The Board recessed for a brief time.

Substitute Motion: MOVED by Freiberg and seconded by Alexander to continue this matter until November 14, 1989. Vote: Alexander and Freiberg voted aye. All others voted nay. Motion failed 3-2.

Vote on Amendment: Freiberg voted nay; All others voted aye. Motion carried 4-1.

Roll Call Vote on Main Motion as Amended: Ness — yes; Von Loan — yes; Kandaras — yes; Freiberg — no; Alexander — no. Motion carried 3-2.

CANCELLATION OF CHECKS NOT PRESENTED FOR PAYMENT

MOVED by Freiberg and seconded by Kandaras to adopt the following resolution:

RESOLUTION

WHEREAS, in accordance with SDCL 7-22-17, the Commissioners may by resolution, cancel any check or warrant that has not been presented for payment at any time within two years of the date on which the check or warrant was issued; the following checks will be canceled:

First Bank — Amount — Payee: #2891, $20.94, Von Osdel, General Fund; #421, $11.70, Ramsey Cty. State's Attorney, General Fund; #826, $42.00, Crown Oil, General Fund; #1344, $23.15, Ken Richards, General Fund; #1821, $34.92, Alvina Lawrence, General Fund; #2093, $14.10, Gregg Weggs, General Fund; #3128, $1.44, Susan Dexheimer, General Fund; #3380, $21.26, Pearline Yellow Wolf, General Fund; #3803, $23.36, Tracy Crawford, General Fund; #4083, $20.21, Michael Pellocio, General Fund; #4928, $20.43, Michael Wayne Williams, General Fund; #5015, $3.47, JoAnn Abrubt, General Fund; #5040, $1.34, Steven Buchholz, General Fund; #5057, $1.26, Debra Chase, General Fund; #5071, $1.18, Gordon Crawford, General Fund; #5084, $1.04, Betty Elias, General Fund; #5085, $1.14, Karla Ann Englund, General Fund; #5106, $.96, Michael Fritts, General Fund; #5119, $.21, Wayne Green, General Fund; #5129, $.72, Becky Hall, General Fund; #5140, $.79, Roland Hill, General Fund; #5170, $.89, Roger Kiffelmon, General Fund; #5181, $.94, Edward Klueber, General Fund; #5190, $1.60, Val Lingert, General Fund; #5194, $.39, Mabel Larson, General Fund; #5200, $.51, Kevin Levi, General Fund; #5201, $1.51, Charles Lewis, General Fund; #5218, $.50, Louis Mayer, General Fund; #5231, $1.08, Jennie Nelson, General Fund; #5263, $.46, Donald Ocean, General Fund; #5276, $2.54, Lavona Radke, General Fund; #5290, $1.14, Donald Rost, General Fund; #5300, $1.60, Duane Selway, General Fund; #5320, $.68, Jim Taggart, General Fund; #5345, $2.46, Keith Tilkens, General Fund; #5330, $.73, Thomas Troxle, General Fund; #5429, $3.32, Moore & Company, General Fund; #5481, $.24, Helen Black Bear, General Fund; #5581, $1.68, Dora Denton, General Fund; #5609, $.12, Richard Fisher, General Fund; #5623, $1.67, George Furrow, General Fund; #5655, $4.40, Rexford Hoggs, General Fund; #5719, $3.00, Donald Johnson, General Fund; #5721, $19.17, Richard Johnson, General Fund; #5801, $15.16, Mortgage Guaranty, Inc., General Fund; #5833, $20.91, Martha Oulman, General Fund; #5909, $2.38, Kyung Ja Sears, General Fund; #5911, $.04, Harold Severson, General Fund; #5920, $.36, Ronald Slodin, General Fund; #6719, $2.16, Daniel Helter, General Fund; #6801, $.10, JoAnn Rau, General Fund; #6824, $3.63, Shoria Schutt, General Fund; #6865, $.04, Wallace Wood, General Fund; #6898, $.16, Clifford Block Bear, General Fund; #7089, $11.64, Sally Garcia, General Fund; #7830, $11.23, Theresa Jacobs, General Fund; #7934, $29.66, Vivian Mitchell, General Fund; #8094, $21.00, Linda Slofa, General Fund; #9008, $20.33, Cedar Motel, General Fund; #9174, $20.84, Gary Langkeek, General Fund; #9413, $21.26, Brian Whalin, General Fund; #9433, $24.92, Mary Burnett, General Fund; #9545, $21.64, Cathryn Pride, General Fund; #9742, $20.84, Lorence Crawford. TOTAL — $384.32.

Rushmore Bank — Amount — Payee: #5613, $57.20, Bernard Ness, General Fund; #8922, $9.28, Emma Jean Warren, General Fund. TOTAL — $66.48.

/s/Shirley Alexander
Chairperson

/s/Julie A. Johnson
Auditor

Vote — unanimous.

VOUCHER

MOVED by Ness and seconded by Kandaras to approve payment to Firemen's Fund Insurance Company in the amount of $13,170.00 for a premium adjustment for workmen's compensation insurance. Vote — unanimous.

OPEN MEETINGS LAWS

MOVED by Freiberg and seconded by Kandaras that Deputy State's Attorney Gus Johnson submit, in writing, his opinion on the public meetings' laws and attach the Attorney General's opinions on the subject as well for the Commissioners' information. Vote: Ness voted nay; All others voted aye. Motion carried 4-1.

CONSENT CALENDAR

MOVED by Von Loan and seconded by Kandaras to approve the items on the consent calendar as follows:

1. Approve payment to the S.D. School of Mines and Technology in the amount of $500.00 as Pennington County's contribution to the recent Conference on the Science and Technology of Cloud Seeding in the Black Hills.

2. Accept the recommendation of the Personnel and Compensation Committee and transmit both sets of Juvenile Detention Center job descriptions to Dr. Kaufman for his review and recommendation back to the Board and further moved to ask Dr. Kaufman to confer with Juvenile Detention Administrator Barb Van Ekeren regarding this matter the next time he is in town.

3. Authorize a contingency fund transfer in the amount of $2,833.00 to the Ambulance Service budget.

4. Approve the refund (RB90615) submitted by Jimmy Graham in the amount of $473.79.

Vote — unanimous.

BID LETTING

MOVED by Von Loan and seconded by Freiberg to defer action on the Public Defender's request to advertise for bids for computer hardware. Vote: Alexander voted nay; All others voted aye. Motion carried 4-1.

TRANSPORTATION COMMITTEE

MOVED by Ness and seconded by Von Loan to pay mileage to the Transportation Committee members as well as per diem for meals as allowed by County policy. Vote: Freiberg voted nay; All others voted aye. Motion carried 4-1.

JAIL PROJECT

MOVED by Kandaras and seconded by Ness to adjourn as a Board of Commissioners and convene as a Building Authority. Vote — unanimous.

MOVED by Kandaras and seconded by Ness to approve Change Order #45 to the jail project contract in the additional amount of $2,039.00 with the understanding this does not preclude responsibility for any of the items listed within. Vote — unanimous.

MOVED by Ness and seconded by Kandaras to adjourn as a Building Authority and reconvene as a Board of Commissioners. Vote — unanimous.

EXECUTIVE SESSION

MOVED by Von Loan and seconded by Ness to adjourn as regular session and convene as executive session to discuss personnel matters.

The Board recessed shortly before the vote was taken and reconvened with all Commissioners present except Freiberg.

Vote: Kandaras voted nay; All others voted aye. Motion carried 3-1.

Freiberg re-entered the meeting during the executive session.

The Board remained in executive session for one hour and twenty minutes.

MOVED by Von Loan and seconded by Ness to adjourn as executive session and reconvene as regular session. Vote — unanimous.

COMPUTER CONSULTANT SERVICES

MOVED by Von Loan and seconded by Ness that Freiberg and Von Loan submit the names of two computer consultants to determine how to gain multi-use of the existing hardware in the Treasurer's Office and evaluate the Pennington County Data Processing systems and further moved that the consultants are authorized to begin work immediately after they are identified by the two Commissioners. Vote — unanimous.

DATA PROCESSING

MOVED by Kandaras and seconded by Von Loan that Data Processing Manager Rita Collins be directed that the top priority in the Data Processing Department is to gain multi-use of the existing hardware in the Treasurer's Office and that all efforts be directed to accomplish this goal as possible for the timely processing of taxes. Vote — unanimous.

PROPERTY TAX COLLECTION

MOVED by Kandaras and seconded by Ness that the committee formed to look into the ability of banks to be utilized for the collection of property taxes, formed of representatives from the banking community, the Treasurer's Office and the Commissioners as well as representatives from other companies who are faced with processing a large amount of checks in a short time be convened at 10:00 a.m. on November 17, 1989. Vote — unanimous.

MOVED by Ness and seconded by Kandaras to adjourn this meeting until 1:00 p.m. on November 14, 1989. Vote — unanimous.

The meeting was adjourned at 11:30 a.m.

Julie A. Johnson
Auditor
Pennington County

Nov. 22 L138

OFFICIAL PROCEEDINGS OF THE COMMON COUNCIL
Rapid City, South Dakota
November 6, 1989

Pursuant to due call and notice thereof a regular meeting of the Common Council was held at the City/School Administration Center in Rapid City, South Dakota, on Monday, November 6, 1989 at 7:00 P.M.

Mayor Carlyle, Finance Officer Brugger and the following Alderpersons were present: Colling, Weiland, Albrecht, Robinson, Hillard, Bailey, McLaughlin, Holbrook, Passel and Kellar; the following arrived during the course of the meeting: None; and the following were absent: None.

Mark Hirsch of the Christian Businessmen's Association led the Council and audience in invocation.

Motion was made by Hillard, seconded by Colling and carried to approve the minutes of October 16 and October 31, 1989.

Mayor Carlyle and Council President Hillard presented Joshua Feickert with a medal from the Hasbro Toy Company and a Certification of Appreciation from the City of Rapid City in recognition of his heroic acts in saving his father from serious injury.

BEER HEARINGS

This was the time set for hearing on the application of Superpumper, Inc., 3275 Highway 79 South, for an off-sale malt beverage license. Motion was made by Holbrook and seconded by Hillard to approve the application. Police Chief Hennies noted that Derek Zoun representing the applicant corporation, has indicated they would like to delay the application at this time. Substitute motion was made by Holbrook, seconded by Hillard and carried to table action on this application.

Upon motion made by Holbrook, seconded by Colling and carried, the Finance Officer was directed to publish notice of hearing on the following applications, said hearings to be held on Monday, November 20, 1989 at 7:00 P.M.:

1. On-Sale Liquor License, Margaret Thoemke dba The Oasis Lounge, 711 Main Street (Renewal)

2. On-Sale Wine License, Guong Huan Huang dba Hunan Chinese Restaurant, 1720 Mt. Rushmore Road (Renewal)

3. On-Sale Liquor License, Gill Motor Court, Inc. dba Gills Sun Inn, 1901 West Main Street (Renewal)

4. Off-Sale Liquor License, B & L, Inc. dba Boyds Liquor Mart, 909 East St. Patrick Street (Renewal)

5. Off-Sale Liquor License, B & L, Inc. dba Boyds Liquor Mart, Baken Park Shopping Center (Renewal)

6. On-Sale Wine License, Hung A. Lam, Shanghai Chinese Restaurant, 1304 East North Street (Renewal)

CONSENT CALENDAR

Item No. 6 under Public Works Committee relative to travel expenses for Carl Fuerst, was removed.

Motion was made by Robinson, seconded by Albrecht and carried to approve the following items as listed on the Consent Calendar:

Set for Hearing (November 20, 1989)

1. USE ON REVIEW for Jewelry Manufacturing in General Commercial: Lot 1 of Block 3 of Jackson View Subdivision, SW¼ NW¼, Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota (Located on the east side of Jackson Boulevard, north of the intersection with Mountain View Drive)

2. USE ON REVIEW for a Family Day Care Home: Lot 3, Block 4, Sioux Park Addition, SW¼ SE¼, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota (1706 Sheridan Lake Road)

3. USE ON REVIEW for a Family Day Care Home: Lots 33 & 34, Block 10, Millard Addition, NW¼ NE¼, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota (936 Wilsie)

4. USE ON REVIEW for a Day Care Center: The E½ NE¼ NW¼ SE¼; and the NE¼ SE¼ NW¼ SE¼; and the East 80' of the NW¼ SE¼ NW¼ SE¼; and that part of the SE¼ SE¼ NW¼ SE¼ lying north of the north right-of-way line of Canyon Lake Drive, less Lot 1; all in Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota (Located in the Canyon Lake Methodist Church on the north side of Canyon Lake Drive)

(December 4, 1989)

5. VACATION OF RIGHT-OF-WAY: A 4' strip of East Boulevard right-of-way lying parallel to and adjacent to Lots 18-22 of Block 17 of Blake's Addition, the north line being an extension of the north line of said Lot 18 and the south line being an extension of the south line of said Lot 22. The said vacated portion is located in the SE¼ SE¼ of Section 36, T2N, R7E, BHM, Rapid City, Pennington County, SD and contains 0.012 acres, more or less. (Located on the east side of E. Blvd., north of E. Chicago & south of E. New York St.)

6. VACATION OF RIGHT-OF-WAY: Pine Street easterly and southerly of Lot 2 of Lot A of the NW¼ SE¼ of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota (Located south of I-90, north of Anamosa, on the east side of LaCrosse)

7. VACATION OF RIGHT-OF-WAY: The 10' wide street south of and adjacent to Lots 1 and 2 of Lot A of the NW¼ SE¼ of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota (Located south of I-90, north of Anamosa, on the east side of LaCrosse)

C. Legal and Finance Committee

1. Approve the proposal submitted by Jim Lintz to lease the Soccer Field on West Omaha for Christmas Tree Sales.

2. Authorize staff to advertise for bids for two transit vehicles.

3. Authorize staff to proceed with the purchase of two parcels of land in Block 18 (near the Boy's Club) from Sam Marrogs, and authorize the issuance of treasurer's checks to be drawn for payment, in the maximum amount of $8,000.

4. Approve the agreement with Casey Peterson & Associates to conduct the City's 1989 audit, subject to approval by the Department of Legislative Audits.

5. Resolution Writing Off Uncollectible Water Billing Accounts

WHEREAS, the City Finance Office has determined that certain water billing accounts, shown on Appendix A, attached, and totaling $16,681.44 are uncollectible, and

WHEREAS, it is necessary to relieve the accounts receivable of the City of Rapid City for these accounts.

NOW, THEREFORE, BE IT RESOLVED that the City Finance Officer be directed to remove such accounts from the active receivables of the City, said accounts being detailed in the official files of the Finance Office.

Dated this 6th day of November, 1989.

THE COMMON COUNCIL
s/Keith T. Carlyle
Mayor

ATTEST:
s/Kent Brugger
Finance Officer
(SEAL)

6. Approve the Agreement with Buzzetto and Castello, Inc. for the Employee Assistance Program.

7. Resolution Establishing the Terms of Members of the Rapid City Public Library Board of Trustees to Coincide with the Calendar Year

WHEREAS the City of Rapid City has heretofore established the Rapid City Public Library Board of Trustees to supervise the Rapid City Public Library; and

WHEREAS specific starting and ending dates for the terms of appointees to said board have not been established; and

WHEREAS appointments to such Board have typically been made to commence on July 1 of one year and to end on July 1 of a later year; and

WHEREAS appointing new members to the Board in July results in new board members being seated during the middle of the budget-making process; and

WHEREAS the Rapid City Public Library Board of Trustees has requested that terms on said Board be adjusted to allow for appointments and terminations to coincide with the calendar year

NOW, THEREFORE, BE IT RESOLVED that appointments to the Rapid City Public Library Board of Trustees shall expire on the thirty-first day of December of the last year of such term, or as soon thereafter as a successor shall have been appointed and qualified.

BE IT FURTHER RESOLVED that the terms of the present members of the Rapid City Public Library Board of Trustees are hereby established to expire as follows: Anita Paige, December 31, 1989; Mante Beck, December 31, 1990; Pennie Kirk, December 31, 1990; Gene Baetz, December 31, 1991; and Blaine Robinson, December 31, 1991.

Dated this 6th day of November, 1989.

THE COMMON COUNCIL
s/Keith T. Carlyle
Mayor

ATTEST:
s/Kent Brugger
Finance Officer
(SEAL)

8. Approve the following licenses: Plumbing Contractor: Jim's Plumbing & Heating (Jim Schnitterund); Apprentice Plumber: Kevin Sharkey, Shane Sheesley, R. B. Lakefield.

9. Direct the City Attorney's Office to gather information relative to the City's options concerning the franchise with TCI Cablevision.

10. Authorize the issuance of a Treasurer's check to Bi-Tech, Inc. in the amount of $23,677.00 as the first payment for the general ledger software package.

D. Public Works Committee

1. Ice Sanding Material for the Street Department: Award to Birdsall Sand & Gravel, the lowest responsible bidder meeting specifications in the unit bid price of $6.20 per ton.

2. Approval of Change Order No. 1, ST89-325 and ST89-326, Flormann and Tomahawk, Hills Materials Company, for a decrease of $23,862.43.

3. Authorize the Mayor and Finance Officer to sign an Agreement with Michael K. Madden, Ph.D., for an Economic Assessment of Pactola on Related Water Issues, said contract not to exceed $9,900.

4. Authorize the Mayor and Finance Officer to sign Amendment No. 2 to the Agreement with Clark Engineering for SSW89-1, Elks Club Utility Extension, for a price increase of $6,275.

5. Authorize the Mayor and Finance Officer to sign an Agreement with Phil Nichols for Electrical and Control Design of Well Pump Housing on the new Water Well System.

6. Item removed from Consent Calendar

7. Approve the new position of Industrial Pretreatment Supervisor of the Wastewater Treatment Plant.

8. Direct Public Works staff to continue negotiating with the SD DOT for the shooting of the centerline for the Southeast Truck Route.

9. Authorize the Mayor and Finance Officer to sign Right-of-Way and Easement Acquisition Agreements for HES 177(1) and M177(4), Sheridan Lake Road projects

E. Special Items

1. Recognize the following volunteers for purposes of workman's compensation insurance coverage: Debra Fowler, Don Hagel, Carol Hiort and Ida Soederholm.

(End of Consent Calendar)

Robinson explained that Carl Fuerst attended the SD Parks & Recreation Conference, however, the request for travel expense was to bring Mr. Fuerst to this area again to speak to the Public Works Committee on water sports and recreation needs. Motion was made by Robinson, seconded by Weiland and carried to approve travel expenses in the amount of $1,500, for Carl Fuerst to come to Rapid City and speak to the Public Works Committee on local needs.

HEARINGS

Motion was made Robinson and seconded by Hillard to deny the requested variance to the subdivision regulations for Proposed Tranquil Trail right-of-way located in Lots 4R and 5 of Block 1, Harmony Heights, SW¼ NE¼ and NW¼ SE¼ of Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota. Miller reviewed the history of this request with the Council. The terrain in this area is very steep and because of the potential for development in this area, the Planning Commission feels the subdivision regulations should be adhered to. Upon vote being taken thereon, the motion carried with Passel voting no.

The Mayor presented a petition to allow a Use on Review for a Group Home in MDR to be located on Lot RU-34 of Block 32, North Rapid Addition, S½ NE¼, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota (Located at the southeast corner of Blaine & Monroe). Motion was made by Robinson and seconded by McLaughlin to approve the Use on Review with the following stipulations:

1) that a detailed services plan be provided and approved by the Planning Commission and Common Council (any changes in the services plan will require another use on review hearing);

2) that the services plan include provisions for 24 hour supervision by an individual or individuals trained and qualified to administer the activities of the group home;

3) that the site plan, as submitted, be followed, and any amendments to the site plan will require another use on review hearing;

4) that the use on review be granted for a period of one year subject to renewal, and that the renewal hearing will occur within two weeks of the anniversary date of occupancy;

5) that the use on review be subject to quarterly reports to the Common Council by a member of Black Hills Special Services Cooperative and that the quarterly report shall include (a) a summary of occupancy, (b) an update on administrative changes, and (c) a statement by law enforcement representatives describing any police action that was required; and

6) that the City of Rapid City's floodplain building regulations be met.

Pam Tapney-Thomas, Judge Merton Tice, and Ernie Bantom spoke in favor of the project and gave a detailed explanation of how the program will work. There was discussion about the drainage running through the drainage easement on this property. Janet McConkey submitted photographs of the area after a heavy rain. It was noted that the sixth stipulation requires that the applicant meet all floodplain building regulations. If they are not able to do that, the necessary permits will not be approved.

Ann McConkey, Janet McConkey, Carol Bauer, and Lou Williams spoke against the location of a group home at this location. The reasons cited were drainage problems and possible injury to persons and property in the neighborhood.

Roll call vote was taken: AYE: Robinson, Hillard, Bailey, McLaughlin, Holbrook, Passel, and Kellar; NO: Colling, Weiland, and Albrecht. The motion to approve the use on review with the noted stipulations carried, 7-3.

Motion was made by Robinson, seconded by McLaughlin and carried to acknowledge the request of the petitioner to withdraw this application for a Use on Review for a Family Day Care Home, to be located on Lot 25, Block 1, Flormann Addition, SE¼ SW¼, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota (Located at 1001 Silverleaf Avenue).

OFF-SALE LIQUOR SALES

Motion was made by Holbrook and seconded by Hillard to deny the request to have the City Attorney draft an ordinance that would allow off-sale liquor sales on Sundays.

Effective July 1, 1989, legislation was enacted which would allow local governments to decide about Sunday sale of liquor. Each entity must pass an ordinance if they want to allow Sunday sales. Pat Collins from Sooper Dooper Liquors submitted approximately 1,800 signatures from people who support off-sale liquor sales on Sunday. He stated that the off-sale liquor dealers are being discriminated against because they are not allowed to sell on Sunday, but on-sale establishments are. He added that surrounding municipalities have passed legislation allowing liquor sales on Sunday. Collins stated that many of the off-sale establishments would prefer not to be open at all on Sunday, but they are open because the competition is.

Substitute motion was made by Kellar and seconded by Colling to direct the City Attorney to draft an ordinance that would prohibit off-sale liquor establishments from selling on Sunday.

Jennifer Tallch, Bob Fischer, Don Sievers, Lynn Culver, Mary Anderson and Mike Zorie spoke against the sale of liquor on Sunday.

Robinson opposed the motion because the City took action to allow the sale of malt beverages on Sunday and in fairness to the people who now sell malt beverages on Sunday who were not aware of the action being contemplated by the Council, he opposed the motion. Carlyle restated the motion: Direct the City Attorney to draft an ordinance to prohibit the sale of malt beverage on Sunday from all off-sale liquor establishments. Albrecht called the question and there was no objection. The motion carried with Robinson voting no.

Motion was made by Passel to direct the City Attorney to draft an ordinance that would allow off-sale liquor sales on Sunday. She noted that if this ordinance is drafted and discussed, it will give the community a clear idea of the Council's intentions on this matter. Motion died for lack of a second.

HEARINGS (continued)

The Mayor presented a petition to allow a Use on Review for a Family Day Care Home to be located on Lot 23, Block 13, Robbinsdale Addition #6, E½ NW¼, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Motion was made by Robinson, seconded by Albrecht and carried to approve the requested Use on Review with the following stipulations: 1) that Article V Section 1.D.4 of Appendix A of the Revised Ordinances of the City of Rapid City be continually met; 2) that the maximum number of twelve children to be cared; and; 3) that the use on review be granted for a period of one year to Sue Carlson of 2708 Ivy Avenue.

The Mayor presented a petition to allow a Use on Review for a Family Day Care Home to be located on Lot 5, Block 5, Robbinsdale Addition #1, NW¼ NE¼, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Motion was made by Robinson, seconded by Albrecht and carried to approve the requested Use on Review with the following stipulations: 1) that Article V Section 1.D.4 of Appendix A of the Revised Ordinances of the City of Rapid City be continually met; 2) that the maximum number of twelve children to be cared, and; 3) that the use on review be granted for a period of one year to Wanda Miller of 3405 Lynnwood Avenue.

The Mayor presented a petition to allow a Use on Review for a Family Day Care Home to be located on Lot 1 & 2, Block 21, North Rapid Addition, SE¼ NW¼, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota. Motion was made by Robinson seconded by Albrecht and carried to approve the requested Use on Review with the following stipulations: 1) that Article V Section 1.D.4 of Appendix A of the Revised Ordinances of the City of Rapid City be continually met; 2) that the maximum number of twelve children to be cared, and; 3) that the use on review be granted for a period of one year to Judy Vik of 731 Holmes Avenue.

The Mayor presented a petition to allow a Use on Review for a Family Day Care Home to be located on Lot 21, Block 6, Mountain View Subdivision 2, NE¼ NE¼, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. Motion was made by Robinson seconded by Albrecht and carried to approve the requested Use on Review with the following stipulations: 1) that Article V Section 1.D.4 of Appendix A of the Revised Ordinances of the City of Rapid City be continually met; 2) that the maximum number of twelve children to be cared, and; 3) that the use on review be granted for a period of one year to Boots Degen of 2303 Rio Drive.

The Mayor presented a petition to allow a Use on Review for a Family Day Care Home to be located on Lot 30, Block 1, South Robbinsdale Addition #2, NW¼ SW¼, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Motion was made by Robinson seconded by Albrecht and carried to approve the requested Use on Review with the following stipulations: 1) that Article V Section 1.D.4 of Appendix A of the Revised Ordinances of the City of Rapid City be continually met; 2) that the maximum number of twelve children to be cared, and; 3) that the use on review be granted for a period of one year to Linda Nygaard of 3820 Willow Drive.

The Mayor presented a petition to allow a Use on Review for a Family Day Care Home to be loc-

[illegible]

Brothers, refund or reimb. $48.33; WC&O, Team Electronics, office supplies, $298.44; ATTY, Thomson Publishing, subscriptions, $179.00; The Tile Setters, rpr-structures, $173.13; VARI, Tire Muffler Alignment, rpr-roll stock, $377.33; COMD, Tower Property Mgmt., owne-Main St., $400.00; VARI, Tri-State Commodities, jan/t & chem supp, $4,459.96; VARI, Triple A Travel, travel & conf, $724.00; VARI, Truck Transmission Inc., rpr-roll stock, $45.45; WWTR, Turbiville Industrial, rpr-equipment, $459.34; WWTR, TuHill Corporation, rpr-equipment, $714.00; WWTR, Twin City Testing, other prof serv, $2,938.00; VARI, United States Postmaster, office supplies, $1,333.33; PTRN, U.S. West Communications, telephone local, $389.17; VARI, U.S. West Communications, telephone local, $75.20;

TD#0, Universal Travel, travel & conf, $108.00; WD&C, Valley Green Lawn, agricult supply, $22.40; PARK, Lon Van Deusen, travel & conf, $65.00; CCAD, Vanway Trophy & Awards, misc supply & m of, $43.32; TCTR, W.M. of Black Hills, other prof serv, $42.00; PLAN, Sue Wagner, refund or reimb, $30.00; VARI, M.L. Warne Chemical, rpr-equipment, $41.00; MAYC, Harold Weiland, travel & conf, $113.74; WWTR, Wesco, rpr-equipment, $818.22; ATTY, West Publishing Company, office supplies, $185.00; WC&O, West River International, rpr-roll stock, $12.27; CEME, West River Monument, rpr-structures, $60.00; POLI, West River Office Products, office supplies, $33.54; PARK, Western Ag & Turf, rpr-equipment, $66.48; VARI, Western Business Resources, rpr-equipment, $1,632.89; VARI, Western Outlet, clothing, food, $188.74; VARI, Western Stationers, office supplies, $1,004.03; VARI, Ralph H. Wheeler, refund or reimb, $200.00; WBIL, Whisler Bearing Company, rpr-roll stock, $239.02; WWDC, Donald Wickler, gen & auto liab, $855.27; FIRE, Yankton Rural A.H.E., travel & conf, $30.00; COMD, Youth and Family Services, awnf-youth & famy, $1,229.50; CONC, Zandstra Const. Inc., parks, rec improv, $33,935.00; PARK, Zee Medical Service, office supplies, $65.50;

RSVP Payroll Pd End 10/21, Paid 10/27/89, $1,125.60; RSVP First Bank, 10/13 FICA, Paid 10/16/89, $69.52; RSVP First Bank, 10/27 FICA, Paid 11/1/89, $84.54; RSVP City of Rapid City, November rent, $136.68; RSVP City of Rapid City, September health, $137.30; RSVP City of Rapid City, unemployment, $26.37; RSVP Movie Petroleum, September gas, $108.43; RSVP Rapid Transit System, bus fares, $20.00; RSVP US Postmaster, postage, $18.55; Total, $2,086,239.89; Treasurers Checks: Blue Cross, $1,365.94; Bi-Tech, Inc., general ledger software partial payment, $23,677.00; Total, $2,111,482.03

Motion was made by Passel, seconded by McLaughlin and carried to approve an expenditure not to exceed $500 for partial payment of secretarial assistance for the Home Rule Study Committee. It was noted that the County will be contributing an equal amount.

ALDERPERSONS

Motion was made by Colling, seconded by Weiland and carried to invite representatives from the Cement Plant to a Public Works Committee meeting to make a presentation relative to burning hazardous waste. (Passel abstained)

MAYOR

Motion was made by Hillard, seconded by Robinson and carried to approve the Mayor's appointment of the following individuals to the Museum Alliance Executive Management Board: John Artichoker, Gary Brown, Barb Dean, Helene Duhamel, Ray Hillenbrandt, Art LaCroix, Joe Rovere, Dick Schleusener, and Jeff Viken. Carlyle added that the Museum Technical Staff Committee consists of Dr. Phil Bjork, Jim Hopp, Tim Huey, Paulette Montileaux, Bob Pressler, and Bill Wyatt.

EXECUTIVE SESSION

Motion was made by Hillard, seconded by Passel and carried to go into executive session. The Council came out of executive session at 10:20 P.M.

Motion was made by Holbrook, seconded by Robinson and carried to authorize the Mayor and Finance Officer to sign the Fire Department Teamsters Union contract for 1990.

Motion was made by Holbrook, seconded by McLaughlin and carried to approve the contract with Michael Goff for professional golf services, as presented by the City Attorney and Finance Director.

As there was no further business to come before the Council at this time, the meeting adjourned at 10:30 P.M.

THE COMMON COUNCIL
s/Keith T. Carlyle
Mayor

ATTEST:
s/Kent Brugger
Finance Officer
(SEAL)

Nov. 22, 24, 25 L219

ATTENTION: MBE/WBE/SBE

We are requesting your subcontract and material quotes for the following project: Five Counties Hospital and Nursing Home Modifications, Lemmon, South Dakota.

BID: November 28, 1989 at 7:00 p.m., MST.

Please send inquiries to:
Associated Builders
P.O. Box 2318
Bismarck, ND 58502
Phone: (701) 258-6013
Fax: (701) 224-9729

An equal opportunity employer.

Nov. 22 L205

NOTICE OF PUBLIC HEARING ON APPLICATIONS FOR LICENSE FOR SALE OF ALCOHOLIC BEVERAGES 1990

The Board of County Commissioners of Pennington County, South Dakota on Tuesday, December 5, 1989 at 7:10 p.m. MDT, in the County Commissioners' Meeting Room in the Pennington County Courthouse at Rapid City, South Dakota, will consider the following applications for alcoholic beverage licenses for businesses to operate outside of municipalities:

RETAIL (On-Sale) LIQUOR

Betty L. Olstad, Horse Creek Inn Restaurant, HC 33, Box 2800, Rapid City, SD 57702, Lot 17 including Outlot 1 of Saxon Placer MS7250, Section 2 & 3, T1S, R5E, BHM, RENEWAL AND SUNDAY OPENING.

ANYONE INTERESTED IN THE APPROVAL OR REJECTION OF THE ABOVE DESCRIBED LICENSES MAY APPEAR AND BE HEARD.

Julie A. Johnson
Auditor
Pennington County

Nov. 1, 8, 15, 22 L061

PUBLIC NOTICE

Notice is hereby given that the Forest Service, United States Department of Agriculture, is considering the disposal of National Forest System Land to Mr. Loyd L. Talley under authority of the Small Tracts Act Public Law 97-465, effective January 12, 1983, Section 3, Subsection 2 (36 CFR 254 Subpart C), under provisions of an encroachment. Land under jurisdiction of the Forest Service that is being considered for disposal is within the Town of Keystone city limits. The description of the area is: Township 2 South, Range 6 East, Black Hills Meridian, South Dakota; Section 6, Government Lot 13 (all National Forest Land), within Pennington County, South Dakota. The estimated size of the parcel is approximately 6 acres.

Persons claiming or having first right of refusal of acquisition should contact the District Ranger, USDA, Forest Service, 803 Soo San Drive, Rapid City, South Dakota 57702, within 15 days of the publication of this notice. First right of refusal is limited to abutting landowners only.