rental” [to amend and supersede the existing Section 319 “Vacation Home Rental”] of the Pennington County Zoning Ordinance (*Planning Commission recommended to continue OA 24-03 to the 5/21/24 BOC mtg*)
- d. Public Hearing of Ordinance Amendment / OA 24-04: Pennington County. To amend Section 511 “Fees” [to amend and supersede the existing Section 511 “Fees”] of the Pennington County Zoning Ordinance (*Planning Commission recommended to continue OA 24-04 to the 5/21/24 BOC mtg*)

28. Items From Chair/Commission Members

(A time for individual members to bring forth ideas or concerns to the full Board. Official action will not be taken on any items brought forth at this time. Direction may be given to bring items back before the Board for future consideration.)

29. Meetings/Committee Reports – Scheduled meetings by Commissioner

TL – EM Users Board, ESCC/911 Board, Extension/4-H Advisory Board, Building Committee, Weed & Pest Board, Complete Health Center Board

GD – MPO Executive Policy Committee

RR – PC Housing & Redevelopment, PC Council on Aging, WIR Public Lands Steering Committee, Building Committee, BH Council of Local Governments

DH – PC Housing & Redevelopment, Planning Commission, Healthcare Trust Board

LL – MPO Executive Policy Committee, WIR Public Lands Steering Committee, Compensation Committee, BH Council of Local Governments, Complete Health Center Board

ALL – Wall-Badlands Area Chamber of Commerce, Elevate RC Property Tax Forum, Victim’s Right Bench & Tree Dedication, Elevate RC Legislative Session Recap, Hill City Area Chamber Annual Meeting, WDRWS Quarterly Briefing, City of RC Vision Fund Open House

30. Approval of the Vouchers - \$493,739.64

31. Executive Session per SDCL 1-25-2

- a. Personnel Issue per SDCL 1-25-2(1)
  - Annual Department Head Evaluation(s)
- b. Contractual/Pending Litigation per SDCL 1-25-2(3)

32. Adjourn