

LAWRENCE COUNTY COMMISSIONERS MEETING – JANUARY 8, 2002

Connie H. Douglas called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on January 8, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Barbara Mattson and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

2002 ANNUAL APPOINTMENTS & DESIGNATIONS

CHAIRMAN OF COUNTY COMMISSIONERS: Moved-Seconded (Weisenberg-Douglas) To appoint **Commissioner Mattson** as the Chairman of the Lawrence County Commissioners for 2002. Motion Carried.

VICE-CHAIRMAN OF COUNTY COMMISSIONERS: Moved-Seconded (Douglas-Mattson) To appoint **Commissioner Seward** as the Vice-Chairman of the Lawrence County Commissioners for 2002. Motion Carried.

VETERANS SERVICE OFFICER APPOINTMENT: Moved-Seconded (Weisenberg-Mattson) to appoint Bill Locken as the Veterans Service Officer for a period of four years, through the first Monday in January 2006. Motion Carried.

LEGAL NEWSPAPERS: Moved-Seconded (Weisenberg-Mattson) To designate the B.H. Pioneer and the Lawrence County Centennial as the legal newspapers for 2002. Motion Carried.

SHERIFF'S OFFICE POSITIONS: Moved-Seconded (Opitz-Seward) To restate the full time positions in the Lawrence County Sheriff's office for 2002 as follows: (1) Chief Deputy (6) Deputies, (3) Detective, (2) Process Servers, (3) Office Personnel (9) Jailers, (1) Bailiff, (2) Cook/Jail Assist. (1) E911 Coordinator, and (7) Dispatchers. Motion Carried.

INDIGENT FUNERAL EXPENSE: Moved-Seconded (Opitz-Seward) To continue the indigent funeral expenses paid by the County as stated in the Lawrence County Welfare Program Rule with an additional \$35.00 for the increase in casket costs. Motion Carried.

COUNTY BOARDS AND COMMITTEES:

AIRPORT BOARD: Moved-Seconded (Opitz-Mattson) To appoint **Commissioner Seward** as representative and **Chairperson Mattson** as alternate. Motion Carried.

EMERGENCY MANAGEMENT LOCAL EMERGENCY PLANNING COMMITTEE AND EMERGENCY OPERATIONS PLAN: Moved-Seconded (Opitz-Weisenberg) To appoint **Commissioner Seward** for 2002. Motion Carried.

EXTENSION BOARD: Moved-Seconded (Opitz-Seward) To appoint Steve Peters, Marla Loken, Robin Olson, Joanne Goodrich, Roxie Tetrault, Richard Sleep, and **Commissioner Douglas** for a one year term to expire 1-2003. Motion Carried.

FAIR BOARD: Moved-Seconded (Weisenberg-Mattson) To appoint Julia Kinghorn for a (3) year term to expire 1-2005 and **Commissioner Seward** for 2002. Motion Carried.

HOUSING & REDEVELOPMENT: Moved-Seconded (Opitz-Weisenberg) To appoint Pat Asmussen for a (5) year term to expire 12-31-2006. Motion Carried.

PLANNING & ZONING BOARD: Moved-Seconded (Opitz-Seward) To appoint Leo Derosier and Bill Coburn for a five year term to expire 1-2007 and to appoint **Commissioner Douglas** and **Weisenberg** for 2002. Motion Carried.

PUBLIC DEFENDER: Moved-Seconded (Opitz-Douglas) To appoint Commisisoner Weisenberg and Seward and Jerry Apa to the Public Defender Board for 2002.

WEED BOARD: Moved-Seconded (Seward-Opitz) To appoint Dan Hefner and Jerry Boyer for a three year term to expire on 1-2005; and appoint **Commissioner Weisenberg** for 2002. Motion Carried.

ENVIRONMENTAL REVIEW TIMBER COMMITTEE: Moved-Seconded (Seward-Weisenberg) to appoint Guy Virkula for three year term to expire 1-2005. Motion Carried.

INSURANCE COMMITTEE: Moved-Seconded (Seward-Weisenberg) To appoint **Commissioner Opitz** for 2002. Motion Carried.

B.H. COUNCIL OF LOCAL GOVERNMENTS: Moved-Seconded (Opitz-Seward) To appoint **Commissioner Weisenberg** as Representative and **Commissioner Seward** as Alternate for 2002. Motion Carried.

FIRE ADVISORY BOARD: Moved-Seconded (Seward-Douglas) To appoint **Commissioner Opitz** for 2002. Motion Carried.

RESOURCE CONSERVATION & DEVELOPMENT: Moved-Seconded (Seward-Mattson) To appoint **Commissioner Weisenberg** for 2002 and **Chairperson Mattson** as an alternate. Motion Carried.

LIBRARY BOARD: Moved-Seconded (Seward-Weisenberg) To appoint **Commissioner Douglas** for 2002. Motion Carried.

STATE DIVISION OF FORESTRY CONTACT PERSON: Moved-Seconded (Weisenberg-Seward) To appoint **Chairperson Mattson** and **Commissioner Opitz** as alternate for 2002. Motion Carried.

USGS WATER & HYDROLOGY STUDY COMMITTEE: Moved-Seconded (Douglas-Seward) To appoint **Chairperson Mattson** and **Commissioner Opitz** as alternate for 2002.

WELLHEAD PROTECTION PLAN COMMITTEE: Moved-Seconded (Seward-Douglas) To appoint **Chairperson Mattson** and **Commissioner Opitz** as alternate for 2002. Motion Carried.

MULTIPLE USE COMMITTEE: Moved-Seconded (Opitz-Mattson) To appoint **Commissioner Seward** to the Multiple Use Committee. Motion Carried.

EDA REVOLVING LOAN BOARD: Moved-Seconded (Douglas-Seward) To appoint **Commissioner Weisenberg** as the Commissioner Representative for 2002. Motion Carried.

WESTERN SD COMMUNITY ACTION: Moved-Seconded (Seward-Opitz) To appoint Ida Marie Snorteland for a one-year term. Motion Carried.

LOCAL RULE OF ORDER: Moved-Seconded (Seward-Douglas) to adopt the local rule of order requiring three commission members approval to pass a motion. Motion Carried.

MINUTES: Moved-Seconded (Opitz-Seward) to approve the minutes of December 31, 2001. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Seward-Mattson) to reclassify the following employees effective 1-1-2002: Donna Nowell-Sheriff Administrative Assistant; Marty Goetsch-Squad Sergeant and Brian Dean-Captain. Motion Carried.

TREASURER: Moved-Seconded (Seward-Weisenberg) to approve a step raise for Sally Atkinson from Administrative Clerk Step 2 to Step 3 at the base rate of \$8.67 an hour, effective 1-16-2002. Motion Carried.

EQUALIZATION: Moved-Seconded (Weisenberg-Seward) to allow Darlene Piekola to exceed the maximum vacation limit for a period on 90 days starting 28th of February, 2002. Motion Carried.

AMBULANCE AGREEMENT:

Moved-Seconded (Seward-Opitz) to authorize the chairman to sign the ambulance agreements with Northern Hills General Hospital and Spearfish Emergency Ambulance Service for the year of 2002. Motion Carried.

TRAVEL REQUESTS:

COMPUTER / TREASURER: Moved-Seconded (Opitz-Seward) to approve the travel request for Deb Tridle and Greg Dias to attend County Day in Pierre, SD on January 24, 2002. Motion Carried.

REGISTER OF DEEDS: Moved-Seconded (Weisenberg-Seward) to approve the travel request for Judy Meverden to attend the Training Session on Marriage Licenses and County Day on January 23 & 24, 2002 in Pierre, SD. Motion Carried.

2002 WAGES & SCALES: Moved-Seconded (Weisneberg-Mattson) to accept the following 2002 wage scales and wages for the salaried personnel and per hour for hourly personnel, unless stated otherwise. Motion Carried.

2002 WAGES (per SDCL 6-1-10):Commissioners: Douglas,Connie-8,356; Mattson, Barbara-\$8,356; Opitz,George-8,356; Seward,James-\$8,356; Weisenberg,Terry-8,356; Barrett,Marlene-33,127.80.; Auditor: Atkinson,Connie-40,025; McGruder,Brenda-12.99; Nelson,Melody-10.85; Sargent,Debbie-9.15. Treasurer: Tridle,Debora-34,960; Atkinson,Sally-8.39; Hagerty,Sharon-11.92; Haupt,Janice-10.71; Schwindt,Lisa-9.39; Sjomeling,Carol-12.29; Winters,Doris-11.74. Computer: Dias,Gregory-49,123; Leatherman,Debra-\$11.51; McGruder,Randall-16.07. States Attorney: Fitzgerald, John-53,869; Baumann,Michelle-13.08; Madsen,Chris-41,200; O'Grady,Glenna-13.28; Outka,Bruce-41,200; Silvernail,Janice-9.48; Stoflet,Margie-11.67. Public Defender: Kosel,Joe-49,256; Landeen,Joel-37,416; Smith,Molly-13.00; Washburn,Lisa-9.98. Maintenance: Frerichs,Richard-16.43; Carr,Zoe-9.92; Ekeren,Thomas-8.33; Enderby,Irene-9.92; Lee,Laura-8.27; Richards,Keith-10.76. Director of Equalization: Piekola,Darlene-45,010;

Bridenstine,Nancy-11.80; Carrico,Linda-11.49; Otis,Tami-10.07; Rommereim,Angela-8.92; Schumacher,Dennis-11.31; Struble,Les-13.39; Woodle,Sharon-11.49; Writer,Jason-12.36. Register of Deeds: Meverden,Judy-36,010; Fisher,Laurie-\$8.67; Green,Sheree-11.53; Narem,Sharon-12.23; Slane,Mary-10.67. Veterans Service Officer: Locken,William-16,529. Sheriff: Mowell, Richard-48,263; Harmon,Joe-42,478.40; Hansen,Paul-16.23; Rosenau,Randall-16.29; Dean,Brian-17.34; Goetsch,Martin-15.94; Hulm,Andrew-15.59; Little,Tavis-15.59; Shafer,Mike-15.59; Thompson,Colin-15.59; Watt,James-15.59; Gabriel,Larry-13.30; Hagerty,Richard-13.06; Metzger,Judy-11.38; Nowell,Dona-12.87; Kopel,Sandy-10.79; Apland,Michael-10.30; Deneui,Kimberly-8.92; Eggebo,Rachel-10.53; Herman,Loretta-8.76; Horton,Jeremy-12.00; Jansevics,Jake-10.30; Kahler,Shauna-8.92; Kaiser,Daniel-10.30; Lantis,Travis-10.30; Larson,Rene-8.76; Lechner,Shelly-8.76; Lechner,Tim-8.92; Muller,David-8.92; Nicholas,Verla-8.92; Pedersen,Monty-10.30; Rear, Kay-8.92; Sether,Bret-12.00; Symonds,Matthew-10.30; Vissia,George-8.92; Weber,Kurt-10.30; Hamilton,Marion-11.01; Black,Sue-10.97; Blanks,Katherine-10.92; Clark, Virginia-10.92; Easter,Lisa-10.97; Ellingsworth,Kristen-9.66; Fitzgerald,Sara-10.92; Ginsbach,Mark-9.66; Klein,Brian-10.92; Nelson, Kesha-11.12; White,Richard-10.92; Larson,Dale-14.45; Antijunti-Lisa-12.11; Asheim,Roger-12.17; Bradley,Anthony-12.11; Brennan, Seth-12.11; Burrer, LeeAnn-12.11; Chavez, Rhonda-12.11; Culver,Kim-12.11; Duncan,Debbie-10.71; Harvey,Jerome-8.92; Kaiser,Faith-10.71; Kotak,Joe-9.81; Larson,Dan-10.62; Lungren,Lawrence-10.53; Stubbs,Alicia-10.53; Turbiville,Janet-10.53; Vallery,Dallas-10.53; Williams,Robert-12.33; Sandvick,Thomas-13.98. Emergency Management: Thomson,Paul-30,900. Highway: Williams, Charles-\$53,725.40; Agena,Timothy-14.24; Barret,Tim-14.15; Bey,John-15.12; Burleson, Norman-14.21; Dahl,Dennis-14.69; Eide,Curtis-14.66; Fystro,Terry-14.66; Grenstiner,Edwin-14.93; Heying,Bradley-14.23; Hudson,Roger-14.15; Kopel,Lester-14.22; Lensegrav, Richard-14.37; McCormick,Robert-16.89; Patino,Mark-14.15; Porter, Bonnie-13.07; Rosencranz,Robert-14.15; Ryan,Steve-16.77; Silvernail,Dennis-14.63; Vandenberg,Maria-10.26; Williams,Kenneth-14.75. Airport: Aker,Anita-9.71. Extension: Bertch,Alyce-12.22; McGuinness,Sherry-6.56; Ellingson,Constance-6.56. Weed: Heck,David-30,000; Ziegenbein,Shane-9.50. Planning&Zoning: Birk,Erik-35,207.20; Maynard,Debora-10.35.

**LAWRENCE
COUNTY**

2002 PAYROLL STEPS AND RATES

<u>POSITION</u>	<u>ENTRY STEP 1</u>	<u>6 MOS. STEP 2</u>	<u>12 MOS. STEP 3</u>	<u>24 MOS. STEP 4</u>	<u>36 MOS. STEP 5</u>	<u>60 MOS. STEP 6</u>	<u>84 MOS. STEP 7</u>
CLERK I	6.56	7.09	7.35	7.62	7.89	8.39	8.92
CLERK II / CASHIER	7.55	8.06	8.33	8.61	8.87	9.39	9.92
ADM CLK / REC CLK III	7.89	8.39	8.67	8.92	9.20	9.71	10.26
ACCT CLK / REC CLK IV	8.06	8.61	8.87	9.15	9.39	9.92	10.45
SECRETARY / LEGAL SEC I	8.92	9.48	9.71	9.98	10.26	10.79	11.29
LEGAL SECRETARY II	9.58	10.12	10.26	10.64	10.91	11.45	11.97
OFFICE SUPERVISOR	9.00	9.53	9.81	10.03	10.45	10.96	11.52

***** HIGHWAY

***** MAINTENANCE *****

FOREMAN	16.23	CUSTODIAN I	8.27
HEAVY EQUIPMENT OPERATOR	14.15	CUSTODIAN II	9.92
LIGHT EQUIPMENT OPERATOR	13.47	MAINT. WORKER I	8.87
MECHANIC	14.15	MAINT. WORKER II	10.76
		PT. TIME	
MECHANIC FOREMAN	14.86	CUSTODIAN	6.56
MAINT. WORKER/SUMMER HELP	8.87		

**** SHERIFF *****

DEPUTY I	14.33
DEPUTY II	15.59
DETECTIVE	16.23

PROCESS SERVER	13.06
BAILIFF	14.00
E-911 COORDINATOR	12.80
DISPATCHER III	11.43
DISPATCHER II	10.92
DISPATCHER I	9.66
CORRECTIONAL II	12.11

CORRECTIONAL I	10.53
GUARDS	8.92
TRAINEE JAIL	6.74

COOK / JAIL ASST	10.71
COOK I	9.81
RESERVE DEPUTY	10.30
MATRON or GUARD DUTY	25.00 PER DAY
TRANSPORT OFFICER	8.92

**** WEED

SPRAYER	8.00	10.00
GPS	8.00	10.00

**** APPRAISER

APPRAISER I	10.07
APPRAISER II	11.31
APPRAISER III	12.36
APPRAISER IV	13.39

ADMIN ASST

HIGHWAY ADM ASST	12.79
SHERIFF ADM ASST	12.79

**** FIRST DEPUTY

AUDITOR	12.79
TREASURER	11.72
REG OF DEEDS	11.72
DIR EQUAL	12.17

NEWLY ELECTED OFFICIALS MINIMUM BASE PAY RATE

	<i>2002 BASE</i>	<i>2003 BASE</i>	<i>SDCL #</i>
AUDITOR	\$ 24,805.00	\$ 27,305.00	SDCL 7-7-9.1
TREASURER	\$ 24,805.00	\$ 27,305.00	SDCL 7-7-9.1
REGISTER DEEDS	\$ 24,805.00	\$ 27,305.00	SDCL 7-7-9.1
STATES ATTORNEY	\$ 29,625.00	\$ 29,625.00	SDCL 7-7-12
SHERIFF	\$ 30,017.00	\$ 30,017.00	SDCL 7-12-15

RESOLUTION #2002-01 / ELECTION OFFICIALS COMPENSATION: Moved-Seconded (Opitz-Seward) to approve the following Resolution #2002-01 Election Officials Compensation. Motion Carried. **RESOLUTION #2002-01 ELECTION OFFICIALS COMPENSATION** WHEREAS, SDCL 12-15-11 requires the Lawrence County Commission at its first regular

meeting each year set the compensation to be paid out of the County Treasury to election Superintendents and Judges of each Election Board. NOW, THEREFORE, the following election officials shall be compensated at the rate set below: Superintendents \$95.00; Judges \$75.00 IN ADDITION, each of the election officials and workers who participate in an election school prior to any election shall be compensated an additional \$10.00. All election officials and employees shall be paid mileage for all travel incurred in regard to said employment at the rate of \$.36 per mile. Extra help hired to work on election night in the Auditor's Office will be paid at the rate of \$8.00 per hour. DATED this 4th day of January, 2001. BOARD OF COUNTY COMMISSIONERS: James Seward, Chairman; Connie Douglas, Barbara Mattson, George Opitz, and Terry Weisenberg. ATTEST:Connie Atkinson, Auditor.

RESOLUTION #2002-02 POLLING PLACES & PRECINCTS: Moved-Seconded (Douglas-Seward) to approve the following resolution setting the polling places and precincts in 2002. Motion Carried. **WHEREAS**, SDCL 12-14-1 requires that the Lawrence County Commission shall by resolution provide for election precincts throughout its county and shall designate polling places within such precincts, **NOW, THEREFORE**, for all county elections, except where elections by ward or a boundary other than a precinct is required, the following polling places shall be established for the precincts in Lawrence County: **Lead 1st & 3rd Ward**-Golden Hills Resort & Convention Center; **Lead 2nd Ward**-Golden Hills Resort & Convention Center; **Deadwood**-Lawrence County Administrative Annex; **Spearfish 1st Ward**-Senior Citizen's Center; **Spearfish 2nd Ward**-Senior Citizen's Center; **Spearfish 3rd Ward**-Senior Citizen's Center; **Boxelder**-Nemo Church; **Rural #1**-Lawrence County; Administrative Annex; (Trojan-Nahant/Central City/Pluma/Boulder Canyon); **St. Onge**-St. Onge Community Hall; **Whitewood**-Whitewood Hale Hall; **Reeds Crow Peak & Valley 1**-Spearfish Park Pavilion; **Valley 2**-Spearfish Park Pavilion. **DATED** this 4th day of January, 2001. BOARD OF COUNTY COMMISSIONERS: James Seward, Chairman; Connie Douglas, Barbara Mattson, George Opitz, and Terry Weisenberg. ATTEST:Connie Atkinson, Auditor.

RESOLUTION #02-03 TO ESTABLISH OFFICIAL DEPOSITORIES: Moved-Seconded (Seward-Douglas) to approve the following Resolution #02-03 to Establish Official Depositories in Lawrence County. Motion Carried. **RESOLUTION 02-03 ESTABLISH OFFICIAL DEPOSITORIES:** Whereas, SDCL 7-20-13 requires the County Board of Commissioners to approve the designation of each depository for the deposit of County funds, and Whereas, several different financial institutions are doing business in Lawrence County and meet the requirements established under SDCL Chapter 7-20, and Whereas, the Lawrence County Treasurer has requested the following financial institutions be designated as official depositories for the fiscal year 2002: Wells Fargo-South Dakota 721 Main St. Deadwood, SD; First Western Bank 696 Main St. Deadwood, SD; First National Bank 300 West Main St. Lead, SD; Pioneer Bank 140 E Jackson Blvd Spearfish, SD; and Rushmore Bank & Trust 526 Main St. Spearfish, SD; and Be It Therefore Resolved, that the Lawrence County Board of Commissioners designates the above named financial institutions as official depositories for Lawrence County for the fiscal year 2002. Dated this 8th day of January 2002. BOARD OF COUNTY COMMISSIONERS: Connie H. Douglas, Chair; James Seward, Barbara Mattson, George Opitz, and Terry Weisenberg. ATTEST: Connie Atkinson, AUDITOR

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Opitz-Mattson) To accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** The Auditor's Account with the County Treasurer as of December 31, 2001 showed the following: Total amount of deposits in banks-\$10,274,956.65; Total amount of actual cash-\$1,000.00; Total amount of Checks and drafts in Treasurer's

possession not exceeding three days check deposit in transit)-\$30,514.77; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$2,525.81; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$5,500,000.00; Bank Balance-\$3,871,251.44; GNAM's-\$153,705.21; and Money Market \$750,000.

SUPREME COURT RULING ON FRAWLEY PUD: Weisenberg stated the Supreme Court ruled on the Frawley PUD. The Supreme Court upheld the decision by the County Commission and Circuit Court. The Court ruled that it is not necessary for a PUD to lay out every detail and that a comprehensive plan does not have the force of a law such as the existing county zoning ordinance.

ANNUAL REVIEW OF CUP 267-SIOUX FALLS TOWER SPECIALIST: After hearing an annual review from Sioux Falls Tower Specialists and being informed that the tower has not been constructed, it was Moved-Seconded (Weisenberg-Mattson) to approve the extension of CUP 267 for one year. Motion carried. If a tower is not constructed within this next year, the Board will review and possibly revoke the permit.

REQUEST COUNTY APPROVAL OF TWO VOLUNTARY PETITIONS OF UNPLATTED LANDS INTO THE CITY OF SPEARFISH: Don Mueller, City Planner from Spearfish, requested County approval of two voluntary petitions for annexation into the City of Spearfish. He assured the Board he has been working with Chuck Williams, Highway Supt., regarding road maintenance. He said some of the roads will go to the City, some will remain County and some will have joint maintenance. Moved-Seconded (Seward-Weisenberg) to approve the voluntary petition for annexation into the City of Spearfish for the property owned by Charles Buchholz, Avis Buchholz, William Buchholz and Beverly Buchholz with a legal description of Township 6 North, Range 2 East, Black Hills Meridian Lawrence County, South Dakota: E1/2N1/2S1/2SW1/4 of Section 9, subject to easements, reservations and restrictions of record; and E1/2S1/2S1/2SW1/4 of Section 9, except Tract A according to Plat Book 6, Page 290, and EXCEPT Tract B-1 and Tract B-2 according to Plat filed in Document No 78-4741. Motion Carried. Moved-Seconded (Weisenberg-Seward) to approve the voluntary petition for annexation into the City of Spearfish for the property owned by Gerald and Heidi Geisinger with a legal description of SW1/4 Tract A, Section 8 T6N, R3E. Motion Carried.

PROJECT LEARNING TREE ENVIRONMENTAL EDUCATION PROGRAM AND REQUEST FOR ALLOCATION FROM FOREST TITLE III FUNDS: Diane Miller and Bill Coburn met with the Board to present an overview of Project Learning Tree and its purpose in our educational programs. Miller explained to the board that they would like to request \$5,000.00 of the Title III County Projects monies. The Board will have to take public comment for 45 days before any action can be taken from the County.

US FOREST SERVICE NOTICE OF INTENT TO COMPLETE PHASE II AMENDMENT: Bill Coburn, Timber Committee member, presented the board with scoping comments on the Notice of Intent to Complete the Phase II Amendment to the Black Hills Land and Resource Management Plan. Moved-Seconded (Seward-Weisenberg) to accept the comments and send letter the USFS. Motion Carried

INFORMATION SHARING AND FOREST PROJECT UPDATES: Pam Brown, USFS Spearfish/Nemo District Ranger, was present to update the board on several different topics. Pam discussed the environmental analysis that is going to take place in the Spearfish Canyon area. This analysis needs to be done so they can have a decision making document. They have elected to have an enterprise team, made up of USFS employees in other areas, to work on this project because everyone else would be tied up in getting timber out. This team will be working along with Pam and they will be taking public input. Connie Douglas questioned who initiated this action and asked Brown if she involved anyone outside of the Forest Service when you started this project such as the residents of the Canyon or anybody in Lawrence County. Brown stated she had talked to several people in the Canyon. Douglas asked if she has contacted the County Commissioners. Brown stated that she had not contacted the Commissioners. Douglas stated her concerns that no one from Lawrence County was placed on this environmental enterprise team. Brown discussed how we got to this point with the Board. Brown stated that she is hoping with this analysis that they will be able to find out what is wanted in the Spearfish Canyon over the next five years. Pam also discussed Beaver Park and the plan that is being derived at if the forest would become ignited. Douglas stated that it is a shame that we have to have a plan for what to do if there is a fire instead of taking care of the issues so that there is less chance of fire. Brown stated that there are limitations on that.

E911 RURAL ADDRESSING AND SIGNING PROJECT UPDATE: Tom Sandvick gave the board an update on the progress of the E911 signing. The hardware has been received and signing will start February 5, 2002. He also stated that he is ironing out the 347 prefix in Boulder Canyon, The E911 calls go to Meade County when it is dialed and he is working with Qwest to have this problem resolved.

COUNTY SPONSORSHIP OF TERRY-TROJAN WATER DISTRICT GRANT: Denny York, Terry-Trojan Water District Board, met with the Board to request Lawrence County sponsor a CDBG grant application to the Department of Environment and Natural Resources. He told the Board the grant funds would be used to bring the water source for the water district into EPA compliance levels for arsenic. EPA requires this be done by the year 2006. Moved-Seconded (Weisenberg-Seward) to allow the Chairman to sign a letter fully supporting the Terry-Trojan Water District application for Community Development Block Grant funds of \$65,000 from the Department of Environment and Natural Resources and agreeing to be the sponsor of the grant. Motion Carried.

BILLS: Moved-Seconded (Weisenberg-Opitz) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,032.04; Aud-\$4,495.44; Treas-\$6,844.79; Comp-\$4,246.78; States Atty-\$9,048.91; Pub Def-\$5,418.51; Gen Govt Bldg-\$4,917.27; Equal-\$8,667.78; Rod-\$5,114.00; Vso-\$668.72; Disp-\$9,474.47; Sher-\$24,590.93; Jail-\$17,850.40; Emerg Mgnt-\$1,522.00; Highway-\$26,968.58; Exten-\$ 1,106.84; Weed-\$1,209.42; Pz-\$2,308.88; **Bills:** Fitzgerald,J-\$36.60; Mowell,R-\$6,286.50; Muller,D-\$376.44; Seward,J-\$700.08; Thomson,P-\$201.96; Weisenberg,T-\$199.80; A&B Business Equip Inc-\$1,457.00; A&B Welding Supply Inc-\$43.8; A&M Transport-\$250.00; A-1 Steam Brothers-\$375.00; Abc Business Supply Corp-\$876.73; Alco Store-\$35.98; Altaire Enterprises Inc-\$32.00; Amcon Distributing-\$163.84; American

Family Life Inc-\$1,966.06; Bh Chemical Company Inc-\$219.25; Bh Collection Service Inc-\$25.00; Bh Federal Credit Union-\$6,823.29; Bh Medical Ctr Pharmacy Inc-\$413.9; Bh Neurology-\$31.80; Bh Pioneer Inc-\$1,045.3; Binder,T-\$245.40; Blue Cross-\$34,149.93; Butte County Sheriff-\$8.90; Butte Electric Coop Inc-\$415.86; Cardinal Printing-\$74.80; Carquest Of Spearfish-\$59.87; Central Parts-\$488.77; Chief Supply Inc-\$446.20; Christensen Law Office-\$365.50; City/County Alcohol & Drug-\$875.00; Clauser Machine Works-\$40.80; Clinical Lab Of Bh Inc-\$157.97; Conoco-\$237.24; Credit Collections Bureau-\$30.00; Culligan Soft Water Serv Inc-\$96.75; Dakota Graphics-\$380.50; Deadwood Recreation Center-\$62.00; Deadwood Supply Inc-\$40.56; Deadwood City Of-\$496.25; Deckers Food Inc-\$34.16; Dell Marketing Lp-\$1,157.00; Dept Of The Treasury-\$33,602.15; Election Sys & Software Inc-\$2,100.00; Fast Break Screen Printing-\$35.00; Fidler Funeral Chapel-\$937.47; Havemeier,L-\$108.00; Ikon Office Solutions Inc-\$142.39; Johnson Ford Inc-\$221.28; Kar Products Inc-\$256.81; Ken's Camper Sales-\$44.10; Lc Public Health-\$2,208.00; L&S Restoration-\$215.00; Lead-Deadwood Sanitary-\$188.44; Lee,J-\$15.00; Leiker,L-\$126.50; Mcleod's Office Supply Inc-\$781.19; Montana-Dakota Util-\$3,913.80; Nh Alcohol & Drug Services-\$3,743.00; Nh Family Ymca-\$476.00; Neve's Uniforms Inc-\$89.90; Office Of Child Support-\$284.50; Outdoor Motor Sports-\$137.68; Petal Pushers-\$42.40; Queen City Medical Center-\$25.00; Qwest-\$49.80; Radio Shack/Kazco Inc-\$2,066.93; Radiology Associates-\$95.02; Rapid Delivery Inc-\$12.00; Renka,Richard P Md Pc-\$110.60; Sd Assn Of Co Comm-\$1,608.12; Sd Municipal League-\$54,365.00; Sd Retirement System-\$27,389.37; Sd State Treasurer-\$4,675.00; Sd Acc/S D Aco-\$70.00; Sd Supplemental Retirement-\$849.50; Salzsieder,M-\$3,435.00; Sanito Oil Inc-\$4,499.23; Servall Towel & Linen Inc-\$94.52; Spearfish Auto Supply Inc-\$339.74; Spearfish Surgery Center-\$25.00; State Disbursement Unit-\$60.00; Superior Lamp And Supply Inc-\$318.78; The Abacus-\$865.70; Tigerdirect-\$38.38; Triple K Tire & Repair-\$13.95; Wyoming Child Support Coll-\$190.00; Yankton Co Sheriff-\$16.50; **Witness & Jurors:** Dragoo,S-\$51.74; Fremo,T-\$50.58; Hansen,T-\$50.58; Hart,N-\$55.80; Heinen,J-\$51.74; Luze,T-\$51.74; Maki,P-\$58.70; Olsen,C-\$50.58; Scott,D-\$176.10

ADJOURN: 12:30 p.m. - There being no further business it was Moved-Seconded (Opitz-Weisenberg) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – JANUARY 22, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on January 22, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Weisenberg-Seward) to approve the minutes of January 8, 2002. Motion Carried.

Moved-Seconded (Weisenberg-Douglas) to follow the recommendation of the Sheriff and lift the requirement that all mail be opened at the Law Library. Motion Carried.

PERSONNEL:

GENERAL GOVERNMENT BUILDINGS: Moved-Seconded (Weisenberg-Douglas) to approve Irene Enderby as a permanent part-time (20 hours a week) Custodian I at the rate of \$8.27 an hour effective 1-23-2002. Motion Carried.

SHERIFF: Moved-Seconded (Douglas-Seward) to approve: Cherish Evans as a Dispatcher I at the rate of \$9.66 an hour, effective 1-2-2002; to approve Paul Hubberling as a Reserve Deputy at the rate of \$10.30 an hour, effective 1-4-2002; to approve Benjamin Erwin Latham and Lyne Anderson as Guard/Transport Officers at the rate of \$8.92 an hour, effective 1-13-2002; and to approve Dallas Vallery as a Correctional Officer II at the rate of \$12.11 an hour effective 1-1-2002. Motion Carried.

Moved-Seconded (Opitz-Seward) to approve Jay Burns as a part-time jailer at the rate of \$6.74 an hour training and then \$10.53 an hour, effective 1-18-2002. Motion Carried.

TRAVEL REQUESTS:

VETERAN SERVICE OFFICER: Moved-Seconded (Douglas-Opitz) to approve the travel request for William Locken to attend the VSO Training in Rapid City on February 6th and to attend the VSO Congressional Forum in Rapid City on January 25, 2002. Motion Carried.

WEED: Moved-Seconded (Weisenberg-Seward) to approve the travel request for Dan Hefner, Jerry Boyer and David Heck to attend the 2002 Legislation concerning a bill. Motion Carried.

EMERGENCY MANAGEMENT: Moved-Seconded (Seward-Opitz) to approve the travel request for Paul Thomson and Ken Hawki to attend the D.E.M. Training in Pierre, SD on February 11-14; Paul Thomson to attend the I-200 Basic Incident Command System and I-300 Intermediate ICS classes in Hot Springs on March 4-8; and for Paul Thomson, Jamie Tollefson and Cathy Kulver to attend the Terrorism Workshop in Sioux Falls February 9-14. Motion Carried.

SHERIFF: Moved-Seconded (Weisenberg-Douglas) to approve the travel request for Marty Goetsch to attend training in Orlando Florida on March 22-31, 2002. Motion Carried. Training must be received before the Sheriff's office can receive the grant awarded to them for night vision equipment.

CITY OF DEADWOOD QUIT CLAIM DEED: Moved-Seconded (Opitz-Seward) to approve the Quit Claim Deed to the City of Deadwood for Lawrence County's interest in Lot 9, Block P, O.T., City of Deadwood, SD. Motion Carried.

RESOLUTION #2002-04 / WELFARE GUIDELINES AMENDMENT: Moved-Seconded (Weisenberg-Opitz) to approve the following Resolution #2002-04 Amendment #5 Lawrence County Welfare Guidelines Appendix D. Burial and Funeral Assistance. Motion Carried.

LAWRENCE COUNTY RESOLUTION #2002-04 / AMENDMENT #5 LAWRENCE COUNTY WELFARE GUIDELINES APPENDIX D. BURIAL AND FUNERAL ASSISTANCE: WHEREAS, Lawrence County has adopted Welfare Guidelines to provide assistance to indigent persons of the county under SDCL Chapter 28-13 and for those county residents who die in a state of indigency under SDCL Chapter 28-17; and WHEREAS, Lawrence County reviews rates set for indigent burials on an annual basis; and WHEREAS, the Lawrence County Commissioners wish to raise standard funeral rates by \$35.00 to reflect increased casket costs; and NOW THEREFORE BE IT RESOLVED, that effective January 1, 2002, and until otherwise revised, the attached revisions and amendment setting forth the new burial and funeral rates in the Lawrence County Welfare Guidelines are hereby adopted. Dated this 22nd day of January 2002. FOR THE BOARD: Barbara A. Mattson, CHAIR. ATTEST: Connie Atkinson, AUDITOR

COMMISSIONERS YEARLY COUNTY OFFICE APPOINTMENT: Moved-Seconded (Seward-Douglas) To appoint Mattson to the Equalization and Sheriff; Seward to the Emergency Management, Computer and Public Defender; Opitz to the Highway, Maintenance and Treasurer; Douglas to the Extension, Register of Deeds, and Planning and Zoning and Weisenberg to the Weed, Auditor's and States Attorney. Motion Carried.

DELINQUENT TAXES REPORT: Per SDCL 7-21-35 the total 2000 taxes levied for in 2001 was \$21,442,433.40 and the total unpaid as of 12-31-01 was \$409,622.43 which represents a 1.91% delinquency. *Moved-Seconded* (Seward-Douglas) to accept the Delinquent Taxes Report of 2001 levied and unpaid taxes as reported by the Auditor. Motion carried.

ABATEMENT:

CITY OF SPEARFISH: Moved-Seconded (Opitz-Seward) to approve the abatement for the City of Spearfish on parcel #32250-00100-060-00 because the property is exempt from tax. Motion Carried.

8:35 AM: Moved-Seconded (Douglas-Mattson) to go into executive session to discuss legal issues with Bruce Outka, Deputy States Attorney. Motion carried. **8:55 AM:** The Board reopened for regular business.

EMERGENCY MANAGEMENT TITLE III FUND REQUEST: Paul Thomson, Emergency Management Director presented a request for Title III funds. Thomson stated Search and Rescue is in severe need of upgrading equipment to allow safe and effective search and rescue operations. Thomson stated the units in Spearfish and Lead/Deadwood conduct almost entirely all of their operations on or in the national forest. The request for 2002 for \$62,876 included Ropes and Climbing Rescue Equipment - 19,876; (2) Four wheelers equipped with winches and guards - \$13,000; (2) Rescue ambulance sleds with snowmobiles - \$5,000; and (1) rescue snowcat (used, w/ambulance box) 1980's model - \$25,000.

HIGHWAY BUSINESS:

BID OPENING DATE: Moved-Seconded (Opitz-Seward) to set the bid opening for the highway annual supplies of asphalt hot mix, asphalt cold mix, gravel surfacing aggregate and de-icing sand for March 26, 2002 at 9:00 am.

HIGHWAY EQUIPMENT PURCHASE: Moved-Seconded (Weisenberg-Opitz) to approve the purchase of a Dodge Durango \$23,163, Dodge Ram 2500 \$23,993; and a Chevrolet C3500 \$23,448 from the State Bid for the Highway Department. Motion Carried.

PUBLIC HEALTH NURSE REPORT: Denise Rosenberger presented the Board with the Oct-Dec, 2001 quarterly report, reviewing the Family Planning services, WIC, MCH (Maternal Child Health) services, meetings and office related matters. Jack Davis, DSS explained the CHIP Program and Food Stamp Program.

HEARING ON TRANSFER OF LICENSE TO SELL INTOXICATING LIQUOR / PONDEROSA BAR / NEMO GUEST RANCH: A public hearing was held on an application to transfer a license to sell intoxicating liquor outside the municipalities, for the year 2002.

RETAIL AND SUNDAY ON-SALE LICENSE & PACKAGE OFF-SALE LIQUOR
PREVIOUS LICENSE: RL-5793 & PL-4718: RON WICK, PONDEROSA BAR / NEMO GUEST RANCH, INC., Nemo, SD, Nemo Placer Mineral Survey 1368, Section 27, Township 3 north, Range 5 east, Lawrence County, SD. TRANSFER TO: KIM J. RHODES; BRANDING IRON BAR & RESTAURANT, PO Box 117, Nemo, SD, Nemo Placer Mineral Survey 1368, Section 27, Township 3 north, Range 5 east, Lawrence County, SD.

Bryce Flint, Attorney representing Ron Wick and Kim Rhodes, was present to answer any questions. Flint stated Ron Wick has leased the Bar and Restaurant to Kim Rhodes. Flint stated the Finger Printing and background check on Kim Rhodes has not been completed at this time. Rhodes has been leasing the bar and restaurant since September of 2001 but has been running under Wick's liquor license. Joe Harmon, Chief Deputy Sheriff, stated no complaints have been filed since Kim Rhodes has leased the business.

Jan Kaberna expressed concerns that Kim Rhodes has no control even though she manages the facilities. Flint stated the reason for that is because Wick still has the liquor licenses in his name,

the transfer would turn the control to Kim Rhodes; However, Wick will continue to own the real-estate.

Mike Whalen, Bonnie Atkinson, Jerry Atkinson, and Grant Sawyer expressed concerns on the validity of the transfer, possibility of liens on the liquor license, who would have the controlling interest in the actual operation of the business and who would own the liquor license.

Seward asked that a copy of the lease be provided to the County Commissioners. Opitz asked if Rhodes and Wick were related. Flint verified that they were not related.

The public hearing was closed and County Commission discussion followed. Moved-Seconded (Douglas-Seward) to postpone the decision by the County Commission until February 12th 2002 at 9:30 a.m. providing the fingerprint & background check is completed, a copy of the lease is provided and a copy of the sales tax license is received. Motion Carried.

FIREWISE CONFERENCE / WILDLAND INTERFACE CODE / FIRE PREVENTION:

Bill Coburn presented a video on a Firewise workshop and invited the Board to the Firewise Community Workshop in Spearfish on May 29, 30 & 31, 2002. Coburn stated the workshop is designed to help educate people to make better decisions as the community grows in the urban interface areas. Coburn asked that a Commissioner be appointed to the Steering Committee for the Workshop.

Moved-Seconded (Douglas-Weisenberg) to appoint Jim Seward to the Steering Committee. Motion Carried.

Moved-Seconded (Opitz-Douglas) to approve payment of registration fees for all interested Commissioners to attend the Firewise Workshop in Spearfish. Motion Carried.

Charles Nicholas updated the Board on the ArcView Program and the progress being made on the mapping. Nicholas also stated the Fire Advisory Board voted to support the Wildland Interface Code and asked what they could do to help implement the code. Mattson stated it was work in progress and will contact the Board if they need their assistance.

COOPERATING STATUS: Moved-Seconded (Douglas-Seward) to notify the Division of Resource Conservation & Forestry that Lawrence County will share Cooperating Agency Status as an equal partner with the state on a State/Local Government Working Team under the NEPA on Phase II of the Black Hills National Forest Land and Resource Management Plan. Motion Carried.

FIRE ADVISORY TITLE III PROJECT REQUEST: Charles Nicholas presented the Fire Advisory's request for Title III Project Funds. The request was for \$65,000 to purchase a 250 GPM pump/140 CFM air, self contained pumping module that will be mounted on Nemo's existing all wheel drive Type 3 Tender (1500 gallon tank). The Nemo Fire District consists of 83% (34,160 acres) U.S. Forest Service and other Government Lands, only 17% (6,800 acres) is private or other non-governmental lands.

GOVERNMENT DAY: Bev Hink was present to thank the Board for their past participation in Government Day and asked the Board to participate for the present year, appoint a coordinator for the County, requested the county donate \$50.00 and attend the Luncheon that will be provided on Government Day at the Deadwood Fire Hall. Moved-Seconded (Douglas-Weisenberg) to participate in Government Day, appoint Marlene Barrett as the Coordinator and to donate \$50.00 for the luncheon. Motion Carried.

SHERIFF VEHICLE BID DATE: Moved-Seconded (Seward-Weisenberg) to declare the 1997 Crown Victoria SN# 2FALP71W5VX135414 and 1998 Crown Victoria SN# 2FAFP71W1WX133268 surplus; and allow them to be traded in on the purchase of two patrol vehicles (4 Wheel Drive Sport Utility Vehicle). The bids will be opened at 9:30 a.m. on the 26th of February 2002. Motion Carried.

BILLS: Moved-Seconded (Weisenberg-Douglas) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,162.83; Aud-\$4,570.83; Treas-\$7,127.39; Comp-\$4,473.83; States Atty-\$8,498.84; Pub Def-\$5,633.57; Govt Gen Bldg-\$5,374.13; Equal-\$8,450.13; Rod-\$5,293.23; Vso-\$688.72; Disp-\$8,672.76; Sher-\$25,131.45; Jail-\$14,813.17; Emerg Mgnt-\$1,287.50; E911-\$1,230.24; Highway-\$28,511.39; Exten-\$1,075.36; Weed-\$1,463.75; Pz-\$2,377.77; **Bills:** Baumann,M-\$69.00; Dias,G-\$117.49; Muller,D-\$60.16; Outka,B-\$282.84; Ziegenbein,S-\$45.36; Abc Business Supply Corp-\$593.39; Alco Store-\$7.88; Altaire Enterprises Inc-\$60.00; Amcon Distributing-\$164.89; At&T-\$61.51; Bh Collection Service Inc-\$25.00; Bh Federal Credit Union-\$6,823.29; Bh Land Analysis-\$648.00; Bh Medical Center-\$225.44; Bh Pest Control-\$95.00; Bh Pioneer Inc-\$99.38; Bh Power & Light-\$6,136.38; Bh Windshield Repair-\$45.00; Baker,P-\$300.64; Behavior Mngt Systems Inc-\$640.00; Boyer,J-\$240.00; Buckstop Express Mart Inc-\$72.92; Bullock Hotel Inc-\$61.41; Business Aviation Inc-\$445.50; Butte County Sheriff-\$25.40; Chaput,K M-\$458.00; Chemsearch Inc-\$349.52; Clark Printing Inc-\$156.00; Clinical Lab Of Bh Inc-\$1,000.00; Compaq Computer Corp-\$359.00; Correctional Billing Svc-\$12.17; Credit Collections Bureau-\$30.00; Culligan Soft Water Serv Inc-\$10.50; Deadwood 1 Hour Photo-\$50.50; Dept Of Hlth Lab Services-\$33.00; Dept Of The Treasury-\$31,658.99; Derosier,L-\$60.48; Domestic Crisis Outreach-\$247.50; Edwards,C-\$50.40; Ellingson,J-\$1,100.00; Family Medical Center-\$453.22; Fish,V-\$183.90; Frederickson,J-\$143.70; Glenney,T-\$105.00; Gold Dust Inc-\$82.96; Governors Inn Inc-\$57.65; Greens Alignment-\$359.04; Hefner,D-\$338.24; Herd's Ribbon Reinking-\$33.50; Hicks,T-\$265.00; Hoggatt,R-\$201.00; Ibm Corp Sqh-\$711.22; Ikon Office Solutions Inc-\$266.73; Insight-\$137.49; Jacobs Precision Welding-\$25.56; Jensen,K-\$79.20; Karpinen,S-\$315.00; Kinney & Koch Llp-\$1,002.09; Knecht True Value Inc-\$412.73; Lc Centennial Inc-\$1,040.70; Lc Conservation Dist-\$4,500.00; Lc Plan & Zone-\$47.94; Lc Sheriff-\$190.92; Lantern Estates-\$450.00; Lewis & Clark

Bhs-\$125.00; Light & Siren-\$1,010.00; Loll,J-\$423.00; Matthew Bender & Co Inc-\$52.23; Mcarthur,J-\$70.00; Mendoza,D-\$27.25; Micks Scuba Center-\$443.00; Mid States Organized-\$100.00; Minitman Inc-\$125.10; Minnehaha County Auditor-\$80.00; Mutchler,T-\$53.75; Muth Electric Inc-\$298.38; Nh General Hospital-\$10,403.48; Nelson,T-\$525.00; Neve's Uniforms Inc-\$99.90; New View Optical Inc-\$22.00; Nicholas,C-\$373.92; Office Of Child Support-\$284.50; Ore Car Express Inc-\$25.00; Pennington Co Jail-\$670.62; Pitney Bowes Inc-\$126.70; Porter Law Office-\$536.00; Queen City Medical Center-\$25.00; Queen City Rocket Lube-\$92.00; Quinlan Publishing-\$92.00; Qwest-\$1,992.47; Rc Finance Office-\$700.00; Rc Regional Hospital Inc-\$1,213.45; Radio Shack/Kazco Inc-\$85.02; Rand's Photo-\$68.86; Rantapaa,R-\$182.08; Reddick,E-\$54.00; Reserve Account-\$5,000.00; Rushmore Safety Supplies Inc-\$2,349.12; Ryken,R-\$432.00; Sd Dept Of Agriculture-\$30.00; Sd Aao Inc-\$220.00; Sd Acc/S D Aco-\$70.00; Sdi Bermuda Limited-\$360.00; Sd Public Assur Alliance-\$24,689.00; Sd Supplemental Retirement-\$849.50; Schultz,K-\$100.80; Servall Towel & Linen Inc-\$190.89; Silverado Inc-\$570.12; Sleep,R-\$165.92; Southern Avionics Company-\$459.30; Spearfish Emergency-\$5,225.00; Spearfish Surgery Center-\$25.00; Specialized Auto Service Inc-\$22.30; State Disbursement Unit-\$60.00; Teen Court Inc-\$6,420.17; Texaco Inc-\$207.07; Tigerdirect-\$346.49; Twin City Hardware & Lumber-\$16.52; U Bid Online Auction-\$425.64; Us Marshall Service-\$1,134.00; Verizon Wireless Inc-\$424.36; Victims Of Violence-\$247.50; Voelker & Adams-\$2,378.88; Walmart-\$1,503.91; Waste Connections Inc-\$322.32; Westcoast Sales & Market Inc-\$106.08; West Group-\$1,370.00; Western Communication Inc-\$933.00; Western Sd Juvenile Serv-\$2,401.92; Worldcomm MeI Inc-\$351.03; Wyoming Child Support Coll-\$190.00; Xerox Corporation-\$253.00; **Witness & Jurors:** Bing,J-\$20.29; Diede,K-\$28.70; Hatheway,A-\$28.70; Kegler,H-\$28.70; Mcgrath,M-\$21.74; Montgomery,W-\$32.18; Ribordy,R-\$36.24; Ruzicka,D-\$20.58; Shama,K-\$21.74; Smith,B-\$20.58; Tobacco,T-\$47.84; Weiers,A-\$28.70; Weiers,M-\$28.70; Dubray,A-\$56.38; Hodson,T-\$58.70; Larson,M-\$60.44; Merrow,C-\$59.86; Sartorius,L-\$59.28; Talsma,K-\$58.70; Tisdall,R-\$55.80; Wegenke,J-\$59.86; Wellard,C-\$51.16; Amundson,C-\$24.50; Anderson,M-\$16.96; Balo,M-\$24.50; Bates,L-\$18.12; Bergstrasser,J-\$12.32; Brady,E-\$16.96; Bridges,K-\$117.40; Brink,H-\$13.48; Burich,J-\$15.80; Buxton,M-\$123.20; Clarkson,J-\$17.54; Collins,M-\$19.86; Crane,T-\$21.60; Croft,J-\$16.96; Dahlgren,K-\$21.60; Ded,T-\$12.90; Fallon,W-\$20.44; Feeser,J-\$18.70; Feterl,F-\$12.90; Geller,M-\$10.58; Gienger,K-\$19.86; Gould,A-\$18.12; Harn,P-\$21.60; Hauser,W-\$21.60; Heckenlaible,A-\$117.40; Hemmah,H-\$21.60; Hemmingson,T-\$21.60; Hill,R-\$117.40; Holzer,D-\$115.08; Hoscheid,T-\$117.40; Jennings,A-\$18.70; Jensen,K-\$125.52; Keehn,R-\$10.58; Kelly,B-\$117.40; Koehler,P-\$21.60; Latuseck,-\$11.74; Lee,G-\$18.12; Mammenga,J-\$13.48; Marrs,D-\$24.50; Meehan,W-\$12.32; Metzger,D-\$13.48; Milano,F-\$21.60; Miller,E-\$10.58; Milos,L-\$101.16; Newcomer,J-\$19.28; Pedneau,E-\$24.50; Peppmeier,J-\$11.74; Peters,D-\$108.12; Reimer,R-\$12.32; Sjomeling,M-\$10.58; Skvicalo,J-\$14.64; Snorteland,I-\$18.70; St James,C-\$18.70; Surdez,M-\$18.12; Teigen,B-\$117.40; Tetrault,S-\$120.88; Tiffany,J-\$21.60; Tinnell,C-\$11.74; Tinnell,J-\$15.80; Vansco,J-\$18.70; Wager,B-\$19.28; Williamson,L-\$64.80

ADJOURN: 11:25 a.m. - There being no further business it was Moved-Seconded (Douglas-Mattson) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – FEBRUARY 12, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on February 12, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, and George Opitz present. Connie H. Douglas absent. Mattson left at 9:30 a.m. for a funeral.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Opitz-Seward) to approve the minutes of January 22, 2002. Motion Carried. Douglas absent.

COUNTY COMMISSION REPRESENTATION: Per SDCL 7-8-10, the Board of County Commissioners, at its regular meeting in February of each year ending in the numeral “2” (following the federal decennial census) has to declare representation by either Districting election system or At-Large election system. The present system of At-Large representation has been in effect since 1973.

Moved-Seconded (Opitz-Seward) to continue the present system of “At-Large Representation” election of the Lawrence County Commissioners. Motion Carried. Douglas absent.

PERSONNEL:

SHERIFF: Moved-Seconded (Weisenberg-Opitz) to approve Darla Eichler and Crystal Davis as a temporary part time transport/guard at the rate of \$8.92 an hour effective 1-14-2002; Michael P. Steffen as a correctional officer I at the rate of \$10.53 an hour after 40 hours of training at \$6.74 an hour, effective 2-1-02; and to approve Shawn Hantke as a reserve deputy at the rate of \$10.30 an hour effective 1-29-02. Motion Carried. Douglas absent.

HIGHWAY: Moved-Seconded (Opitz-Mattson) to approve Robert Keller as a full-time light equipment operator at the rate of \$13.47 an hour effective February 19, 2002. Motion Carried. Douglas absent.

VOLUNTEER FIRE DEPARTMENT MEMBERS: Moved-Seconded (Opitz-Seward) to approve the following list of Volunteer Fire Fighters for insurance purposes. Motion Carried. Douglas absent. Jack Morcom, Robert Harvey, Melvin Williams, William Hill, Rod Galland, Tom McGrath, Ron Hilden, Kenneth Scott, Bill Adam, Jim McGinnis, Clark Redinger, Wade Hart, Robert Geis, Dr. Steve Fox, Nancy Hart, Dan Schenk, Charles Edwards, George Meisner, Jeremy Myers, Charles V. Nicholas, Charles W. Nicholas, Sallie J. Nicholas, Bob Patterson, Dee Richards, Keith Richards, J. Daniel Schenk, Bob Smith, Doug Symonds, Tanya Timm, Wade Weaver, Gordon Dovre, Brenda Cheirrett, Michael Kyte Jr., Joanne Nicholas, Verla J. Nicholas, William Sayler, Cleo Burghduff, Laura Smith, Loren Benedict, Tony Balistreri, Ken Fish, Ron Hofer, Don Kelley, Casey Keough, Mark Nelson, Vince Pfeifle, Larry Rhodes, Bob Richards, Ron Rust, Clint Schell, Terry Schmitz, Fred Schumann, Chad Solaas, Gary Solaas, Mike Whalan, Rick Krahn, Dennis Anderson, Mike Anderson, Scott Anderson, Ron Blotz, Clay Cole, Loren Dobyms, Matt Fortier, Gary Heaton, Robert Mattox, Bryce Quaschnick, Don Quaschnick,

Tim Quaschnick, Rhea Travino, Ed Suvada, Loren Vrem, Dave Hall, T.J. Larson, Arlendo, Lillehaug, Lotus Lillehaug, Gary Lillehaug, Jim Sheverling, Janit Sheverling, Dale Richards, Jim Klansnick, Dale Gillette, Ivon Polyakuv, Jack Wanstedt, Barbara Wanstedt, Bill Heying, John Finn, Jim Dunn, Dorby Parsons, Chuck, Bossert, Sunday Bossert, Leonard Burtzlaff, Tom Callaway, Leo Derosier, Frank Ensor, Todd Fierro, J.D. Geigle, Steve Hart, Cheryl Hogg, Tom Hughes, Philip Huyck, Mike Ingwersen, Cliff Jensen, Ray Kinghorn, Neilon Millar, Russel Millar, Terry Moe, Warren Moe, Brent Olson, Curt Olson, Ryan Olson, Don Osborne, Penny Osborne, Twyla Reede, Denny Rehorst, Devin Stephens, Glenn Stephens, Jim Tetrault, Tim Tetrault,

FOREST SERVICE PHASE II FOREST PLAN STEERING COMMITTEE: Moved-Seconded (Seward-Opitz) to appoint Keneth Lee to the Governor's Steering Committee and to appoint Bill Coburn as the alternate, and to reimburse their expenses for mileage, meals and lodging. Motion Carried. Douglas absent.

TRAVEL REQUESTS:

PLANNING & ZONING: Moved-Seconded (Opitz-Mattson) to approve the travel request for Erik Birk to attend the Rocky Mountain Land Use Institutes Land Use Conference in Denver Colorado on March 6- 10, 2002. Motion Carried. Douglas absent.

WEED:

Moved-Seconded (Opitz-Seward) to approve the travel request for Dan Hefner, Jerry Boyer and David Heck to attend the 2002 legislation concerning a bill on January 22-23, 2002. Motion Carried. Douglas absent.

Moved-Seconded (Weisenberg-Opitz) to approve the travel request for David Heck to attend the SD Weed and Pest Annual Conference in Huron, SD on February 20-22, 2002. Motion Carried. Douglas absent.

HIGHWAY: Moved-Seconded (Weisenberg-Seward) to approve the travel request for Chuck Williams to attend the Highway Short Course in Deadwood on March 5 – 7, 2002. Motion Carried. Douglas absent.

PUBLIC DEFENDER: Moved-Seconded (Weisenberg-Opitz) to approve the travel request for Joseph Kosel to travel to Salt Lake and Evanston Wyoming in March of 2002 for investigation reasons. Motion Carried. Douglas absent.

LETTER TO THE EDITOR: Moved-Seconded (Opitz-Mattson) to approve of the following letter to the Editor by Commissioner Weisenberg. Motion Carried. Douglas absent. **LETTER TO THE EDITOR:** During the Revolutionary War, Thomas Paine penned a book called Common Sense, which became the rallying cry for the American troops. We would like to think that this letter would serve as a common sense approach to the bug tree problem. Beaver Park is simply a disaster that in the words of the champion of our cause, Governor Janklow, will happen "not if but when". This has the potential to cause a staggering loss of lives to Black Hills

residents. You have the timber industry, which is fighting for its economic life and has seen the closure of a sawmill in Newcastle that put many hard-working people out of needed jobs. The question then becomes, which would you rather see as a use of your hard earned tax dollars? Fighting a forest fire of epic proportions, which the cost of other fires has exceeded millions, with hundreds of brave firefighters risking their lives or having the Black Hills Forest be managed with the harvest of trees that provides jobs and a healthier forest as it has for over a hundred years? If the obstructionists do not remove their objections to timber harvests in the Black Hills, we can only hope that someone will forgive them because the good citizens of the Black Hills who are going to lose fathers, mothers, sons and daughters – won't. Sincerely, Terry W. Weisenberg, Lawrence County Commissioner

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Weisenberg-Seward) To accept the following report as read by the Auditor. Motion Carried. Douglas absent.
Auditor's Account with the County Treasurer: The Auditor's Account with the County Treasurer as of January 31, 2002 showed the following: Total amount of deposits in banks-\$10,254,434.86; Total amount of actual cash-\$1,000.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$34,639.32; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$2,583.64; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$5,500,000.00; Bank Balance-\$3,845,251.64; GNAM's-\$153,298.88; and Money Market \$755,884.34.

SUPPLEMENTAL BUDGETS: Moved-Seconded (Seward-Weisenberg) to set a supplemental budget for February 26th, 2002 at 8:45 a.m. for Airport Wind Storm - \$530,165; Airport Capital Improvements - \$50,000. Motion Carried. Douglas absent.
Moved-Seconded (Seward-Mattson) to set a supplemental budget for February 26th, 2002 at 8:45 a.m. for Teen Court - \$2,840.34; Extension \$169.63; Impact and Economic Funding - \$62,000. Motion Carried. Douglas absent.

HIGHWAY BUSINESS:

WHITEWOOD SERVICE ROAD: Moved-Seconded (Seward-Mattson) to set the bid opening date for the Whitewood Service Road Overlay for April 9th, 2002 at 9:00 a.m. Motion Carried. Douglas absent.

MAGNESIUM CHLORIDE BID: Moved-Seconded (Weisenberg-Seward) to set the bid opening date for Price Per Ton Magnesium Chloride for April 9th, 2002 at 9:10 a.m. Motion Carried. Douglas absent.

ABATEMENTS:

HEYING, JAYNE LYNN: Moved-Seconded (Opitz-Seward) to approve the abatement for Jayne Lynn Heying on parcel #31090-03100-070-10 E Pt Lot 7 Blk 31 of Lead, because the house was torn down in May of 2001. Motion Carried. Douglas absent.

KAISER, DOUGLAS: Moved-Seconded (Weisenberg-Seward) to approve the abatement for Douglas Kaiser on parcel #24510-00702-324-42 #2 Wagon Wheel Drive because Owner Occupied status was erroneously not applied to property. Motion Carried. Douglas absent.

RABE ELEVATOR SERVICE AGREEMENT: Moved-Seconded (Opitz-Seward) to approve and authorize the Chairperson to sign the Amendment to the Service Agreement with Rabe Elevator. Motion Carried. Douglas absent.

INTERGOVERNMENTAL AGREEMENT FOR HAZARDOUS MATERIALS EMERGENCY ASSISTANCE: Moved-Seconded (Opitz-Seward) to approve and authorize the Chairperson to sign the Intergovernmental Agreement for Hazardous Materials Emergency Assistance in the amount of \$1,500 with the Fire Department of Rapid City. Motion Carried. Douglas absent.

Chairperson Mattson turned the meeting over to Vice Chairman Seward.

TRANSFER OF LICENSE TO SELL INTOXICATING LIQUOR / PONDEROSA BAR / NEMO GUEST RANCH: The Board discussed the application to transfer a license to sell intoxicating liquor outside the municipalities, for the year 2002.

Moved-Seconded (Weisenberg-Opitz) to approve the RETAIL AND SUNDAY ON-SALE LICENSE & PACKAGE OFF-SALE LIQUOR PREVIOUS LICENSE: RL-5793 & PL-4718: RON WICK, PONDEROSA BAR / NEMO GUEST RANCH, INC., Nemo, SD, Nemo Placer Mineral Survey 1368, Section 27, Township 3 north, Range 5 east, Lawrence County, SD. TRANSFER TO: KIM J. RHODES; BRANDING IRON BAR & RESTAURANT, PO Box 117, Nemo, SD, Nemo Placer Mineral Survey 1368, Section 27, Township 3 north, Range 5 east, Lawrence County, SD.; contingent upon the receipt of a copy of the new sales tax license. Motion Carried. Mattson & Douglas absent.

COMPUTER DEPARTMENT SUPPORT: Greg Dias, Computer Systems Manager, was present to ask for guidelines in providing support and programs to Soil Conservation. Dias stated since the restructuring of the Soil Conservation Office he needed to know what support if any he was to provide. The Board stated Soil Conservation is no longer a department of the County and we would not be providing support or supplying them with software licenses. Dias will meet with the Soil Conservation Office and remove any software belonging to Lawrence County and provide them with a list of needed program.

BLACK HILLS LAND ANALYSIS: Rob Mattox, GIS Analysis / Consultant for Black Hills Land Analysis, was present to explain his Mission Statement. Mattox reviewed services his business can provide in the future to the County, Businesses and individuals.

CONDITIONAL USE PERMIT #280 / AMY PETERSON: A public hearing was held on a request for Conditional Use Permit #280 for Amy S. Peterson to allow treatment of specific

issues through hypnotherapy - Approximately 4 miles east of Highway 85 on the Crook City Road. Peterson reviewed the proposal for her Enhanced Learning Center – Hypnosis and Counseling.

Don Pickett stated he was the nearest neighbor and was in support of the CUP #280. The public hearing was closed.

Moved-Seconded (Weisenberg-Opitz) to follow Planning and Zoning recommendation and approve Conditional Use Permit #280 for Amy Peterson with the following conditions. Motion Carried. Mattson & Douglas absent. CONDITIONS: 1. The owner/operator shall comply with all applicable County, State, and Federal regulations regarding this type of business. 2. Only one on-premise sign shall be allowed on the property and comply with the Lawrence County Zoning Ordinance Section 4.2. Sign Regulations. The sign shall not be allowed within the county highway right-of-way of Crook City Road. 3. The three existing cabins on the property shall be used only for personal use or the use defined in this conditional use permit and not for any other commercial usage. 4. All lights used for exterior illumination shall be directed away from any nearby residences and Crook City Road. 5. Any parking pertaining to the operation shall comply with Section 4.1 of the Lawrence County Zoning Ordinance. The parking areas shall be graveled and located within a designated area. 6. One telephone shall be made available in case of emergencies. A list of emergency numbers including the sheriff's department number shall be placed next to the phone. 7. Any change of land ownership shall constitute a cancellation of this conditional use permit. 8. This permit shall be reviewed on an annual basis, or an as needed basis should complaints arise to assure compliance with the attached conditions, at which time additional conditions may be attached. 9. If any term, condition or regulation stipulated in the Conditional se Permit, the Lawrence County Zoning Ordinance or applicable state and federal regulations are not fully complied with in all respects, this permit shall be reviewed and be suspended or revoked.

GOLDEN REWARD MINE FINAL CLOSURE AND RECLAMATION: Carol Koerner, Wharf Resources, was present to update the Board on the final closure and reclamation of Golden Reward Mine. Koerner stated of the 400 acres disturbed 46% are reclaimed leaving 213 acres to be reclaimed this summer. Reclamation will consist of back filling, top soiling and seeding. Tree planting will take place in 2003 or 2004. Koerner asked the Board for permission to work 24 hours, 7 days a week if needed. Koerner stated they do not anticipate any need to blast but if it is necessary they will do all blasting during daylight hours and during the weekdays. Dale Peters, resident of the area, expressed concerns on weed control, dust control, water runoff, noise and well monitoring. Seward stated Golden Reward needs to have absolute dust control. Koerner stated they will work with Peters to be sure his concerns are taken into consideration. Moved-Seconded (Opitz-Weisenberg) To allow operation of the reclamation project 24 hours, 7 days a week. Any complaints will be filed at the Lawrence County Planning and Zoning and if they are not resolved they will then be presented to the County Commissioners. Motion Carried. Mattson & Douglas absent.

NORTHERN HILLS ALCOHOL & DRUG SERVICES: Mary Wood-Fossen and Harley Weyer of Northern Hills Alcohol & Drug Services were present to request additional funding. Wood-Fossen reviewed the changes in hours of services provided to individuals who meet 185% of poverty guidelines since 1999. Because of increased referrals they have moved into an office with more space and to hire an additional counselor. Moved-Seconded (Weisenberg-Opitz) to do a contingency transfer of \$2,500 to Alcohol & Drug Abuse and allocate an additional \$2,500 to the Northern Hills Alcohol & Drug Services. Motion Carried. Mattson & Douglas absent.

RS 2477 FOREST ROADS: Bill Coburn and Brad Gordon, Timber Committee Members, were present to discuss RS2477 Forest Roads with the Board. Coburn and Gordon presented the following request: The Lawrence County Timber Committee respectfully requests that the Lawrence County Commissioners consider the availability of United States revised statute §2477 (RS 2477) as a legal mechanism for the protection of public access to roads and trails throughout the county which are determined to be “public highways”. In this regard, RS 2477 which was enacted in 1866 provides “that the right of—way for the construction of highways over public lands, not reserved for public uses, is hereby granted.” Although RS 2477 was repealed by Congress in 1976 pursuant to the Federal Land Policy Management Act, it can nevertheless be used to allow for the continued use and to prevent the closure of county roads and trails across public lands if four conditions are met: (1) The land involved must have been unreserved public lands, which is determined by a review of the public land records in the state office of the Federal Bureau of Land Management. (2) The road or trail must have existed prior to October 21, 1976, and prior to the reservation by the federal government of land the trails traverse. For example, on February 22, 1897, the federal government set aside 967,680 acres of the Black Hills as a federal reserve. In order to be considered for RS 2477 right-of-way designation, any roads or trails within the confines of this reserve would have to be shown to exist prior to February 22, 1897. (3) Some form of construction of the roads or trails must have occurred. Construction is defined as the physical act of readying the highway for use by the public according to the available or intended mode of transportation, e.g., foot, horse, vehicle, etc.. The definition of construction is extremely liberal. For example, the passage of vehicles by users over time may qualify as actual construction. (4) The road or trail must be considered a public highway, a factor which is determined by state law. The inclusion of a road or trail in a state, county or municipal road system renders the same a public highway for the purpose of establishing the existence of an RS 2477 right-of-way. Further, under South Dakota Law, uncontested public use or use by “prescriptive easement is another way of establishing a road or trail as a public highway. This method is known as “dedication by implication” and depends on the facts of the particular case, and no hard and fast rule can be laid down as a guide in this regard. To determine whether a road or trail existed on or before October 21, 1976, the date of repeal of RS 2477, a review of maps, Bureau of Land Management or county records, and other factual data must be made. Enlisting the services of a competent individual to conduct this historical investigation would appear to be appropriate if it is the intention of the Lawrence County Commission to assert its rights under RS 2477. After such investigation has been conducted and, of course, the appropriate conclusions are reached regarding such roads or trails, the next step would be to request a letter of acknowledgement from either the United States Forest Service or the Bureau of Land Management, depending upon jurisdiction, that such road

or trail be treated as a valid use of public land. The Bureau of Land Management's rejection of an RS 2477 assertion can be resolved in either state or federal court.

Moved-Seconded (Opitz-Weisenberg) To direct Weisenberg and Barrett to prepare a request for quotes to research and identify historical roads and trails that are eligible for RS 2477 designation. Motion Carried. Mattson & Douglas absent.

COOPERATING STATUS / SPEARFISH CANYON LANDSCAPE ASSESSMENT: Bill Coburn, Timber Committee Member, suggested the Board of Commissioners request Cooperating Status for the spearfish Canyon Project. Moved-Seconded (Weisenberg-Opitz) To send a letter to the Forest Service requesting Cooperating Status for the Spearfish Canyon Landscape Assessment Project. Motion Carried. Mattson & Douglas absent.

BILLS: Moved-Seconded (Weisenberg-Opitz) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried. Mattson & Douglas absent.

Payroll: Comm-\$3,162.83; Aud-\$4,834.75; Treas-\$7,669.79; Comp-\$4,694.47; States Atty-\$8,012.60; Pub Def-\$5,817.41; Gen Govt Bldg-\$4,662.01; Equal-\$8,392.61; Deeds-\$5,638.03; Vso-\$688.72; Disp-\$9,330.50; Sher-\$28,700.26; Jail-\$15,982.39; Emerg Mgnt-\$1,287.50; E911-\$1,342.08; Highway-\$30,081.95; Exten-\$1,173.12; Weed-\$1,511.25; Pz-\$2,460.57; **Bills:** Dias,G-\$6.84; Haupt,J-\$10.58; Heck,D-\$191.12; Kosel,J-\$5.30; Meverden,J-\$28.00; Mowell,R-\$7,821.00; Thomson,P-\$371.87; Weisenberg,T-\$411.48; Ziegenbein,S-\$14.04; A&B Business Equip Inc-\$2,113.96; A&J Supply-\$25.29; Abc Business Supply Corp-\$431.21; Acme Micro Systems-\$187.00; Active Data Systems Inc-\$346.37; Alco Store Inc-\$59.99; Altaire Enterprises Inc-\$1,510.00; Amcon Distributing-\$210.72; American Family Life Inc-\$1,966.06; American Legion Post 31-\$50.00; Bh Chemical Company Inc-\$2,129.05; Bh Collection Service Inc-\$25.00; Bh Council Of Local Govt-\$6,877.50; Bh Federal Credit Union-\$6,673.29; Bh Pest Control-\$95.00; Bh Pioneer Inc-\$484.64; Bh Power & Light Rapid-\$1,317.71; Bh Regional Multiple Inc-\$100.00; Bh Travel Agency-\$2,132.48; Bh Truck And Trailer Inc-\$219.85; Best Business Prod Inc-\$33.37; Bickle's Truck & Diesel-\$144.73; Binder,T-\$40.25; Blue Cross-\$34,149.93; Bob Barker Company Inc-\$1,387.96; Brevik & Thurman Llc-\$136.29; Business Aviation Inc-\$2,648.56; Butler Law Office-\$3,124.12; Butler Machinery Co Inc-\$453.95; Butte County Sheriff-\$8.20; Butte Electric Coop Inc-\$445.95; Cameron Communications-\$479.94; Cardinal Printing-\$593.75; Carlson,D-\$30.00; Central Parts-\$332.14; Chinatown Café-\$138.92; Christensen Law Office-\$7,042.73; City/County Alcohol & Drug-\$190.00; Clinical Lab Of Bh Inc-\$1,172.62; Coburn Insurance Agency-\$3,341.00; Comfort Inn Of Pierre-\$35.00; Community Health Services-\$142.50; Computerland Inc-\$35.00; Conoco-\$273.59; Contractors Insulation-\$1,561.60; Corral West-\$134.75; Culligan Soft Water Serv Inc-\$126.50; Cvd Construction Inc-\$825.00; Dakota Travel Inc-\$550.50; Dartek Computer Supplies Corp-\$379.70; Deadwood Lumber Company Llc-\$70.81; Deadwood Recreation Center-\$70.00; Deadwood Supply Inc-\$230.45; Deadwood City Of-\$447.80; Decatur Electronics-\$1,226.75; Deckers Food Inc-\$26.38; Dept Of Hlth Lab Services-\$250.00; Dept Of Human Services-\$21.80; Dept Of The Treasury-

\$34,298.95; Dietrich,D-\$209.68; Ecolab Inc-\$84.00; Einspahr,B-\$324.00; Ekeren,M-\$30.00; Ellingson,J-\$962.82; Equipment Service Prof Inc-\$304.64; Farm Plan/Rdo Inc-\$65.29; Firewise Communities-\$125.00; Fish,V-\$207.00; Frederickson,J-\$296.70; Frontier Precision Inc-\$250.00; Gene's Lock Shop Inc-\$4.50; Godfrey's Brake Serv Inc-\$164.64; Gold Dust Inc-\$87.79; Great Western Tire Inc-\$79.95; Havemeier,L-\$12.90; Herd's Ribbon Reinking-\$82.75; Iaa Inc-\$150.00; Ibm Corp Sqh-\$149.40; Ikon Office Solutions Inc-\$351.40; Interstate Companies Inc-\$248.59; Johnson Ford Inc-\$495.55; Kadrmas Lee And Jackson Inc-\$1,017.10; Kdsj-\$25.00; Ken's Camper Sales-\$53.00; Kimball-Midwest Co Inc-\$85.16; Kinney & Koch Llp-\$642.07; Koala Electric Inc-\$491.96; Lc Centennial Inc-\$643.02; Lc Public Health-\$2,208.00; Lc Sheriff-\$7.62; Lead-Deadwood Sanitary-\$164.88; Lee,J-\$30.00; Leiker,L-\$225.50; Light & Siren-\$268.90; Lucero,L-\$150.00; Lyle Signs Inc-\$29,146.01; Manlove Psychiatric Group-\$411.00; Matthew Bender & Co Inc-\$52.23; May Johnsondoyle & Becker Inc-\$949.90; Mcleod's Office Supply Inc-\$486.19; Meade County Sheriff-\$7.80; Minitman Inc-\$20.70; Montana-Dakota Util-\$4,121.93; Murphy,J- \$3,348.00; Mutchler,T-\$711.85; Nh Family Ymca-\$446.00; Nat'l 4-H Council-Supply Serv-\$51.29; National Sheriff's Assoc-\$100.00; Neve's Uniforms Inc-\$553.48; Nicholas,C-\$35.00; Novus-\$70.00; Office Max-\$149.99; Office Of Child Support-\$284.50; Pennington County Sheriff-\$7.50; Pierre Days Inn-\$58.64; Pizza Hut Inc-\$295.33; Porter Law Office Pc-\$1,593.95; Postmaster Deadwood-\$125.00; Postmaster Spearfish-\$102.17; Queen City Medical Center-\$25.00; Qwest-\$1,847.50; Rc City Of-\$455.00; Rc Community Health-\$37.20; Rc Finance Office-\$1,500.00; Rc Regional Hospital Inc-\$2,572.32; Rabe Elevator-\$515.61; Radio Shack/Kazco Inc-\$21.96; Rapid Delivery Inc-\$12.25; Rasmussen Software Inc-\$725.00; Reindl,S-\$1,324.59; Renka,R-\$249.40; Rocky Mtn Instrumental Lab Inc-\$400.00; Root Spring Scraper Co-\$111.94; Sd Retirement System-\$29,720.95; Sd State Treasurer-\$22,368.64; Sd Association Of County-\$215.00; Sd Emergency Mngt Association-\$60.00; Sd Supplemental Retirement-\$662.50; Sanito Oil Inc-\$1,675.39; Schmitz,T-\$844.20; Schumaker,A-\$7.43; Servall Towel & Linen Inc-\$381.78; Spearfish Husky-\$419.90; Spearfish Surgery Center-\$25.00; State Disbursement Unit-\$60.00; State Radio Communication-\$2,619.00; Teen Court Inc-\$113.76; The Wrench Specialties-\$100.50; Triple K Tire & Repair-\$548.04; Twin City Hardware-\$349.44; Us Bank-\$1,125.00; Usd School Of Law Foundation-\$45.00; United Parcel Service-\$3.68; University Of Denver-\$225.00; Verizon Wireless Inc-\$216.60; Viking Office Prod-\$194.31; Walmart Store Inc-\$689.27; Waste Connections Inc-\$343.74; Weed & Pest Conference-\$40.00; Western Communication Inc-\$294.10; Western Stationers-\$1,062.43; Williams Standard Serv-\$59.09; Wyoming Child Support Coll-\$190.00; Yankton Co Sheriff-\$33.00; Young's Hardware Hank-\$25.88; Zep Manufacturing Co Inc-\$76.06; **Witness & Jurors:** Fremo,T-\$50.58; Hansen,T-\$50.58; Hart,N-\$55.80; Heinen,J-\$51.74; Luze,T-\$51.74; Maki, P-\$58.70; Olsen,C-\$50.58; Scott,D-\$58.70; Dubray,A-\$56.38; Hodson,T-\$58.70; Larson,M-\$60.44; Merrow,C-\$59.86; Sartorius,L-\$59.28; Talsma,K-\$58.70; Tisdall,R-\$55.80; Wellard,C-\$51.16; Crofutt,P-\$60.44; Aberle,D-\$12.32; Anderson,T-\$117.40; Arehart,U-\$18.70; Aslesen,H-\$18.70; Bacon,D-\$18.70; Berry,R-\$101.16; Burns,M-\$18.70; Cihak,S-\$18.70; Cody,M-\$21.60; Danko,D-\$117.40; Dell,J-\$18.70; Derby,T-\$10.58; Dittus,D-\$10.58; Dowdy,R-\$111.60; Eckrich,S-\$18.70; Edwards,A-\$18.70; Ellerton,D-\$18.70; Enderby,J-\$11.74; Fischer,D-\$101.16; Gabel,M-\$18.70; Gallego,D-\$12.32; Glos,G-\$14.06; Hamilton,P-\$18.70; Heisinger,E-\$11.16; Helmberger,D-\$117.40; Higbee,J-\$18.70; Hughes,D-\$18.70; Jacobs,K-\$12.90; Johnson,C-\$15.80; Jones,C-\$18.70; Klumb,D-\$117.40; Larsen,M-\$12.32; Lynass,L-\$19.86; Maas,J-\$21.60; Martin,N-\$21.60; Mcdaniels,T-\$16.96; Mitchell,J-\$21.60; Nickelson,B-\$21.60; Opstedahl,J-\$21.60; Pehrson,J-\$10.58; Percy,M-\$11.74; Rantapaa,K-\$16.96; Reman,R-\$117.40; Rentz,S-

\$21.60; Richards,T-\$22.76; Ringling,D-\$10.00; Risdal,S-\$18.70; Ruth,K-\$10.58; Sack,J-\$11.74; Sailer,P-\$101.16; Schutterle,T-\$12.32; Shafto,D-\$18.70; Sprigler,D-\$18.70; Stewart,J-\$103.48; Sulentic-Morcum,C-\$10.00; Sullivan,M-\$11.74; Tetrault,T-\$19.28; Trentz,D-\$12.90; Valdez,M-\$18.70; Varland,C-\$21.60; Wager,V-\$19.86; Waterland,K-\$21.60; Watwood,D-\$16.96; Whitelock,R-\$21.60; Whiton,B-\$103.48; Williams,L-\$117.40; Zehfus,M-\$21.60; Aberle,V-\$12.32; Adam,G-\$18.70; Arsaga,B-\$101.16; Ausmann,W-\$11.74; Baker,S-\$21.60; Barden,S-\$111.60; Bauernfeind,J-\$11.74; Benedict,L-\$24.50; Berryhill,M-\$21.02; Bridenstine,C-\$103.48; Charlson,S-\$18.70; Collins,J-\$18.70; Coughlin,C-\$18.70; Cudmore,L-\$123.20; Dahl,S-\$13.48; Deranleau,C-\$21.60; Derby,P-\$11.74; Deviries,M-\$11.74; Eddy,H-\$18.70; Finley,E-\$20.44; Fleming,P-\$12.32; Franco,R-\$11.74; Goetz-Taft,P-\$20.44; Guilbert,S-\$10.58; Hallan,J-\$21.60; Hammerquist,D-\$18.70; Harr,N-\$23.34; Harrington,K-\$24.50; Hartl,M-\$18.70; Heckel,V-\$19.28; Heggem,J-\$21.60; Heisz,D-\$18.70; Huck,R-\$113.92; Keene,J-\$10.58; Korvela,J-\$19.28; Lannen,S-\$17.54; Lehto,J-\$12.32; Matthesen,D-\$18.70; Mattson,R-\$15.80; Mayer,W-\$12.90; Mcinerney-Hall,P-\$119.72; Meeker,A-\$21.60; Mollman,A-\$20.44; Neighbours,M-\$18.70; Neuharth,C-\$15.80; Newlon,L-\$12.90; Pearson,W-\$12.90; Prince,R-\$11.74; Richards,A-\$23.92; Ross,R-\$103.48; Schroeder,J-\$18.70; Sorenson,J-\$10.58; Steffen,S-\$12.32; Swanson,J-\$10.58; Titus,M-\$104.64; Wangen,A-\$113.92; Wannarka,M-\$115.08; Yard,H-\$123.20; Young,D-\$355.68.

ADJOURN: 11:35 a.m. - There being no further business it was Moved-Seconded (Opitz-Weisenberg) to adjourn. Motion Carried. Mattson & Douglas absent.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – FEBRUARY 26, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on February 26, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, and Connie H. Douglas present. George Opitz absent.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Weisenberg-Seward) to approve the minutes of February 12, 2002. Motion Carried. Opitz absent.

AIRPORT: Moved-Seconded (Weisenberg-Seward) to pay attorney fees to Tom Brady, who represented Lawrence County in the appeal of the allocation of airport matching funds. Motion Carried. Opitz absent.

PERSONNEL:

SHERIFF: Moved-Seconded (Weisenberg-Douglas) to approve the advertising of a part-time Dispatcher. Motion Carried. Opitz absent.

Moved-Seconded (Weisenberg-Douglas) to approve the advertising of a full-time Dispatcher. Motion Carried. Opitz absent.

Moved-Seconded (Weisenberg-Douglas) to approve the advertising of two full-time Correction Officers. Motion Carried. Opitz absent.

Moved-Seconded (Seward-Douglas) to approve the advertising of a part-time Correction Officer. Motion Carried. Opitz absent.

Moved-Seconded (Weisenberg-Seward) to approve Cherish Evans at \$8.92 an hour for 3 months; to fill in for Judy Metzger when she is on maternity leave. Motion Carried. Opitz absent.

Rick Mowell, Sheriff and Chairperson Mattson presented LeeAnn Burrer, Correction Officer with a certificate of recognition for her extraordinary job performance by saving the life of an inmate.

TRAVEL REQUESTS:

PUBLIC DEFENDER: Moved-Seconded (Seward-Mattson) to approve the travel request and advance expenses for Joe Kosel. Motion Carried. Opitz absent.

VETERAN SERVICE OFFICE: Moved-Seconded (Weisenberg-Seward) to approve the travel request for William Locken to attend the VSO Congressional Forum in Hot Springs on March 6, 2002. Motion Carried. Opitz absent.

EQUALIZATION: Moved-Seconded (Douglas-Seward) to approve the travel request for Darlene Piekkola. For when she testified before the State Affairs, in Pierre January 29 & 30, 2002. Motion Carried. Opitz absent.

SOIL CONSERVATION OFFICE: Moved-Seconded (Seward-Weisenberg) to deny Soil Conservations request for unspent funds from last years Soil Conservation budget for Lawrence County's contribution to the Belle Fourche River Watershed Partnership study. The board suggested drafting a letter to the Conservation Office explaining that they can not put the funds back into their budget. Motion Carried. Opitz absent.

HOUSING BOARD: Moved-Seconded (Douglas-Seward) to appoint Jim Rotert to the Lawrence County Housing Board to replace Pat Asmussen. Rotert will fill the 5-year term. Asmussen asked to be taken off the board for personal reasons. Motion Carried. Opitz absent.

EXTENSION AUTOMATIC SUPPLEMENT: Moved-Seconded (Seward-Weisenberg) to do an automatic supplement to the Extension postage budget for a grant received in the amount of \$1,303.70. Motion Carried. Opitz absent.

RESOLUTION #02-05 TO ADOPT A SUPPLEMENTAL BUDGET: A public hearing was held on Resolution #02-05 to adopt a supplemental budget. Moved-Seconded (Weisenberg-Douglas) to approve the following Supplemental Budget Resolution #02-05. Motion Carried. Opitz absent.

RESOLUTION #02-05 TO ADOPT A SUPPLEMENTAL BUDGET: WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND: AIRPORT – WIND STORM – \$530,165; AIRPORT – CAPITAL IMPROVEMENT - \$50,000; COURTS - TEEN COURT - \$2,840.34; EXTENSION – GRANT - \$169.63; SEVERANCE TAX FUND: IMPACT & ECONOMIC FUNDING - \$62,000. The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 26th day of February, 2002 at the hour of 8:45 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 26th day of February, 2002. BOARD OF COUNTY COMMISSIONERS: LAWRENCE COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, And George Opitz. ATTEST: Connie Atkinson, Auditor.

HIGHWAY BUSINESS

RESOLUTION #02-06 BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SD DOT RETAINER CONTRACTS: Moved-Seconded (Douglas-Seward) to approve the following resolution. Motion Carried. Opitz absent. **BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS WHEREAS.** Paragraph 124 of Title 23, United States Code (USC), requires initial inspection of all bridges and reinspection at intervals not to exceed two years. **THEREFORE** Lawrence County is desirous of participating in the Bridge Inspection Program using Bride Replacement funds. Lawrence County requests SDDOT to hire NJS Engineering (Consulting Engineers) for the reinspection work. The SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the county for 20% of the-cost. County will be responsible for the required 20% matching funds. There are a total of 42 bridges in Lawrence County that require reinspection. Dated this 26th day of February 2002 at Deadwood South Dakota. Board of County Commissioners of Lawrence County Barbara Mattson, Chairperson. **ATTEST:** Debbie Sargent, Deputy County Auditor.

STRIPING PROJECT: Moved-Seconded (Weisenberg-Seward) to approve and authorize the Chairperson to sign the Striping Project with the Department of Transportation for approximately 75.4 miles of Lawrence County roads, estimated cost \$27,733.08. Motion Carried. Opitz absent.

FUEL QUOTES: The following fuel quotes were submitted for March 2002 fuel: (prices per gallon) **Cenex Oil Co.** - Highway Dept. - Regular Gasoline - \$.92; No. 1 Diesel - \$.729; No. 2 Diesel - \$.669; 50/50 Blend - \$.699; and Sheriff Office - Unleaded Gasoline - \$.92. **Sanito Oil Company** - Highway Dept. - Regular Gasoline - \$.989; No.1 Diesel - no bid; No.2 Diesel - \$.699; 50/50 Blend - \$.728; and Sheriff Office - Unleaded Gasoline - \$.989. **Moved-Seconded** (Seward-Mattson) to accept the lowest fuel quote submitted from **Cenex Oil Company**. Motion carried. Opitz absent.

BID OPENING – SHERIFF PATROL VEHICLES: The following bids were received for Two Patrol Vehicles for the Sheriff’s Office: Jacobsen Ford-Mercury, Sturgis and Johnson Ford Lincoln-Mercury, Spearfish.

Jacobsen Ford-Mercury bid- (2) 2002 Ford Explorer 4 door 4x4 utility vehicles \$47,860.00, trade allowance \$2,250.00. Total price \$45,610.00. Specifications exceptions: 1- no power seat; 2-roof mount spotlight in lieu of door post mount spotlight.

Johnson Ford –Option 1 - (2) 2002 Ford Explorer 4 Door 4x4 XLS \$49,263.60, trade allowance \$6,500.00. Total price \$42,763.60. Specifications exceptions: 1 - no power seat; 2- Trans. Cooler not available – trailer tow package includes heavy duty engine cooler. 3- Differential skid plate not available.

Johnson Ford – Option 2 - (2) 2002 Ford Explorer 4 Door 4x4 XLT \$54,423.60, trade allowance \$6,500.00. Total price \$47,923.60. 1- Trans. Cooler not available – trailer tow package includes heavy duty engine cooler. 2- Differential skid plate not available.

After review of the bids received and specifications not met it was moved-seconded (Seward-Weisenberg) to follow the recommendation of Chief Deputy Sheriff, Joe Harmon and accept the bid from Johnson Ford – Option 2 for \$47,923.60, because the other vehicles did not meet the specs of a power seat and door mounted spotlight. Motion Carried. Aye-3; Nay-Douglas. Opitz absent.

9:35 AM: Moved-Seconded (Weisenberg-Douglas) to go into executive session to discuss Litigation. Motion carried. Opitz absent. 9:50 a.m. reopened.

EXTENSION OFFICE: Sara Weese and Steve Peters updated the board on when they would be hiring for the Family Consumer Science position. They're hoping to start the interviews the end of May or early June. George Black will select who's eligible for the interviews and the state will be doing the hiring. Karen Hendricks is filling in from Meade County.

ANNUAL REVIEW CUP#270 / LOGS UNLIMITED: An annual review was held for Tom & Bonnie Schramel for Logs Unlimited. No complaints or problems were received. The board will do annual review next year. Motion Carried. Opitz absent.

ANNUAL REVIEW CUP#240 / SEVEN DOWN ARENA: An annual review was held for Travis Lantis – Seven Down Arena. No complaints or problems were received. The board will do annual review next year. Motion Carried. Opitz absent.

PRAIRIE HILLS TRANSIT: Barb Cline from Prairie Hills Transit was present to request funds from Lawrence County. The board asked Barb Cline to come back at budget time for 2003.

10:55 AM: Moved-Seconded (Seward-Mattson) to go into executive session to discuss legal matters. Motion carried. Opitz absent. **11:40AM:** The Board reopened.

AIRPORT BOARD: Moved-Seconded (Weisenberg-Douglas) to re-appoint Bill Trent on the Airport board for a 5-year term. Motion carried. Opitz absent.

BILLS: Moved-Seconded (Weisenberg-Douglas) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried. Opitz absent.

Payroll: Comm-\$3,162.83; Aud-\$4,570.85; Treas-\$7,133.87; Comp-\$4,473.84; States Atty-\$7,502.70; Pub Def-\$5,633.57; Gen Govt Bldg-\$4,620.44; Equal-\$7,708.94; Rod-\$5,293.22; Vso-\$688.72; Disp-\$7,555.91; Sher-\$24,009.56; Jail-\$13,605.02; Emerg Mngt-\$1,287.50; E911-\$1,230.24; Highway-\$29,736.38; Airport-\$106.81; Exten-\$1,075.36; Weed-\$1,582.50; Pz-\$2,357.77; **Bills:** Kosel,J-\$640.24; Thomson,P-\$122.15; Ziegenbein,S-\$56.88; A&B Business Equip Inc-\$156.00; Abc Business Supply Corp-\$108.53; Acme Micro Systems-\$12.00; Active Data Systems Inc-\$210.00; Ag Communications Center-\$19.25; Altaire Enterprises Inc-\$40.00; Amcon Distributing-\$294.49; Amoco Oil Co-\$121.46; At&T-\$119.32; Bh Collection Service Inc-\$25.00; Bh Federal Credit Union-\$6,673.29; Bh Land Analysis-\$1,283.40; Bh Medical Ctr-Pharmacy Inc-\$722.02; Bh Power & Light-\$5,245.21; Behavior Mngt Systems Inc-\$20,655.00; Binder,T-\$1,062.60; Bob Barker Company Inc-\$46.19; Brown & Saenger-\$257.13; Buckstop Express Mart Inc-\$46.14; Butler Machinery Co Inc-\$163.98; Butte County Sheriff-\$8.90; Butte-Lawrence Co Fair-\$10,000.00; Cardinal Printing-\$260.07; Carquest Of Spearfish-\$286.25; Cellular One-\$121.03; Chemical Sanitizing Sys Ltd Inc-\$82.96; Claims Associates Inc-\$531.00; Clinical Lab Of Bh Inc-\$151.55; Compaq Computer Corp-\$359.00; Connelly,R-\$8,368.60; Contractors Insulation-\$1,040.00; Cooperative Extension Service-\$222.00; Culligan Soft Water Serv Inc-\$20.00; Cvd Construction Inc-\$1,196.25; Dakota Graphics-\$595.00; Dartek Computer Supplies Corp-\$451.65; Deadwood Carnegie Library-\$67,181.00; Deadwood Social Club Inc-\$64.08; Dept Of The Treasury-\$30,551.04; Domestic Crisis Outreach-\$357.50; Ellingson,J-\$726.00; Expanets Inc-\$35.03; Federal Express Corp-\$29.79; Firewise Communities-\$125.00; Flat Earth Sign Co-\$215.00; Fox, Youngberg & Lewno Pc-\$159.66; Frame Garage-\$1,307.89; Frederickson, John R Inc-\$223.88; Fuller,Tellinghuisen,Gordon-\$854.48; Gene's Lock Shop Inc-\$77.50; Grace Balloch Mem Library-\$167,366.00; Hall Welding Inc-\$46.00; Havemeier,L-\$341.40; Herd's Ribbon Reinking-\$26.65; Ibm Corp Sqh-\$185.00; Ikon Office Solutions Inc-\$2,228.37; Insight-\$615.00; Jacobs Precision Welding-\$24.39; Johnson,Henderson,Clayborne-\$344.45; Kadrmas, Lee And Jackson Inc-\$15,711.65; Kinney & Koch Llp-\$876.57; Knecht True Value Inc-\$5.19; Lc Sheriff-\$63.22; L&S Restoration-\$988.20; Lead City Of-\$57,265.19; Lead-Deadwood Sanitary-\$67.00; Lewis & Clark Bhs-\$250.00; M&M Sweeping & Sanitation Inc-\$250.00; Matthew Bender & Co Inc-\$52.23; Mattox,R-\$39.19; Meade Co Auditor-\$1,720.00; Medicap-\$103.99; Montana-Dakota Util-\$163.39; Motorola Inc-\$12,861.36; Mountain Plns Hlth Consortium-\$18.00; Nd State University-\$21.55; Nh Alcohol & Drug Services-\$2,500.00; Nh Community Development Inc-\$1,000.00; Nh General Hospital-\$360.00; Nad Used Car Guide Co-\$58.00; Neve's Uniforms Inc-\$292.98; Office Of Child Support-\$284.50; Office Of Weights & Measures-\$50.00; Pennington Co Jail-\$1,360.09; Pennington County Sheriff-\$48.90; Phillips Petroleum Co Inc-\$25.10; Porter,J-\$150.00; Queen City Medical Center-\$25.00; Queen City Rocket Lube-\$112.20; Qwest-\$145.61; Rc Regional Hospital Inc-\$372.08; Radio Shack/Kazco Inc-\$11.97; Rand's Photo-\$8.60; Reliable Inc-\$54.79; Rosenfeld,A-\$400.00; Sd Dept Of Transportation-\$22,984.57; Sd Public Assur Alliance-\$72,612.28; Sd Supplemental Retirement-\$662.50; Sand Creek Printing Inc-\$157.05; Sanito Oil Inc-\$3,180.37; Servall Towel & Linen Inc-\$285.41; Seton Identification Products-\$707.95; Silverado Inc-\$376.26; Spearfish Auto Supply Inc-\$344.84; Spearfish Chamber Of Commerce-\$75.00; Spearfish Extinguisher Service-\$338.20; Spearfish Motors Inc-\$22.00; Spearfish Senior Citizens-\$1,000.00; Spearfish Surgery Center-\$25.00; Specialized Auto Service Inc-\$316.09; State Disbursement Unit-\$60.00; Superior Sanitation-\$300.00; Texaco Inc-\$52.77; Tigerdirect-\$199.47; Twin City Senior Citizens-\$1,000.00; Us Postal Service-\$600.00; Verizon Wireless Inc-\$543.51; Victims Of Violence-\$357.50; Viking Office Prod-\$156.42; Waisanen,D-\$470.00; Walmart Store Inc-\$262.73;

Westcoast Sales & Market Inc-\$63.14; Western Sd Juvenile Serv-\$85,201.25; Whitewood Senior Citizens-\$500.00; Worldcomm Mci Inc-\$393.23; Wyoming Child Support Coll-\$190.00; Xerox Corporation-\$115.00; Yankton Co Sheriff-\$16.50; **Witness & Juror Fees:** Haupt,J-\$50.58; Dragoo,S-\$51.74; Fremo,T-\$50.58; Hansen,T-\$50.58; Hart,N-\$55.80; Heinen,J-\$51.74; Luze,T-\$51.74; Maki,P-\$58.70; Olsen,C-\$50.58; Scott,D-\$58.70; Balo,M-\$24.50; Bates,L-\$18.12; Brink,H-\$13.48; Collins,M-\$19.86; Croft,J-\$16.96; Fallon,W-\$20.44; Geller,M-\$10.58; Gould,A-\$18.12; Harn,P-\$21.60; Heckenlaible,A-\$18.70; Hemmingson,T-\$61.60; Holzer,D-\$57.54; Keehn,R-\$10.58; Kelly,B-\$18.70; Koehler,P-\$21.60; Meehan,W-\$12.32; Miller,E-\$10.58; Peppmeier,J-\$11.74; St James,C-\$18.70; Tetrault,S-\$20.44; Tinnell,C-\$11.74; Tinnell,J-\$15.80; Vansco,J-\$58.70; Williamson,L-\$21.60; Crofutt,P-\$60.44; Arehart,U-\$18.70; Berry,R-\$10.58; Burns,M-\$58.70; Cihak,S-\$18.70; Derby,T-\$10.58; Dowdy,R-\$15.80; Edwards,A-\$58.70; Gabel,M-\$18.70; Gallego, D-\$12.32; Helmberger,D-\$18.70; Jacobs,K-\$52.90; Johnson,C-\$15.80; Mcdaniels,T-\$56.96; Mitchell,J-\$21.60; Opstedahl,J-\$61.60; Percy,M-\$11.74; Sack,J-\$11.74; Schutterle,T-\$12.32; Sprigler,D-\$58.70; Sullivan,M-\$11.74; Trentz,D-\$12.90; Varland,C-\$61.60; Whiton,B-\$11.74; Williams,L-\$58.70; Zehfus,M-\$61.60; Ahl,J-\$21.60; Allender,D-\$58.70; Baker,L-\$58.70; Barnes,R-\$58.70; Bruce,C-\$59.28; Bulat,J-\$58.70; Coffield,M-\$18.70; Cottrill,J-\$18.70; Dejong,M-\$18.70; Doyen,D-\$17.54; Enderby,W-\$18.70; Findley,P-\$11.74; Freidel,M-\$24.50; Fuller,B-\$11.74; Gray,J-\$12.90; Haataja,D-\$18.70; Huber,M-\$61.60; Jacobsen,S-\$21.60; Kelsey,J-\$10.58; Kitzmiller,M-\$21.60; Lloyd,L-\$55.80; Nelson,D-\$25.66; Oleson,B-\$16.96; Opstedahl,J-\$19.86; Peterson,A-\$18.70; Pfeifle,V-\$66.82; Ragels,K-\$17.54; Rosencranz,L-\$21.60; Swisher,M-\$64.50; Trevino,E-\$14.06; Vavruska,K-\$18.70; Wagner,C-\$11.74; Gross,D-\$21.60; Kunkel,A-\$64.50; Oedekoven,D-\$54.06; Sloan,N-\$19.86; Zubrod,S-\$56.10

ADJOURN: 11:43 a.m. - There being no further business it was Moved-Seconded (Weisenberg-Mattson) to adjourn. Motion Carried. Opitz absent.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – MARCH 12, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on March 12, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Weisenberg-Douglas) to approve the minutes of February 26, 2002. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Seward-Opitz) to approve Tamara Ehnes as a temporary secretary at the rate of \$8.92 an hour effective 3-11-2002. Motion Carried.

STATES ATTORNEY: Moved-Seconded (Opitz-Weisenberg) to approve Shannon Crane as a full-time legal secretary I at \$8.92 an hour effective 2-21-2002. Motion Carried.

EQUALIZATION: Moved-Seconded (Seward-Mattson) to allow the advertisement for a full time appraiser. Motion Carried.

TRAVEL REQUESTS:

EMERGENCY MANAGEMENT: Moved-Seconded (Weisenberg-Opitz) to approve the travel request for Paul Thomson and one other person to attend the Department of Emergency Management Course in Pierre on April 15-18th, 2002; and the SD Division of Emergency Management “Principles of Emergency Management” in Pierre, on April 9-12, 2002. Motion Carried.

WEED: Moved-Seconded (Douglas-Seward) to deny the amended travel request for David Heck to attend the SD West and Pest Annual Conference in Huron, SD on February 19-22, 2002.

Moved-Seconded (Douglas-Seward) to approve the travel request for David Heck to attend the Weed and Pest Supervisor Training in Pierre, SD on March 20-22, 2002. Motion Carried.

VETERANS SERVICE OFFICER: Moved-Seconded (Opitz-Douglas) to approve the travel request for William Locken to attend the Veterans Forum in Rapid City, Sturgis and Martin, SD on March 26-28, 2002. Motion Carried.

SHERIFF:

Moved-Seconded (Douglas-Opitz) to approve the travel request for Mark Ginsbach and Cherish Evans to attend the Telecommunication Training Course in Pierre, SD on April 21st through May 3, 2002. Motion Carried.

Moved-Seconded (Opitz-Mattson) to approve the travel request for Tom Sandvick, Marian Hamilton, Trina Blanks and Rick White to attend the 911 Training Conference in Sioux Falls, SD on April 17-20, 2002. Motion Carried. The Board asked that a report be presented after the travel is completed.

TRANSFER OF FUNDS: Moved-Seconded (Seward-Opitz) to approve the transfer of \$527,857 from the General Fund to the Road and Bridge Fund and transfer \$44,243 from the General Fund to the Emergency Disaster Fund. Motion Carried. This is a budgeted transfer of funds.

SUPPLEMENTAL BUDGET HEARING: Moved-Seconded (Seward-Opitz) to set a supplemental budget hearing for March 26, 2002 at 8:45 a.m. for the Title III Funds in the amount of \$139,626.87. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Opitz-Mattson) To accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** The Auditor's Account with the County Treasurer as of February 26, 2002 showed the following: Total amount of deposits in banks-\$9,729,557.22; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$29,700.79; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$4,571.90; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$5,500,000.00; Bank Balance-\$3,326,995.93; GNAM's-\$145,453.04; and Money Market \$757,108.25.

ABATEMENTS:

BUDDY BELT/ASSOCIATE HOUSING FINANCE: Moved-Seconded (Douglas-Seward) to approve the abatement for Buddy Belt / Associate Housing Finance on a 1997 Skyline Lexington 28 X 48 Mobile Home. The mobile home was moved before Nov 1, 1999, therefore no taxes are owed for 2000, payable 2001. Motion Carried.

KOTTKE: Moved-Seconded (Weisenberg-Opitz) to follow the recommendation of the City of Deadwood and deny the abatement for Linda Kottke on 26 Adams because state statute and administrative rules are clear in specifying that the tax certificate must be filed within 30 days of receipt and this was not done. Motion Carried.

YOUNG: Moved-Seconded (Weisenberg-Seward) to approve the abatement for Todd Young for 404 Fruitdale, Spearfish SD. Aye-Weisenberg-Mattson. Nay-Seward-Douglas-Opitz. Motion Failed. Abatement was not approved because the owner occupied filing date was not satisfied.

HIGHWAY BUSINESS:

PROJECT AGREEMENT 2002-1: Moved-Seconded (Opitz-Seward) to follow the recommendation of Highway Superintendent Chuck Williams, and approve and authorize the signing of Project Agreement 2002-1 (Forest Road Agreement) between Lawrence County and the Black Hills National Forest, USDA Forest Service. Motion Carried.

WEIGHT LIMIT ENFORCEMENT: Moved-Seconded (Opitz-Mattson) to approve and authorize the Chairperson to sign the Request for Assistance – Weight Limits Enforcement letter pursuant to the policies of the SD Highway Patrol. Motion Carried.

AIRPORT DEVELOPMENT: Bob Golay, Airport Board, was present to inform the Board about a future improvement to the Airport. Golay stated the Airport Board has been approached by three different individuals who are interested in making an investment at the airport. One would be building a large executive hangar, approximately 120 X 50 feet and a cost around \$700,000. This would house a 40 million dollar aircraft, 60-80,000 pounds with a wing span of 94-97 feet wide. Golay stated the County would need to build a taxiway of 150 feet wide to accommodate this aircraft. The County's 6% match on the project would be approximately \$23,000. The Board discussed additional revenues due to property tax, fuel tax and fees. Golay will keep the Board informed.

TWIN PEAKS RESORT CONDITIONAL USE PERMIT #226: An annual review was held on Twin Peaks Resort Conditional Use Permit #226 / Mark Schwan. Moved-Seconded (Opitz-Douglas) Conditional Use Permit # 2226 was found to be in compliance and will be reviewed on an as needed basis, if complaints should arise, or at the desire of the Board to review. Motion Carried.

E911 PROJECT UPDATE: Tom Sandvick, E911 Coordinator, updated the Board on the progress of the E911 Project. Sandvick discussed the sign project and data project.

COURTHOUSE BONDS: Ray Woodsend, Dougherty & Company and Myron Knutson, Evenson Dodge Financial Investment Advisors presented the Board with their proposals for the refunding of the Courthouse Bonds. The Board will research the proposals further and discuss at a future meeting.

ECONOMIC DEVELOPMENT: Chuck Turbiville, Deadwood Economic Development, was present and asked for an executive session for possible litigation. Scott Randolph, B.H. Pioneer, objected to the request stating if the County Attorney was not present he did not see how possible litigation could be discussed. Turbiville withdrew his request. Turbeville discussed SDCL 10-6-35.2 Discretionary Formula for reduced taxation of new structures and additions for

manufacturing or processing businesses. The discretionary formula over five years would be 20,40,60,80,100% of taxation. This would hopefully entice new companies to locate in Lawrence County. Turbiville stated if any resistance is felt with the Cities he would drop the plan to propose a resolution to the County Board for adoption. If the County adopts the resolution it will override any previous formulas the cities have adopted. The Board asked Turbiville to work with Bruce Outka and report back to the Board after visiting with the cities.

BILLS: Moved-Seconded (Weisenberg-Douglas) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,162.83; Aud-\$4,043.00; Treas-\$6,067.50; Comp-\$4,032.56; States Atty-\$8,714.71; Pub Def-\$5,267.63; Gen Govt Bldg-\$3,630.80; Equal-\$6,773.80; Deeds-\$4,603.63; Vso-\$688.72; Disp-\$7,808.27; Sher-\$22,688.62; Jail-\$13,370.48; Emerg Mgnt-\$1,287.50; E911-\$1,006.56; Highway-\$24,534.23; Exten-\$879.84; Weed-\$1,487.50; Pz-\$2,212.17; **Bills:** Heck,D-\$79.87; Kosel,J-\$106.63; Locken,W-\$165.60; Mowell,R-\$7,564.50; Piekola,D-\$517.09; Thomson,P-\$424.52; A&B Welding Supply Inc-\$180.71; A&J Supply-\$28.31; A&M Transport-\$312.50; Abc Business Supply Corp-\$330.26; Alco Store-\$21.94; Altaire Enterprises Inc-\$40.00; Amcon Distributing-\$269.71; American Family Life Inc-\$1,966.06; Armstrong Extinguish Inc-\$88.00; Bh Federal Credit Union-\$6,673.29; Bh Fibercom-\$1,695.41; Bh Land Analysis-\$757.20; Bh Medical Ctr Pharmacy Inc-\$295.69; Bh Pioneer Inc-\$608.03; Bh Power & Light-\$1,340.20; Behavior Mngt Systems Inc-\$605.00; Best Business Prod Inc-\$33.37; Blue Cross-\$34,817.16; Buckstop Express Mart Inc-\$26.43; Business Aviation Inc-\$440.24; Butler Law Office-\$7,747.45; Butte Electric Coop Inc-\$390.31; Cdw Government Inc-\$5.49; Cellular One-\$28.08; Central Parts-\$338.67; Chris Supply Co. Inc.-\$19.90; City/County Alcohol & Drug-\$95.00; Clark Printing, Inc.-\$280.77; Clauser Machine Works-\$39.05; Coley, Mike Cedcii-\$60.00; Collision Analysis Reconstruct-\$3,272.63; Conoco-\$201.88; Correctional Billing Svc-\$77.92; Culligan Soft Water Serv Inc-\$131.50; Deadwood Lumber Company Llc-\$8.32; Deadwood Recreation Center-\$62.00; Deadwood Supply Inc-\$42.99; Deadwood City Of-\$524.30; Deckers Food Inc-\$4.15; Dept Of Hlth Lab Services-\$465.00; Dept Of The Treasury-\$27,284.63; Doyle & Kennedy-\$460.40; Ellingson,J-\$743.00; Equipment Service Prof Inc-\$169.63; Farmers Union Oil Co-\$2,520.59; Frederickson,John R Inc-\$442.20; Gateway Companies Inc-\$1,460.00; Gene's Lock Shop Inc-\$373.98; General Service Garage-\$57.25; Godfrey's Brake Serv Inc-\$36.55; Golden Hills Resort-\$154.50; Great Western Tire Inc-\$399.44; Hansen & Hubbard-\$3,739.66; Heartland Paper Co Inc-\$1,740.00; Hefner,D-\$144.00; Heisler Hardware Inc-\$22.46; Holiday Inn Spearfish-\$355.00; Ibm Corp Sqh-\$334.40; Ikon Office Solutions Inc-\$487.41; Insight-\$39.25; Jh Hilt Engineering Inc-\$1,649.34; Johnson Ford Inc-\$17.24; Johnson,D-\$70.00; K Mart-\$24.72; Kadmas, Lee And Jackson Inc-\$12,211.43; Kar Products Inc-\$621.84; Karpinen,S-\$140.00; Knecht True Value Inc-\$112.99; Krause, Wayne Phd.P.E-\$4,371.00; Lc Centennial Inc-\$65.72; Lc Public Health-\$2,208.00; Lc Sheriff-\$50.80; Lawson Products Inc-\$170.38; Lead-Deadwood Sanitary-\$188.44; Lee,J-\$15.00; Lee,T-\$124.41; Leiker,L-\$231.00; Lyle Signs Inc-\$1,087.62; Maintenance Usa-\$288.52; Manlove Psychiatric Group-\$391.00; Matthew Bender & Co Inc-\$110.76; May,Johnson,Doyle&Becker Inc-\$2,211.42; Mcarthur,J-\$35.00; Meade Co Auditor-\$1,280.00; Meade County Sheriff-\$25.30;

Medicine Shoppe,The Inc-\$198.63; Menards Inc-\$8.07; Mid-Continent Testing Inc-\$700.00; Minitman Inc-\$107.10; Montana-Dakota Util-\$3,752.76; Morman Law Firm-\$149.14; Murphy, John R Atty At Law-\$4,924.95; Mutchler,T-\$506.25; Muth Electric Inc-\$260.00; Nh Family Ymca-\$462.00; Nh General Hospital-\$8,587.40; National Sheriff's Assoc-\$35.00; Nelson,T-\$630.00; Office Emporium-\$39.29; Office Of Child Support-\$284.50; Pamida-\$8.00; Pennington County Sheriff-\$15.60; Pennington County Sts Attny-\$200.00; Pizza Hut Inc-\$94.80; Postmaster, Deadwood-\$136.00; Queen City Medical Center-\$25.00; Queen City Rocket Lube-\$76.30; Quill Corp-\$511.20; Qwest-\$1,076.56; Rc Finance Office-\$665.00; Rc Regional Hospital Inc-\$20.75; Rabe Elevator-\$515.61; Radio Shack/Kazco Inc-\$112.86; Rand's Photo-\$149.25; Randy's Discount Tires-\$48.05; Rapid Delivery Inc-\$6.00; Rensch, Timothy J Atty At Law-\$1,686.73; Sd Retirement System-\$26,846.26; Sd State Treasurer-\$180.00; Sd Federal Property Agency-\$19.00; Sd Supplemental Retirement-\$662.50; Sanito Oil Inc-\$2,156.11; Servall Towel & Linen Inc-\$285.41; Sirchie Finger Print Lab-\$183.35; Spearfish Auto Supply Inc-\$139.36; Spearfish Building Supply Inc-\$64.50; Spearfish Extinguisher Service-\$350.35; Spearfish Husky-\$272.50; Spearfish Motors Inc-\$70.74; Spearfish Surgery Center-\$25.00; State Disbursement Unit-\$60.00; Stretch's Glass & Mirror Inc-\$25.10; Summit Signs & Supply-\$637.00; Teen Court Inc-\$3,365.94; Telcomco Communications-\$2,736.00; Texaco Inc-\$26.98; Triple K Tire & Repair-\$110.85; Twin City Hardware & Lumber Inc-\$230.81; Ubid Online Auction-\$607.59; Us Marshall Service-\$1,134.00; Us Postal Service-\$5,000.00; United Parcel Service-\$10.62; Versatile Carpets & Interiors-\$1,617.49; Walmart Store Inc-\$506.00; Waste Connections Inc-\$343.74; Western Communication Inc-\$890.35; Whitewood Library-\$39,117.00; Wyoming Child Support Coll-\$190.00; Xerox Corporation-\$115.00; Young's Hardware Hank-\$15.24; **Witness & Jurors:** Weiers,A-\$28.70; Hodson,T-\$58.70; Larson,M-\$60.44; Merrow,C-\$59.86; Sartorius,L-\$59.28; Talsma,K-\$58.70; Tisdall,R-\$55.80; Wegenke,J-\$59.86; Wellard,C-\$51.16; Larsen,M-\$12.32; Maas,J-\$21.60; Aldrich,G-\$21.74; Berg,M-\$28.70; Biehl,M-\$27.54; Burnham,B-\$47.55; Chihak,B-\$46.10; Clark,S-\$27.54; Crouch,J-\$20.58; Dangel,A-\$20.00; Dangel,M-\$20.00; Dangel,P-\$252.00; Davidson,J-\$28.70; Degraw,J-\$28.70; Degraw,N-\$28.70; Fuernison,L-\$21.74; Gueke,B-\$20.58; Gueke,C-\$20.58; Gueke,N-\$20.58; Harrington,J-\$140.06; Hill,T-\$24.64; Hoffer,R-\$64.36; Hogan,D-\$29.86; Jensen,J-\$28.70; Ladson,M-\$27.54; Maser,B-\$29.86; Perovich,S-\$21.74; Reimer,M-\$28.70; Rust,R-\$69.00; Sawyer,G-\$252.00; Smith,B-\$49.00; Thiesse,L-\$20.58; Troxel,W-\$31.02; Whalen,M-\$533.30; Wickenheiser,T-\$27.54; Young,M-\$27.54; Adams,C-\$86.10; Einspahr,B-\$281.00; Schumaker,A-\$28.70

ADJOURN: 12:05 p.m. - There being no further business it was Moved-Seconded (Douglas-Weisenberg) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – MARCH 26, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on March 26, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Douglas-Mattson) to approve the minutes of March 12, 2002. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Weisenberg-Douglas) to accept the resignation of Lisa Easter as a full-time dispatcher and to approve Lisa Easter as a part-time (less than 20 hrs) dispatcher effective March 11, 2002. Motion Carried.

Moved-Seconded (Opitz-Weisenberg) to allow Robert Williams to donate 10 hours of sick leave to Tony Bradley due to a death in the family. Motion Carried.

Moved-Seconded (Weisenberg-Opitz) to approve Cherish Evans as a full-time dispatcher I at the rate of \$9.66 an hour, effective 3-12-2002. Motion Carried.

Moved-Seconded (Seward-Mattson) to approve Donald Klyne as a full-time Correction Officer I at the rate of \$10.53 an hour, after training at the rate of \$6.74 an hour, effective 3-22-2002. Motion Carried.

Moved-Seconded (Opitz-Weisenberg) to approve Mike Reeves as a part-time Correction Officer I at the rate of \$10.53 an hour, after training at the rate of \$6.74 an hour, effective 3-22-2002. Motion Carried.

Moved-Seconded (Douglas-Seward) to approve Kristy Wilson as a part-time dispatcher at the rate of \$9.66 an hour, effective March 16, 2002. Motion Carried.

TRAVEL REQUESTS:

AIRPORT: Moved-Seconded (Seward-Opitz) to approve the travel request for Bob Golay, Ray Jilek and Neil Clarke to attend the Annual Airport Conference Meeting in Aberdeen, SD on March 5-7, 2002. Aye-4; Nay-Weisenberg. Motion Carried. Weisenberg stated he can not vote in support of the travel request after the travel has already been completed.

FIRE ADVISORY: Moved-Seconded (Weisenberg-Opitz) to approve the travel request for Jerome Harvey, Charles Nicholas and Rob Mattox to attend the Firewise Conference in San Diego, CA on March 26-30, 2002. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted for April 2002 fuel: (prices per gallon) **Cenex Oil Co.** - Highway Dept. - Regular Gasoline - \$1.21; No. 1 Diesel - \$.915; No. 2 Diesel - \$.855; 50/50 Blend - \$.885; and Sheriff Office - Unleaded Gasoline - \$1.21. **Sanito Oil Company** - Highway Dept. - Regular Gasoline - \$no bid; No.1 Diesel - no bid; No.2 Diesel - \$.796; 50/50 Blend - \$.no bid ; and Sheriff Office - Unleaded Gasoline - \$no bid. **Moved-Seconded** (Seward-Weisenberg) to accept the lowest fuel quote submitted from **Cenex Oil Company** for Highway Dept. - Regular Gasoline - \$1.21; No. 1 Diesel - \$.915; 50/50 Blend - \$.885; and Sheriff Office - Unleaded Gasoline - \$1.21. **Sanito Oil Company** - Highway Dept. - No.2 Diesel - \$.796. Motion carried.

SUPPLEMENTAL BUDGET HEARING: Moved-Seconded (Weisenberg-Opitz) to set a supplemental budget hearing for April 9, 2002 at 8:30 a.m. for the Sheriff's Office Salary budget for the scanning project. Motion Carried.

RIGHT OF WAY / HWY 385: Moved-Seconded (Opitz-Mattson) to authorize the Chairman to sign a letter to the SD Dept of Transportation stating Lawrence County agrees to accept property after construction is complete for the SD Highway 385 Strawberry Hill Project. Motion Carried.

CDBG / FIRE FIGHTING EQUIPMENT: Moved-Seconded (Opitz Seward) to set the APPLICATION AND COMMUNITY DEVELOPMENT HOUSING NEEDS ASSESSMENT PUBLIC HEARING for April 9th, 2002 during its regularly scheduled Commission Meeting at 9:30 A.M. in the Commissioners' Room, 90 Sherman Street, Deadwood, South Dakota 57732, for the purpose of soliciting public comments pertaining to the County's "On Behalf Of" application for Community Development Block Grant (CDBG) funds. Motion Carried.

LUTHERAN SOCIAL SERVICES: Moved-Seconded (Opitz-Weisenberg) to contribute \$250.00 to the Katharsis Critical Incident Stress Debriefing Team to help in some of the costs involved in sending a team to New York. Aye-4; Nay-Douglas. Motion Carried.

RESOLUTION #02-07 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Douglas-Weisenberg) to approve the following Resolution #02-07 to adopt a supplemental budget for Title III Funds. Motion Carried. WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: TITLE III PROJECT FUND \$139,626.87 The funds for the above amounts are to be provided from unappropriated cash

balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 26th day of March, 2002 at the hour of 8:45 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 26th day of March, 2002. BOARD OF COUNTY COMMISSIONERS: LAWRENCE COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

REQUEST FOR PROPOSALS RS 2477 PUBLIC ROADS LOCATED IN THE BLACK HILLS NATIONAL FOREST IN LAWRENCE COUNTY: Moved-Seconded (Weisenberg-Seward) to adopt the Request for Proposals to conduct the historical investigation and research to identify and map RS 2477 public roads located in the Black Hills National Forest in Lawrence County. Motion Carried. The Board thanked Marlene Barrett for her hard work in drafting the proposal.

TITLE III FUND PROJECTS:

Category 1: SEARCH, RESCUE, AND EMERGENCY SERVICES: The Lawrence County Emergency Management has submitted a proposal for the Lawrence County Search & Rescue Units to purchase the following equipment. Both search and rescue units conduct, almost entirely, all of their operations in the Black Hills National Forest. Ropes and Climbing Rescue Equipment \$19,876; Two Four-Wheelers equipped with winches and guards \$13,000; Two Rescue ambulance sleds for snowmobiles \$5,000; One rescue snowcat – used 1980 model - \$25,000. Total-\$62,876. Nine letters of support were received for these projects. The following rescue records were reviewed:

PROPERTY	TYPE OF CALL	Deadwood	Spearfish	% ON NFS Average
Rope Rescue		84%	100%	92%
4Wheeler Rescue		78%	84%	81%
Snowmobile Rescue		67%	100%	84%
Snowcat Rescue		100%	100%	100%

Moved-Seconded (Weisenberg-Seward) to approve \$19,876 of expenditures for the purchase of Ropes & Climbing Rescue Equipment. 92% of the expenses will be from Title III Funds and the remaining will be from the Commissioners Contingency Funds. Motion Carried.

Moved-Seconded (Weisenberg-Mattson) to approve \$13,000 of expenditures for the purchase of two 4-wheelers equipped with winches and guards. 81% of the expenses will be from Title III Funds and the remaining will be from the Commissioners Contingency Funds. Motion Carried.

Moved-Seconded (Weisenberg-Mattson) to approve \$5,000 of expenditures for the purchase of two Rescue ambulance sleds for snowmobiles. 84% of the expenses will be from Title III Funds and the remaining will be from the Commissioners Contingency Funds. Motion Carried.

Moved-Seconded (Weisenberg-Mattson) to approve \$25,000 of expenditures for the purchase of one rescue snowcat – used 1980 model. 100% of the expenses will be from Title III Funds. Motion Carried.

Category 4: FOREST RELATED EDUCATIONAL OPPORTUNITIES: South Dakota Project Learning Tree has submitted a proposal to fund three workshops in Lawrence County to provide awareness in forest ecology, fire ecology, forest management, pest infestations, and production in the Black Hills ecosystem and surrounding areas. One letter of support was received.

Moved-Seconded (Weisenberg-Seward) to contribute \$5,000 to the project learning tree from the Title III Projects Fund. Motion Carried.

Category 5: FIRE PREVENTION AND COUNTY PLANNING: The Lawrence County Fire Advisory Board proposes using these funds to upgrade fire suppression capabilities in southern Lawrence County. The Nemo Fire Department boundaries include 83% federal lands and 17% private lands. The funding would purchase a 250 GPM pump/140 CFM air, self-contained pumping module. The Module will be mounted on Nemo Fire Department's existing all wheel drive Type 3 Tender. The Module would serve to fill a gap in suppression capability for wildland, urban/interface and structural fires in southern Lawrence County. 103 letters of support were received for this project. The following figures were reviewed. 2000 – 86% of calls were on Forest Service Property. 2001 – 80% of calls were on Forest Service Property. Two year average 83%.

Moved-Seconded (Opitz-Seward) Lawrence County will pay up to \$65,000 towards the purchase of a 250 GPM pump/140 CFM air, self-contained pumping module to be mounted on Nemo Fire Department's existing all wheel drive Type 3 Tender. Fire Advisory is to work with the City of Lead and possibly buy off of their bid. Lawrence County will pay the vendor directly for the equipment, 83% will be from Title III Funds and the remaining will be from the Commissioners Contingency Funds. Motion Carried.

HIGHWAY:

HOT MIX ASPHALT: Moved-Seconded (Opitz-Weisenberg) to approve the only bid received from Hills Materials for Hot Mix Asphalt \$29.50 per ton. Motion Carried.

ASPHALT COLD MIX: Moved-Seconded (Weisenberg-Seward) to approve the only bid received from Hills Materials for asphalt cold mix for \$28.75 per ton. Motion Carried.

GRAVEL SURFACING AGGREGATE: Moved-Seconded (Seward-Opitz) to approve and accept both bids received from Hills Materials for gravel surfacing aggregate; Aggregate locations Hanson Pit \$3.40 per ton, Kost Pit \$3.40 per ton, and Centennial Quarry \$4.50 per ton. Loading Costs 0.25 per ton; and from Zandstra Construction, location Whitewood Exit 23 \$3.72 per ton and load cost of 0.25. Motion Carried.

DE-ICING SAND: Moved-Seconded (Weisenberg-Opitz) to approve the only bid received from Fisher Industries for de-icing sand, pit location is McQuigan Pit in Spearfish \$6.75 per ton. Motion Carried.

JAIL SEWER PROBLEMS: Rick Mowell, Sheriff; Joe Harmon, Chief Deputy; Rick Frerichs, Maintenance Supervisor and Chuck Williams, Highway Superintendent were present to discuss the sewer problems in the jail. Frerichs stated there were 20 plugs in the last five years. Towels, uniforms, shirts, chip bags and many other numerous items have been the reason. Mowell stated in 50% of the incidences they can prove who did it and they prosecute the offender. Mowell stated the design of the building has the cleanouts in the office areas, not outside. Frerichs stated they have installed some cleanouts outside of the building where possible. However, if the stool overflows or a line breaks it still affects the offices below. The last problem they had that required the carpet to be replaced was where they had an outside cleanout. The Board directed the Sheriff's Office to check towels out to inmates for one day only and directed Frerichs to have an engineer look at the possibility of moving all cleanouts outside of the building and report back on the estimated cost.

ABATEMENTS:

SPEARFISH CITY / JERROLD A. & NORMA HANSEN: Moved-Seconded (Weisenberg-Opitz) to approve the abatement on parcel 32250-00000-0000-20 & 30 because the property is designated as being part of a rural service district. This abatement only affects City taxes. Motion Carried.

KORNEMAN, GENEVA: Moved-Seconded (Weisenberg-Douglas) to deny the request for abatement for Geneva Korneman on parcel #22000-00604-191-50 because there are no grounds for abatement under SDCL 10-18-1. Korneman can combine parcels and apply for AG classification if they qualify for 2003. Motion Carried.

YOUNG, TODD: Todd Young was present to ask the Board to reconsider his request for abatement on 404 Fruitdale. Young reviewed a timeline of events and why he was requesting an abatement. The Board reviewed the information and discussion followed. Moved-Seconded (Seward-Weisenberg) To approve the abatement for Todd Young, granting owner occupied status, due to the additional information presented to the Board. Young is to provide a copy of the divorce settlement showing proof of ownership prior to 11-1-2001. Aye-4; Nay-Douglas. Motion Carried.

PLAT DELZER FAMILY: Moved-Seconded (Weisenberg-Mattson) to approve the following plat for the Delzer Family: Plat of Delzer Tracts 1, 2, 3 and 4, located in the NW¹/₄ and the SW¹/₄ of Section 15; the NE¹/₄, the S¹/₂SE¹/₄, NW¹/₄SE¹/₄, SW¹/₄, NE¹/₄NW¹/₄ of Section 16; the NW¹/₄ of Section 22; the NE¹/₄, the NW¹/₄, N¹/₂SE¹/₄, N¹/₂SW¹/₄ of Section 21; and the vacation of Tract A of the SE¹/₄ NW¹/₄, Tract A of the NE¹/₄SW¹/₄, Tract A of the NW¹/₄SE¹/₄ of Section 21, as recorded in Plat Book 4, Page 125; the vacation of Lot 4 in the SW¹/₄NE¹/₄ and Lot 4 of the NW¹/₄SE¹/₄ of Section 21 as recorded in Plat Book 5, Page 103; the vacation of Lots 1 and 2 of the subdivision

of the N½NW¼ of Section 21 as recorded in Plat Book 2, Page 26; and the vacation of Lots 1 and 2 of the subdivision of the SE¼NW¼ and the NE¼SW¼ of Section 21 as recorded in Plat Book 2, Page 26; all located in T7N, R3E, B.H.M. (Tract 1 = ±527.29 acres, Tract 2 = ±290.10 acres, Tract 3 = 291.35 acres and Tract 4 = ±320.84 acres). Motion Carried.

BELLE FOURCHE RIVER BASIN WATERSHED STUDY: Tom Quinn was present to ask for the Board's support in funding the Belle Fourche River Watershed Study. Quinn stated Lawrence County's share would be \$4,000 a year for 2002 and 2003. Quinn explained in Lawrence County the impaired waters within the Belle Fourche River Basin are: Whitewood Creek – Gold Run Cr. To Crook City with fecal coliform; Whitewood Creek – above Gold Run Cr. With PH and Bear Butte Creek – headwaters to Meade Co. Line with TSS, Cadmium, Copper and Zinc. The Board confirmed with Dan Driscoll, US Geological Survey, that this was not a duplicate of the work by the USGS. Moved-Seconded (Douglas-Weisenberg) to fund the Belle Fourche River Basin Watershed Study for \$4,000 in the year 2002 and to do a contingency transfer of \$4,000 to the Commissioners Professional Services. The Board will discuss the 2003 request at budget time. Motion Carried.

FOREST SERVICE ISSUES: Pam Brown, USFS Spearfish/Nemo District Ranger, updated the Board on Forest Service Issues. Beaver Park, Pre-suppression plan, Sanitation contracts, Baiting for beetles and exploring ways to work with existing timber sales to help fight the beetle and fuel treatment problems were discussed.

US GEOLOGICAL SURVEY: Dan Driscoll, USGS, discussed the gauging station on Spearfish Creek. This gauge can be used as an early flood warning in the future. Spearfish Canyon Trust committed \$2,500 towards the one time fee to install the gauge. Moved-Seconded (Weisenberg-Mattson) to contribute \$1,000 a year for the next two years for the stream flow gauge on Squaw Creek, contingent upon Spearfish contributing the balance of the cost of the gauge and the Spearfish Canyon Trust contributing \$2,500. Motion Carried.

Dan Driscoll, USGS, updated the Board on the list of US Geological Survey reports published as part of the Black Hills Hydrology Study. Final reports should be completed in the next couple of months. Driscoll stated the lay reader atlas (Atlas of Water Resources of the Black Hills) will be going to the publisher and asked if the Board was interested in ordering extra copies to have available at the Courthouse. The cost is \$57 per atlas, the USGS will match the expense. Moved-Seconded (Opitz-Douglas) to purchase 50 copies of the atlas and the Board will discuss the guidelines and fees to charge for the atlas at a later date. Motion Carried.

BILLS: Moved-Seconded (Weisenberg-Douglas) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,162.83; Aud-\$4,570.85; Treas-\$7,154.68; Comp-\$4,473.83; States Atty-\$9,314.52; Pub Def-\$5,634.44; Gen Govt Bldg-\$4,418.94; Equal-\$8,129.98; Rod-\$5,293.23; Vso-\$688.72; Disp-\$8,838.31; Dher-\$23,828.17; Jail-\$14,153.30; Emerg Mgnt-\$1,287.50; E911-\$1,230.24; Highway-\$30,689.43; Airport-\$87.39; Exten-\$1,075.36; Weed-\$1,568.25; Pz-\$2,377.77; **Bills:** Birk,E-\$310.29; Heck,D-\$61.87; Kosel,J-\$40.32; Thomson,P-\$442.80; 2002 Dakota 911 Conference-\$220.00; Abc Business Supply Corp-\$377.70; Ag Communications Center-\$11.47; Alco Store-\$18.65; Altaire Enterprises Inc-\$20.00; Amcon Distributing-\$150.65; Amoco Oil Co-\$225.61; Apexiv-\$648.00; At&T-\$72.79; Avp-\$2,930.00; Bh Federal Credit Union-\$6,673.29; Bh Pest Control-\$95.00; Bh Pioneer Inc-\$168.62; Bh Power & Light-\$5,264.95; Binder,T-\$60.00; Brady Pluimer P.C-\$4,699.09; Brevik & Thurman Llc-\$88.69; Burrly's Lube-\$10.00; Butte County Extension-\$25.00; Cameron Communications-\$133.98; Carlson,D-\$15.00; Carquest Of Spearfish-\$75.75; Cellular One-\$132.90; Christensen Law Office-\$276.00; City/County Alcohol & Drug-\$715.00; Clinical Lab Of Bh Inc-\$2,116.95; Computer Doctor Of Spearfish-\$188.94; Corral West-\$26.95; Culligan Soft Water Serv Inc-\$20.00; Cvd Construction Inc-\$1,691.25; Datamaxx Tech Inc-\$1,484.50; Deckers Food Inc-\$32.29; Dept Of Hlth Lab Services-\$80.00; Dept Of The Treasury-\$31,695.31; Dietrich,D-\$106.07; Division Of Motor Veh-\$13.00; Domestic Crisis Outreach-\$332.50; Executone Of The Bh Inc-\$81.00; Extension Service-\$169.29; Farmers Union Oil Co-\$2,840.22; Gold Dust Inc-\$81.79; Great Western Tire Inc-\$19.20; Haivala Law Firm-\$271.21; Herd's Ribbon Reinking-\$31.00; Huron Culvert & Tank Co Inc-\$2,456.20; Ikon Office Solutions Inc-\$432.28; Insight-\$570.98; Jacobs Precision Welding-\$3.20; Jc Penney-\$206.12; Jon's Computer Works-\$60.00; K Mart-\$45.59; Kimball-Midwest Co Inc-\$186.53; Kittelson,J-\$15.00; Knecht True Value Inc-\$199.00; Koala Electric Inc-\$564.42; Lc Assessor-\$14.70; Lc Auditor-Petty Cash-\$16.25; Lc Centennial Inc-\$274.51; Lc Sheriff-\$35.60; Lewis & Clark Bhs-\$125.00; Lithia Dodge Of Sioux Falls-\$23,383.00; Macks Auto Body-\$278.02; May,Johnson,Doyle& Becker Inc-\$743.78; Mayer Radio Inc-\$178.00; Mcarthur,J-\$35.00; Mcleod Usa-\$54.47; Montana-Dakota Util-\$170.07; Nh General Hospital-\$28.89; Nat'l Assoc Of Criminal-\$125.00; Office Of Child Support-\$284.50; Pennington Co Jail-\$1,345.92; Pennington County Sheriff-\$3.00; Pennington County Sts.Attny-\$200.00; Phillips Petroleum Co Inc-\$19.51; Pitney Bowes Inc-\$1,471.59; Postmaster, Deadwood-\$34.00; Queen City Medical Center-\$25.00; Qwest-\$913.41; Rabe Elevator-\$580.88; Radio Shack/Kazco Inc-\$60.94; Radiology Associates-\$134.68; Sd Dept Of Labor Unemployment-\$4.77; Sd Federal Property Agency-\$47.00; Sd Planners Association-\$45.00; Sd Supplemental Retirement-\$662.50; Schmit,A-\$140.00; Servall Towel&Linen-\$190.89; Silverado-\$307.86; Spearfish Auto Supply-\$11.06; Spearfish Extinguisher Service-\$12.00; Spearfish Surgery Center-\$25.00; Specialized Auto Service-\$83.80; Spencer Industries-\$13.39; Stacey,R-\$35.00; State Disbursement Unit-\$60.00; Team Lab Chemical Corp-\$2,145.00; Teen Court-\$2,594.68; Texaco-\$18.50; Tigerdirect-\$137.21; U Bid Online Auction-\$442.64; Verizon Wireless-\$635.23; Victims Of Violence-\$332.50; Viking Office Prod-\$388.16; Walmart Store-\$121.47; Weese,S-\$618.37; Western Sd Juvenile Serv-\$1,530.37; Worldcomm Mci-\$399.53; Wyoming Child Support Coll-\$190.00; Yankton Co Sheriff-\$49.50

ADJOURN: 2:30 p.m. - There being no further business it was Moved-Seconded (Douglas-Opitz) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – APRIL 9, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on April 9, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MEETING DATES: The Lawrence County Commissioners decided to hold one regular meeting each month during the summer months. They will be on May 21st, June 25th, July 23rd, and August 27th

MINUTES: Moved-Seconded (Opitz-Seward) to approve the minutes of March 26, 2002. Motion Carried.

PERSONNEL:

AUDITOR: Moved-Seconded (Opitz-Douglas) to approve a step raise for Melody Nelson as Secretary Step 7 at the base rate of \$11.29 an hour, effective April 1, 2002. Motion Carried.

SHERIFF: Moved-Seconded (Opitz-Seward) to approve Rodney Hansen as a Correctional Officer Trainee at the rate of \$6.74 an hour. Motion Carried.

Moved-Seconded (Weisenberg-Opitz) to approve Mike Reeves as a full time Correctional Officer I at the rate of \$10.53 an hour, effective April 9, 2002. Motion Carried.

WEED: Moved by Weisenberg to approve a raise for David Heck because of his outstanding knowledge of weeds from \$30,000 to \$32,000 a year, effective April 16, 2002. Motion died due to a lack of second. The Board stated they will be looking at wages during budget time and will discuss the issue then.

EQUALIZATION: Moved-Seconded (Douglas-Weisenberg) to approve Jason Writer as a full-time Appraiser III at the base rate of \$12.36 an hour, effective May 1, 2002. Motion Carried.

COURTHOUSE LEASE REQUEST: Moved-Seconded (Seward-Weisenberg) to allow Anna Marie Thatcher, J.D. to rent the main Courtroom for two to four days in July at the rate of \$200 a day, with this money being donated to Teen Court. Motion Carried. Thatcher plans on taping a program on Clarence Darrow in the Courtroom for Periakto Productions, LLC.

RESOLUTION #02-08 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Weisenberg-Mattson) to approve the following Resolution #02-08 to adopt a Supplemental

Budget for the Sheriff Salary Budget for \$20,000. Motion Carried. WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND SHERIFF SALARY - \$20,000 The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 9th day of April, 2002 at the hour of 8:30 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 9th day of April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Weisenberg-Seward) To accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** The Auditor's Account with the County Treasurer as of March 31, 2002 showed the following: Total amount of deposits in banks-\$9,505,757.93; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$104,067.24; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$1,524.07; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$5,500,000.00; Bank Balance-\$3,102,654.98; GNAM's-\$145,007.35; and Money Market \$758,095.60.

VOLUNTEER FIRE DEPARTMENT MEMBERS: Moved-Seconded (Seward-Douglas) to approve Virginia Clark as a Volunteer Fire Fighter for insurance purposes. Motion Carried.

PUBLIC DEFENDER: Joseph Kosel, asked the Board for permission to allow Lisa Washburn to work 30-40 hours of overtime to review old criminal files and prepare files to be shredded. Kosel stated he will need a supplement at the end of the year to cover the additional hours. The Board was in agreement with the additional funds needed. Kosel will submit a letter to the Commission explaining his request and what files will be shredded at his request.

TRAVEL REQUESTS:

SHERIFF: Moved-Seconded (Douglas-Opitz) to approve the travel request for Colin Thompson to attend the instructor development class in Fort Pierre, SD on June 3-7, 2002. Motion Carried.

Moved-Seconded (Weisenberg-Mattson) to approve the travel request for Kesha Nelson and Sue Black to attend the Power Phone Weapon of Mass Destruction Advanced Workshop in Sioux Falls, SD on May 23-25, 2002. Motion Carried.

EQUALIZATION: Moved-Seconded (Opitz-Mattson) to approve the travel request for Darlene Piekkola, Les Struble, Dennis Schumacher and Jason Writer to attend the Annual Assessor's Conference in Aberdeen, SD on May 28-31, 2002. Motion Carried.

VSO: Moved-Seconded (Opitz-Mattson) to approve the travel request for William Locken to attend the VSO Commission Meeting in Sioux Falls, SD on April 8-11, 2002. Motion Carried.

RETAIL (ON SALE) LIQUOR LICENSE TRANSFER:

PREVIOUS LICENSE: STANLEY D. AINSWORTH (MARGIE'S DINNER CLUB) SPEARFISH, SD, LOT 3 NORTHWEST OF CITY ON HWY. 14, SUBDIVISION OF NW1/4NW1/4, SECTION 3, TOWNSHIP 6 NORTH, RANGE 2 EAST, B.H.M.

NEW LICENSE: JOSE VEGA (GUADALAJARA MEXICAN RESTAURANT) SPEARFISH, SD, LOT 3 & PT LOTS 2 & 4 AND PT OF LOT B OF LOT A OF LOT 1(NW4NW4 3-6-2)
A public hearing was held on the requested transfer. Moved-Seconded (Opitz-Seward) to approve the transfer of Retail (On-Sale) liquor license to Jose Vega (Guadalajara Mexican Restaurant) Spearfish. Motion Carried.

HIGHWAY:

WHITEWOOD SERVICE ROAD OVERLAY: The following bids were received for the Whitewood Service Road Overlay: Simon Contractors - \$630,211.50; W.Hodgman & Sons Inc. - \$597,535.25; Hills Materials - \$525,982.45. Moved-Seconded (Opitz-Douglas) to accept the low bid from Hills Materials for \$525,982.45. Motion Carried.

Border States arrived at 9:10. Bid was rejected unopened because the bid opening was scheduled at 9:00 a.m.

MAGNESIUM CHLORIDE BID: The following bids were received for Magnesium Chloride: Z& S Dust Control: Per ton \$68.08 and \$25.00 per ton for application and Enviro-Tech: Per ton \$68.479 and \$73.979 per ton for application. Moved-Seconded (Seward-Opitz) to approve the bid from Z& S Dust Control. Per ton \$68.08 and \$25.00 per ton for application. Motion Carried.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS / VOLUNTEER FIRE

DEPARTMENTS: A public hearing was held for the Community Development Block Grant Funds / Volunteer Fire Departments project involving purchasing foam proportioning fire fighting equipment, total estimated cost \$36,750. At the public hearing Lawrence County solicited public comments on the community development and housing needs in Lawrence County.

CDBG – LETTER TO PROGRAM ADMINISTRATOR: Moved-Seconded (Douglas-Seward) to approve and authorize the Chairman to sign the letter to Norm Lingle, Program Administrator CDBG, requesting a waiver of the local cost share because of imminent threat. Motion Carried.

APPLICATION: Moved-Seconded (Seward-Opitz) to approve and authorize the Chairman to sign the CDBG Application. Motion Carried.

CONTRACT: Moved-Seconded (Seward-Opitz) to approve and authorize the Chairperson to sign the Performance Contract between Lawrence County and the Black Hills Council of Local Governments for the Completion of Administrative Functions Related to Community Development Block Grant Project. Motion Carried.

LAWRENCE COUNTY 02-09 COMMUNITY DEVELOPMENT BLOCK GRANT CDBG APPLICATION RESOLUTION: Moved-Seconded (Douglas-Seward) to approve the following Lawrence County 02-09 Community Development Block Grant CDBG Application Resolution: Motion Carried. RESOLUTION NUMBER 02-09 WHEREAS, Lawrence County, on behalf of the Bear Ridge, Brownsville, Cheyenne Crossing, Deadwood, Lead, Nemo, Savoy, St. Onge, Spearfish, and Whitewood Volunteer Fire Departments, has identified the need to apply for a Community Development Block Grant (CDBG) to purchase specific foam proportioning equipment to fire because of an imminent threat situation that exists in the Black Hills area; and, WHEREAS, Lawrence County expects to complete the proposed \$ 36,750 project with the assistance of CDBG Program funds through and “on behalf” of the sub-applicant volunteer fire departments in the amount of \$ 36,750; and, WHEREAS, Lawrence County is eligible for federal assistance for the proposed project as it is a county under 200,000 in population and an imminent threat has been declared by the State of South Dakota, and, WHEREAS, with the submission of the CDBG Application, Lawrence County assures and certifies that all CDBG Program requirements will be fulfilled; THEREFORE, BE IT RESOLVED that the Chairman of the Lawrence County Commission be authorized to execute the CDBG Application and any and all amendments thereto and execute any and all contract documents pertaining to the project. Dated this 9th day of April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

LAWRENCE COUNTY 02-10 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT CERTIFYING OFFICER RESOLUTION: Moved-Seconded (Seward-Opitz) to approve the following Lawrence County Resolution Number 02-10. Community Development Block Grant Project Certifying Officer Resolution. Motion Carried. Resolution 02-10: WHEREAS, Lawrence County anticipates the award of Community Development Block Grant funds from the U.S. Department of Housing and Urban Development as administered by the State of South Dakota, Governor’s Office of Economic Development; and, WHEREAS, if awarded Community Development Block Grant funds, Lawrence County will be required to designate a Project Certifying Officer for the purpose of signing required documents pertaining to this grant NOW, THEREFORE, BE IT RESOLVED, that Lawrence County Commission Chairman be hereby designated as the County’s official for the purpose of signing Grant Agreements and Contracts. AND BE IT FURTHER RESOLVED, that the Lawrence County Auditor be hereby designated as the County’s official for the purpose of signing correspondence, pay requests and other required documents directly relating to the Community Development Block Grant Project. Dated

this 9th April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

LAWRENCE COUNTY 02-11 COMMUNITY DEVELOPMENT BLOCK GRANT ENVIRONMENTAL CERTIFYING OFFICER RESOLUTION: Moved-Seconded (Douglas-Mattson) to approve the following Lawrence County Resolution Number 02-11 Community Development Block Grant Environmental Certifying Officer Resolution. Motion Carried. RESOLUTION NUMBER 02-11: WHEREAS, Lawrence County anticipates an “on behalf of” award of Community Development Block Grant funds from the U.S. Department of Housing and Urban Development, as administered by the State of South Dakota Governor’s Office of Economic Development; and, WHEREAS, if awarded Community Development Block Grant funds, Lawrence County will be required to designate an Environmental Certifying Officer for the purpose of completing the required environmental documents pertaining to this grant. NOW, THEREFORE, BE IT RESOLVED that the Black Hills Council of Local Governments Project Administrator be hereby designated as the Environmental Certifying Officer for the purpose of signing correspondence and other required documents and forms. BE IT FURTHER RESOLVED that this designation be made retroactive to March 1, 2002. Dated this 9th day of April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

LAWRENCE COUNTY 02-12 COMMUNITY DEVELOPMENT BLOCK GRANT OPERATION, MAINTENANCE AND REPAIR STATEMENT: Moved-Seconded (Seward-Opitz) to approve the following Lawrence County Resolution Number 02-12 Community Development Block Grant Operation, Maintenance And Repair Statement. Motion Carried. Community Development Block Grant Operation, Maintenance And Repair Statement. Lawrence County anticipates the award of a Community Development Block Grant (CDBG) from the Governor’s Office of Economic Development. As partial requirement for the CDBG Grant, it is necessary to recognize the need to provide all necessary funding to conduct the normal operation, maintenance and repair of the project being financed in part with CDBG funding. Lawrence County and the “on behalf of” Bear Ridge, Brownsville, Cheyenne Crossing, Deadwood, Lead, Nemo, Savoy, St. Onge, Spearfish, and Whitewood Volunteer Fire Departments do recognize the need to provide such funding and the County has stated to the “on behalf of” volunteer fire departments that they should establish a reserve fund within its annual budgeting process to provide adequate funding to maintain the project being improved by the CDBG funds through the normal life expectancy of the project. It is anticipated that the annual operating, maintenance and repair cost will be less than \$ 500.00. Dated this 9th day of April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

LAWRENCE COUNTY 02-13 COMMUNITY DEVELOPMENT BLOCK GRANT RELOCATION, DISPLACEMENT AND ACQUISITION PLAN: Moved-Seconded (Douglas-Mattson) to approve the following Lawrence County Resolution Number 02-13 Community Development Block Grant Relocation, Displacement And Acquisition Plan. Motion Carried. Community Development Block Grant Relocation, Displacement And Acquisition Plan: Lawrence County, by adopting this RELOCATION, DISPLACEMENT and ACQUISITION PLAN for the anticipated CDBG Project being applied for from the Governor’s Office of Economic Development, will replace all occupied and vacant, occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of this project, assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606 (b)(1) This project, which consists of certain improvements to the firefighting equipment of the various “on behalf

of Bear Ridge, Brownsville, Cheyenne Crossing, Deadwood, Lead, Nemo, Savoy, St. Onge, Spearfish, and Whitewood Volunteer Fire Departments, will neither involve demolition nor conversion of low/moderate-income housing units as described above. Therefore, prior to obligating or expending funds for this project, it will not be necessary for the County to make public or to submit to HUD the following:

- A description of the proposed assisted activity,
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity,
- A time schedule for the completion of the demolition or conversion,
- The general location on a map and approximately number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- The source of funding and a time schedule for the provision of replacement dwelling units; and,
- The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least ten (10) years from the date of initial occupancy

The County will not need to provide relocation assistance, as described in 570.606 (b)(2), as no activity under this project will affect low/moderate-income housing. Consistent with the goals and objectives of activities assisted under the Act, the County will, to the extent practical and possible, refrain from participating in any assisted activity that will involve the displacement of persons from their homes. By taking this action, it is felt by the County that it can help in minimizing the displacement of persons from their homes. Dated this 9th day of April, 2002.

BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

LAWRENCE COUNTY 02-14 COMMUNITY DEVELOPMENT BLOCK GRANT

EXCESSIVE FORCE POLICY: Moved-Seconded (Weisenberg-Opitz) to approve the following Lawrence County Resolution Number 02-14 Community Development Block Grant Excessive Force Policy. Motion Carried. Community Development Block Grant Excessive Force Policy: Lawrence County will prohibit the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations and enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction. Dated this 9th day of April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

LAWRENCE COUNTY 02-15 COMMUNITY DEVELOPMENT BLOCK GRANT

CERTIFICATION REGARDING RESTRICTIONS ON LOBBYING: Moved-Seconded (Opitz-Seward) to approve the following Lawrence County Resolution Number 02-15 Community Development Block Grant Certification Regarding Restrictions on Lobbying. Motion Carried. Community Development Block Grant Certification Regarding Restrictions on Lobbying: The undersigned certifies, to the best of their knowledge and belief, that; (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement. (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the

undersigned shall complete and submit Standard Form-LL , Disclosure Form to Report Lobbying, in accordance with its instructions. (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants and contracts under grants, sub-grants, loans and cooperative agreements) which exceed \$100,000 and that any such sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure. Dated this 9th day of April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

LAWRENCE COUNTY 02-16 COMMUNITY DEVELOPMENT BLOCK GRANT CODE OF CONDUCT RESOLUTION: Moved-Seconded (Opitz-Seward) to approve the following Lawrence County Resolution Number 02-16 Community Development Block Grant Code of Conduct Resolution: Community Development Block Grant Code of Conduct Resolution: Resolution 02-16: WHEREAS, the purpose of this CODE OF CONDUCT is to ensure the efficient, fair and professional administration of Federal grant funds in compliance with applicable Federal and State standards, regulations and laws, and, WHEREAS, this CODE OF CONDUCT applies to the county council, officers, employees or agents of Lawrence County engaged in the award or administration of contracts supported by Federal grant funds; and, WHEREAS, no county council member, officer, employees or agents of Lawrence County shall participate in the selection, award or administration of a contract supported by Federal grant funds--if a conflict of interest (real or apparent) would be involved. Such a conflict would arise when: (a) members of the county council, county employee, officer or agent; (b) any member of his/her immediate family; (c) his/her partner or (d) an organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for award; and, WHEREAS, the county council members, officers, employees or agents of Lawrence County shall neither select nor accept gratuities, favors or anything of monetary value from contractors potential contractors or subcontractors; and, WHEREAS, to the extent permitted by federal, state or local laws or regulations, violation of these standards may cause penalties, sanctions or other disciplinary actions to be taken against the county council members, officers, employees or agents of Lawrence County, or the contractors, potential contractors, subcontractors or their agents. NOW, THEREFORE, BE IT RESOLVED that Lawrence County adopts this CODE OF CONDUCT and affirms the Code as a policy of the County. Dated this 9 day of April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

LAWRENCE COUNTY 02-17 COMMUNITY DEVELOPMENT BLOCK GRANT EQUAL EMPLOYMENT OPPORTUNITY POLICY: Moved-Seconded (Opitz-Seward) to approve the following Lawrence County Resolution Number 02-17 Community Development Block Grant Equal Employment Opportunity Policy. Motion Carried. Community Development Block Grant Equal Employment Opportunity Policy: Lawrence County does hereby declare that it is the fundamental policy for the County to provide equal opportunity to all of its employees and applicants for employment (skilled, unskilled and professional) and to assure that there shall be no discrimination against any person on the basis of race, color, religion, creed, national origin, sex, age, physical or mental handicap, marital status or political beliefs, unless related to a bona fide occupational requirement. To this end, the County will take steps to equalize

opportunity for employment at all levels of operation for those classes of people who have traditionally been denied equal opportunity (minority group members, women and the handicapped), and it recognizes an obligation to make reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant or employee, unless the accommodations impose an undue hardship. All applicants for employment with the Lawrence County will be recruited from the available labor market and evaluated on each person's individual qualifications and abilities. All employees shall be afforded equal employment opportunity, during their term of employment, and are guaranteed protection against retaliation for exercising any legal or administrative procedures to secure right to equal employment, or testifying on behalf of someone else doing so. The Chairman of the Lawrence County Commission, is the Equal Employment Opportunity Officer and shall be responsible for coordinating the Equal Employment Opportunity Program. Adoption of this document reaffirms the County's policy of nondiscrimination in employment, including but not limited to the employment areas of recruitment, selection, placement, testing, training, promotion, transfer, discipline, demotion, layoff and termination. Dated this 9 day of April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

LAWRENCE COUNTY 02-18 COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION ASSURING FAIR HOUSING: Moved-Seconded (Douglas-Opitz) to approve the following Lawrence County Resolution Number 02-18 Community Development Block Grant Assuring Fair Housing. Motion Carried. Community Development Block Grant Assuring Fair Housing Resolution Number 02-18: WHEREAS, it is the firm belief of Lawrence County that discrimination in housing not only threatens the rights and privileges of its citizens, but also menaces the institutions and foundations of free and democratic society; and, WHEREAS, Lawrence County desires to give meaning to the guarantees of equal rights contained in the Constitution and Laws of this State and the United States and to encourage and bring about mutual self-respect and understanding among all citizens and groups in the County; and, WHEREAS, under federal fair housing (Title VIII of the Civil Rights Act of 1968), it is illegal to deny housing to any person because of race, color, religion, sex or national origin, NOW, THEREFORE, BE IT RESOLVED that Lawrence County makes firm commitment to do all within its power to eliminate prejudice, intolerance, disorder and discrimination in housing. BE IT FURTHER RESOLVED that the Fair Housing and Equal Opportunity logo will be displayed in County's buildings and on all official correspondence. BE IT FURTHER RESOLVED that the following procedures will be used to accomplish the purpose of the aforementioned resolution: 1. Lawrence County shall inform all county employees of the County's commitment to equal housing. 2. Lawrence County shall direct all employees to forward immediately to the Commission Chairman reports they receive of housing discrimination. 3, The Commission Chairman shall forward such complaints to the South Dakota Division of human Rights within ten (10) days of receipt to said complaint. Dated this 9th day of April, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, ATTEST: Connie Atkinson, Auditor.

COMMUNITY DEVELOPMENT AND HOUSING NEEDS ASSESSMENT: Moved-Seconded (Douglas-Weisenberg) to reaffirm the following previous position on the Community Development And Housing Needs Assessment. Motion Carried. Community Development and Housing Needs Assessment for Lawrence County: Community Development and Housing Needs of Low and Moderate Income Persons of Lawrence County: 1. Review and enforce established state and county codes to ensure a minimum standard for housing units. 2. Investigate possible methods to decrease the number of substandard housing units in the county. 3. Encourage the development of permanent low income housing units through non profit and for profit entities. 4. Encourage the development of additional transitional units for those recently locating in the county who are unable to secure adequate housing. 5. Attempt to locate and secure employers that pay salaries above the minimum wage in order to provide sufficient incomes to support

minimal housing needs. Planned or Potential Activities to Address Community Development and Housing Needs of Lawrence County: 1. Review existing planning documents and zoning ordinances to ensure compatibility with other governmental requirements to ensure compatibility in the development of supporting infrastructure. 2. Educate both the developers and the governing bodies of the needs for community development and housing and identify roadblocks that exist in meeting those needs. 3. Address the possibility of bringing together the multiple organizations within the county to address the needs of community development and housing. 4. Investigate possible funding sources to construct both temporary and permanent housing for both low income and non low income persons within the county. 5. Encourage countywide developers to apply for funding through Rural Development, South Dakota Housing Authority and the U.S. Department of Housing and Urban Development.

CONDITIONAL USE PERMIT #281 – SCOTT SIMPSON / BLACK HILLS BIBLE

CAMP:

A public hearing was held on Conditional Use Permit #281 for Scott Simpson / Black Hills Bible Camp to operate a youth and family camp - Approximately 12 miles south of Deadwood and 4 miles southeast off of Highway 385 (Paha Sapa). The public hearing was closed, no one was present in the audience to speak for or against the request. Moved-Seconded (Weisenberg-Seward) to follow Planning and Zoning recommendation and approve the Conditional Use Permit #281 for Black Hills Bible Camp contingent upon the transfer of land, and with the following conditions attached. Motion Carried. CONDITIONS: 1) The owner and operator shall comply with all applicable County, State, and Federal regulations regarding lodging and campground requirements. 2) The lodging accommodation's office shall normally be closed at 10:00 p.m. except for emergencies. 3) The maximum number of accommodations shall be 25 tent sites, 26 cabins and 14 RV spots. 4) With the current kitchen and dining room facilities, the maximum number of occupants shall be set at 200 overnight guests. 5) Once the main lodge has been completed with the new kitchen, shower facilities and sleeping accommodations, the maximum number of overnight guests shall be set at 400. 6) Any new construction shall require a building permit from the Lawrence County Office of Planning and Zoning and comply with Uniform Building Codes and Life Safety Codes. 7) The camp operator shall contact the South Dakota Department of Health for an inspection of the facility before opening up the camp to groups. 8) All outdoor fire pits shall be inspected and approved by the South Dakota Wildland Fire Suppression Division. 9) At least one fire extinguisher shall be placed in each cabin. The main lodge shall require two fire extinguishers. Smoke alarms shall also be required in all sleeping quarters and in the lodges. 10) First aid kits will be located in the nurse's station and made accessible to the public and employees. 11) One or more of the employees shall be trained in CPR and/or medical training in case of medical emergencies. 12) Water quality testing shall be conducted by the operator according to the South Dakota DENR Water Quality Division regulations and found to be safe for public consumption. 13) The existing fire hydrants shall be pressured checked on an annual basis by one of the fire departments in the area. A copy of the pressure checks shall be sent to the Lawrence County Office of Planning and Zoning and filed within this application. 14) One on-premise sign shall be allowed on the property and conform to Section 4.2 of the Lawrence County Zoning Ordinance. The operator may request directional signs from the South Dakota Department of Transportation for placement along State Highway #385. 15) Litter containers and trash barrels shall have lids and be strategically placed around the area so as to prevent free blowing trash. The camp employees shall police trash periodically. The trash containers shall be emptied on a regular basis or by demand. 16) Camp Paha Sapa shall

provide all food services from their kitchen(s) except for the self-contained RVs and those meals cooked by individuals at approved fire pits. 17) The camp operator shall assign one or more persons to remain on the premise at all times and to provide security when the camp is open. 18) All noxious weeds shall be controlled per the Lawrence County Weed Department regulations. 19) Exterior lights shall be placed strategically throughout the camp for lighting and security. 20) The camp shall remain gated and locked until the Black Hills Bible Camp Board has opened the Camp for use. 21) Any parking pertaining to the operation shall comply with Section 4.1 of the Lawrence County Zoning Ordinance. The parking area shall be located within designated areas. 22) A minimum of one (1) telephone shall be available for emergency use. A list of emergency numbers and sheriff department number shall be placed next to the phones. 23) The camp operator shall apply for the appropriate U.S. Forest Service permits for those activities such as hiking, trail riding, snowmobiling, and cross-country skiing if the activities are done on adjacent forest service lands. 24) Any change of property ownership, with the proposed transfer of this subject Conditional Use Permit, shall be reported immediately to the Office of Planning and Zoning. The new owner shall meet with the Lawrence County Commission to review and accept the conditions of this Conditional Use Permit. 25) This permit shall be reviewed on an annual basis, or an as needed basis should complaints arise to assure compliance with the attached conditions, at which time additional conditions may be attached. 26) If any term, condition or regulation stipulated in the Conditional Use Permit, the Lawrence County Zoning Ordinance or applicable state and federal regulations are not fully complied with in all respects, this permit shall be reviewed and may be suspended or revoked. 27) The owner and operator may not lease the entire facility to any private individual, group or business.

JUVENILE INCENTIVE BLOCK GRANT: Moved-Seconded (Seward-Douglas) to dedicate Lawrence County's allotment of the Juvenile Accountability Incentive Block Grant in the amount of \$30,201.00 and approve the 10% match money of \$3,355.66 to Teen Court for 2003. Motion Carried. Marlene Todd was present and discussed plans for the expansion of the program and planned use of the funds.

LAWRENCE COUNTY RESOLUTION #2002-19 Moved-Seconded (Seward-Opitz) to approve the following Resolution #2002-19 supporting Congressman John Thune's Black Hills National Forest Disaster Declaration amendment to the Farm Bill. Motion Carried. Aye-4, Absent-Douglas. RESOLUTION 2002-19: WHEREAS, as elected officials in western South Dakota, we feel it is our duty to serve and protect the people who live, recreate and enjoy the quality of life in the Black Hills; and WHEREAS, fallen timber from snowstorms, dead trees from the mountain pine beetle epidemic and unusually dry winters have left a build-up of fuel on the forest ground so great that conventional forest fighting methods have been rendered useless; and WHEREAS, the Beaver Park area alone carries 75 tons of fuel per acre, compared to a healthy forest that would have seven tons of fuel per acre; and WHEREAS, scientific data confirms that the annual tree mortality induced by bark beetles has risen from 1,500 to 485,000 over the past six years; and WHEREAS, years of legal wrangling and countless appeals by extreme environmental groups have complicated this serious situation even more; and WHEREAS, that in addition to the potential loss of life and property, the problems in Beaver Park and Norbeck have a direct impact on the local economy; and NOW THEREFORE BE IT

RESOLVED, that the Lawrence County Commissioners support Congressman John Thune's Black Hills National Forest Disaster Declaration amendment to the Farm Bill as this amendment seeks to resolve the problems that have plagued both the Beaver Park Roadless Area and Norbeck Wildlife Preserve. Dated this 9th day of April, 2002. LAWRENCE COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

BILLS: Moved-Seconded (Weisenberg-Mattson) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried. Payroll: Comm-\$3,162.83; Aud-\$4,316.67; Treas-\$6,636.67; Comp-\$4,253.19; States Atty-\$9,019.87; Pub Def-\$5,450.60; Gen Govt Bldg-\$4,964.45; Equal-\$7,317.52; Rod-\$4,948.44; Vso-\$689.15; Disp-\$7,919.05; Sher-\$25,794.58; Jail-\$14,801.82; Emerg Mgnt-\$1,287.50; E911-\$1,118.40; Highway-\$26,443.05; Exten-\$977.60; Weed-\$1,582.50; Pz-\$2,294.97; Bills: Easter,L-\$4.66; Heck,D-\$87.50; Landeen,J-\$32.40; Locken,W-\$166.68; Mowell,R-\$7,938.00; Richards,K-\$3.25; Seward,J-\$207.00; 911 Magaazine-\$45.95; A&B Welding Supply Inc-\$11.45; A&J Supply-\$32.95; Abc Business Supply Corp-\$224.02; Altaire Enterprises Inc-\$20.00; Amcon Distributing-\$235.72; American Family Life Inc-\$1,966.06; Bh Chemical Company Inc-\$414.15; Bh Federal Credit Union-\$6,673.29; Bh Fibercom-\$1,611.74; Bh Land Analysis-\$1,725.00; Bh Medical Ctr Pharmacy Inc-\$913.93; Bh Pest Control-\$95.00; Bh Pioneer Inc-\$728.41; Bh Power & Light-\$1,330.02; Bh State University Career-\$35.00; Beck Motors Inc-\$23,448.00; Best Business Prod Inc-\$33.37; Blue Cross-\$35,050.90; Brevik & Thurman Llc-\$88.69; Bullock Hotel Inc-\$54.67; Burrly's Lube-\$158.23; Business Aviation Inc-\$207.90; Butler Machinery Co Inc-\$136.80; Butte County Sheriff-\$8.20; Butte Electric Coop Inc-\$363.51; Cardinal Printing-\$259.58; Carlson,D-\$15.00; Central Parts-\$268.24; Christensen Law Office-\$392.75; Clarke,N-\$118.36; Clinical Lab Of Bh Inc-\$3,268.66; Coburn Insurance Agency-\$60.00; Coley, Mike Ccdcii-\$60.00; Community Health Services-\$30.00; Conoco-\$389.54; Cooperative Extension Service-\$29.00; Corral West-\$26.95; Correctional Billing Svc-\$10.131; Culligan Soft Water Serv Inc-\$94.00; Cvd Construction Inc-\$1,691.25; Dakota Graphics-\$426.00; Dale's Tire & Retread Inc-\$104.00; Deadwood Lumber Company Llc-\$17.75; Deadwood Recreation Center-\$78.00; Deadwood Supply Inc-\$203.64; Deadwood,City Of-\$429.95; Deckers Food Inc-\$4.85; Dept Of Human Services-\$36.20; Dept Of The Treasury-\$30,313.24; Dietrich,D-\$105.82; Ekeren,M-\$15.00; Election Sys & Software Inc-\$589.41; Environmental Products Co-\$119.52; Expanets Inc-\$11.21; Family Thrift Center Inc-\$42.09; Farmers Union Oil Co-\$499.79; Federal Express Corp-\$13.44; Firewise Communities-\$125.00; Fisher Sand & Gravel Inc-\$2,656.00; Frame Garage-\$1,200.00; Frederickson,J-\$1,373.10; General Security Serv Corp-\$518.87; Golay,B-\$491.89; Golden Hills Resort-\$90.34; Guilbert,Dr-\$205.00; Hall Welding Inc-\$13.78; Heartland Paper Co Inc-\$700.00; Heisler Hardware Inc-\$55.32; Ikon Office Solutions Inc-\$559.66; Infosynthesis Inc-\$84.00; Insight-\$1,099.00; Jilek,R-\$126.04; Johnson,D-\$70.00; Katharsis Team-\$250.00; Ken's Camper Sales-\$384.25; Kinney & Koch Llp-\$557.72; Lc Auditor-Petty Cash-\$12.45; Lc Conservation Dist-\$4,500.00; Lc Public Health-\$2,208.00; Lc Sheriff-\$112.77; Lead-Deadwood Sanitary-\$157.44; Lee,J-\$15.00; Lookout Memorial Hospital-\$41.75; Matthew Bender & Co Inc-\$285.95; Mayer Radio Inc-\$239.00; Mcarthur,J-\$140.00; Mcleod Usa-\$54.47; Mcleod's Office Supply Inc-

\$54.47; Meade County Sheriff-\$23.55; Mid-Night Star-\$101.50; Mineral Palace Hotel-\$70.00; Mobility Concepts-\$3,635.00; Montana-Dakota Util-\$3,927.62; Murphy,J-\$822.05; Mutchler,T-\$560.00; Nh Community Development Inc-\$60,000.00; Nh Family Ymca-\$446.00; Nh Training Center Inc-\$2,850.00; Network Instruments Llc-\$108.00; Nlada-\$281.14; Office Of Child Support-\$284.50; Office Technology Supply-\$71.98; Pennington County Sts.Attny-\$200.00; Pitney Bowes Inc-\$126.70; Postmaster Spearfish-\$350.00; Queen City Medical Center-\$25.00; Queen City Rocket Lube-\$108.81; Qwest-\$123.53; Rc Regional Hospital Inc-\$982.39; Radio Shack/Kazco Inc-\$10.98; Radiology Associates-\$20.75; Rapid Delivery Inc-\$6.00; Reausaw,B-\$11.74; Reliable Inc-\$109.81; Sd Municipal League-\$10.00; Sd Retirement System-\$28,068.79; Sd State Treasurer-\$4,615.00; Sd Aao Inc-\$260.00; Sd Dept Of Transportation-\$135.00; Sd Project Learning Tree-\$5,000.00; Sd Supplemental Retirement-\$662.50; Sanito Oil Inc-\$115.50; Servall Towel & Linen-\$192.68; Sioux Steam Cleaner Corp-\$14.81; Spearfish Auto Supply-\$491.08; Spearfish Surgery Center-\$25.00; Specialized Auto Service Inc-\$110.74; Stadler Ind Service-\$600.00; State Bar Of South Dakota-\$150.00; State Disbursement Unit-\$60.00; Sunshine Towing-\$65.00; Superior Lamp And Supply Inc-\$761.81; Texaco Inc-\$33.52; Tigerdirect-\$420.01; Tridle,J-\$520.00; Triple K Tire & Repair-\$51.95; Twin City Hardware & Lumber-\$244.72; United Building Center-\$89.99; Vannorman,B-\$1,480.32; Verizon Wireless Inc-\$45.24; Versatile Carpets & Interiors-\$6,289.96; Viking Office Prod-\$441.46; Walmart-\$56.14; Waste Connections Inc-\$213.18; West Group-\$330.00; Western Communication Inc-\$945.55; Wyoming Child Support-\$190.00; Xerox Corporation-\$259.00; Yankton Co Sheriff-\$16.50; Witness & Jurors: Dubray,A-\$56.38; Hodson,T-\$58.70; Larson,M-\$60.44; Mellow,C-\$59.86; Sartorius,L-\$59.28; Talsma,K-\$58.70; Tisdall,R-\$55.80; Wegenke,J-\$59.86; Wellard,C-\$51.16; Wickenheiser,T-\$29.86; Holmes,A-\$22.90; Long,W-\$29.86; Mccoy,C-\$21.74; Mitchell,C-\$28.70; Schlosser,W-\$26.96; Zoodsma,M-\$21.74; Bellman,S-\$176.10; Bennett,S-\$11.74; Berry,J-\$18.70; Beyl,J-\$10.58; Bresee,B-\$179.58; Carlson,J-\$14.06; Carr,B-\$20.44; Carter,D-\$15.80; Chapman,B-\$123.20; Clark,M-\$25.66; Clauser,J-\$18.70; Coburn,C-\$21.60; Croft,S-\$15.80; Davis,C-\$18.70; Engelhaupt,J-\$18.12; Farrington,J-\$18.70; Ferris,C-\$10.58; Ficek,G-\$18.70; Fischer,V-\$11.74; Fosheim,B-\$155.22; Frahm,M-\$18.70; Fuhr,C-\$176.10; Furnish,V-\$18.70; Garlick,K-\$19.86; Haselhorst,D-\$19.28; Heairet,T-\$21.60; Heinbaugh,C-\$20.44; Hemeyer,C-\$30.30; Hollerman,N-\$18.70; Hudson,H-\$11.74; Jewett,D-\$18.70; Johnson,C-\$18.70; Klunder,B-\$22.18; Laufenberg,K-\$21.60; Locati,M-\$21.60; Lorensen,D-\$12.32; Mackey,J-\$156.96; Madsen,T-\$15.80; Mason,S-\$11.74; Mcgrath,C-\$16.96; Mclellan,B-\$21.02; Meiners,V-\$11.74; Meverden,J-\$17.54; Mundorf,R-\$19.86; Murray,T-\$18.70; Myers,E-\$155.22; Nelson,M-\$10.58; Nelson,N-\$11.16; Novotny,C-\$18.70; Palmer,W-\$20.44; Parker,M-\$176.10; Pearson,J-\$12.32; Pleinis,H-\$155.22; Pochop,J-\$18.70; Roadifer,L-\$21.60; Rogers,H-\$10.58; Runyan,C-\$21.60; Sack,E-\$18.70; Sartorius,R-\$176.10; Schultz,R-\$20.44; Schumacher,T-\$11.74; Sharp,S-\$18.70; Stillson,H-\$176.10; Stratton,C-\$20.44; Thacker,J-\$18.70; Thomas,C-\$10.58; Thomas,S-\$24.50; Thomas,V-\$18.70; Tucker,J-\$18.70; Vancleave,L-\$21.60; Verhelst,D-\$176.10; Verhulst,C-\$23.34; Warner,W-\$18.12; Weaver,R-\$21.02; Wilkening,B-\$18.70; Willuweit,D-\$150.00; Walters,J-\$176.10; Culver,K-\$33.20.

ADJOURN: 11:00 a.m. - There being no further business it was Moved-Seconded (Douglas-Seward) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY BOARD OF EQUALIZATION

The Lawrence County Board of Equalization was called to order at 11:00 a.m. on Tuesday, April 9, 2002, with the following members present: Barb Mattson, Terry Weisenberg, George Opitz and Jim Seward. Connie Douglas was absent. The 2002 Board of Equalization oath was signed.

All motions were passed by unanimous vote unless stated otherwise.

COUNTY APPEALS:

#0001 BALO, LONULD G & MONA J: 25000-00704-132-00 T-007 R-04 SW1/4 NW1/4

Moved-Seconded (Opitz - Seward) No change in land value. Motion Carried: Aye-4

Absent:(Douglas) Remarks: Soil Survey supports valuation.

#0002 BALO, LONULD G & MONA J: 25000-00704-133-60 T-007 R-04 W1/2 SW1/4-

SE1/4 SW1/4 Moved-Seconded (Weisenberg - Mattson) No change in land value. Motion

Carried: Aye - 4 Absent: (Douglas) Remarks: Soil Survey supports valuation.

#0003 BALO, LONULD G & MONA J: 25000-00704-223-00 T-007 R-04 N1/2 SE1/4-N1/2

SW1/4 Moved-Seconded (Opitz - Seward) No change in land value. Motion Carried: Aye - 4

Absent: (Douglas) Remarks: Soil Survey supports valuation.

#0004 BALO, LONULD G & MONA J: 25000-00704-224-80 T-007 R-04 SE1/4 SE1/4

Moved-Seconded (Weisenberg - Seward) Change land value from \$8,460 to \$4,330 Motion

Carried: Aye - 4 Absent: (Douglas) Remarks: Correction on soils.

#0005 BALO, LONULD G & MONA J: 25000-00704-244-00 T-007 R-04 N1/2 NE1/4-

SW1/4 NE1/4-SE1/4 NE1/4 Moved-Seconded (Seward - Weisenberg) No change in land value.

No change in structure values. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Soils support valuation.

#0006 BALO, LONULD G & MONA J: 25000-00704-242-00 T-007 R-04 NW1/4 Moved-

Seconded (Opitz - Seward) No change in land value. Motion Carried: Aye - 4 Absent:

(Douglas) Remarks: Soil Survey supports valuation.

#0007 BALO, LONULD G & MONA J: 25000-00704-142-00 T-007 R-04 NW1/4 Moved-

Seconded (Seward - Mattson) No change in land value. Motion Carried: Aye - 4 Absent:

(Douglas) Remarks: Soil Survey supports valuation.

#0008 BENCHMARK PROPERTIES INC: 09200-00800-000-00 THE PINES AT

BENCHMARK SD BLOCK 8 Moved-Seconded (Seward - Weisenberg) Change land value

from \$177,500 to \$133,130 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Adjust the

value by placing an over-size adjustment on the land. A localized market analysis using trends was completed in March of 2002, which indicated parcels 20 acres in size required an adjustment.

#0009 BENCHMARK PROPERTIES INC: 09200-00300-003-00 THE PINES AT BENCHMARK SD LOT 3 BLOCK 3 Moved-Seconded (Weisenberg - Opitz) Change land value from \$65,980 to \$48,910 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Adjust the value by placing the parcel in a secondary level neighborhood. A localized market analysis using trends was completed in March of 2002, which indicated two levels of market value existed within the subdivision.

#0010 HEAD, CAROL L: 26985-00010-000-04 SPEARFISH CANYON LOTS LOT 104 27-4-2 Moved-Seconded (Seward - Opitz) No change in land value. Change structure value from \$108,120 to \$105,940 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Adjust the structure value as a result of updating the depreciation.

#0011 HERRICK, MICHAEL J & SHERRI K HERRICK, JEROME & ARDITH: 18000-00504-132-05 T-005 R-04 W. 235' OF THE S. 50' OF LOT 1 (A/K/A LOT E) Moved-Seconded (Opitz - Seward) No change in land value. Change structure value from \$30,340 to \$26,490 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Adjust the structure value as a result of field inspection conduction on March 13, 2002.

#0012 JAMNIK, FRANK J & CHARLOTTE A: 04000-00204-123-03 T-002 R-04 SUMMER PLACE TRACT 3 Moved-Seconded (Seward - Opitz) Change land value from \$31,130 to \$0 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Tracts 1,2,&3 are combined with home site, making secondary acreage, losing site values on tracts 1&3, and all acreage will receive owner occupied status. Combined with parcel #04000-00204-123-02.

#0013 JAMNIK, FRANK J & CHARLOTTE A: 04000-00204-123-02 T-002 R-04 SUMMER PLACE TRACT 2 Moved-Seconded (Opitz - Seward) Change land value from \$20,170 to \$41,330 No change in structure value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Tracts 1,2&3 are combined with home site, making secondary acreage, losing site values on tracts 1 & 3, and all acreage will receive owner occupied status. Combined with parcel #04000-00204-123-03 & 04000-00204-123-01.

#0014 JAMNIK, FRANK J & CHARLOTTE A: 04000-00204-123-01 T-002 R-04 SUMMER PLACE TRACT 1 Moved-Seconded (Seward - Weisenberg) Change land value from \$20,030 to \$0 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Tracts 1,2&3 are combined with home site, making secondary acreage, losing site values on tracts 1&3 and all acreage will receive owner occupied status. Combined with parcel #04000-00204-123-02.

#0015 LIEN, THOMAS E: 21000-00603-354-30 T-006 R-03 LOT A PT W1/2 SE1/4 LYING E OF HWY 85 Moved-Seconded (Weisenberg – Seward) Change land value from \$54,360 to \$6,650 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Property is a long narrow strip fronting HWY 85, attached to owners other acreage of 100+ acres.

#0016 MOE, MITCHELL K & LYNETTE C: 21000-00603-294-70 T-006 R-03 TRACT A-1 BIRKLAND S/D & THE REMAINDER OF TRACT A 29-6-3 Moved-Seconded (Seward - Opitz) Change land value from \$38,580 to \$53,980 No change in structure value. Motion

Carried: Aye - 4 Absent: (Douglas) Remarks: Two tracts are being combined at the request of owners. Combined with parcel #21000-00603-294-60.

#0017 MOE, MITCHELL K & LYNETTE C: 21000-00603-294-60 T-006 R-03 TR A-1 BIRKELAND S/D Moved-Seconded (Seward - Mattson) Change land value from \$28,680 to \$0 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Two tracts are being combined at the request of the owner. Combined with parcel #21000-00603-294-70.

#0018 MYERS, WILLIAM E & DEBORAH K: 21000-00603-112-16 T-006 R-03 MH SITS ON N1/2 NE1/4 11-6-3 Moved-Seconded (Weisenberg - Opitz) Change structure value from \$134,380 to \$116,210 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Adjusted for quality, mobile home on basement.

#0019 REINECKE OX YOKE RANCH INC: 11000-00401-040-00 T-004 R-01 LOT L OF HES 154 Moved-Seconded (Opitz - Seward) Change land value from \$13,780 to \$1,090 Change abstract class from NA to AG Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Adjust the land value as a result of reclassification to AG-A. The parcel is in the USFS Pettigrew Grazing Allotment operated by owner and was established as a water source for the allotment. Reineke OX Bow Ranch operates on the nearby HES 535 (133.69 acres), as well as the above mentioned parcel.

#0020 ROARK, BRADFORD J & BARBARA K: 26920-00001-002-16 LOST CAMP VALLEY AC. TR A LOT 16 & 17 BLK 2 Moved-Seconded (Opitz - Seward) No change in land value. Change structure value from \$197,370 to \$189,380 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Adjust the structure value as a result of field inspection conducted on March 27, 2002.

#0021 SHAFTO, JOHN W & DEBORAH S: 22600-00604-161-03 V. W. S/D 9 & 16-6-4 TR 3 OF SE1/4 SE1/4 Moved-Seconded (Seward - Mattson) No change in land value. No change in first structure value. Change structure value from \$51,420 to \$0 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Remove value of mobile home, as it is already valued on leased site parcel.

#0022 WOITAS, GREGORY P. ETUX: 20450-00602-050-36 DEBERG S/D SW 1/4 SE 1/4 LOT 15 Moved-Seconded (Opitz - Weisenberg) No change in land value. Change structure value from \$93,540 to \$88,290. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Adjust to overall physical depreciation to reflect deferred maintenance - based on 3-26-02 inspection.

#0023 WOLFF, JOHN & COYLE, MIKE & RAYNA: 20970-00110-005-00 OUTSIDE SPF. MH COURTS MH SITS ON LOT 5 PLEASANT ACRES Moved-Seconded (Seward - Opitz) Change structure value from \$28,720 to \$18,120. Change classification from NA-CM1-S to NA-D1-S. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Revised assessment based on a complete inspection on 3/11/02. Effective age increased from 3 to 10 years due to condition, and 10% functional added for 2002 until remaining structure damage is repaired.

#0024 WOLFGRAM, RONALD W & MAUREEN E: 18050-00504-104-01 FLORENCE S/D 10-5-4 LOT 1 FLORENCE S/D Moved-Seconded (Opitz - Seward) Change land value from \$37,000 to \$33,300 Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Adjust the value by placing an over-size adjustment on the land. A localized market analysis was completed in February of 2002, which indicated parcels 15 acres and larger required an adjustment. Others in this size range received the adjustment and due to an error the above mentioned parcel did not.

#0025 BADER, ORIN D & MARILYN L: 20000-00602-084-84 T-006 R-02 LOT 4 OF TRACT 1 IN E1/2 SE1/4 Moved-Seconded (Seward - Opitz) No change in land value. No change in structure value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Sales and comparables support valuation.

#0026 BADER, ORIN D & MARILYN L: 20000-00602-084-85 T-006 R-02 LOT 3 OF TRACT 1 IN E1/2 SE1/4 Moved-Seconded (Seward - Opitz) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Sales and comparables support valuation.

#0027 HILLS, CHRISTOPHER: 20970-00015-033-00 OUTSIDE SPF. MH COURTS MH SITS ON LOT 33 BI-CENTENNIAL CRT Moved-Seconded (Seward - Opitz) Change structure value from \$23,270 to \$19,270 Motion Carried: Aye – 4 Absent: (Douglas) Remarks: Made adjustment after review of property.

#0028 JOHNSON, ERIC W & HEIDI K ETAL: 22000-00604-152-20 T-006 R-04 S1/2 SW1/4 NW1/4 NE1/4 Moved-Seconded (Opitz - Seward) Change structure value from \$30,540 to \$0 No change in land value. No change in structure value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Corrected valuation for cabins not on property.

#0029 KEENE, HARVEY NOTT, CATHERINE M: 24000-00702-023-20 T-007 R-02 S. REDWATER PT SW1/4 SW1/4 Moved-Seconded (Seward - Opitz) No change in land value. Motion Carried: Aye - 4 Absent (Douglas) Remarks: Sales and Comparables support assessment. Not eligible for AG Classification

#0030 KEENE, HARVEY NOTT, CATHERINE M: 24000-00702-034-10 T-007 R-02 S. REDWATER PT SE1/4 SE1/4 EX RW Moved-Seconded (Seward - Weisenberg) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Sales and Comparables support assessment. Not eligible for AG Classification.

#0031 KEENE, HARVEY NOTT, CATHERINE M: 24000-00702-112-10 T-007 R-02 S. REDWATER PT NW1/4 NW1/4 Moved-Seconded (Weisenberg - Seward) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Sales and Comparables support assessment. Not eligible for AG Classification.

#0032 KEENE, HARVEY NOTT, CATHERINE M: 24000-00702-101-40 T-007 R-02 S. REDWATER PT NE1/4 NE1/4 Moved-Seconded (Opitz - Mattson) No change in land value. Motion Carried: Aye – 4 Absent: (Douglas) Remarks: Sales and Comparables support assessment. Not eligible for AG Classification.

#0033 KNITTEL, LOREN E: 20250-00602-040-23 SUN VALLEY S/D 4-6-2 LOT 23A OF LOT 3 SE1/4 NE1/4-NE1/4 SE1/4 Moved-Seconded (Seward - Weisenberg) No change in land value. No change in structure value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Sales and Comparables support Assessment.

#0034 O'NEILL, DAVID A: 22500-00604-162-85 EAST SLOPE ESTATES 16-6-4 LOT 18 Moved-Seconded (Weisenberg - Mattson) No change in land value. No change in structure value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Sales and comparables support valuation.

#0035 ONE DIAMOND, INC: 24010-00702-110-03 TWO GATE RANCH S/D LOT 3 SW1/4 Moved-Seconded (Weisenberg - Mattson) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Platted subdivision with roads and water service.

#0036 ONE DIAMOND, INC.: 24010-00702-110-07 TWO GATE RANCH S/D LOT 7 SW1/4 Moved-Seconded (Opitz - Weisenberg) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Platted subdivision with roads and water service.

#0037 ONE DIAMOND, INC.: 24010-00702-110-06 TWO GATE RANCH S/D LOT 6 SW1/4 Moved-Seconded (Opitz - Weisenberg) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Platted subdivision with roads and water service.

#0038 ONE DIAMOND, INC.: 24010-00702-110-04 TWO GATE RANCH S/D LOT 4 SW1/4 Moved-Seconded (Opitz - Weisenberg) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Platted subdivision with roads and water service.

#0039 ONE DIAMOND, INC.: 24010-00702-110-08 TWO GATE RANCH S/D LOT 8 SW1/4 Moved-Seconded (Weisenberg - Mattson) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Platted subdivision with roads and water service.

#0040 RICHARDS, GARY M: 24010-00702-110-05 TWO GATE RANCH S/D LOT 5 SW1/4 Moved-Seconded (Weisenberg - Seward) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Platted subdivision with roads and water service.

#0041 TRINIDAD, REUBEN ETUX: 26340-00968-000-00 MINERAL 759 THRU 1034 M.S. 968 M & B FREMONT ETAL Moved-Seconded (Seward - Mattson) No change in land value. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Comparables and sales support valuation.

#0042 ALBERT PEPLAU: Key#02515 Mobile Home Located on Lot 32 BI-Centennial Crt. Moved-Seconded (Seward-Opitz) to change the mobile home value from \$6,930 to \$5,960. Motion Carried: Aye - 4 Absent: (Douglas) Remarks: Changed depreciation of the property.

TAX EXEMPT REQUESTS:

#0043 TRINITY UNITED METHODIST CHURCH: 31510-00500-000-05 DENVER S/D LEAD LOT M S/D OF BLK 5 DENVER ADD & LOT 1 BLK 4 MAY ADD Moved-Seconded (Opitz - Seward) Change land value from \$3,110 to \$0 and add value to parcel #31570-00500-020-00 Motion Carried: Aye - 3 Abstain-Weisenberg Remarks: Parcel 31570-00500-020-00 is tax exempt.

#0044 WEST RIVER FOUNDATION: 32210-13030-020-02 GREEN ACRES ADDN. SPEARFISH LOT 2B REVISED OF TR 3 SE1\4 SE1\4 13-6-2 (KSLT RADIO STATION) Moved-Seconded (Seward - Mattson) To grant Tax Exempt Status of 100%. Motion Carried: Aye - 4 Absent: Douglas

#0045 WEST DAKOTA HEALTHCARE INC: 30025-07100-490-00 ORIGINAL TOWN DEADWOOD LOTS 43, 45, 47, 49 & VACATED CEDAR ST. BLK 71 (CD FROM HOMESTAKE TO NH MEDICAL ASS. FOR BLDG ONLY) Moved-Seconded (Weisenberg-Seward) To grant 95% Tax Exempt Status. Motion Failed. Aye–Weisenberg-Mattson; Nay–Seward-Opitz; Absent–Douglas. Motion Failed.

Moved-Seconded (Seward - Opitz) To grant 75% Tax Exempt Status. Motion Carried: Aye – Seward, Opitz, Mattson; Nay – Weisenberg; Absent – Douglas

#0046 JERIKODIE INC.: 31090-02600-040-00 RECREATIONAL LOT NO 1 A/K/A LOT 3 & PT OF LOT 4 BLK 26. James O’Grady was present on behalf of the Historic Opera Society requesting tax exempt status for the Career Learning Center section of the building. O’Grady stated the Opera Society has a 501C and leases that section of the building. Piekkola explained the law does not allow tax exempt on property that is leased. The Opera Society would have to have that portion of the building deeded to them. Moved-Seconded (Opitz-Mattson) to deny the tax exempt status because state law doesn’t allow for stewards of property to receive exempt status, you must own the property. Motion Carried. Aye-Opitz, Mattson, Seward; Nay-Weisenberg; Absent-Douglas.

#0047 WEST RIVER TRANSIT AUTHORITY INC: 32690-00300-010-50 LOT 11 OF LOT 5 OF TR 3. Tax exempt request was reviewed for the West River Transit Authority Inc. Application stated the 501C has been applied for. Piekkola will check and see if they received a 501C and report back to the Board on the 23rd of April for Board action.

3:15 p.m. The Board recessed until 1:30 p.m. April 23, 2002.

The Lawrence County Board of Equalization reconvened at 1:30 pm on Tuesday April 23, 2002 with the following members present Jim Seward, Connie Douglas, Terry Weisenberg and George Opitz present.

#0021 SHAFTO, JOHN W & DEBORAH S: 22600-00604-161-03 V. W. S/D 9 & 16-6-4 TR 3 OF SE1/4 SE1/4 Moved-Seconded (Douglas-Seward) No change in land value. No change in house value. Change structure value from \$51,420 to \$11,460. Motion Carried: Absent:

(Mattson) Remarks: Remove value of mobile home, as it is already valued on leased site parcel. Retain value of garage of \$11,460.

#0047 WEST RIVER TRANSIT AUTHORITY INC PRAIRIE HILLS TRANSIT (DBA): 32690-00300-010-50 SOUTH FORTY ADDN. SPEARFISH LOT 11 OF LOT 5 OF TR 3 Moved-Seconded (Seward-Weisenberg) Grant Tax Exempt Status. Motion Carried. Absent: (Mattson) Remarks: Letter stating they are exempt from Federal Income Tax was read. They must supply Tax Exempt number prior to November 1, 2002 to continue to receive tax exempt status.

#0102 WEST DAKOTA HEALTH CARE, INC: 30050-00327-000-10 PROBATE LOTS DEADWOOD TRACT M-1 (A POR. OF M.S.75 & A POR. OF TRACT B M. S.207) Moved-Seconded (Weisenberg-Opitz) To add value of \$32,670 for bare lot. Motion Carried: Absent: (Mattson) Remarks: Buildings were tore down in 2001, now a vacant lot and does not meet criteria for exempt status.

#0103 ZUERCHER, LOIS JEAN: 24000-00702-354-60 T-007 R-02 SE1/4 EXCEPT TRACT A Moved-Seconded (Opitz-Douglas) No change in land value. Change structure value for house of \$102,940 to \$100,370 Motion Carried: Absent: (Mattson) Remarks: Inspected 3-26-02 and applied a 4% functional to reflect missing trim, baseboard and no carpet.

#0104 ZUERCHER, LOIS JEAN: 24000-00702-353-80 T-007 R-02 E1/2 SW1/4 EX TRACT A Moved-Seconded (Seward-Douglas) No change in land value. Motion Carried: Absent: (Mattson)

#0105 JOHNSON, ROBERT W & JOAN M TRUST ETAL: 22000-00604-152-10 T-006 R-04 NW1/4 NE1/4 EX 5 ACRES-NE1/4NW1/4- SW1/4NW1/4-NW1/ 4NW1/4 Moved-Seconded (Opitz-Douglas) Add value for cabins of \$30,540. Motion Carried: Absent: (Mattson) Remarks: Add on for cabins previously on parcel#22000-00604-152-20

#0106 SPEARFISH CONGREGATION OF JEHOVAH'S WITNESSES: 32655-01500-010-00 SANDSTONE HILLS ADDN. LOT 1 BLK 15 Moved-Seconded (Weisenberg-Douglas) Grant Tax Exempt Status. Motion Carried: Absent: (Mattson)

#0107 ANDRESON, JOANN M: 31580-00000-000-12 MILE-HI #II MOBILE HOME P TRACT D Moved-Seconded (Douglas-Weisenberg) No change in structure value. Change structure value from \$23,970 to \$4,280. Motion Carried: Absent: (Mattson) Remarks: Mobile Home already being assessed.

ADJOURN: Being no further appeals to be heard the 2002 Board of Equalization adjourned at 2:00 pm. the 23rd day of April 2002.

DATE

BARBARA MATTSON, Chair

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY CONSOLIDATED BOARD OF EQUALIZATION

The Lawrence County Consolidated Board of Equalization was called to order at 8:30 am on Thursday, April 11, 2002 with the following members present; Barbara Mattson, Terry Weisenberg, Jim Seward, Pat Milos (40-1 School) and Francis Toscana (Deadwood) .

All motions were passed by unanimous vote unless stated otherwise.

The Consolidated Board of Equalization Oath was signed.

DEADWOOD CITY APPEALS:

#0048 RACHETTO, JERRY C & PETERSON, JOE B 30025-03400-190-00 ORIGINAL TOWN DEADWOOD LOT 19 BLK 34 Moved-Seconded (Toscana-Weisenberg) No change in land value. Change structure value from \$94,640 to \$79,200 Motion Carried: Aye-4 Abstain (Mattson)

#0049 KOTTKE, LINDA L 30025-06000-090-00 ORIGINAL TOWN DEADWOOD LOTS 9,10 & 20'VACATED JACKSON ST BLK 60 Moved-Seconded (Seward-Toscana) No change in land value. No change in structure value. Motion Carried: Sales and comparables support valuation.

#0050 HEFFRON-FOGLE, JANICE D 30025-05100-060-00 ORIGINAL TOWN DEADWOOD LOTS 5 & 6 BLK 51 Moved-Seconded (Seward-Toscana) No change in land value. Change structure value from \$34,760 to \$32,190 Motion Carried:

#0051 CONRAD, TIMOTHY J KEEHN, GARY L 30025-07000-000-00 ORIGINAL TOWN DEADWOOD LOT I-1 OF BLK 70 Moved-Seconded (Weisenberg-Milos) No change in land value. No change in structure value. Motion Carried: Sales and comparables support valuation.

#0052 CONRAD, MONICA & TIM C/O PRO RENTAL MANAGEMENT 30900-00308-000-20 MINERAL – DEADWOOD M.S. 308 LOTS 5 THRU 9 BLK 1 Moved-Seconded (Weisenberg- Toscana) No change in land value. No change in structure value. Motion Carried: Sales and comparables support valuation.

#0053 DEROSIER, G D (DON) ETUX 30900-01106-000-08 MINERAL – DEADWOOD M.S. 1106 LOT 1B & 2 BLK 2 Moved-Seconded (Seward-Toscana) No change in land value. No change in structure value. Motion Carried: Sales and comparables support valuation.

#0054 DEROSIER, GEORGE D ETUX 30075-00036-000-00 SCHOOL LOTS DEADWOOD M & B DESC. SCHOOL LOT 36 Moved-Seconded (Toscana-Seward) No change in land value. Motion Carried: Sales and comparables support valuation.

#0055 HOPKINS, JOHN S 30025-08000-230-00 ORIGINAL TOWN DEADWOOD LOTS 21- 22 & 23 EX NWLY 7 1/2' BLK G Moved-Seconded (Weisenberg-Seward) No change in

land value. No change in structure value. Motion Carried: Sales and comparables support valuation.

#0056 FULL HOUSE INC 30025-02100-000-00 ORIGINAL TOWN DEADWOOD LOT A BLK 21 Moved-Seconded (Seward-Toscaca) No change in land value. Change structure value from \$280,540 to \$198,520 Motion Carried: Adjustment for market value.

#0057 HOTEL FRANKLIN INC 30025-02300-140-00 ORIGINAL TOWN DEADWOOD PT LOT 10 & 12 & ALL LOTS 1-3-5-7-9-11 & ALLEY SELY OF LOTS 8 THRU 14 BLK 23 Moved-Seconded (Weisenberg-Seward) No change in land value. Change structure value from \$1,463,350 to \$1,271,230 Motion Carried: 10% depreciation given to ground floor.

10:30 a.m. the Consolidated Board recessed until 1:30 p.m.

CENTRAL CITY APPEALS: NO APPEALS WERE FILED.

The Consolidated Board of Equalization reconvened at 1:30 p.m. with Barbara Mattson, Terry Weisenberg, Jim Seward, Pat Milos, and Denny York (City of Lead).

The 2002 Consolidated Board of Oath was signed.

LEAD CITY APPEALS:

#0058 NICHOLS, WILLIAM L & NIRA I 31090-01500-030-10 ORIGINAL TOWN LEAD S 41' OF LOT 2 & ALL LOT 3 & ELY 23' OF SLY 35' OF LOT 8 BLK 15 Moved-Seconded (Seward- Milos) No change in land value. No change in structure value. Motion Carried: Sales and comparables support valuation

#0059 CARR, WILLIAM E & MARY K 31810-01400-320-00 LOT 713 RIDGEROAD & LOT G-1 MOULTON TERRACE #1D Moved-Seconded (Seward-Weisenberg) No change in land value. Change structure value from \$96,940 to \$81,840 Motion Carried.

#0060 MURRAY, CHRISTOPHER MICHAEL 31090-01800-060-10 ORIGINAL TOWN LEAD SW PT LOT 7 AND PT 6 BLK 18 Moved-Seconded (Seward-York) No change in land value. Change structure value from \$23,720 to \$20,720. Reclassify from NA-D to NA-D-S, and NA-D1 TO NA-D1-S. Motion Carried: Aye-3 Nay-2 Nay: (Mattson-Milos) Reclassified to Owner Occupied.

#0061 TRINITY UNITED METHODIST CHURCH 31570-00500-030-00 MAYS S/D LEAD LOT 3B SUB OF 2 & 3, & LOT 2B SUB OF LOT 3 BLK 5 Moved-Seconded (Milos-York) No change in land value. Change structure value from \$44,830 to \$39,830. Motion Carried: Depreciation was updated.

#0062 ABERLE, JAMES R & CATHIE C 31660-00100-090-00 NISICK HEIGHTS S/D LEAD PT OF 8 AND ALL OF 9 BLK 1 Moved-Seconded (Weisenberg-Milos) No change in land value. Change structure value from \$98,890 to \$86,170. Motion Carried: Depreciation was updated.

#0063 HARSCH, EVELLA R ETAL C/O GUY SAWIN 31510-02600-070-00 DENVER S/D LEAD 414 W SUMMIT Moved-Seconded (Weisenberg-Milos) No change in land value. No change in structure value. Motion Carried: In-house correction- from NA-D to NA-D-S, and NA-D1 TO NA-D1-S

#0064 SANDER, DUANE E 31090-02700-060-00 ORIGINAL TOWN LEAD LOT 5 & ALL LOT 6 BLK 27 Moved-Seconded (Mattson-Milos) Change land value from \$1,520 to \$2,690 Change structure value from \$3,320 to \$0 Motion Carried: Building destroyed--changing legal description.

#0065 SANDER, DUANE E 31090-02700-050-20 ORIGINAL TOWN LEAD N 36' OF LOT 5 BLK 27 Moved-Seconded (Seward-York) Change land value from \$2,710 to \$0 Motion Carried: Combine With Lot 5 & All Lot 6.

#0066 SANDER, DUANE E 31090-02700-050-10 ORIGINAL TOWN LEAD S 42 1/2' OF N 78.3' OF LOT 5 BLK 27 Moved-Seconded (York-Milos) Change land value from \$1,320 to \$0 Change structure value from \$8,480 to \$0 Motion Carried: Building destroyed. Combine with lot 5 & All lot 6

#0067 SHARTS, CHRISTOPHER CLAY ANDERSON, MARYLYNNE 31610-00300-160-10 MOULTON TERRACE S/D LEAD LOT 231A TERRAVILLE AVENUE Moved-Seconded (Weisenberg-York) Change land value from \$25,000 to \$5,000 Motion Carried: Reduced--Non Buildable Land.

#0068 MURRAY, DANIEL S 31425-00100-005-00 HEARST SUB. LOTS 4(.5) & 5(.5) BLK 1 Moved-Seconded (York-Milos) No change in land value. Motion Carried: Sales and comparables support valuation

2:50 p.m. the Consolidated Board recessed until 9:00 a.m. on April 15, 2002.

The Consolidated Board of Equalization reconvened at 9:00 a.m. on Monday, April 15, 2002 in Spearfish City Hall, with the following members present; James Seward, George Opitz, Terry Weisenberg, Terry Steen (40-2 School) and Tom Quinn (City of Spearfish).

The 2002 Consolidated Board of Oath was signed.

All motions were passed by unanimous vote unless stated otherwise.

SPEARFISH CITY APPEALS:

#0069 SUCHANUK, RONALD R & RUDENE J: 32205-00007-002-33 EVANS ADDN. SPEARFISH LOT 33 BLK 2 Moved-Seconded (Opitz-Steen) No change in land value. No change in structure value. Motion Carried. Remarks: Sales and Comparables support valuation. Suchanuk stated he had an attached garage with no windows and no direct access to the house. No brick front on his house, small and very few windows, cheap laminate trim and cabinets and only a two bedroom home. Piekkola stated this property was reassessed last summer and adjustments were made to the 93/94 assessment. Piekkola reviewed comparables and sales in the area.

#0070 BENNING, JAMES A & ELIZABETH A: 32030-02600-060-00 ORIGINAL TOWN SPEARFISH LOTS 4-5 & 6 BLK 26 Moved-Seconded (Quinn-Seward) No change in land value. No change in structure value. Motion Carried. Remarks: Already receiving 5% economic adjustment to reflect property is unique to area.

#0071 HOLT, JAMES H: 32320-00090-101-00 HILLSVIEW ADDN. SPEARFISH LOT JH Moved-Seconded (Opitz-Steen) No change in land value, No change in structure value, Change front footage from 160 feet to 148 feet. Motion Carried.

#0072 BARRON, JAMES N & NANCY A: 32655-01500-030-00 SANDSTONE HILLS ADDN. LOT 3A BLK 15 Moved-Seconded (Opitz-Weisenberg) No change in structure values. Change land value from \$99,910 to \$55,500. Motion Carried. Remarks: After reviewing the commercial properties in Sandstone, this property is the only commercial property under 1 acre, which received the square foot assessment of the smaller lots. For this year only, until a complete review and equalization of all commercial lots can be made, a per acre assessment will be done on this property.

#0073 ELLINGSEN, JOHN W & LUSCH, CALVIN O: 32655-01400-140-00 SANDSTONE HILLS ADDN. LOT 14 BLK 14 Moved-Seconded (Quinn-Steen) Change land value from \$55,500 to \$36,610 No change in structure value. Motion Carried. Remarks: Smaller commercial lot adjusted for unusable portion.

#0074 GREEN, CAMERON ETAL C/O FRITZ, JUDITH A (CD): 32750-02000-050-00 WEST ADDN. SPEARFISH LOTS 4 & 5 BLK 20 Moved-Seconded (Opitz-Quinn) No change in land value. Change structure value from \$55,550 to \$45,710 Motion Carried. Remarks: Inspection on 3/19/2002, adjustment made reflect current condition of property.

#0075 GROGAN, ROGER EUGENE & DONNA FAE: 32740-01300-004-00 MTN. SHADOWS EST. LOT 4A BLOCK 13 MTN SHADOWS Moved-Seconded (Quinn-Opitz)

Change land value from \$34,880 to \$25,640, adjust front footage to 150 feet and assessment to \$40.00.

Motion Carried. Remarks: Adjustment due to large lot size.

#0076 HOFF, MELVERN R & AUTUM N STRAND: 32090-05800-060-00 ORIGINAL TOWN SPEARFISH LOT 4A BLK 58 Moved-Seconded (Steen-Quinn) No change in land value, grant owner occupied status. Motion Carried.

#0077 MOUNTAIN SHADOWS ESTATES: 32740-01300-002-00 MTN. SHADOWS EST. LOT 2A BLOCK 13 MTN SHADOWS Moved-Seconded (Quinn-Weisenberg) Change land value from \$34,880 to \$25,640, Change front footage of lot to 150 feet and Assessment to \$40.00. Motion Carried. Remarks: Made adjustment due to large lot size.

#0078 RAGELS, LARRY R. & MYRNA M.: 32090-05100-100-00 ORIGINAL TOWN SPEARFISH LOTS 9 & 10 BLK 51 Moved-Seconded (Weisenberg-Steen) No change in land value. Change structure value from \$55,160 to \$49,480 Motion Carried. Remarks: Made adjustment due to interior quality after inspection on 3/19/2002.

#0079 SMITH, DAVID J & RANDI SUE: 32720-03700-060-00 UHLIG ADDN. SPEARFISH

LOTS 5 & 6 BLK 37 Moved-Seconded (Opitz-Quinn) No change in land value. Change structure value from \$110,520 to \$99,470 Motion Carried. Remarks: A 10% functional adjustment given to reflect work in progress.

#0080 YEUNG, KIN & YUK CHING: 32120-00100-000-40 BEETS ADDN. 3 & 10-6-2 SP LOT 1 OF LOT M OF LOT 1C OF LOT 1 Moved-Seconded (Weisenberg-Seward) No change in land value. Change structure value from \$119,530 to \$100,320 Motion Carried. Remarks: Adjustments made after interior inspection on 3/11/2002.

#0081 BARRON, JAMES N & NANCY A: 32655-01500-020-00 SANDSTONE HILLS ADDN. LOT 2 BLK 15 Moved-Seconded (Weisenberg-Quinn) No change in land value. Motion Carried.

#0082 KOLB, ARNOLD A. & FLORENCE A.: 32790-00602-154-40 WHITLOCK ADDN. SPEARFISH LOT 7 OF TR A NW1/4 SE1/4 15-6-2 Moved-Seconded (Quinn-Steen) Change land value from \$17,020 to \$36,290, No change in structure value, Front Footage adjusted to 164 feet and assessment of \$40.00. Motion Carried. Remarks: Combined with parcel 32790-00602-154-35 & 32790-00602-154-30.

#0083 KOLB, ARNOLD A. & FLORENCE A.: 32790-00602-154-30 WHITLOCK ADDN. SPEARFISH LOT 5 OF TR A NW1/4 SE1/4 Moved-Seconded (Opitz-Seward) Change land value from \$12,540 to \$0 Motion Carried. Remarks: Combined with parcel 32790-00602-154-40.

#0084 KOLB, ARNOLD A. & FLORENCE A.: 32790-00602-154-35 WHITLOCK ADDN. SPEARFISH LOT 6 OF TR A NW1/4 SE1/4 Moved-Seconded (Seward-Quinn) Change land

value from \$13,590 to \$0 Motion Carried. Remarks: Combined with parcel #32790-00602-154-40

#0085 PECKHAM, GERALDINE J TRUST: 32340-00602-037-13 JORGENSEN ADDN. SPEARFISH LOT 14 BLK 4 Moved-Seconded (Opitz-Steen) No change in land value. No change in structure value. Motion Carried. Remarks: Sales and comparables support valuation.

#0086 REBEL YELL,INC: 32655-01400-050-16 SANDSTONE HILLS ADDN. LOT 5H-1 BLK 14 Moved-Seconded (Opitz-Quinn) No change in land value. Motion Carried. Remarks: Fair and equitable assessment.

#0087 REBEL YELL,INC: 32655-01400-050-14 SANDSTONE HILLS ADDN. LOT 5G-1 BLK 14 Moved-Seconded (Quinn-Steen) No change in land value. Motion Carried. Remarks: Fair and equitable assessment.

#0088 ROBINSON, JERRY L & ROBIN G: 32655-01400-050-06 SANDSTONE HILLS ADDN. LOT 5C-2 BLK 14 Moved-Seconded (Weisenberg-Quinn) Change land value from \$44,720 to \$33,540 Motion Carried. Remarks: Utilities located near lot.

#0089 ROBINSON, JERRY L & ROBIN GAIL: 32655-01400-040-00 SANDSTONE HILLS ADDN. LOT 3A(1.22) & 4A-1(1.65) BLK 14 Moved-Seconded (Quinn-Seward) Change land value from \$56,120 to \$40,530 No change in structure value. Motion Carried.

#0090 TUCKER, JOHN L & BETTY R: 32340-00602-037-12 JORGENSEN ADDN. SPEARFISH LOT 13 BLK 4 Moved-Seconded (Weisenberg-Steen) No change in land value. No change in structure value. Motion Carried. Remarks: Sales and comparables support valuation.

#0091 YOUNG PROPERTIES,L.L.P.: 32655-01400-160-00 SANDSTONE HILLS ADDN. LOT 16 BLK 14 Moved-Seconded (Quinn-Weisenberg) No change in land value. No change in structure value. Motion Carried. Remarks: Valuation is already reduced from last year.

#0092 YOUNG PROPERTIES,L.L.P.: 32655-01400-150-00 SANDSTONE HILLS ADDN. LOT 15 BLK 14 Moved-Seconded (Quinn-Steen) No change in land value. No change in structure value. Motion Carried. Remarks: Sales and comparables support valuation.

#0093 BRUGGEMAN, ERIC C & REBECA & DOUGLAS A BRUGGEMAN: 32090-07600-120-10 ORIGINAL TOWN SPEARFISH E 48' OF LOTS 10-11 & 12 BLK 76 Moved-Seconded (Weisenberg-Seward) No change in land value. No change in structure value, Adjust front footage to 48 feet and assessment to \$19.00. Motion Carried.

#0094 SALZSIEDER, LYNNE D.: 32090-07800-020-10 ORIGINAL TOWN SPEARFISH E 1/2 LOTS 1 & 2 BLK 78 Moved-Seconded (Quinn-Weisenberg) No change in land value, Change front footage to 70 feet and assessment to \$28.00 Motion Carried.

#0095 SALZSIEDER, LYNNE D.: 32090-07800-120-20 ORIGINAL TOWN SPEARFISH W 1/2 LOTS 11 & 12 BLK 78 Moved-Seconded (Quinn-Steen) No change in land value, Adjust front footage to 70 feet and assessment to \$28.00. No change in structure value. Motion Carried.

#0096 MEADE, JOHN & THERESA: 32640-00400-006-00 ROLLING HILLS ADDITION LOT 6 BLK 4 Moved-Seconded (Quinn-Steen) No change in land value, adjust front footage to 137.55 feet. No change to front foot assessment. Motion Carried.

#0097 COOK, W LYLE & LAVERNE: 32640-00400-016-00 ROLLING HILLS ADDITION LOTS 1 & 16 BLK 4 Moved-Seconded (Weisenberg-Seward) No change in land value, No change in structure value, Adjust front footage to 100 feet and no change in assessment. Motion Carried.

#0098 MCCLAIN, CARLA ANN O'ROURKE, ROCK ALAN: 32695-00000-006-11 SWISHER ADDITION LOT 6A1 OF LOTS 6 & 7 SW1/4 SW1/4 Moved-Seconded (Quinn-Seward) No change in land value, No change in structure value, Adjust front footage to 62 feet and change assessment to \$25 Motion Carried.

#0099 KLUNDER, KEVIN K & BONNIE S: 32695-00000-007-20 SWISHER ADDITION LOT 7B OF 7 SW1/4 SW1/4 Moved-Seconded (Seward-Weisenberg) No change in land value, No change in structure value, Adjust front footage to 120 feet and no change to assessment. Motion Carried.

#0100 STAMBAUGH, JAMES W & JOANNE M: 32740-00300-001-00 MTN. SHADOWS EST. LOT 1 BLK 3 Moved-Seconded (Weisenberg-Opitz) No change in land value, No change in structure value, Adjust front footage to 105 feet and no change in assessment. Motion Carried.

#101 SPEARFISH CITY: Moved-Seconded (Opitz-Steen) to follow the recommendation of the City of Spearfish and adjust the Front Footage Assessment and feet to zero for the following properties. Motion Carried. Remarks: Adjustments made due to an error on the City of Spearfish's calculations. Motion Carried.

Certification #	Parcel No:	Current Owner:
1	4874	32090-07800-030-00 SALZSIEDER, LYNN D.
2	4878	32090-07800-100-10 SALZSIEDER, LYNN D.
3	4866	32090-07700-050-00 SALZSIEDER, KEITH L.
4	4875	32090-07800-060-00 SALZSIEDER, KEITH L.
5	4877	32090-07800-100-00 SALZSIEDER, MILAN M.
6	4864	32090-07700-020-10 SALZSIEDER, KEITH L.
7	4863	32090-07700-020-00 SALZSIEDER, KEITH L.
8	4865	32090-07700-030-00 SALZSIEDER, KEITH L.
9	4882	32090-08000-030-00 SALZSIEDER, MILAN
10	5082	32200-00100-010-00 COUNTRY CLUB VILLAGE, INC.
11	5083	32200-00100-010-10 QUINN, ROBERT H. & RUTH E.
12	5084	32200-00100-010-20 BRADY, THOMAS E. & CYNTHIA D.
13	5085	32200-00100-010-30 CLARK, IVAN E.

14	5086	32200-00100-010-40	THOMAS, GERALD H & VERNA MAE
15	5087	32200-00100-010-50	OVERPECK, LEM F & HELEN B
16	5088	32200-00100-020-10	LAMBERT. ALAN B. & LINDA
17	5089	32200-00100-020-20	DAVIS, CAROL A & CAROL A JUNEK
18	5090	32200-00100-020-30	SELBE, REXFORD L. & MARY E.
19	5091	32200-00100-020-40	KOLB, WALTER W & JEANNETTE J
20	5092	32200-00100-020-50	JOHNSON, GERALDINE M
21	5093	32200-00100-020-60	OWENS, ELAINE E.
22	5094	32200-00100-030-10	HOFER, MARGIE A
23	5095	32200-00100-030-20	SEGRIST, JOHN W & SHARRON C
24	5096	32200-00100-030-30	WOLBERG, GARY R. &
25	5097	32200-00100-030-40	KENNEDY, MYLES W & JEANETTE A
26	5098	32200-00100-030-50	FURNISH, RICHARD V & VICKI D
27	5099	32200-00100-030-60	ANDERSEN, MILDRED L TRUSTEE
28	5100	32200-00100-040-10	DEZARN, LLOYD W. & MARGARET S.
29	5101	32200-00100-040-20	BOGESTAD, ROGER J. & JUDY
30	5102	32200-00100-040-30	MATHISON, DEMARIS A
31	5103	32200-00100-040-40	HUNT, THEODORE W & DENA M
32	5104	32200-00100-040-50	MULDOON, RICHARD P & MARY F
33	5105	32200-00100-060-10	THIE, IRVIN E & GENEVIEVE A
34	5106	32200-00100-060-20	JONES, WILLIAM N & CONNIE K TRUST
35	5107	32200-00100-060-30	MILLER, VICTOR & VIOLA
36	5108	32200-00100-060-40	VOLK, ARTHUR A. & KAY D.
37	5109	32200-00100-060-50	WIPF, CALVIN & PHYLLIS
38	5110	32200-00100-060-60	PETERSON, RICHARD W. & ARLENE
39	5111	32200-00100-070-10	FURROW, JAMES W & VIRGINIA L
40	5112	32200-00100-070-20	SIEBERT, DONALD L. & JANET K.
41	5113	32200-00100-070-30	FEIST, GEORGIA A
42	5114	32200-00100-070-40	ROMKEMA, FRED W & PRISCILLA E
43	5115	32200-00100-070-50	NORDSTROM, RAYMOND A & BEVERLY
44	5116	32200-00100-080-10	RUSCH, CLIFFORD C. FAMILY TRUST
45	5117	32200-00100-080-20	LOONEY, BARBARA & DONALD CO-TRUSTEES
46	5118	32200-00100-080-30	AUTIO, SHEILA TRUSTEE OF THE
47	5119	32200-00100-080-40	FIDLER, NADINE M
48	5120	32200-00100-090-10	SMITH, MARILYN I
49	5121	32200-00100-090-20	SEAMAN, MARRELYCE C
50	5122	32200-00100-100-10	JENSEN, HOWARD & DONNA
51	5123	32200-00100-100-20	WIEMALS, JOHN & DELORES
52	5124	32200-00100-100-30	DAVISSON, DONALD L & DIANE K
53	5125	32200-00100-100-40	PERRON, OONAGH E & WILLIAM P
54	5126	32200-00100-100-50	ACCO PARTNERS LTD PARTNERSHIP
55	5127	32200-00100-100-60	UTTKE, VICTOR R. & ETHELYN J.
56	5128	32200-00100-110-10	ABERLE, WENDELIN P. & LORRAINE
57	5129	32200-00100-110-20	STELL, KERMIT G & MARLENE J
58	5130	32200-00100-110-30	MONARCH PLAZA CO.
59	5131	32200-00100-110-40	WIENK, VINCENT V. & MICKY J.
60	5132	32200-00100-110-50	HOFFMAN, WANDA R
61	5133	32200-00100-120-10	WALTERS, RALPH W & M JEANNE

62	5134	32200-00100-120-20	BATES, ROBERT P TRUST
63	5135	32200-00100-120-30	FIRST LINE INVESTMENT CO.
64	5136	32200-00100-120-40	PONGRUBER, MARGARET G. TRUSTEE
65	5137	32200-00100-120-50	BATES, IRVINE W & ETHEL KLEIN
66	5138	32200-00100-120-60	KLINGLER FAMILY TRUST
67	5139	32200-00100-120-70	THOMAS, CLIFFORD W & MARCINE E
68	5140	32200-00100-120-80	SOELZER, RALPH E
69	5141	32200-00100-130-10	RARICK, JAMES D & MICKEE A
70	5142	32200-00100-130-20	MCBRIDE, LOIS J
71	5143	32200-00100-130-30	VOSLER, RUTH D
72	5144	32200-00100-140-10	WEAVER, JAMES E & VERLA MAE
73	5145	32200-00100-140-20	ROBERTS, BETTY JO
74	5146	32200-00100-150-10	SHAW, RANDALL C. & JUDITH C.
75	5491	32250-00000-000-40	HANSEN, JERROLD A. & NORMA J.
76	6135	32570-01800-170-00	THOMPSON, MARVIN
77	6498	32640-00200-008-00	REISER, DOUGLAS & DONNA
78	6499	32640-00200-009-00	STAR LITE MOTEL OF STURGIS
79	6500	32640-00200-010-00	HAUCK, SAM & MARCIA
80	6501	32640-00200-018-00	WEST RIVER DEVELOPMENT
81	6516	32640-00400-010-00	REISER, DOUGLAS & DONNA
82	6527	32640-00500-005-00	STAR LITE MOTEL OF STURGIS
83	6528	32640-00500-006-00	SMITH, STANLEY S
84	6529	32640-00500-008-00	MEADE, JOHN A & THERESA H
85	6534	32640-00600-008-00	BEHRENS, JON & RITA
86	6538	32640-00700-002-00	MEADE, JOHN & THERESA
87	6539	32640-00700-003-00	CANNON RIVER INVESTMENTS,INC
88	6540	32640-00700-004-00	CANNON RIVER INVESTMENTS,INC
89	6541	32640-00700-005-00	CANNON RIVER INVESTMENTS,INC
90	6542	32640-00700-006-00	CANNON RIVER INVESTMENTS,INC
91	6543	32640-00700-007-00	CANNON RIVER INVESTMENTS,INC
92	6544	32640-00700-008-00	CANNON RIVER INVESTMENTS,INC
93	6545	32640-00700-009-00	CANNON RIVER INVESTMENTS,INC
94	6812	32660-01800-050-10	D & R ELECTRIC, INC
95	7041	32740-00100-022-00	WENLUND, MARILYN
96	7056	32740-00300-008-00	NELSON, BRADLEY
97	7060	32740-00300-012-00	GALLAGHER, MIKE OR LYNETTE
98	7100	32740-00400-028-00	WOODS, DEAN E OR GLENDA R
99	7102	32740-00400-031-00	BRIDGES, DONALD, OR KAREN
100	7118	32740-00600-004-10	KERR, TAMI HUSE
101	7128	32740-00600-040-00	CLEVELAND, BILL P
102	7134	32740-00700-001-00	PRICE, RICKY OR CATHY
103	7136	32740-00700-004-00	COFFIELD, JOSHUA, MICHELLE
104	7137	32740-00700-005-00	HUNTER, MARY LOUISE
105	7138	32740-00700-006-00	MENZEL, FREDERICK OR SHIRLEY

106	7139	32740-00700-010-00	DAHLGREN, DON A
107	7140	32740-00700-014-00	MEVERDEN, JAY L. SR

ADJOURN: Being no further appeals to be heard, the 2002 Consolidated Board of Equalization adjourned at 10:40 a.m. on the 15th day of April 2002.

DATE

BARBARA MATTSON, Chair

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – APRIL 23, 2002

Vice-Chair Jim Seward called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on April 23, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg, Connie H. Douglas and George Opitz present. Barbara Mattson was absent.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Douglas-Opitz) to approve the minutes of April 9, 2002. Motion Carried. Mattson Absent..

Moved-Seconded (Weisenberg-Seward) to approve the Consolidated Board of Equalization minutes for 2002. Motion Carried. Mattson Absent..

PERSONNEL:

STATES ATTORNEY: Moved-Seconded (Douglas-Opitz) to approve the step raise for Janice Silvernail as Secretary Step 3 at the base rate of \$9.71 an hour, effective April 16, 2002. Motion Carried. Mattson Absent.

WEED: Moved-Seconded (Weisenberg-Douglas) to approve the following personnel for the Weed Department: Tony Spieser – Sprayer - \$10.15 per hour; Shane Zigenbien – Sprayer - \$10.10; Nate Jagium – GIS - \$10.00; Mike Gavele – Sprayer - \$10.20; and Brian Johnosn – Sprayer - \$10.25. Motion Carried. Mattson Absent.

SHERIFF: Moved-Seconded (Opitz-Weisenberg) to approve and authorize the Chair to sign the Application for Family or Medical Leave for Judy Davis. Motion Carried. Mattson Absent.

EQUALIZATION: Moved-Seconded (Weisenberg-Opitz) to approve summer hours for the Equalization Office. The Office will remain open during regular office hours.

Moved-Seconded (Weisenberg-Douglas) to approve Ronald Green as an Appraiser II at the base rate of \$11.31, effective May 16, 2002. Motion Carried. Mattson Absent.

TRAVEL REQUESTS:

PLANNING & ZONING: Moved-Seconded (Weisenberg-Opitz) To approve registration (to be paid from the Planning and Zoning Budget) for the Firewise Workshop to allow two additional planning and Zoning Board members to attend, if scholarships are not available. Motion Carried. Mattson Absent.

VETERAN SERVICE OFFICER: Moved-Seconded (Douglas-Weisenberg) to approve the travel request for William Locken to attend the VSO Executive Board Meeting in Pierre, SD on May 2, 2002. Motion Carried. Mattson Absent.

Moved-Seconded (Weisenberg-Douglas) to approve the travel request for William Locken to attend the VSO Semi-Annual Training in Rapid City, SD on May 15, 2002. Motion Carried. Mattson Absent.

TREASURER: Moved-Seconded (Opitz-Weisenberg) to approve the travel request for personnel in the Treasurer's Office to attend the Spring Department of Motor Vehicle Training in Rapid City, SD on May 13-14, 2002. Motion Carried. Mattson Absent.

EMERGENCY MANAGEMENT: Moved-Seconded (Douglas-Opitz) to approve the travel request for Paul Thomson and Ken Hawki to attend the Emergency Management Training in Pierre, SD on May 6-8, 2002. Motion Carried. Mattson Absent.

EQUALIZATION: Moved-Seconded (Opitz-Weisenberg) to approve the travel request for Darlene Piekkola to attend the NCRAAO Conference in Wichita, KS on June 7-14, 2002. Motion Carried. Mattson Absent.

Moved-Seconded (Opitz-Weisenberg) to approve the travel request for Darlene Piekkola, Les Struble, Dennis Schumacher, Jason Writer and one additional appraiser to attend the Annual Assessor's Conference in Aberdeen, SD on May 28-31, 2002. Motion Carried. Mattson Absent.

SPRING & SUMMER WORKSHOP: Moved-Seconded (Douglas-Weisenberg) to approve expenses for personnel attending the Spring and Summer workshop in Pierre, SD on May 28-31, 2002. Motion Carried. Mattson Absent.

ABATEMENTS:

ALBERT PEPLAU: Moved-Seconded (Opitz-Douglas) to approve the abatement for Albert Peplau; MH KEY #02515, because the depreciation was adjusted at County Boards. Motion Carried. Mattson Absent.

SPEARFISH CONGREGATION OF THE JEHOVAH'S WITNESS: Moved-Seconded (Opitz-Weisenberg) to approve the abatement for parcel #32655-01500-010-00 for June through December 2001. Motion Carried. Mattson Absent.

FUEL QUOTES: The following fuel quotes were submitted for May 2002 fuel: (prices per gallon) **Cenex Oil Co.** - Highway Dept. - Regular Gasoline - \$1.285; No. 1 Diesel – no bid; No. 2 Diesel - \$.931; 50/50 Blend – no bid; and Sheriff Office - Unleaded Gasoline - \$1.285. **Sanito Oil Company** - Highway Dept. - Regular Gasoline – no bid; No.1 Diesel - no bid; No.2 Diesel - \$.908; 50/50 Blend – no bid; and Sheriff Office - Unleaded Gasoline – no bid. **Moved-Seconded** (Douglas-Seward) to accept the lowest fuel quote submitted from **Cenex Oil Company:** Highway Dept. - Regular Gasoline - \$1.285 and Sheriff Office - Unleaded Gasoline - \$1.285 and **Sanito Oil Company** - Highway Dept. - No.2 Diesel - \$.908. Motion Carried. Mattson Absent.

ASPHALT CRACK SEALING: Moved-Seconded (Douglas-Weisenberg) to accept the low bid of Highway Improvement Inc. from the City of Belle Fourche Contract for Asphalt Crack Sealing of \$.37 L.F. Price and Mobilization of \$500.00. Motion Carried. Mattson Absent.

USGS JOINT FUNDING AGREEMENT: Moved-Seconded (Opitz-Weisenberg) to approve and authorize the Vice-Chair to sign the Joint Funding Agreement No. SD02-06400 between the U.S. Geological Survey and Lawrence County for April 1, 2002 through September 30, 2002, Lawrence County's share is \$1,425.00 Motion Carried. Mattson Absent.

CDBG FIRE EQUIPMENT GRANT: Moved-Seconded (Opitz-Weisenberg) to approve and authorize the Vice-Chair to sign the SD Community Development Block Grant Agreement #9902-104 for \$36,750 for the purchase of foam proportioning fire equipment. Motion Carried. Mattson Absent.

WEST DAKOTA HEALTH CARE AGREEMENT: Moved-Seconded (Douglas-Weisenberg) to approve and authorize the Vice-Chair to sign the Health Care Agreement with West Dakota Health Care. Motion Carried. Mattson Absent.

CAMPGROUND PATROL AGREEMENT: Moved-Seconded (Opitz-Seward) to approve and authorize the Vice-Chair to sign the 2002 Cooperative Law Enforcement Agreement between Lawrence County Sheriff's Department and the U.S. Department of Agriculture, Forest Service / Black Hills National Forest. (campground patrol agreement). Motion Carried. Mattson Absent.

FEDERAL EQUITABLE SHARING AGREEMENT: Moved-Seconded (Opitz-Douglas) to approve and authorize the Vice-Chair to sign the Federal Equitable Sharing Agreement between the Lawrence County Sheriff's Office and the Department of Justice. Motion Carried. Mattson Absent.

PUBLIC DEFENDER / RECORDS MANAGEMENT: Joe Kosel, Public Defender, presented the Board with his recommendation for file retention in his office. Moved-Seconded (Weisenberg-Opitz) to adopt the following file retention policy for the Public Defenders Office as submitted by the Public Defender: Due to storage concerns, the Lawrence County Public Defender's office will institute a File Retention Policy effective May 1, 2002. Files shall be destroyed on the following schedule: all misdemeanors, probation violations, juvenile delinquency, CHINS, mental commitments and fugitive actions will be retained for five years. Class 5 or 6 felonies shall be retained for seven years. All other files including appeals, abuse & neglect actions and serious felonies will be retained intact indefinitely. Motion Carried. Mattson Absent.

If your case was completed between 1983 and 1996 and you have any interest in retaining your original file, please contact the Lawrence County Public Defender's office at (605) 578-3000.

SHERIFF PERSONNEL: Joe Harmon, Chief Deputy Sheriff, asked the Board to send Dale Larson, Jail Administrator/Bailiff, to school to become a certified law enforcement officer. Harmon stated this would allow Larson to serve warrants and make arrests. Harmon also asked that Larson be allowed on the Class B retirement after his certification is complete. Moved by

Weisenberg to send Larson to a 10 week school so he can become certified and upon the completion a new job description be completed to include his new duties as a law enforcement officer. Motion died due to lack of a second.

The Board asked that Harmon discuss the increased job duties with Larson and explain that a pay increase would not be included with the new job duties and come back to the Board.

FIRE ADVISORY: Charles Nicholas, Jerome Harvey and Rob Mattox gave an overview of their travel to California for Education and Brainstorming in Firewise Training and Arcview. They thanked the Board for allowing them to go and presented the Board with the “National Firewise Award” they won. “Firewise Communities presented to Lawrence County Fire Advisory Board in Recognition of the Contribution to the Development of the National Firewise Communities Program.

SAVOY VOLUNTEER FIRE DEPARTMENT: Charles Nicholas stated the Savoy Fire Department will be evicted from their building October 1, 2002. Spearfish Canyon Foundation sold the existing building housing the Fire Department and the new owners have notified them they will use the building for other purposes. Nicholas asked the Board for guidance in the Issue or the department will be closed and fire protection will be put on the Lead and Spearfish Departments with longer response times. The Board stated they will need to research the issue and try and work out a solution.

CUP #245 KATHY THOMPSON – T BAR K TACK BUISINES / CANCEL: Moved-Seconded (Opitz-Douglas) to cancel CUP #245 Kathy Thompson – T Bar K Tack Business because the business has moved to Whitewood. Motion Carried. Mattson Absent.

CUP #279 MARY CRAWFORD – SPECIALTY RESORT IN EAGLE RIDGE ESTATES: Moved-Seconded (Douglas-Seward) to cancel CUP #279 Mary Crawford – Specialty Resort in Eagle Ridge Estates because the property sold. Motion Carried. Mattson Absent.

REQUEST FOR CHANGE OF ZONING #220 BUTTE ELECTRIC COOPERATIVE INC.: A public hearing was held on a request for Change of Zoning #220 for Butte Electric Cooperative Inc., to allow construction of a branch office/ warehouse/storage area - North of I-90 off the eastside of the Old Belle Highway. No public input was given and the hearing was closed. Moved-Seconded (Opitz-Douglas) to follow Planning and Zoning Recommendation and approve the following Ordinance Amending Lawrence County Zoning From A-1 - General Agriculture District To C/LI - Commercial/Light Industrial District Ordinance Number One. Motion Carried. Mattson Absent.

AN ORDINANCE AMENDING LAWRENCE COUNTY ZONING FROM A-1 - GENERAL AGRICULTURE DISTRICT TO C/LI -COMMERCIAL/LIGHT INDUSTRIAL DISTRICT ORDINANCE NUMBER ONE: Pursuant to a Petition of Butte Electric Cooperative, Inc. for a Change of Zoning on a tract of land located in Lawrence County, South Dakota and pursuant to notice thereof having been given by publication of such as required by law, and pursuant to notice having been given to adjacent landowners by certified mail as required by law, and pursuant to the favorable recommendation of the Lawrence County Planning Commission. BE IT ORDAINED: By Lawrence County, South Dakota, that the boundaries of A-1 - General

Agriculture District as established by the Lawrence County Zoning Ordinance One, be amended so as to remove the following described real property, to-wit: Lot B.E.-1, a portion of the NW1/4 of the SW1/4 of Section 33, T7N, R2E, B.H.M. from the A-1 - General Agriculture District and include it in the CL/I-Commercial/Light Industrial District. This amendment will become effective on the twentieth (20th) day following publication. James Seward, Vice-Chairperson; Bruce Outka, Deputy States Attorney; Connie Atkinson, Lawrence County Auditor. First Reading: April 4, 2002; Second Reading: April 23, 2002; Adoption Date: April 23, 2002.

LIBRARY FUNDING 2003: Librarians and representatives from the City Libraries of Spearfish, Deadwood, Lead and Whitewood were present to discuss future funding for the Libraries. They stated the current Funding Formula has been discarded and they are working on a new funding breakdown. They asked for an increase in funding for 2003 to \$380,000. Currently the County funds the library for \$318,750 plus a \$12,000 bonus. The Board stated they will consider their request for the 2003 budget.

GIS MODELING / MIKE STRUB, SDSM&T: Mike Strub, SDSM&T, was present to discuss GIS Modeling of developmental growth areas and impacts on Counties with the GIS Computer System. The Board asked him to present them with information on his work so they can provide the information to the departments in the County currently using the GIS technology.

GRANT REQUEST: Chuck Turbeville requested an Executive Session for Contractual Matters. Douglas stated she would not vote for an executive session because the issue was not contractual at this time. Turbeville stated at this time he can not reveal any pertinent information to the public. Weisenberg stated Turbeville will be requesting a grant from Pierre for \$240,000 and if approved would be requesting a grant from the County for \$60,000 this would be used to bring in a business at the old forest service building and could employ 45 FT and 43 PT jobs with a payroll of \$1,650,000 per year. The grant would not be paid back to the County. The Board asked Turbeville to keep the Board informed and they will discuss the issue with Bruce Outka.

HIGHWAY:

WHITEWOOD SERVICE ROAD OVERLAY: Moved-Seconded (Opitz-Douglas) to approve and authorize the Vice-Chair to sign the Contract with Hills Material for the Whitewood Service Road Overlay. Motion Carried. Mattson Absent.

JUVENILE INCENTIVE BLOCK GRANT: Moved-Seconded (Douglas-Weisenberg) to approve and authorize the Vice-Chair to sign the Notice of Award and Special Conditions, SD Department of Corrections Juvenile Accountability Incentive Block Grant in the amount of \$51,934. Motion Carried. Mattson Absent. Lawrence County's match money is \$3,355.66 to Teen Court for 2003.

The Board recessed until 2:30 p.m.

IMPACT & ECONOMIC DIVERSIFICATION LOAN TO SPEARFISH ECONOMIC DEVELOPMENT CORPORATION:

Brian Walker, Spearfish Economic Development reported on the success and growth of Premier Bank Card. Walker stated the job number target of 250 employees within three years has been exceeded. They are currently at 550 employees in one year. Walker stated they needed to expand the parking lot and asked the Board to sign new subordination papers with the new loan amount. Moved-Seconded (Weisenberg-Douglas) due to the exceeded number of employment figures and the need for additional parking spaces, to allow the Chairperson to sign the new subordination papers for a larger loan after review and approval by the States Attorney. Motion Carried. Mattson Absent.

REQUEST FOR PROPOSALS RS 2477 PUBLIC ROADS LOCATED IN THE BLACK HILLS NATIONAL FOREST IN LAWRENCE COUNTY:

The Board asked Douglas and Weisenberg to review the proposals received to conduct the historical investigation and research to identify and map RS 2477 public roads located in the Black Hills National Forest in Lawrence County and report back to the Board.

RC&D MEMBERSHIP: Moved-Seconded (Douglas-Seward) to respectfully decline membership for the year 2002. Aye-Weisenberg-Douglas. Nay-Opitz-Seward. Motion Failed.

BILLS: Moved-Seconded (Douglas-Weisenberg) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried. Mattson Absent.

Payroll: Comm-\$3,162.83; Aud-\$4,615.71; Treas-\$7,183.49; Comp-\$4,473.85; States Atty-\$9,313.40; Pub Def-\$5,634.44; Gen Govt Bldg-\$3,800.66; Equal-\$7,719.81; Rod-\$5,293.23; Vso-\$689.15; Disp-\$7,078.77; Sher-\$26,208.90; Jail-\$12,666.21; Emerg Mgnt-\$1,287.50; E911-\$1,258.20; Highway-\$28,166.04; Ext-\$1,075.36; Weed-\$1,696.50; Pz-\$2,377.77; **Bills:** Bey,J-\$66.62; Ziegenbein,S-\$13.61; Abc Business Supply Corp-\$24.35; Alco Store-\$84.96; Altaire Enterprises-\$40.00; Amcon Distributing-\$175.34; Amoco Oil Co-\$281.87; At&T-\$101.25; Avf Rail-Tie Ltd-\$6,700.00; Bh Chemical Company-\$747.85; Bh Federal Credit Union-\$6,673.29; Bh Fibercom-\$711.31; Bh Medical Ctr Pharmacy-\$56.29; Bh Pioneer Inc-\$147.00; Bh Power & Light-\$5,812.10; Belle Fourche River-\$4,000.00; Binder,T-\$40.50; Brevik & Thurman Llc-\$90.29; Buckstop Express Mart-\$85.34; Bullock Hotel-\$63.10; Butler Law Office-\$1,917.43; Butte County Sheriff-\$8.20; Child Psychology Services-\$411.72; Christensen Law Office-\$483.00; City/County Alcohol & Drug-\$805.00; Claims Associates Inc-\$959.50; Compaq Computer Corp-\$923.00; Computer Doctor Of Spearfish-\$825.00; Corral West-\$80.85; Culligan Soft Water Serv-\$35.00; Cvd Construction-\$495.00; Dept Of The Treasury-\$30,642.48; Dietrich,D-\$106.32; Division Of Motor Veh-\$13.00; Domestic Crisis Outreach-\$322.50; Dynamic Imaging System -\$3,184.50; Eagle Aviation-\$200.81; Eddie's Truck Sales/Serv-\$179.54; Ekeren,M-\$15.00; Election Sys & Software-\$1,740.65; Expanets Inc-\$88.78; Fall River Members Assembly-\$52.22; Farmers Union Oil Co-\$3,373.77; Firewise Communities-\$125.00; Fish,V-\$429.00; Four Aces-\$38.71; Fox,John Dr-\$200.00; Frederickson,J-\$238.75; G&H

Distributing Of Rc-\$75.49; Graslie,S-\$475.00; Greens Alignment-\$201.78; Hoggatt,R-\$540.50; Howard Sales Company-\$33.07; Iambic-\$119.85; Ibm Corp Sqh-\$334.40; Insight-\$615.00; Jc Penney-\$63.98; Johner & Sons-\$3,315.00; K Mart-\$80.44; Kadrmas, Lee And Jackson-\$2,024.40; Kar Products-\$1,254.86; Karpinen,S-\$210.00; Kimball-Midwest Co-\$160.06; Kittelson,J-\$15.00; Lc Auditor-Petty Cash-\$25.00; Lc Centennial-\$568.29; Lc Sheriff-\$347.68; Lewis & Clark Bhs-\$125.00; Matthew Bender & Co-\$491.64; Meade Co Auditor-\$154.30; Meade County Sheriff-\$18.15; Minitman-\$125.10; Montana-Dakota Util-\$101.21; Morris Amoco-\$150.00; Mytana-\$2,059.58; Nh General Hospital-\$500.22; Njs Engineering-\$8,330.33; Nada Appraisal Guides-\$100.00; Nelson,T-\$420.00; Neve's Uniforms-\$409.71; Nicholas,C-\$105.00; Novus-\$40.00; Office Of Child Support-\$284.50; Pennington Co Auditor-\$69.00; Pennington Co Jail-\$220.80; Pizza Hut-\$117.60; Porter,J-\$200.00; Porter Law Office-\$172.50; Postmaster, Deadwood-\$68.00; Queen City Medical Center-\$25.00; Quill Corp-\$29.25; Qwest-\$1,001.67; Rc Community Health-\$49.00; Rc Finance Office-\$770.00; Rc Medical Center-\$117.60; Rc Regional Hospital Inc-\$985.80; Radio Shack/Kazco-\$77.92; Reindl,S-\$1,765.92; Reliable Inc-\$75.28; Renka,Richard P Md Pc-\$90.00; Richards Law Firm-\$1,805.93; Sd Assn Of Co Comm-\$385.00; Sd Supplemental Retirement-\$662.50; Sand Creek Printing Inc-\$431.00; Sanito Oil-\$3,983.54; Servall Towel & Linen-\$287.22; Slowey,Y-\$100.00; Spearfish City Of-\$100,000.00; Spearfish Surgery Center-\$25.00; Specialized Auto Service Inc-\$9.50; State Disbursement Unit-\$60.00; Summit Signs & Supply-\$1,313.00; Texaco-\$131.90; United Parcel Service-\$18.28; Verizon Wireless-\$701.14; Victims Of Violence-\$322.50; Viking Office Prod-\$295.51; Waste Connections-\$130.56; Westcoast Sales & Market-\$115.88; Western Sd Juvenile Serv-\$2,310.00; Worldcomm Mci-\$371.97; Wyoming Child Support Coll-\$190.00; Yankton Co Sheriff-\$16.50; **Witness & Jurors:** Dragoo,S-\$103.48; Fremo,T-\$50.58; Hansen,T-\$101.16; Hart,N-\$55.80; Heinen,J-\$103.48; Luze,T-\$51.74; Maki,P-\$117.40; Scott,D-\$117.40; Crofutt,P-\$120.88; Sullivan,M-\$41.74; Harrington,J-\$141.80; Wickenheiser,T-\$20.00; Holmes,A-\$22.90; Zoodsma,M-\$34.50; Brick,A-\$20.87; Clift,C-\$25.80; Cracco,V-\$21.74; Fisher,R-\$22.32; Goodrich,K-\$25.80; Hansen,A-\$21.74; Hodges,G-\$29.86; Huestis,D-\$20.58; Kiefer,J-\$28.70; Kiefer,M-\$57.40; Lanphear,T-\$20.58; Mcgeough,B-\$21.74; Miller,R-\$21.45; Moreno,M-\$24.64; Murra,D-\$21.74; Reiten,J-\$27.54; Sadler,L-\$21.74; Scherer,P-\$28.70; Schumacher,K-\$20.58; Varland,A-\$46.10; Wilson,K-\$20.00; Azevedo,S-\$21.60; Balander,V-\$11.74; Bedford,D-\$17.54; Bigney,J-\$11.74; Carsten,C-\$11.74; Chamberlain,P-\$16.96; Chase,J-\$58.70; Christensen,R-\$59.86; Christian,P-\$27.40; Couch,E-\$21.60; Davis,K-\$14.06; Decker,A-\$19.86; Delahoyde,C-\$21.60; Donahue,S-\$21.60; Duncan,R-\$18.70; Edwards,C-\$21.60; Eide,C-\$16.38; Ervin,J-\$18.70; Ferris,W-\$50.58; Filley,P-\$21.60; Flory,A-\$18.70; Forgey,J-\$27.40; Frankman,M-\$18.70; Fuerstenau,J-\$18.70; Gifford,M-\$18.70; Goodwin,F-\$14.06; Griffith,W-\$11.74; Grosek,G-\$15.80; Hagenbrock,J-\$18.70; Hall,J-\$19.86; Hambek,L-\$18.70; Hammett,B-\$64.50; Harpel,C-\$18.70; Haynes,K-\$21.60; Hofer,D-\$12.90; Johannesen,J-\$20.44; Johnston,T-\$18.70; Karas,P-\$18.70; Ketterling,G-\$24.50; Kokesh,D-\$18.70; Koski,E-\$18.70; Kowalke,L-\$25.08; Krause,R-\$18.70; Kruzal,T-\$13.48; Larsen,M-\$24.50; Lee,B-\$58.70; Loken,A-\$22.76; Lucero,J-\$11.16; Luckie,D-\$10.58; Manke,B-\$16.96; Martin,G-\$18.12; McGinnis,N-\$18.12; Meyer,B-\$64.50; Millard,S-\$11.74; Miller,T-\$61.60; Murray,V-\$51.16; Palmer,P-\$20.44; Petersen,J-\$33.20; Quaschnick,L-\$17.54; Rabenberg,R-\$18.70; Roth,O-\$11.74; Sayer,A-\$58.70; Schmidt,D-\$17.54; Schmunk,L-\$27.40; Shrader,J-\$18.70; Simons,D-\$23.92; Simpson,S-\$20.44; Steen,T-\$18.70; Straub,W-\$11.16; Stulken,K-\$51.74; Teupel,G-\$22.76; Thorp,R-\$50.58; Weglin,M-\$18.70; Weyrich,R-\$58.70; Williamson,J-\$16.96; Yanzick,D-\$18.70; Young,D-\$56.10 Winters,D-\$18.70;

ADJOURN: 3:00 p.m. - There being no further business the meeting was adjourned.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – MAY 21, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on May 21, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Opitz-Seward) to approve the Board of Equalization Minutes for 2002. Motion Carried. Moved-Seconded (Seward-Weisenberg) to approve the minutes of April 23, 2002. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Opitz-Douglas) to approve Julie Goetsch as a part-time guard/transport officer at the rate of \$8.92 an hour, effective 4-26-2002. Motion Carried.

The Sheriff's Office is considering purchasing a high-speed shredder. The following departments are considering making a contribution. Circuit Courts \$2,500.00, Equalization \$500.00, Public Defender's expressed a desire to contribute. The Sheriff's office would attempt to pay the balance. The Sheriff's office stated they were not asking for any action at this time.

Previously addressed at another commissioners meeting was the cost and effectiveness of sending Dale Larson to Law Enforcement Academy at a cost of \$4,500.00 to \$5,000.00. This is the cost of hiring a part time employee to cover Larson's duties while absent. The Sheriff is requesting that the board consider the proposal of the retirement status of all jailers and the Jail Administrator to be raised from class A to class B. Currently the county's contribution to class A is 5%, soon to be 6% as of July 1, 2002. This would be an added cost of \$5,700.00 to the Sheriff's budget. The board said they would consider this proposal when they do the budget for next year.

EMERGENCY MANAGEMENT: Moved-Seconded (Douglas-Mattson) to approve Paul Thomson's pay wage to \$32,000.00 a year, effective 6-01-2002. Motion Carried.

EQUALIZATION: Moved-Seconded (Douglas-Opitz) to approve an additional 30 day vacation waiver for Darlene Piekkola. Motion Carried.

Moved-Seconded (Seward-Weisenberg) to approve Angela Rommeriem, for an additional 300 hours in the year 2002, as a temporary part-time employee. Motion Carried.

Moved-Seconded (Opitz-Mattson) to approve Les Struble as Equalization First Deputy, at the base rate of \$13.59, effective 6-1-2002 thru 12-31-2002 on a trial basis. Motion Carried.

EXTENSION BOARD APPOINTMENT: Moved-Seconded (Douglas-Opitz) to appoint Robin Auer to the Extension Board to fill the term of Robin Olson until 1-2003. Motion Carried.

SEARCH & RESCUE MEETINGS: Moved-Seconded (Seward-Douglas) to approve and authorize the Chair to sign the Constitution of Lawrence County Search and Rescue changing Article 6.01 affecting the date of the business meeting to the second Monday of the Month. Motion Carried.

TRAVEL REQUESTS:

SHERIFF: Moved-Seconded (Opitz-Seward) to approve the travel request for Tavis Little to attend the Drug Law Enforcement School in Sioux Falls on July 21-24, 2002. Motion Carried.

EMERGENCY MANAGEMENT: Moved-Seconded (Seward-Mattson) to approve the travel request for Paul Thomson and Ken Hawki to attend training in Pierre, SD on June 17-18, 2002 on the Decision Making in a Crisis G247. Motion Carried.

Moved-Seconded (Opitz-Seward) to approve the travel request for Paul Thomson to attend the SD Fire School – Training Classes in Pierre, SD on June 6-7-8, 2002. Motion Carried.

COMMISSION: Moved-Seconded (Weisenberg-Douglas) to approve the travel request for Marlene Barrett to attend the Forest and Schools Coalition meeting/hearing in Rapid City, SD on May 17, 2002. Motion Carried.

EQUALIZATION: Moved-Seconded (Opitz-Mattson) to approve the prepayment of expenses for the annual assessor's conference on May 28-31, 2002. Motion Carried.

ABATEMENT:

RON ISLAND: Moved-Seconded (Douglas-Weisenberg) to approve the abatement for Ron Island on a 1976 Great Lakes Mobile Home that was moved to North Dakota on 3-13-2002. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Opitz-Douglas) To accept the following Auditor's Account with the Treasurer. Motion Carried.

Auditor's Account with the County Treasurer: The Auditor's Account with the County Treasurer as of April 30, 2002 showed the following: Total amount of deposits in banks-\$14,199,558.74; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$1,692,394.22; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$7,932.42; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$5,500,000.00; Bank Balance-\$7,795,846.70; GNAM's-\$144,590.00; and Money Market \$759,122.04.

TITLE III FUND PROJECTS:

Category 5: FIRE PREVENTION AND COUNTY PLANNING: Moved-Seconded (Opitz-Seward) to allow the Fire Advisory Board to purchase off of the City of Lead's bid for a Odin/Darley "Heavy Weapon" basic CAFS unit @ \$48,450; Elkhart "sidewinder: remote-control monitor including a second air valve @ \$5,820; In cab gauges and controls for CAFS and monitor @ \$1,230; Rochna FP-50 high-expansion foam generator @ \$2,149; "EZ-pup" device @ \$175; "Magie Pole" penetrating device @ \$199; Electric-rewind 1" hose reel with fairlead and foam nozzle @ \$1,760; 50 Gal foam concentrate tank @ \$475; Professional installation at \$30.00/hr for approximately 60 hours; and the crate charge of \$350.00; approximate total cost of \$62,703. Lawrence County will pay the vendor directly for the equipment, 83% will be from Title III Funds and the remaining will be from the Commissioners Contingency Funds. To transfer \$10,659.51 from General Fund to Fire Advisory Fund and do a contingency transfer of \$10,659.51 from Commissioners Contingency Fund to Fire Advisory Machinery. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted for June 2002 fuel: (prices per gallon) **Cenex Oil Co.** - Highway Dept. - Regular Gasoline - \$1.235; No. 1 Diesel - no bid; No. 2 Diesel - \$.905; 50/50 Blend - no bid; and Sheriff Office - Unleaded Gasoline - \$1.235. **Sanito Oil Company** - Highway Dept. - Regular Gasoline - \$1.22; No.1 Diesel - no bid; No.2 Diesel - \$.901; 50/50 Blend - no bid; and Sheriff Office - Unleaded Gasoline - \$1.22. **Moved-Seconded** (Seward-Mattson) to accept the lowest fuel quote submitted from **Sanito Oil Company**. Motion carried.

UTILITY PERMITS:

BLACK HILLS POWER & LIGHT: Moved-Seconded (Opitz-Mattson) to approve the Application for Permit to Occupy County Highway Right of Way for Black Hills Power & Light located from Chicken Creek Rd (north side) to Chicken Creek Rd (south side) to Irion Property/Christensen Property. Motion Carried.

BUTTE ELECTRIC: Moved-Seconded (Seward-Mattson) to) to approve the Application for Utility Permit for Butte Electric located approximately 1.5 mi. north from the Holiday Inn for construction of Underground Electric Service begin section 6, T6N, R3E end section 6, T6N, R3E. Motion Carried.

FSR 198 CATTLE GUARD: Moved-Seconded (Weisenberg-Seward) to approve the request from Don Christopher to install a cattle guard on FSR 198 (Benchmark Road), where lot 1 joins lot 2 in the Lucky Strike Subdivision. Motion Carried.

COUNTY HIGHWAY MAINTENANCE SHOP: Moved-Seconded (Seward-Weisenberg) to set a bid opening date for June 25, 2002 at 9:00 a.m. for the opening of bids for a new highway maintenance shop. Motion Carried.

COUNTY ROAD 105SB / OVERLAY: Williams stated because of the work being done on exit 8, it would be a good time to overlay the 105SB road from where the state ends their work to the Westview Subdivision. The road was last done in 1985 and is in need of work. The estimated cost of the project is \$70 – \$80,000. Williams requested permission to use the same bid from Hills Material on the Whitewood Service Road Overlay project. Moved-Seconded (Seward-Opitz) to allow the use of Hills Materials Bid on the Whitewood Service Overlay project to overlay County Road 105SB from where the State ends work to the Westview Subdivision. Motion Carried.

PUBLIC HEALTH NURSE REPORT: Denise Rosenberger presented the Board with the Jan-Mar, 2002 quarterly report, reviewing the Family Planning services, WIC, MCH (Maternal Child Health) services, meetings and office related matters. There are currently 5-10 HIV/Aids cases in Lawrence County. The WIC office will be moved to the Dorsett facility. The Stop Smoking program was also reviewed.

MALT BEVERAGE LICENSE FOR 2002-2003: A public hearing was held on the renewal and issuance of the Malt Beverage Licenses for 2002-2003. Moved-Seconded (Seward-Weisenberg) to approve the following Malt Beverage Licenses for 2002-2003:

MALT BEVERAGE LICENSE FOR 2001-2002: CLASS - PACKAGE (OFF-SALE) MALT BEVERAGE: GI OUTPOST INC., (DEADWOOD KOA) Highway 14A, Deadwood, SD 57732. Legal Description: M.S. #601, Sec. 28, T5N, R3E, and lot 1A of M.S. #108, Lawrence County. **RANDY & ANITA AKER (HIDDEN VALLEY CAMPGROUND)**, 21423 US HWY 385, Deadwood, SD, 57732. Legal description: Lot G-1-A, HES 297, Sections 18 & 19, T4N, R4E, Lawrence County, SD. **BAREFOOT COUNCIL OF CO OWNERS (BAREFOOT RESORT)** 510 W. Havens Ste 4, PO Box 1044, Mitchell SD 57301. Legal description: Lot 1 of Barefoot, formerly lots 3 & 4 and vacated right of way of Block 2 Tract B Lost Camp Valley Acreage, Sec. 2-T4N-R2E of Black Hills, Lawrence County, SD. **CLASS - RETAIL (ON-OFF SALE) MALT BEVERAGE: RANDALL L. HAVLIK (FISH 'N FRY CAMPGROUND)** HCR 73, Box 801, Deadwood, SD 57732-9708. Legal description: Lot 2 except Lot A of HES 297, Section 18, T4, R4, Lawrence County, SD. **JANELL F. ANDIS, (CUSTER CROSSING)** HCR 73, Box 1525, Deadwood, SD 57732-9712. Legal description: Pt Tract B-1 of HES 246, Section 21, T3, R4, Lawrence County, SD. **CHARLES E. KING & BONITA C. KING (WILD BILL'S CAMPGROUND)** 21372 US HWY 385, Deadwood, SD 57732-9711. Legal description: Part of Lot E-1 & all of Lot E-2 of HES 137, Section 18, T4, R4, Lawrence County, SD. **SPEARFISH CANYON RESORTS (LATCHSTRING RESTAURANT)** P.O. Box 705, Spearfish SD 57783. Legal description: Lot Ab-1, a subdivision of Latchstring Village Lot Ab of the Cascade Placer, M.S. in the W1/2 of Section 31, T5N, R2E, and the E1/2 of Section 36, T5N, R1E, B.H.M., Lawrence County, SD **RICHARD TSCHETTER, (THE VALLEY CORNER)** 396 Evans Lane, Spearfish, SD 57783. Legal description: Lot 1 & Pt Lot 2, NW1/4NW1/4, Subdivision of Section 3, T6N, R2E., B.H.M., Lawrence County, SD. **TRAILSHEAD LODGE, INC.,** PO Box 873, Lead, SD 57754-0873. Legal description: Lot 4 O'Neill Pass Ranchettes S/D of HES 617, Section 20, T3, R1, B.H.M., Lawrence County, SD. **KATHY A. STEWART (CHEYENNE CROSSING STORE)** HCR 37, Box 1220, Lead, SD 57754-9716. Legal description: Lots 16-56 West, Meadowood Lode #1, Section 15, T4N, R2E, Lawrence County, SD. **TIM & JANET ASHEIM, (ST.ONGE STORE)** RR1 BOX 66,

St.Onge, SD 57779-0201. Legal description: Lots 1 & 2, Block 8, St.Onge, Lawrence County, SD. **STEVEN W. SHARP, (KOA SPEARFISH)** PO Box 429, Spearfish, SD 57783. Parcel B of the replat of Lots G,H,I,J,K,L,M,N and the West 259.9 feet of Lots O,P,Q,R,S,T and U, all in the Subdivision of Lot 1 of the NW1/4NW1/4, Section 3, T6N, R2E, B.H.M., Lawrence County, SD. **RONALD & LISA JORGENSEN, (BOONDOCKS)** HC 73 Box 1225, Deadwood SD 57732. Legal description: PT HES 54 Tract C Section 25 T4N, R3E, B.H.M., Lawrence County. **SEVEN DOWN, LLC** (Travis Lantis) PO Box 999, Spearfish, SD 57783. Legal description: **Parcel 1** - West Half of the Northwest Quarter (W1/2NW1/4) Section 27, T6N, R3E, B.H.M., Lawrence County, South Dakota. Section 28, T6N, R3E: East Half of the Northeast Quarter (E1/2NE1/4) EXCEPT Tract P located in the N1/2NE1/4 28 T6N R3E as set forth in Plat Document No. 97-5029; and EXCEPT Tract A of the E1/2NE1/4 of Section 28, T6N, R3E as set forth in Plat Document No. 99-1881 BUT INCLUDING Tract T of the E1/2NE1/4 of Section 28 T6N R3E as set forth in Plat Document No. 99-1881. **Parcel 2** - Section 27, T6N, R3E: West Half of the Northeast Quarter (W1/2NE1/4) EXCEPT Tract A located in the NW1/4NE1/4 as shown in Plat Book 5, Page 290; East half of the Northwest (E1/2NW1/4); Southwest Quarter (SW1/4); West Half of the Southeast Quarter (W1/2SE1/4). Section 28, T6N, R3E; West half of the Northeast Quarter (W1/2NE1/4) EXCEPT Tract P located in the N1/2NE1/4 28 T6N R3E Southeast Quarter (SE1/4); **Parcel 3** - Tract A of the Northeast Quarter of the Northwest Quarter of Section 20, T6N, R3E, BHM, Lawrence County, South Dakota according to Plat Book 5 page 165, Lawrence County, South Dakota; and Lots 1, 2, 3, 4 and 5 of Tract B of the Northeast Quarter of the Northwest Quarter, Section 20, T6N, R3E, BHM, Lawrence County, South Dakota, according to Plat Book 7 Page 47.

CONDITIONAL USE PERMIT #282 / ZANDSTRA CONSTRUCTION INC.: A public hearing was held on Conditional Use Permit #282 for Zandstra Construction Inc., to allow for the sale of aggregate gravel located north of Whitewood along the south side of I-90. Peter Gannon representing Zandstra Construction was present. No public comment was available. Birk stated in the past there were complaints about dust but Zandstra's did address the problem when it was brought to their attention. Douglas questioned if they intended to crush on the property in the future. Gannon stated they are not planning any crushing on the property at this time. Douglas stated she wanted Zandstra's to come back before the Board if they planned to expand the perimeters of the CUP. Moved-Seconded (Douglas-Seward) To approve Conditional Use Permit #282 for Zandstra Construction with the following conditions. Motion Carried. **CONDITIONS:**

- 1) The operator or agent shall follow all applicable County, State, and Federal regulations regarding the selling of gravel from a stockpile location.
- 2) Access to and from State Highway 34 shall be coordinated with and approved by the South Dakota Department of Transportation.
- 3) The operator shall be responsible for the road maintenance and dust suppression from the access road off of State Highway 34 to the gravel pile. This responsibility will also include all those areas being disturbed on the property being leased by the contractor.
- 4) Safety precautions signs shall be posted as specified by the Federal Manual on Uniform Traffic Control Devices (MUTCD).
- 5) A sign no larger than twenty (20) square feet shall be posted at the entrance of the property stating the name of the company, telephone number, and hours of operation.
- 6) All parking including truck loading and unloading shall conform to Section 4.1 of the Lawrence County Zoning Ordinance.
- 7) All lights used for illumination shall be directed away from any nearby residences, businesses and public roads.
- 8) A building permit from the Lawrence County Office of Planning and Zoning shall be required for any new construction and movement of any buildings onto the property.
- 9) Portable toilets shall be required at the site since there will not be a septic system.
- 10) Truck hauling and loading operations shall be set from 6:00 a.m. to 6:00

p.m., Monday through Saturday. No truck traffic shall be allowed on Sundays. 11) An asphalt or concrete plant shall not be allowed on the property. 12) Reclamation shall be done to State and Federal specifications. 13) If any perimeters of this Conditional Use Permit have changed, a new conditional use permit shall be required with a public hearing before the County Commissioners. 14) The construction company shall submit to the Office of Planning and Zoning a person to contact with their telephone number, other than the office's number, in case of emergencies, violations or for gathering information. 15) Prior to the construction company requesting an option to renew the lease of the property, company representative(s) shall meet with the Lawrence County Commissioners to discuss if the conditional use permit shall remain in affect or be cancelled after completion of reclamation. 16) The construction company shall send copies of all notices of violations from the DENR to the Lawrence County Office of Planning and Zoning and the County Commission within ten (10) days of receipt. 17) Any change of land ownership or proposed transfer of the Conditional Use Permit to another operating company shall be reported immediately to the Lawrence County Commission. The new owners of company shall meet with the Lawrence County Commission to review and accept the conditions of this permit. Or upon the decision of the County Commission, this Conditional Use Permit may be canceled after completion of any remaining reclamation. 18) Notification of any change in management at the quarry shall be given to the Lawrence County Office of Planning and Zoning within 48 hours of the change. 19) The owner or operator shall, ninety (90) days prior to any planned permanent closure or long term cessation of the small-scale sand, gravel, and rock quarry, give notice to said closure or cessation to the Lawrence County Office of Planning and Zoning and the County Commission. The owner or operator shall cooperate with any inspections by the County and Planning Commissions and the Highway Department for the purpose of identifying any impacts on affected roads and compliance to reclamation plans. 20) One month prior to the annual review, the operator shall file a written report with the Lawrence County Office of Planning and Zoning addressing employment, amount of acreage disturbed, tonnage extracted, anticipated activities and any additional area of concerns (i.e. drilling, blasting, noise, dust, traffic, etc.) 21) This permit shall be reviewed on annual basis, or on an as needed basis should complaints arise to assure compliance with the attached conditions, at which time additional conditions may be attached if deemed necessary for the protection of the public interest. 22) Any violation of the conditions of these Conditional Use Permits may constitute cancellation of this permit. 23) If any term, condition or requirement stipulated in the Conditional Use Permit, the Lawrence County Zoning Ordinance or applicable State and/or Federal regulations are not fully complied with in all respects, this permit shall be reviewed and may be suspended or revoked.

ORDER DECLARING MEADOW CREST ROAD DISTRICT INCORPORATED: The Board reviewed a Petition and Application for Incorporation of Meadow Crest Road District. The property proposed for a road district is owned by Floyd & Susan Mount. Moved-Seconded (Seward-Mattson) to approve and authorize the Chair to sign the following Order Declaring Meadow Crest Road District Incorporated. Motion Carried. **Order Declaring Meadow Crest Road District Incorporated: WHEREAS,** A Petition and Application For Incorporation having been filed with the Lawrence County Board of Commissioners asking that a road district be organized to function in the territory described in the Petition and it appearing to the satisfaction of the Lawrence County Board of County Commissioners that the requirements of SDCL Chapter 31-12A have been fully complied with; **WHEREAS,** SDCL 31-12A-1.1 allows three or fewer landowners to form a road district. **WHEREAS,** Floyd E. Mount & Susan K. Mount are

the only landowners of the subdivided land to be included in the Road District. **WHEREAS, IT IS HEREBY DECLARED** that the territory proposed to be organized as a county road district to-wit: The Northeast Quarter (NE1/4) , the East Half of the Northeast Quarter of the Northwest Quarter (E1/2NE1/4NW1/4), the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) lying north of Highway 14, except Lot H-1 deeded to the State of South Dakota Department of Transportation in Document No. 96-1543, and approximately 300 square feet in the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) being the excluded area as shown on Plat Book 6, Page 263, except Lot H-1 deeded to the State of South Dakota Department of Transportation in Document No. 96- 1543, all located in Section Seventeen (17) , Township Five (5) North, Range Four (4) East of the Black Hills Meridian, Lawrence County, South Dakota. **NOW THEREFORE BE IT ORDAINED** by the Lawrence County Board of Commissioners that the Meadow Crest Road District is hereby incorporated pursuant to SDCL 31-12A-11. **DATED** this 21st day of May, 2001. **BARBARA MATTSON, Vice-Chair, Lawrence County Commission.**
ATTEST: CONNIE ATKINSON, Auditor

ANNUAL REVIEW / HOMESTAKE OPEN CUT MINE CONDITIONAL USE PERMITS:

The annual review was held for Homestake Mining Company. Matt Zietlow, Environmental Director, presented the Board with an annual review report. (Report on file at the Lawrence County Auditor's Office 90 Sherman Street, Deadwood S.D.) CUP # 124 & 144 were found in compliance and will be reviewed on an annual basis.

ANNUAL REVIEW OF CUP / H&S GRAVEL OPERATIONS: An annual review was held for the H&S Gravel. Jerome Hall asked the board for more storage area on the north side, for the Strawberry Hill project. This is not going over the 10 acres that was already approved. CUP #185 was found in compliance and will be reviewed on an annual basis.

ANNUAL REVIEW OF CUP / SPEARFISH EXCAVATING: An annual review was held for the Spearfish Excavating. No activity is going on. They've sold all their equipment and waiting for the bonds from the state. The board asked them to come back once the bonds have been released.

ANNUAL REVIEW OF CUP / DAKOTA RESORTS MGMT – DEER MOUNTAIN CAMPGROUND: An annual review was held for the Deer Mountain Campground. All the requirements have been done. O'neill stated the first reservation was scheduled for June 15th. O'neill stated that the road would have asphalt from the highway all the way into the ski area. CUP #258 was found in compliance and will be reviewed on an annual basis.

SPEARFISH AMBULANCE SERVICE: Brian Hambeck, Spearfish Ambulance Service presented a letter of commendation as a token to the commitment towards everyone's hard work and dedication for an incident that happened in Wyoming, April 2002. One of the Paramedics was seriously injured. Hambeck wanted the board to know how much everyone was appreciated for all their help.

EXECUTIVE SESSION: 1:20p.m. Moved-Seconded (Mattson-Seward) to go into executive session to discuss personnel. Motion carried. 1:50p.m. reopened.

EXECUTIVE SESSION: 1:50p.m. Moved-Seconded (Opitz-Seward) to go back into executive session to discuss contractual matters. Motion carried. 2:10p.m. reopened.

HIGHWAY BUILDING PURCHASE AGREEMENT: Roger Tellinghuisen and Jon Mattson were present to discuss the purchase agreement amendment for the highway shop building. (Report on file at the Lawrence County Auditor's Office 90 Sherman Street, Deadwood S.D.) Bruce Outka suggested to the board that they approve and sign the Amended Purchase Agreement with attached exhibit. Moved-Seconded (Weisenberg-Opitz) to approve and authorize the Chair to sign the Amended Purchase Agreement for the Highway Shop Building. Motion Carried.. Mattson abstained.

SAVOY FIRE DEPARTMENT: Steve Williams and Associates offered to develop and draw conceptual drawings of a building for the Savoy Fire Department building. The fire department is still looking for land, down in Spearfish Canyon. The fire department has to be out by October 1st.

FIRE ADVISORY: Moved-Seconded (Douglas-Opitz) To approve and authorize the Chairperson to sign the fire agreements with the individual fire departments as they come in. Motion Carried. They have to be sent in by June 15th.

WEED BUSINESS: Moved-Seconded (Weisenberg-Seward) To approve the board members by district. Charles Nicholas-South Interstate representative, Dan Hefner-North Interstate representative, Richard Sleep, Paul Baker, Russell Rantapaa-At large, Jerry Boyer- Spearfish City area. Motion Carried.

COMPREHENSIVE WEED MANAGEMENT PLAN: Heck requested a change to the Comprehensive Weed Management Plan. Douglas stated this item was exempted from the adoption by the commissioners. The commissioners requested that specific and detailed case-by-case projects be presented for consideration. Mattson directed Heck to come back to the board for more discussion, at the next meeting, with a possible public hearing on the change to be held in July.

BILLS: Moved-Seconded (Douglas-Seward) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,162.83; Aud-\$4,615.71; Treas-\$7,144.67; Comp-\$4,473.83; States Atty-\$9,494.72; Pub Def-\$5,634.44; Gen Govt Bldg-\$3,714.40; Equal-\$7,663.19; Deeds-\$5,293.25; Vso-\$689.15; Disp-\$9,419.95; Sher-\$26,527.27; Jail-\$12,969.34; Emerg Mgnt-\$1,287.50; Highway-\$27,700.54; Air-\$77.68; Exten-\$1,075.84; Weed-\$2,606.70; Pz-\$2,377.77; **Bills:** Bh Fibercom-\$1,616.54; Cellular One-\$130.13; Johnson Ford-\$47,923.60; Outdoor Motor Sports-

\$13,000.00; Qwest-\$46.65; Teen Court-\$2,278.70; Walmart Store-\$548.71; Ginsbach,M-\$16.00; Blanks,K-\$54.00; Green,R-\$65.00; Hamilton,M-\$54.00; Kosel,J-\$104.33; Meverden,J-\$20.58; Narem,S-\$4.00; Outka,B-\$39.60; Piekkola,D-\$65.00; Sandvick,T-\$54.00; Schumacher,D-\$65.00; Struble,L-\$65.00; Thomson,P-\$189.15; Weisenberg,T-\$168.48; White,R-\$54.00; Winters,D-\$18.70; Writer,J-\$65.00; Ziegenbein,S-\$21.00; A&B Business Equip Inc-\$770.56; A&B Welding Supply Inc-\$60.46; A&M Transport-\$250.00; Abc Business Supply Corp-\$5,271.47; Air Connection-\$4,800.00; Ag Communications Center-\$10.19; Alco Store-\$129.99; Altaire Enterprises-\$60.00; Amcon Distributing-\$359.60; American Family Life-\$1,950.16; Amoco Oil Co-\$596.72; Arleth & Associates Corp-\$70.00; At&T-\$87.03; Bh Chemical Company-\$1,486.80; Bh Federal Credit Union-\$6,503.29; Bh Fibercom-\$690.50; Bh Land Analysis-\$1,860.12; Bh Medical Ctr Pharmacy-\$1,445.12; Bh Pest Control-\$95.00; Bh Pioneer-\$1,513.33; Bh Power & Light-\$7,391.82; Bh Resource Conservation-\$100.00; Bh Travel Agency-\$1,652.00; Bh Truck And Trailer-\$15,629.78; Babbs' Tree Service-\$112.00; Behavior Mngt Systems -\$510.00; Best Business Prod-\$46.77; Best Western Ramkota-Watertown-\$492.00; Bickle's Truck & Diesel-\$7.77; Binder,T-\$395.70; Blue Cross-\$37,284.39; Buckstop Express Mart-\$175.96; Business Computer Serv-\$478.00; Butler Machinery Co-\$1,295.11; Butte County-\$9.60; Butte Electric Coop-\$345.48; Cameron Communications-\$287.90; Carquest Of Spearfish-\$31.84; Central Parts-\$708.19; Chinatown Café-\$77.39; Christensen Law Office-\$1,015.50; Claims Associates-\$1,000.00; Clark Printing-\$206.00; Clinical Lab Of Bh-\$30.00; Connelly,R-\$9,288.50; Conoco-\$472.00; Corral West-\$242.55; Correctional Billing Svc-\$10.35; Crossroads Hotel & Convention-\$105.25; Culligan Soft Water Serv-\$149.00; Dakota Graphics-\$650.00; Dakota Travel-\$668.50; Deadwood Recreation Center-\$92.00; Deadwood Supply-\$85.57; Deadwood,City Of-\$526.85; Deckers Food-\$20.00; Dept Of Hlth Lab Services-\$90.00; Dept Of The Treasury-\$31,821.30; Display Sales Company-\$452.00; Diversified Fabricators-\$11,995.00; Division Of Motor Veh-\$39.00; East West Motor Express-\$950.00; Ecolab-\$84.00; Eddie's Truck Sales/Serv-\$322.53; Election Sys & Software-\$995.93; Ellingson,J-\$549.05; Extension Service-\$395.64; Farmers Union Oil Co-\$2,122.73; Fidler Funeral Chapel-\$1,985.00; Fish,V-\$1,638.00; Fisher Sand & Gravel-\$70.68; Foothills Seed-\$236.00; Fox,J Dr-\$72.00; Frederickson,J-\$468.30; Frontier Precision-\$50.00; Fuller,Tellinghuisen,Gordon-\$627.75; Gall's-\$811.94; Gene's Lock Shop-\$22.77; Genpro Power Systems-\$295.00; Glenn C Barber & Assoc-\$30,280.72; Godfrey's Brake Serv-\$275.06; Goetz & Klimisch-\$102.10; Gold Dust-\$49.07; Great Western Tire-\$610.81; Harvey's Lock Shop-\$72.00; Havemeier,L-\$99.90; Heisler Hardware-\$75.20; Highway Improvement-\$21,420.41; Hills Material Comp-\$21,589.98; Holiday Inn-\$330.00; Honeywell-\$2,104.51; Hughes County Sheriffs-\$19.50; Huron Culvert & Tank Co-\$309.00; Ibm Corp Sqh-\$334.40; Ikon Office Solutions-\$781.10; Inland Truck Parts-\$899.73; Insight-\$808.87; Js & S Wood & Iron-\$800.00; Jacobs Precision Welding-\$6.42; Jamar Tech-\$980.80; Jensen,K-\$18.70; Johnson Ford-\$145.79; Kadrmas, Lee And Jackson-\$9,172.50; Ken's Camper Sales-\$26.50; Kimball-Midwest Co-\$176.76; Knecht True Value-\$145.72; Koala Electric-\$407.84; Kota Graphics-\$520.98; L C Auditor-Petty Cash-\$32.86; Lc Centennial-\$1,254.34; Lc Public Health-\$2,208.00; Lc Sheriff-\$587.64; Lc Treasurer-\$10.00; Land Ware-\$89.90; Lead-Deadwood Sanitary-\$194.64; Lee,J-\$30.00; Leiker,L-\$176.00; Lewis & Clark Bhs-\$250.00; Lithia Dodge Of Sioux Falls-\$24,163.00; Lyle Signs-\$138.53; Macks Auto Body-\$203.05; Mailworks Plus-\$117.50; Manlove Psychiatric Group-\$356.00; Marilyn's Interiors-\$122.50; Lexisnexis Matthew Bender-\$104.46; Mattox,R-\$16.96; May,Johnson,Doyle&Becker-\$1,056.21; McArthur,J-\$52.54; Meade Co Auditor-\$280.00; Montana Dakota Utilities-\$3,418.60; Motive Parts & Supply-\$335.69; Murphy, J-\$586.50; Nh Family Ymca-\$448.00; Nh General

Hospital-\$1,711.31; Neighborhood Housing Services-\$324.00; Neve's Uniforms-\$42.90; Office Max-\$149.99; Office Of Child Support-\$284.50; Office Technology/Supply-\$121.46; Ore Car Express-\$23.00; Outdoor Motor Sports-\$329.95; Pennington Co Auditor-\$35.00; Pennington Co Jail-\$1,288.86; Pennington County Sts Attny-\$200.00; Ponderosa Motor Lodge-\$584.40; Porter Law Office-\$621.00; Postmaster, Deadwood-\$120.00; Postmaster, Spearfish-\$38.00; Priority Dispatch-\$46.00; Pronto Auto Supply-\$35.61; Queen City Medical Center-\$25.00; Queen City Rocket Lube-\$313.01; Quill Corp-\$21.99; Qwest-\$1,003.72; Rc Community Health-\$58.25; Rc Finance Office-\$595.00; Rc Journal-\$197.47; Rc Regional Hospital-\$2,465.98; Rabe Elevator-\$867.98; Radio Shack/Kazco-\$17.96; Rantapaa,R-\$18.70; Rapid Delivery-\$37.00; Reliable-\$205.41; Renka,R-\$90.00; Richards Law Firm-\$359.86; Rjs Maps & Graphics-\$84.95; Rude Transportation Co-\$213.06; Sd Retirement System-\$28,475.29; Sd State Treasurer-\$983.40; Sd Aao-\$65.00; Sd Dept Of Transportation-\$36,978.08; Sd Supplemental Retirement-\$662.50; Salzsieder,M-\$3,435.00; Sanito Oil-\$4,875.11; Servall Towel & Linen-\$527.17; Sign Express-\$68.24; Sign-Up Ltd-\$13,780.20; Spearfish Auto Supply-\$657.46; Spearfish Motors-\$88.04; Spearfish Surgery Center-\$25.00; Specialized Auto Service-\$1,081.00; Stan Houston Equip Co-\$494.00; State Disbursement Unit-\$60.00; Stratford,W-Md-\$5,500.00; Texaco-\$298.23; Triple K Tire & Repair-\$83.22; Twin City Hardware & Lumber-\$901.99; Uap Timberland-\$1,778.00; U Bid Online Auction-\$446.65; Us Bank Corp Trust Debt Manag-\$444,320.00; Verizon Wireless-\$765.48; Viking Office Prod-\$684.51; Warne Chemical-\$811.60; Waste Connections-\$343.74; Wells Plumbing & Farm Supp-\$53.86; Western Communication-\$1,350.58; Western Sd Juvenile Serv-\$3,003.00; Whitewood, City Of-\$100.40; Williams Standard Serv-\$33.47; Wyoming Child Support Coll-\$190.00; Xerox Corporation-\$115.00; Z & S Dust Control-\$18,123.58; Ziebach County Sher Office-\$30.84; **Witness & Jurors:** Mcgrath,M-\$11.74; Hill,T-\$25.22; Schumacher,K-\$20.00; Bedford,D-\$17.54; Bigney,J-\$11.74; Carsten,C-\$11.74; Chase,J-\$18.70; Christensen,R-\$19.86; Christian,P-\$27.40; Couch,E-\$21.60; Davis,K-\$14.06; Donahue,S-\$184.80; Duncan,R-\$18.70; Edwards,C-\$21.60; Eide,C-\$169.14; Ferris,W-\$10.58; Filley,P-\$21.60; Flory,A-\$18.70; Forgey,J-\$27.40; Gifford,M-\$18.70; Goodwin,F-\$162.18; Griffith,W-\$11.74; Grosek,G-\$15.80; Hagenbrock,J-\$18.70; Hall,J-\$19.86; Hambek,L-\$18.70; Hammett,B-\$24.50; Haynes,K-\$21.60; Johnston,T-\$18.70; Karas,P-\$18.70; Ketterling,G-\$24.50; Koski,E-\$18.70; Kowalke,L-\$195.24; Krause,R-\$18.70; Larsen,M-\$24.50; Lee,B-\$18.70; Lucero,J-\$11.16; Luckie,D-\$10.58; Martin,G-\$174.36; McGinnis,N-\$18.12; Meyer,B-\$24.50; Millard,S-\$11.74; Miller,T-\$21.60; Murray,V-\$11.16; Petersen,J-\$33.20; Rabenberg,R-\$18.70; Roth,O-\$11.74; Schmidt,D-\$17.54; Shrader,J-\$176.10; Simons,D-\$191.76; Simpson,S-\$181.32; Steen,T-\$18.70; Straub,W-\$11.16; Stulken,K-\$11.74; Teupel,G-\$22.76; Thorp,R-\$10.58; Weglin,M-\$18.70; Weyrich,R-\$18.70; Williamson,J-\$16.96; Yanzick,D-\$18.70; Young,D-\$176.10; Albrandt,J-\$18.70; Bacon,G-\$18.70; Barnhart,K-\$20.44; Bayne,M-\$21.60; Bergen,P-\$10.58; Bettelyoun,L-\$21.60; Bevil-Hall,W-\$21.60; Blair,C-\$10.58; Brandsberg,D-\$117.40; Braun,A-\$105.80; Brewer,D-\$10.58; Brosnahan,M-\$12.90; Caldwell,M-\$129.00; Chinae,J-\$16.38; Cozort,L-\$18.70; Damuth,D-\$123.20; Darland,M-\$18.70; Davis,B-\$12.32; Delahoyde,D-\$18.70; Derby,A-\$16.96; Derosier,G-\$18.70; Dillman,T-\$11.74; Engle,B-\$18.70; Evans,R-\$123.20; Ewing,T-\$113.92; Frame,G-\$18.70; Frawley,H-\$15.80; Frick,J-\$18.70; Gifford,T-\$14.64; Hafer,R-\$101.16; Hanson,R-\$11.74; Harford,W-\$118.56; Heisler,M-\$18.70; Hill,R-\$21.60; Hines,K-\$18.70; Hodson,J-\$21.60; James,D-\$10.00; Keehn,L-\$10.58; Klabunde,S-\$12.90; Kremer,M-\$117.40; Lessly,R-\$19.86; Massey,K-\$16.96; Maynard,K-\$15.80; McGhee,D-\$18.70; Mechaley,M-\$21.60; Melcher,M-\$21.60; Milano,E-\$21.60; Miller,J-\$11.74; Moore,M-\$15.80; Nelson,M-\$11.74; Newton,L-\$18.70; Palmer,D-\$11.74; Parrish,S-

\$11.16; Pederson,L-\$19.28; Peters,C-\$14.06; Pummel,K-\$117.40; Raad,A-\$18.70; Reed,C-\$17.54; Rochelle,R-\$21.60; Sanders,M-\$19.86; Sanders,R-\$120.88; Schempf,B-\$117.40; Schlepp,B-\$19.28; Schwarz,D-\$25.66; Selken,A-\$18.70; Shevling,J-\$24.50; Silvernail,K-\$10.58; Simpson,D-\$21.02; Smith,S-\$17.54; Stegner,S-\$16.96; Stradinger,R-\$18.70; Telkamp,R-\$20.44; Thomas,L-\$19.86; Titze,P-\$18.70; Todd,M-\$10.58; Toms,F-\$11.74; Vanvactor,K-\$18.70; Vatne,B-\$18.70; Voyles,J-\$21.60; Walz,J-\$18.70; Wood,A-\$18.70; Wood,V-\$19.86; Opitz,R-\$18.70; Uttke,V-\$18.70; Essink,J-\$15.80; Allard,S-\$56.96; Alpert,R-\$79.72; Andrew,T-\$21.60; Barden,T-\$18.70; Bertch,D-\$77.40; Bohls,G-\$83.20; Brand,T-\$10.58; Brockman,H-\$59.86; Brown,C-\$12.90; Caldwell,G-\$11.74; Cihak,K-\$60.44; Claflin,W-\$19.86; Cline,R-\$98.28; Cooper,D-\$123.20; Covell,S-\$54.06; Gerlich,R-\$17.54; Griffith,R-\$18.70; Higbee,M-\$59.86; Jones,R-\$18.70; Kearney,G-\$61.60; Kent,C-\$63.34; Melmer,C-\$18.70; Meyer,R-\$18.70; Nauta,K-\$21.60; Papka,M-\$77.40; Perry,S-\$18.12; Pollard,B-\$11.74; Rear,D-\$15.80; Rentz,D-\$21.02; Robataille,E-\$21.60; Schaefer,S-\$61.16; Schmidt,D-\$79.72; Schuchardt,M-\$18.70; Shields,F-\$59.28; Steinlicht,D-\$10.58; Steinmeyer,R-\$59.28; Stone,D-\$21.60; Umberger,M-\$79.72; Walton,K-\$87.84; Wietgreffe,K-\$11.16; Baum,M-\$28.70; Beem,T-\$28.70; Caserio,A-\$22.03; Couch,J-\$28.70; Cottrill,T-\$21.74; Craig,D-\$31.60; Digioia,S-\$28.70; Digioia,S-\$28.70; Doud,J-\$28.70; Edwards,S-\$20.58; Etherington,L-\$20.87; Fisher,J-\$21.74; Fousek,D-\$21.74; Friel,P-\$22.32; Fryer,L-\$21.74; Gienger,T-\$31.60; Glessing,P-\$252.00; Grant,M-\$28.70; Homann,J-\$27.54; Hovdenes,A-\$49.00; Hutchinson,B-\$20.58; Jacobs,M-\$49.00; Johnson,M-\$22.32; Johnson,T-\$27.54; Kiel,L-\$28.70; Laroque,G-\$136.00; Lawsen,C-\$20.58; Lester,G-\$29.86; Malloy,B-\$28.70; Nelson,C-\$28.70; Richards,S-\$25.80; Soriano,G-\$28.70; Strand,T-\$252.00; Stumvoll,M-\$28.12; Symonds,D-\$28.70; Symonds,S-\$28.70; Walcker,T-\$20.58; Wood,C-\$20.58; Yates,A-\$73.36; Andersen,G-\$18.70; Clark,A-\$196.98; Jones,S-\$184.80; Mcquillen,S-\$10.58; Salzsieder,K-\$21.02; Sandford,D-\$21.60; Sigle,D-\$184.80; Suchanuk,R-\$21.60; Thompson,K-\$176.10; Tieman,L-\$12.90; Tlustos,J-\$21.60; Allen,L-\$19.86; Anderson,L-\$18.70; Anderson,M-\$18.70; Armstrong,C-\$21.60; Ashley,C-\$18.70; Atkinson,R-\$12.32; Bassett,G-\$19.86; Beets,E-\$15.80; Beguin,V-\$64.50; Bentley,R-\$58.70; Blackburn,W-\$18.12; Bosworth,P-\$18.70; Bowles,B-\$18.12; Bradley,A-\$11.16; Brent,W-\$10.58; Bunney,B-\$21.60; Cameron,R-\$52.32; Caudill,K-\$18.70; Cody,D-\$20.44; Cooper,J-\$16.96; Corrick,D-\$21.60; Covey,R-\$55.80; Dardis,A-\$19.86; Darland,R-\$18.70; Davis,B-\$12.90; Daywitt,D-\$11.74; Delzer,C-\$58.12; Delzer,S-\$67.40; Doud,N-\$12.90; Ellis,B-\$20.44; Engel,A-\$60.44; Fierro,M-\$17.54; Gehring,J-\$18.12; Goodrich,M-\$21.60; Gray,M-\$18.70; Grenstiner,I-\$10.58; Haislett,J-\$58.70; Hambek,L-\$18.70; Hansen,M-\$18.70; Harmon,M-\$23.34; Hauck,K-\$18.70; Hauge,G-\$12.90; Heisler,T-\$16.96; Hoffman,M-\$58.70; Huck,J-\$24.50; Huddleston,C-\$16.96; Hunt,D-\$18.12; Jacobsen,K-\$18.70; Jarvis,M-\$18.70; Jarvis,W-\$21.60; Johnson,R-\$18.70; Kiel,K-\$18.70; Kissack-Wilson,K-\$18.70; Lapka,C-\$15.80; Larson,K-\$54.64; Leonard,J-\$18.70; Lesselyoung,E-\$21.60; Marta,P-\$18.70; Meverden,A-\$17.54; Minazzi,B-\$12.90; Murphy,G-\$18.70; Namminga,L-\$10.58; Nelson,M-\$11.74; Nicholas,M-\$18.70; Overby,M-\$61.60; Pawlowski,L-\$61.60; Pellegrino,K-\$24.50; Roberts,R-\$19.86; Rost,K-\$16.96; Schmit,D-\$20.44; Schreiber,J-\$18.70; Sieveke,R-\$13.48; Stadler,T-\$21.60; Stafford,M-\$19.86; Stanford,D-\$10.58; Stott,B-\$12.32; Toomey,T-\$18.70; Vandewerker,N-\$19.86; Walby,C-\$18.70; Walker,R-\$18.70; Welch,B-\$15.80; Whittington,R-\$11.74; Williams,J-\$10.58; Williamson,P-\$18.70; Young,D-\$31.74

ADJOURN: 4:00 p.m. - There being no further business the meeting was adjourned. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – JUNE 5, 2002

Chairperson Barbara Mattson called the special meeting of the Lawrence County Commissioners to order at 1:30 p.m. on June 5, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

2002 PRIMARY ELECTION: Moved-Seconded (Seward-Weisenberg) to canvass the 2002 Primary Election Results for Lawrence County. Motion Carried.

MINUTES: Moved-Seconded (Opitz-Mattson) to approve the minutes of May 21, 2002. Motion Carried.

PERSONNEL:

EMERGENCY MANAGEMENT: Moved-Seconded (Seward-Opitz) to approve Paul Thomson's pay wage to \$32,900.00 a year, effective 6-01-2002. Motion Carried.

TRAVEL REQUESTS:

VSO: Moved-Seconded (Opitz-Weisenberg) to approve the travel request for Bill Locken to attend the V.A. Health Care Tactical Planning Meeting at AFB on June 13-14, 2002. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Weisenberg-Seward) To accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** The Auditor's Account with the County Treasurer as of May 31, 2002 showed the following: Total amount of deposits in banks-\$12,478,020.78; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$66,930.49; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$3,589.78; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$5,500,000.00; Bank Balance-\$6,081,087.72; GNAM's-\$136,675.46; and Money Market \$760,257.60.

DELAY TAKING TAX DEED: Moved-Seconded (Opitz-Seward) to approve delay taking building on leased site distress warrant and accept partial payments of taxes for 701 Canyon (Lot 6Blk 14B Allison Map) Lead, SD owned by Gerald A. Murray. Motion Carried.

VACATION OF SECTION LINE: The Board received petitions to vacate a portion of a section line. **LEGAL DESCRIPTION FOR THE VACATION:** Vacation of connecting section lines running north to south for approximately 1,070 feet and east to west for approximately 850 feet across the following property: Lillah Fraction and Truro Fraction Lodes of Mineral Survey No. 1758 located in Sections 11, 12, 13 & 14, T4N, R3E, B.H.M., Lawrence County, South Dakota. **LANDOWNERS:** JAMES E. PETERSON – LILLAH FRACTION LODE; SCOTT & MARCIA MCGREGOR – TRURO FRACTION LODE. A public hearing was scheduled for June 25th, 2002 at 2:00 p.m. during the regular Commission Meeting.

SHERIFF'S OFFICE SCANNER: Joe Harmon stated the cost to contract out the shredding of documents in the Sheriff's Office would be \$12,000- \$14,000 and the cost of a new shredder would be \$7,500. Harmon stated the Courts system has offered to pay \$2,500 so they can use the shredder. Harmon stated the Sheriff's Office does have the money available in their budget for this expense. Moved-Seconded (Opitz-Douglas) to approve the purchase of a new shredder for the Sheriff's Office. Motion Carried.

RETIREMENT – CORRECTIONAL OFFICERS CLASS B: Joe Harmon discussed Class B Retirement for the Correctional Officers and Jail Administrator/Bailiff. Harmon stated in the Jail Administrators job description it states he shall be a certified law enforcement officer. Dale Larson, Jail Administrator was grandfathered in and therefore is not certified at this time. Harmon stated allowing the Correctional Officers Class B Retirement could be a benefit in retaining employees in the Jail. Moved-Seconded (Seward-Weisenberg) To approve Class B Retirement for the Full-Time Correctional Officers and Jail Administrator/Bailiff. Motion Carried. Aye-Seward, Weisenberg, Opitz and Mattson. Nay-Douglas.

JAIL POLICY MANUAL: Joe Harmon discussed the Jail Policy Manual for Lawrence County. Harmon stated Tom Brady represented Lawrence County during a Federal Hearing, and the Federal Judge pointed out the inadequacy of the manual. Harmon stated in the past the cost of a new manual was around \$25,000, however, Mr. Brady offered to review the manual and make changes at a cost of \$150 an hour with a cap of \$10,000. Opitz asked Marlene Barrett, Commission Assistant, to contact Doug Kirkus, Risk Management and discuss other options.

BILLS: Moved-Seconded (Douglas-Mattson) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,162.83; Aud-\$4,615.71; Treas-\$7,201.60; Comp-\$4,473.84; States Atty-\$9,421.80; Pub Def-\$5,709.29; Gen Govt Bldg-\$3,426.87; Equal-\$7,908.13; Deeds-\$5,154.51; Vso-\$689.15; Disp-\$7,969.55; Sher-\$25,508.43; Jail-\$12,840.78; Emerg Mgnt-\$1,287.50; E911-\$2,531.71; Highway-\$27,395.34; Exten-\$1,078.00; Weed-\$3,087.45; Pz-\$2,377.77; **Bills:** Bh Federal Credit Union-\$6,503.29; Cellular One-\$134.70; Dept Of The Treasury-\$30,834.39; Domestic Crisis Outreach-\$455.00; Office Of Child Support-\$284.50; Queen City Medical Center-\$25.00; Sd Supplemental Retirement-\$662.50; Spearfish Surgery Center-\$25.00; State Disbursement Unit-\$60.00; Victims Of Violence-\$455.00; Wyoming Child Support Coll-\$570.00; Barrett,M-\$75.40; Black,S-\$64.00; Harmon,J-\$171.04; Kosel,J-\$136.08; Mcgruder,B-\$43.00; Meverden,J-\$43.00; Mowell,R-\$15,511.50; Nelson,K-\$64.00; Piekkola,D-\$40.92; Schwindt,L-\$43.00; Tridle,D-\$187.00; 3d Specialties-\$243.33; Abc Business Supply Corp-\$60.46; Adamson Industries Corp-\$519.00; Air Connection-\$2,400.00; Amcon Distributing-\$183.12; Armor Holding Forensics-\$132.29; Bh Ammunition-\$363.04; Bh Chemical Company-\$189.90; Bh Fibercom-\$1,587.08; Bh Pioneer-\$27.22; Bh Power & Light-\$664.14; Best Business Prod-\$36.70; Buckstop Express Mart-\$33.86; Bureau Of Administration-\$26.00; Burrly's Lube-\$20.00; Butte Electric Coop-\$89.54; City/County Alcohol & Drug-\$210.00; Clinical Lab Of Bh-\$2,123.04; Coley,Mike-\$120.00; Community Health Services-\$10.00;

Cooperative Extension Service-\$332.11; Culligan Soft Water Serv-\$81.25; Deadwood Lumber Company-\$15.36; Deadwood, City Of-\$458.24; Dept Of Hlth Lab Services-\$45.00; Doyle&Kennedy-\$131.10; Exhaust Pros-\$75.00; Expanets-\$22.42; Farmers Union Oil Co-\$1,128.23; Fish,V-\$52.00; Frederickson,John-\$416.10; Fuller,Tellinghuisen,Gordon-\$799.37; Gene's Lock Shop-\$10.60; General Security Serv Corp-\$609.85; Gni Netcom-\$140.00; Great Western Tire-\$16.95; Guilbert,Michael-\$109.00; Gummow,Linda-\$2,514.67; Hills Material Comp-\$15,655.95; Hills Tire And Supply-\$518.74; Holiday Inn-\$148.00; Hughes County Sheriffs-\$10.50; Js&S Wood&Iron-\$1,600.00; Johnson Ford-\$117.62; Jordan,J-\$30.00; Kinney&Koch-\$880.28; Lc Centennial-\$32.86; Lc Public Health-\$2,208.00; Lc Sheriff-\$76.76; Lead-Deadwood Sanitary-\$190.92; Light&Siren-\$269.90; Macks Auto Body-\$266.00; Lexisnexis Matthew Bender-\$18.74; Meade Co Auditor-\$151.82; Meade County Sheriff-\$72.15; Mineral Palace Hotel-\$89.16; Minitman-\$49.50; Montana-Dakota Util-\$175.99; Nat'l Assoc Of Criminal-\$150.00; Neighbors,Judith Phd-\$150.00; Neve's Uniforms-\$221.20; Niesent,L-\$140.00; Northern Tool&Equip-\$55.60; Overhead Door Company-\$780.00; Palmvid-\$85.45; Paperdirect-\$32.94; Pennington County Sheriff-\$41.40; Pitney Bowes-\$170.10; Pizza Hut-\$150.67; Porter Law Office-\$1,104.00; Postmaster, Deadwood-\$102.00; Postmaster,Spearfish-\$200.00; Quill Corp-\$223.90; Qwest-\$58.61; Radio Shack/Kazco-\$8.99; Reliable-\$101.48; Sd Human Services Center-\$23.40; Sd Sheriff's Association-\$54.12; Sanitation Products-\$281.80; Sanito Oil-\$3,916.70; Servall Towel&Linen-\$192.68; Silverado-\$387.68; Sony Electronics-\$207.00; Teen Court-\$6,516.93; Texaco-\$12.23; Twin City Hardware&Lumber-\$106.22; Viking Office Prod-\$299.41; Voelker&Adams-\$2,463.55; Walmart-\$380.46; Watson Apothecary-\$95.50; Western Communication-\$6,351.00; Williams&Associates-\$27,067.50; Z&S Dust Control-\$28,528.92; Zep Manufacturing Co-\$76.06; **Witness & Juror Fees:** Allard,S-\$56.96; Brockman,H-\$59.86; Cihak,K-\$60.44; Covell,S-\$54.06; Higbee,M-\$59.86; Kearney,G-\$61.60; Nauta,K-\$61.60; Shields,F-\$59.28; Steinmeyer,R-\$177.84

ADJOURN: 2:33 p.m. - There being no further business the meeting was adjourned. Motion Carried.

DATE APPROVED

JAMES J. SEWARD, Vice-Chair

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – JUNE 25, 2002

Vice-Chair James J. Seward called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on June 25, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg, Connie H. Douglas and George Opitz present. Barbara Mattson was absent.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Weisenberg-Opitz) to approve the minutes of June 5, 2002. Motion Carried. Mattson absent.

PERSONNEL:

GENERAL GOVERNMENT BUILDINGS: Moved-Seconded (Weisenberg-Seward) to approve the hiring of Clifford M. Caserio as a full-time maintenance worker II at the base rate of \$10.76 an hour, effective June 24, 2002. Motion Carried. Mattson absent.

JAIL: Moved-Seconded (Opitz-Douglas) to approve Susan Mckeown as a part-time jailer at 40 hours of training at \$6.74 an hour and then a Correctional Officer I at the rate of \$10.53 an hour, effective 6-10-2002. Motion Carried. Mattson absent.

Moved-Seconded (Douglas-Opitz) to approve the advertising for a full time and part time dispatcher. Motion carried. Mattson absent.

SHERIFF: Chief Deputy Harmon asked the board to pay the reserves \$13.00 per hour for campground patrol. Harmon stated he was making this request on behalf of the reserves. Harmon stated the reserves have increased responsibilities because of the fire danger and the requested extra patrolling in Lawrence County. Moved-Seconded (Opitz-Weisenberg) Due to the fire danger and extra patrol duties in Lawrence County to pay \$12.11 per hour for reserves performing campground patrol for the year 2002 only. Motion Carried. Mattson absent.

Moved-Seconded (Opitz-Seward) to approve the advertising of five additional officers for the Rally and to pay \$12.00 per hour, plus per diem. Motion Carried. Mattson absent.

TRAVEL REQUESTS:

VETERAN SERVICE OFFICER: Moved-Seconded (Weisenberg-Seward) to approve the travel request for William Locken to attend the Veterans Commission Meeting in Hot Springs, SD on July 8-9, 2002. Motion Carried. Mattson absent.

Moved-Seconded (Douglas-Weisenberg) to approve the travel request for William Locken to attend the VA Congressional Forum in Rapid City, SD on July 12, 2002. Motion Carried. Mattson absent.

EMERGENCY MANAGEMENT: Moved-Seconded (Opitz-Weisenberg) to approve the travel request for Paul Thomson and Ken Hawki to attend the Dept. of Emergency Management Class G120-130 Exercise Design and Evaluation in Pierre, SD on July 15-18, 2002. Motion Carried. Mattson absent.

Moved-Seconded (Weisenberg-Opitz) to approve the travel request for Paul Thomson to attend the Homeland Security Meeting in Pierre, SD on July 9, 2002. Motion Carried. Mattson absent.

PUBLIC DEFENDER: Moved-Seconded (Weisenberg-Opitz) to approve the travel request for Molly Smith to attend the SD Paralegal Association Spring Seminar in Rapid City, SD on June 21, 2002. Motion Carried. Mattson absent.

FUEL QUOTES: The following fuel quotes were submitted for July 2002 fuel: (prices per gallon) **Cenex Oil Co.** - Highway Dept. - Regular Gasoline - \$1.235; No. 1 Diesel - \$no bid; No. 2 Diesel - \$.90; 50/50 Blend - \$no bid; and Sheriff Office - Unleaded Gasoline - \$1.235. **Sanito Oil Company** - Highway Dept. - Regular Gasoline - \$1.221; No.1 Diesel - no bid; No.2 Diesel - \$.885; 50/50 Blend - \$no bid; and Sheriff Office - Unleaded Gasoline - \$1.221. **Moved-Seconded** (Weisenberg-Douglas) to accept the lowest fuel quote submitted from **Sanito Oil Company**. Motion carried. Mattson Absent.

RESOLUTION ON LIQUOR TAX: Moved-Seconded (Opitz-Seward) to approve the following LAWRENCE COUNTY RESOLUTION # 2002-23 Liquor Tax. Motion Carried. Aye-3, Abstain-Douglas, Absent-Mattson. RESOLUTION ON LIQUOR TAX: WHEREAS, the County Commissioners of Lawrence County, as well as the taxpayers of the County, are vitally concerned with the current tax burden placed upon real property under the current property tax structure; and WHEREAS, county government is mandated by state statute to provide law enforcement, criminal prosecution and defense, courts, jails, indigent health care and other related services; and WHEREAS, up to 80% of the need for these services is attributable to alcohol use; and WHEREAS, county commissioners believe it is inappropriate that property taxes pay for all of the problems associated with alcohol use; and WHEREAS, county commissioners are confident that with a thorough understanding of the facts, a vast majority of the citizens of South Dakota will support a liquor tax increase in an effort to allow the users of these services to contribute to the support of the services; and WHEREAS, counties received a share of the liquor taxes collected by the Department of Revenue until 1985; however they have not received a share of the existing liquor taxes since 1985. NOW THEREFORE BE IT RESOLVED that the County Commissioners of Lawrence County support an alcoholic beverage tax, based on the concept of five cents per drink, to be distributed on a county population/assessed valuation basis to pay for detoxification, law enforcement, juvenile justice, jails, courts and other legal costs now being paid by property taxes, as well as programs for alcohol abuse prevention and treatment. BE IT FURTHER RESOLVED that county commissioners support the initiation of procedures to place the liquor tax on the ballot as an initiated measure. BE IT FURTHER RESOLVED that county commissioners support legislation that would distribute a reasonable share of existing liquor taxes to counties. Dated this 25th day of June 2002. FOR THE BOARD: James J. Seward, VICE-CHAIR
ATTEST: Connie Atkinson, AUDITOR

DEADWOOD CITY LIMITS: Moved-Seconded (Weisenberg-Seward) to approve and authorize the Vice-Chair to sign a letter of support of the Deadwood City Limits Project proposed for the former historic Homestake Slime Plant building in Deadwood, SD. Motion Carried. Mattson absent.

US FOREST SERVICE BUILDING: Moved-Seconded (Opitz-Weisenberg) to approve and authorize the Vice-Chair to sign a letter to the U.S. Forest Service requesting to formally occupy the US Forest Service garage building located on Sherman Street. Motion Carried. Mattson absent.

US FOREST SERVICE ISSUES: Moved-Seconded (Weisenberg-Opitz) to nominate Commissioner Seward to the Advisory Board for the Black Hills National Forest. Motion Carried. Mattson absent.

FOREST SERVICE PHASE II FOREST PLAN STEERING COMMITTEE: Moved-Seconded (Weisenberg-Opitz) to accept the resignation of Kenneth Lee, with regrets, and appoint Dean Rasmussen to the Governor's Steering Committee and to reimburse his expenses for mileage, meals and lodging. Motion Carried. Mattson absent.

BLACK HILLS POWER & LIGHT BONDS: Moved-Seconded (Opitz-Weisenberg) to approve and authorize the Vice-Chair to sign the Debtor Authorization Form for Black Hills Power and Light Pollution Control Bonds. Motion Carried. Mattson Absent.

ADMISSION OF SERVICE / WILLIS F. AYE & WHITE HOUSE CONGRESS: Moved-Seconded (Douglas-Opitz) to authorize the Vice-Chair to sign the admission of service for Willis F. Aye & White House Congress. Motion Carried.

COURTHOUSE BONDS: The Board asked Weisenberg and Atkinson to review proposals for the refinancing of refunding certificates of participation of 1997 and report back to the Board with a recommendation.

T.A. COBB/ RECREATIONAL SPRINGS RESORT RETAIL (ON-OFF SALE) MALT BEVERAGE: Moved-Seconded (Douglas-Opitz) to approve the following Retail On-Off Sale Malt Beverage License for T.A. Cobb / Recreational Springs Resort. Motion Carried. Mattson absent. T.A. COBB / RECREATIONAL SPRINGS RESORT: HC 37 BOX 1228 HWY 85S, Lead, SD. Lot 3A2. of Tract 3A, A sub of Jay1,2,3, Fay #3, Herbert Steel Fraction H0200, Log Cabin & Violet #3, Lodes of M.S. 1200, In NW1/4 & NE1/4 of Sec. 19, T4N, R3E, T4N & NE1/4 of Sec 24, T4N, R2E, BHM, Lawrence CO, SD

RESOLUTION SDRS CLASS B REQUEST: Moved-Seconded (Weisenberg-Seward) to approve the following LAWRENCE COUNTY RESOLUTION #02-20 for SDRS CLASS B REQUEST. Motion Carried. Aye-3, Nay-Douglas, Absent-Mattson. LAWRENCE COUNTY RESOLUTION #02-20 for SDRS CLASS B REQUEST: WHEREAS, Senate Bill 11 of the 1999 Legislative Session allows a county or a municipality to transfer its jailers from Class A status to Class B Public Safety status within the South Dakota Retirement System, subject to approval by the Board of Trustees of the South Dakota Retirement System; and WHEREAS, jailers in the employ of Lawrence County have expressed a desire to transfer from Class A status to Class B Public Safety status within the South Dakota Retirement System; and WHEREAS, this governing body employs jailers who have been appointed as such pursuant to SDCL 7-12-9 and 7-12-10; and WHEREAS, this governing body believes that its jailers fulfill the requirements and objectives for Class B Public Safety status within the South Dakota Retirement System; NOW, THEREFORE, BE IT RESOLVED, that this governing body hereby grants its approval to such transfer of its jailers from Class A status to Class B Public Safety status within the South Dakota Retirement System; and BE IT FURTHER RESOLVED, that this governing body requests that the Board of Trustees of the South Dakota Retirement System approve such transfer. Dated this 25th day of June, 2002 APPROVED BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS: JAMES J. SEWARD, VICE-CHAIR. ATTEST: CONNIE ATKINSON, AUDITOR

THOMPSON / GOULD VACATION OF PLAT: Moved-Seconded (Opitz-Weisenberg) to set July 23, 2002 at 9:30 a.m. as the time for a public hearing on a request for vacation of plat for Carveth & Margaret Thompson and John Gould on the Plat of Tracts T and G, a replat of Lots 33, 34, 35, and 47 of the subdivision of M.S. 1780 and 1914, located in Section 13, T5N, R2E, B.H.M., Lawrence County recorded as Document No. 98-4665. Motion Carried. Mattson absent.

RESOLUTION #02-21 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Opitz-Weisenberg) to approve the following RESOLUTION #02-21 TO ADOPT A SUPPLEMENTAL BUDGET for the Highway Building Fund. Motion Carried. Mattson absent. WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: HIGHWAY BUILDING FUND HIGHWAY BUILDING CONSTRUCTION - \$800,000; The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 25th day of June, 2002 at the hour of 8:45 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 25th day of June, 2002. BOARD OF COUNTY COMMISSIONERS: JAMES J. SEWARD, Vice-Chair, CONNIE H. DOUGLAS, TERRY WEISENBERG, GEORGE OPITZ. ATTEST: CONNIE ATKINSON, LAWRENCE COUNTY AUDITOR.

HIGHWAY SHOP BIDS: The following bids were received for the new maintenance shop:

Ainsworth-Benning: Base-\$1,608,200 ABI#1-\$108,600 ABI#2-\$16,000

Donovan Construction: Base-\$1,424,748 ABI#1-\$121,500 ABI#2-\$19,000

First Dakota Enterprises: Base-\$1,460,000 ABI#1-\$132,000 ABI#2-\$13,500

Gustafson Builders - Base-\$1,415,000 ABI#1-\$138,000 ABI#2-\$14,000

Dean Kurtz Construction: Base-\$1,675,000 ABI#1-\$198,400 ABI#2-\$15,500

Scull Construction: Base-\$1,344,700 ABI#1-\$92,700 ABI#2-\$12,400

Moved-Seconded (Opitz-Weisenberg) to accept the low bidder, Scull Construction for Base-\$1,344,700 and ABI#1-\$92,700 for a total of \$1,437,400 and to negotiate the ABI#2 of \$12,400 with the City and Sanitation District officials. Motion Carried. Mattson absent.

COOPERATIVE ROAD PROJECT AGREEMENT: Moved-Seconded (Douglas-Weisenberg) to approve and authorize the Vice-Chair to sign the Modification No. 9 to Cooperative Road Project Agreement 2000-2 between USDA Forest Service, Black Hills National Forest and Lawrence County Commissioners. Motion Carried. Mattson absent.

ABATEMENTS:

HAUX, SYLVIA: Moved-Seconded (Douglas-Opitz) to approve the abatement for Sylvia Haux on parcel #14000-00404-180-16 because the building was torn down by the SD DOT on 5-24-2002. Motion Carried. Mattson absent.

EQUALIZATION VOUCHER REQUEST: Moved-Seconded (Opitz-Douglas) to approve Piekola's voucher for reimbursement to the National Conference. Motion Carried. Mattson absent.

BLACK HILLS RESOURCE CONSERVATION & DEVELOPMENT ASSOCIATION:

Kurt Buer was present and gave an overview of the 2002 plan of work for BHRC&D, Action Proposal Policy and Procedures and summarized the progress of the annual activities planned for 2002. Buer presented the Board with a "Living with a Septic System" video, Field Guide to Biological Agents for Management of Noxious Weeds in Western South Dakota, and South Dakota/Nebraska Weed Identification Guide.

COMPREHENSIVE WEED MANAGEMENT PLAN: Dave Heck, Jerry Boyer and Dan Hefner were present to discuss the changes made to the Comprehensive Weed Management Plan. Heck reviewed all changes made to the plan as Amended, June 1, 2002. Douglas stated page 25 needs to be updated to reflect the County has adopted the Weed Management Enforcement policy, and on page 25 (item 6) , page 26 (item 8) & page 27 (item 10) need to be corrected because it does not accurately reflect the decision of the County Board. Boyer suggested a note be attached to items

6, 8 & 10 : Proposed items 6, 8, & 10 were not adopted by the County Commissioners, the items were invited back for Commissioners consideration once the items were fully developed in detail". Seward stated he felt there should be a public hearing before any changes or additions are enacted in the plan for anything more than grammar or minor corrections. Heck stated he will forward corrected pages to the Board when they are completed.

RISK SERVICES OF SD: Doug Kirkus, Risk Services of SD was present to talk about safety programs. Kirkus stated options are to have a safety coordinator or a safety committee or both. Kirkus stated they would assist the County in developing a safety program and encouraged the county to develop a safety program. Kirkus also discussed the jail policy manual and stated sample policies are available, however you would still need to adapt the policy to the individual county.

ANNUAL REVIEW CUP #126 & #132 WHARF RESOURCES AND GOLDEN REWARD MINING CO.: Carol Koerner presented the Annual report for Wharf and Golden Reward. The report is on file with the Lawrence County Auditor. Kim Schultz updated the Board on reclamation within Wharf and Golden Reward.

SEVERANCE TAX REQUEST: Kathy Lloyd, Deadwood Elementary School Principal and Lisa Rantappa, 4th grade Teacher were present to request funding from the Severance Tax Fund. The request was to purchase laptop computers for the fourth grade. This would enable the students to study in a technology based classroom where textbooks will not be used in the core classes. They requested \$34,720 for 24 bay carts and the alternative request would be \$23,626 for 16 bay carts. The Board discussed options to lease the computers instead of purchasing them at a cost of \$20,000. The Board stated they would inform them of their decision. No action was taken.

EMERGENCY MANAGEMENT: Moved-Seconded (Douglas-Opitz) to allow the Emergency Management Director to install county equipment in his personal vehicle until a time when the County provides a vehicle or the Director terminates employment. Motion Carried. Mattson absent.

LAWRENCE COUNTY RESOLUTION #02-22

RESOLUTION & ORDER VACATING A PORTION OF A SECTION LINE: A public hearing was held on a request for vacating a portion of a section line. Clayton Johnson and Deb Suvada were present on behalf of the requested vacation. No opposition was present.

Moved-Seconded (Weisenberg-Douglas) to approve the following Lawrence County Resolution #02-22 Resolution & Order Vacating A Portion Of A Section Line. Motion Carried. Mattson absent.

Lawrence County Resolution #02-22 Resolution & Order Vacating A Portion Of A Section Line: WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by at least one percent of the ballots cast for the last gubernatorial election in Lawrence County, requesting that a portion of a section line be vacated, and WHEREAS, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the B.H. Pioneer times, Lead, South Dakota and Lawrence County Centennial, once each week for two consecutive weeks prior to the date of hearing and WHEREAS, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and WHEREAS, said section line does not constitute a portion of a South Dakota State Trunk Highway System nor the Lawrence County Highway System, now therefore, BE IT RESOLVED by the Lawrence County Board of Commissioners as follows: That the described portion of Section Line be vacated: Legal Description For The Vacating Of A Portion Of Section Line: Vacation of connecting section lines running north to south for approximately 1,070 feet and east to west for approximately 850 feet across the following property: Lillah Fraction and Truro Fraction Lodes of Mineral Survey No. 1758 located in Sections 11, 12, 13 & 14, T4N, R3E, B.H.M., Lawrence County, South Dakota. LANDOWNERS: JAMES E. PETERSON – LILLAH FRACTION LODGE; SCOTT & MARCIA MCGREGOR – TRURO FRACTION LODGE. Dated this 25th day of June, 2002. JAMES J. SEWARD, VICE-CHAIRMAN. Lawrence County Commissioner. ATTEST: CONNIE ATKINSON, Lawrence County Auditor.

E911 ADDRESSING: Tom Sandvick updated the Board on the progress of the E911 project. Sandvick stated all signs are in place except those affected by the 385 project. Blue signs are private driveways and brown or green represent any other road. Emergency Service Zones and the master street address guide have been created. They are in the final stages of checking accuracy and when they reach 95% Lawrence County will become enhanced 911.

VACATION OF RIGHT OF WAY ON A PLAT OF SELWAY ESTATE

DEVELOPMENT: Moved-Seconded (Douglas-Weisenberg) Pursuant to the Court Judgement of Judge Bastian the Board hereby reverses the prior decision made of 11-20-2001 denying the Selway Homeowners Association petition to vacate the right of way (future use) from the plat filed as Document No. 86-2675 and Affidavit of Correction filed as Document No. 86-4291. Motion Carried. Mattson absent.

Moved-Seconded (Douglas-Weisenberg) Pursuant to the Court Judgment of Judge Bastian the Board hereby approves and adopts the following Resolution #02-25. Motion Carried. Mattson absent. **RESOLUTION #02-25 RESOLUTION & ORDER VACATING A RIGHT OF WAY ON A PLAT SELWAY ESTATE DEVELOPMENT: WHEREAS,** a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, by the Selway Homeowners Association of Lawrence County, requesting the vacation of a Right of Way from a plat pursuant to SDCL 11-3-21.1 et seq. And WHEREAS, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and **WHEREAS,** the legal description is as follows: Legal Description of the plat and location of right of way: Plat of Selway Estate Development is located in SW1/4 Section 18 and the NW1/4 Section 19, T5N, R4E, B.H.M., Lawrence County, South Dakota, according to the plat filed as Document No. 86-2675 and Affidavit of Correction filed as Document No. 86-4291. The proposed right of way is designated on the Plat as a 66' ROW (future use) located on the 535.01 foot border between lots 8 and 9 and extending 33 feet into each lot. **WHEREAS,** the character

and use of the plat and proposed right of way is as follows: Each lot has been sold to individual property owners; most lots are 5 acres in size with a home, except lot 1; the proposed R.O.W. has remained undeveloped since 1986 and has not been used for access nor intersects any public highways. **WHEREAS**, the granting of the petition will not abridge or destroy any of the rights and privileges of other proprietors of such plat and will not authorize the closing or obstruction of any public highway laid out according to law, now therefore, **BE IT RESOLVED** by the Lawrence County Board of Commissioners to hereby vacate the right of way located on the 535 foot border between lots 8 and 9 on the plat filed as Document No. 86-2675 and Affidavit of Correction filed as Document No. 86-4291. The right of way is 66 feet wide, extending 33 feet into each lot. Dated this 25th day of June, 2002. JAMES J. SEWARD, VICE-CHAIRPERSON. ATTEST: Connie Atkinson, Lawrence County Auditor

REQUEST FOR PROPOSALS RS 2477 PUBLIC ROADS LOCATED IN THE BLACK HILLS NATIONAL FOREST IN LAWRENCE COUNTY:

Bruce Outka, Deputy States Attorney, stated after review of the proposals for the RS2477 Public Roads the committee recommends Randy Deibert and requested permission to start negotiations to begin drawing up a contract. Moved-Seconded (Opitz-Seward) to give the committee the authority to enter into negotiations with Randy Deibert and work on a contract for the RS2477 Public Roads project. Motion Carried.

BUREAU OF LAND MANAGEMENT: Patrick Gubbins, Terry Chaplin and Greg Lind were present to update the Board on the progress of the Fuels Management Program. They are currently working on the pilot project in the Hearst Subdivision and will be doing Deadwood South as the next project.

COUNTY LIEN REQUEST: Ralph Hoggatt, Attorney, requested the County release a lien on some property his client purchased on a tax certificate. Hoggatt stated his client would like to tear down the house. Hoggatt stated he felt the lien should be attached to the person and not the property. The Board stated they do not forgive county liens and will need to be paid when he sells the property.

TEMPORARY REGULATION OF FIRE HAZARDS RESOLUTION: Paul Thomson, Emergency Management Director provided the Board with current fire dangers in Lawrence County and discussed options available to the Board. The Board reviewed state laws and discussed the issue with Bruce Outka, Deputy States Attorney.

Moved-Seconded (Weisenberg-Douglas) to approve and authorize the Vice-Chair to sign the following Resolution #2002-24 to Provide For Temporary Regulation of Fire Hazards in Lawrence County. Motion Carried. Mattson absent. **RESOLUTION 2002-24 A RESOLUTION TO PROVIDE FOR TEMPORARY REGULATION OF FIRE HAZARDS IN LAWRENCE COUNTY:** WHEREAS, the threat of wildfires in Lawrence County is such as to pose a significant danger to the citizens of Lawrence County including property situated therein; and

WHEREAS, the Lawrence County Commission has deemed it necessary to enact certain temporary controls to reduce the threat posed by wildfires during periods of extreme fire danger; BE IT RESOLVED THAT, in the event that the fire danger index as established by the United States Forest Service falls in the extreme category for a period of two consecutive days then certain activities shall be prohibited. The prohibited activities shall include but are not limited to open fires, open burning, ignition of fireworks, and any other activity which could be reasonably calculated to lead to the ignition and or spread of wildfires in Lawrence County; and BE IT FURTHER RESOLVED THAT, the prohibition of certain activities provided for above shall remain in effect until such time as the Lawrence County Commission determines that the threat posed by wildfires is diminished to the extent that the conditions which triggered the prohibitions no longer exist; and BE IT FURTHER RESOLVED THAT, the area to which the prohibitions referenced above shall be applicable shall include the entire area of Lawrence County excepting those lands falling within the boundaries of any municipality or the lands falling under the auspices of the United States. Dated this 25th day of June, 2002. James J. Seward, Vice-Chair Lawrence County Commisison. Attest: Connie Atkinson

BILLS: Moved-Seconded (Douglas-Weisenberg) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried. Mattson absent. **Payroll:** Comm-\$6,325.66; Aud-\$9,231.43; Treas-\$14,138.08; Comp-\$8,976.45; States Atty-\$20,015.36; Pub Def-\$11,373.68; Gen Govt Bldg-\$7,456.06; Equal-\$18,508.32; Rod-\$10,587.89; Vso-\$1,378.30; Disp-\$17,037.99; Sher-\$50,487.01; Jail-\$30,623.23; Emerg Mgnt-\$2,658.34; E911-\$4,838.03; Highway-\$53,226.81; Airport-\$155.36; Ext-\$2,418.40; Weed-\$9,398.90; Pz-\$4,755.54; **Bills:** Atkinson,C-\$104.92; Culver,K-\$21.60; Douglas,C-\$109.56; Evans,C-\$7.00; Ginsbach,M-\$59.28; Harmon,J-\$268.75; Jagim,N-\$21.60; Rear,K-\$75.00; Seward,J-\$685.12; Thomson,P-\$159.12; Weisenberg,T-\$143.00; Ziegenbein,S-\$20.67; A&B Business Equip-\$7,500.00; A&J Supply-\$75.32; Abc Business Supply-\$129.35; Adventure Sport-\$9,775.50; Altaire Enterprises-\$60.00; Aman,B-\$80.00; Amcon Distributing-\$151.14; American Family Life-\$1,950.16; Amoco Oil-\$251.92; Asap Software Express-\$1,800.00; Astle,B-\$250.00; At&T-\$55.05; Bh Chemical Company-\$514.80; Bh Federal Credit Union-\$13,006.58; Bh Fibercom-\$692.13; Bh Medical Pharmacy-\$850.22; Bh Pest Control-\$95.00; Bh Pioneer-\$1,510.04; Bh Power & Light-\$6,239.48; Bh Powersports-\$927.00; Baker,H-\$80.00; Best Western Ramkota-\$548.76; Binder,T-\$67.80; Blair,T-\$25.00; Blue Cross-\$37,418.66; Brown & Saenger-\$151.62; Buckstop Express Mart-\$16.29; Bureau Of Administration-\$26.00; Burleson,A-\$75.00; Butler Law Office-\$3,546.75; Butler Machinery-\$325.80; Butte County Sheriff-\$17.20; Butte Electric Coop-\$209.28; Cna Surety-\$100.00; Callahan,M-\$80.00; Carquest Of Spearfish-\$36.40; Caserio,M-\$80.00; Cellular One-\$119.85; Cellular One-\$179.99; Central Parts-\$402.07; Christensen Law Office-\$931.25; City/County Alcohol & Drug-\$3,850.00; Claggett,Dave Pc-\$13,030.84; Cleveland Cotton Products-\$60.01; Clinical Lab Of Bh-\$151.55; Coburn,B-\$182.60; Conoco-\$382.63; Cook,S-\$75.00; Corral West-\$26.95; Correctional Billing-\$2.83; Credit Collections Bureau-\$394.10; Culligan Soft Water Serv-\$154.00; Custer County Sher Office-\$27.00; Damuth,M-\$75.00; Dartek Computer Supplies Corp-\$303.00; Deadwood Recreation Center-\$92.00; Deadwood, City Of-\$53.30; Deckers-\$61.78; Dept.Of The Treasury-\$64,578.87; Derosier,L-\$182.60; Detector Dog Int-\$2,422.10; Division Of Motor Veh-\$13.00; Domestic

Crisis Outreach-\$407.50; Eddie's Truck Sales/Serv-\$2,917.06; Eddy,S-\$75.00; Ertz,D-\$735.00; Expanets-\$14.35; Extension Service-\$139.86; Farmers Union Oil Co-\$904.64; Fish,V-\$1,838.70; Fox,J-\$257.00; Frederickson,J-\$241.50; Gene's Lock Shop-\$96.50; Glenn C Barber & Assoc-\$93,966.70; Godfrey's Brake Serv-\$170.87; Gold Dust-\$129.76; Graf Drilling-\$468.90; Great Western Tire-\$760.98; Greens Alignment-\$576.12; Guilbert,M-\$37.20; Hall Welding-\$37.97; Hallinger,R-\$75.00; Harmelink & Fox Law-\$94.97; Havemeier,L-\$40.20; Heartland Paper Co-\$870.00; Heisler Hardware-\$45.22; Hills Material Comp-\$34,885.22; Hink,J-\$75.00; Holiday Inn Express-\$39.00; Hovland,A-\$100.00; Hunt,D-\$100.00; Hyde,C-\$75.00; Ibm Corp-\$334.40; Ikon Office Solutions-\$181.41; Insight-\$350.00; Island,R-\$25.00; Jacobs Precision Welding-\$16.80; Jc Penney-\$915.91; Johnson Ford-\$648.89; Jones,D-\$80.00; Kadrmas, Lee And Jackson-\$4,904.77; Kar Products-\$1,079.48; Karpinen,S-\$245.00; Kellogg,D-\$100.00; Kelly Inn-\$45.00; Keough,M-\$80.00; Klopfenstein Dr-\$115.00; Knecht True Value-\$396.22; Koala Electric-\$736.40; Kullbom,T-\$114.40; Lc Centennial-\$614.43; Lc Conservation Dist-\$4,500.00; Lc Sheriff-\$113.99; Lackey,E-\$80.00; Lee,J-\$15.00; Leininger,M-\$60.00; Lexisnexis Matthew Bender-\$832.10; Lucero,L-\$61.96; M-S Construction-\$14,980.00; Mattson,D-\$80.00; May, Johnson, Doyle & Becker-\$385.16; Mcarthur,J-\$87.54; McCormick,R-\$100.00; Mcgrath,M-\$80.00; Meade County Sheriff-\$105.20; Mickelson,C-\$109.56; Moe,F-\$75.00; Montana-Dakota Util-\$2,321.23; Murphy, John R Atty At Law-\$221.80; Mutchler,Tricia-\$124.75; Muth Electric-\$120.14; Nh Family Ymca-\$420.00; Njs Engineering-\$12,895.28; Nelson,T-\$630.00; Nicholas,C-\$75.00; Office Of Child Support-\$569.00; Office Technology/Supply-\$51.94; Ore Car Express-\$23.00; Owens,G-\$109.56; Pennington Co Jail-\$784.70; Pennington County Sheriff-\$40.40; Pitney Bowes-\$732.00; Porter Law Office-\$500.25; Postmaster Deadwood-\$185.00; Quaschnick,E-\$100.00; Queen City Motors-\$13.31; Queen City Rocket Lube-\$135.94; Quinlan Publishing-\$99.68; Qwest-\$1,041.81; Rc Community Health-\$64.89; Rc Finance Office-\$770.00; Rc Regional Hospital-\$375.00; Radio Shack/Kazco-\$221.65; Radiology Associates-\$65.05; Reindl,S-\$1,277.81; Reuter,A-\$60.00; Richards Law Firm-\$429.00; Ridley,R-\$95.00; Robidou,E-\$80.00; Robinson,P-\$75.00; Rotert,J-\$80.00; Rushmore Safety Supplies-\$80.85; Sd Dept Of Revenue-\$365.00; Sd Retirement System-\$29,421.24; Sd State Treasurer-\$380.00; Sd Paralegal Assoc-\$65.00; Sd Supplemental Retirement-\$1,325.00; Sand Creek Printing-\$215.15; Sanito Oil-\$4,791.59; Schenk,D-\$75.00; Schuttler,C-\$100.00; Servall Towel & Linen-\$287.22; Seward,S-\$80.00; Seymour,C-\$80.00; Silvernail,G-\$100.00; Spearfish Alt/Starter Rebuild-\$75.00; Spearfish Auto Supply-\$758.85; Spearfish Surgery Center-\$50.00; Specialized Auto Service-\$613.15; State Disbursement Unit-\$120.00; Surfcontrol-\$1,725.00; Taylor,J-\$100.00; Teen Court-\$2,458.93; Texaco-\$103.46; Trent,J-\$100.00; Triple K Tire & Repair-\$132.00; Uap Timberland-\$592.35; Us Postal Service-\$5,000.00; Verizon Wireless-\$827.31; Victims Of Violence-\$407.50; Viking Office Prod-\$1,641.13; Voelker & Adams-\$365.70; Waisanen,A-\$75.00; Walmart Store-\$496.43; Waste Connections-\$343.74; Weese,S-\$988.48; West Group-\$118.00; Western Communication-\$364.85; Western Stationers-\$2,307.58; Whitewood Vol Fire Dept-\$80.00; Wyoming Child Support Coll-\$380.00; Xerox Corporation-\$115.00; York,B-\$102.16; Z & S Dust Control-\$77,588.06; **Witness & Jurors:** Wickenheiser,T-\$28.70; Holmes,A-\$22.90; Bennett,S-\$103.48; Berry,J-\$117.40; Beyl,J-\$101.16; Bresee,B-\$19.86; Carlson,J-\$14.06; Engelhaupt,J-\$18.12; Ferris,C-\$10.58; Fischer,V-\$11.74; Frahm,M-\$117.40; Fuhr,C-\$18.70; Haselhorst,D-\$19.28; Heairet,T-\$21.60; Klunder,B-\$22.18; Mackey,J-\$12.32; Mcgrath,C-\$16.96; Mundorf,R-\$19.86; Myers,E-\$103.48; Novotny,C-\$18.70; Pearson,J-\$104.64; Pleinis,H-\$11.74; Rogers,H-\$101.16; Sartorius,R-\$117.40; Schultz,R-\$20.44; Stratton,C-\$120.88; Thomas,S-\$24.50; Tucker,J-\$18.70;

Hodges,G-\$57.40; Kiefer,M-\$28.70; Varland,A-\$49.00; Chamberlain,P-\$16.96; Albrandt,J-\$58.70; Bacon,G-\$18.70; Bayne,M-\$61.60; Bergen,P-\$10.58; Bettelyoun,L-\$21.60; Blair,C-\$10.58; Braun,A-\$12.90; Chinae,J-\$16.38; Derby,A-\$56.96; Derosier,G-\$58.70; Evans,R-\$21.60; Gifford,T-\$14.64; Hines,K-\$58.70; James,D-\$18.70; Keehn,L-\$50.58; Lessly,R-\$19.86; Massey,K-\$56.96; Mechaley,M-\$61.60; Milano,E-\$21.60; Moore,M-\$15.80; Nelson,M-\$11.74; Palmer,D-\$11.74; Parrish,S-\$11.16; Pederson,L-\$19.28; Rochelle,R-\$21.60; Sanders,M-\$19.86; Schwarz,D-\$65.66; Silvernail,K-\$10.58; Simpson,D-\$21.02; Stegner,S-\$16.96; Stradinger,R-\$18.70; Titze,P-\$58.70; Vanvactor,K-\$18.70; Wood,V-\$19.86; Etherington,L-\$20.58; Fisher,J-\$21.74; Fryer,L-\$21.74; Grant,M-\$28.70; Hovdenes,A-\$46.10; Jacobs,M-\$49.00; Nelson,C-\$28.70; Soriano,G-\$27.54; Carr,C-\$101.16; Derosier,Y-\$18.70; Kruse,J-\$18.12; Laumer,K-\$16.38; Nicholas,D-\$134.80; Perkovich,S-\$15.80; Rambo-Rawson,L-\$103.48; Smith,I-\$16.96; Aimonette,B-\$34.50; Bishop,C-\$21.74; Carlson,C-\$28.70; Clyne,D-\$21.74; Dunbar,J-\$20.58; Eisenbarth,L-\$21.74; Erickson,P-\$20.58; Ewing,B-\$28.70; Fenn,K-\$22.03; Fowler,D-\$49.00; Gable,T-\$28.70; Harlan,R-\$21.74; Hicks,A-\$25.80; Kracht,P-\$23.48; Krambeck,C-\$27.54; Kreutz,J-\$28.70; Kreutz,M-\$28.70; Martinez,A-\$27.54; Miller,R-\$27.54; Nelin,D-\$21.74; Nelson,C-\$28.70; Nelson,D-\$28.70; Schneider,R-\$28.70; Stevens,K-\$49.00; Sunshield Center-\$28.70; Terry,B-\$37.40; Viles,M-\$28.70; Young,J-\$21.74; Burckhard,C-\$155.22

ADJOURN: 4:00 p.m. - There being no further business the meeting was adjourned.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS SPECIAL MEETING – JUNE 27, 2002

Vice-Chairperson James J. Seward called the special meeting of the Lawrence County Commissioners to order at 3:00 p.m. on June 27, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg and George Opitz present.

EMERGENCY REGULATION OF FIRE HAZARDS: Paul Thomson was present to discuss the Fire Situation in Lawrence County. Thomson stated to protect the citizens and property in Lawrence County; he recommended the Commissioners adopt the Temporary Emergency Regulation of Fire Hazards in Lawrence County. Thomson stated the Fire Advisory Board, Forest Service and County Commissioners Association were in support of the Resolution.

Moved-Seconded (Weisenberg-Opitz) to approve the following Resolution #2002-26 A Resolution to Provide for the Temporary Emergency Regulation of Fire Hazards in Lawrence County. Motion Carried. Aye-3 Absent –Douglas, Mattson.

RESOLUTION #2002-26 A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY REGULATION OF FIRE HAZARDS IN LAWRENCE COUNTY:

WHEREAS, the Lawrence County Commission is charged with protecting the health and safety of the citizens of Lawrence County including all property situated therein; and WHEREAS, the Lawrence County Commission has consulted with local fire officials and law enforcement officials concerning the threat posed by wildfires; and WHEREAS, the threat of wildfires in Lawrence County is such so as to pose a significant danger to the health and safety of the citizens of Lawrence County including property situated therein; and WHEREAS, the Lawrence County Commission has deemed it necessary to enact certain temporary controls to reduce the threat posed to the citizens and property of Lawrence County by wildfires. NOW, THEREFORE BE IT RESOLVED, that pursuant to SDCI. 7-8-20 (18) the Lawrence County Commission does hereby enact this resolution on an emergency basis effective immediately and impose a ban to prohibit or restrict open burning in order to protect the public health and safety; and IT IS FURTHER RESOI that the prohibited activities shall include the ignition of fireworks, and any other activity which could be reasonably calculated to lead to the ignition and/or spread of wildfires in Lawrence County; and IT IS FURTHER RESOLVED, that the area to which the prohibitions referenced above shall he applicable shall include the entire area of Lawrence County excepting those lands falling within the boundaries of any municipality or the lands falling under the auspices of the United States: and IT IS FURTHER RESOLVED, that pursuant to SDCL 7-18A-2 the penalty for violating this resolution shall include a fine not to exceed two hundred dollars for each violation and/or by imprisonment for a period not to exceed thirty days for each violation, or by both such fine and imprisonment; and IT IS FURTHER RESOLVED, that the prohibition of certain activities provided for above shall remain in effect until such time as the Lawrence County Commission determines that the threat posed by wildfires has abated. Dated this 27 day of June. 2002. JAMES J. SEWARD, VICE-CHAIR. ATTEST: Connie Atkinson, County Auditor.

ADJOURN: 3:15 p.m. - There being no further business it was Moved-Seconded (Weisenberg-Opitz) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – JULY 9, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on July 9, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Seward-Weisenberg) to approve the minutes of June 25th, 2002. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Mattson) to approve the minutes of June 27th, 2002. Motion Carried.

PERSONNEL:

EXTENSION: Moved-Seconded (Opitz-Mattson) to approve Brandy K. Miller as a part-time Clerk I at the rate of \$6.56 an hour, effective 6-26-2002. Motion Carried.

SHERIFF: Moved-Seconded (Douglas-Weisenberg) to allow employees to donate leave to Kim Culver because of medical reasons. Motion Carried.

DISPATCH: Moved-Seconded (Opitz-Douglas) to approve Christy Wilson as a Full-Time Dispatcher at the base rate of \$9.66 an hour, effective 7-9-2002. Motion Carried.

EMERGENCY MANAGEMENT: Moved-Seconded (Seward-Weisenberg) to approve Renae Larson as a temporary part-time secretary in the Emergency Management Office at the rate of \$8.92 an hour, effective July 1 thru Oct 1, 2002. Motion Carried.

TRAVEL REQUESTS: Moved-Seconded (Douglas-Weisenberg) to approve the travel request for Deb Tridle and Darlene Piekkola to attend the Supervisor Seminar in Deadwood, SD. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Opitz-Seward) To accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** The Auditor's Account with the County Treasurer as of June 30, 2002 showed the following: Total amount of deposits in banks-\$9,790,403.70; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$19,942.69; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$4,738.42; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$5,400,000.00; Bank Balance-\$3,392,652.51; GNAM's-\$136,280.51; and Money Market \$861,470.68, Total: \$9,817,919.81.

VOLUNTEER FIRE DEPARTMENT MEMBERS: Moved-Seconded (Douglas-Seward) to approve Chad Anderson as a Volunteer Fire Fighter for insurance purposes. Motion Carried.

SEARCH & RESCUE: Moved-Seconded (Seward-Weisenberg) to set July 23, 2002 at 9:15 a.m. as the bid opening time for the Over the Snow Vehicle for Search and Rescue and to declare the 1) Thiokol Model 601, SN 123, Manufacturing Date 1963, Engine SN 9194L4KL Ford 6 cyl. 2) Thiokol Model 601, SN 118, Manufacturing Date 1963, Ford 6 cyl, 3) Thiokol Model 601, SN 116, Manufacturing Date 1963, Ford 6cyl, 4) Tucker Sno-Cat Model 443AMR. Manufacturing Date 1963, SN 163908. Chrysler 6 cylinder gas engine surplus and allow them to be traded in on the Over-the-snow vehicle. Motion Carried.

8:45 AM: Moved-Seconded (Opitz-Seward) to go into executive session to discuss personnel matters. Motion carried.

9:05 AM: The Board reopened for regular business

GRIZZLY GULCH FIRE: Paul Thomson, Emergency Management Director, updated the Board on the Grizzly Gulch Fire. The Fire size was 10,471 acres and was 100% contained as of 6:00 p.m.. on July 7, 2002.

The Board discussed the Fire Situation and the need for a vehicle for the Emergency Management Director. Moved-Seconded (Seward-Douglas) to approve a Contingency Transfer of \$14,500 to Emergency Management Equipment, to transfer \$14,500 from the General Fund to the Emergency Disaster Fund, and to purchase a “99” Chevy Tahoe from the SD Federal Surplus Agency for \$14,500. Motion Carried.

CAMPGROUND PATROL AGREEMENT: Moved-Seconded (Seward-Opitz) to approve the Amended 2002 Cooperative Law Enforcement Agreement between Lawrence County Sheriff’s Department and the U.S. Department of Agriculture, Forest Service / Black Hills National Forest. (campground patrol agreement). Motion Carried.

Moved-Seconded (Douglas-Weisenberg) to authorize Vice-Chair Seward to sign the Amended 2002 Cooperative Law Enforcement Agreement. Motion Carried. The Document was prepared for the Vice-Chair to sign.

2003 BUDGET: The Board reviewed the 2003 Budget requests. Joe Kosel, Public Defender, Paul Thomson, Emergency Management and Joe Harmon, Chief Deputy Sheriff, were present to review 2003 Budget requests.

COURTHOUSE / JAIL BONDS: Moved-Seconded (Douglas-Seward) to approve using the services of Evenson Dodge for the Courthouse / Jail Bond refunding if savings are available. Motion Carried.

Moved-Seconded (Weisenberg-Douglas) to approve applying \$2,000,000 of Courthouse & Jail Funds to the outstanding Bonds. Motion Carried.

EMERGENCY DEVICES GRANT PROGRAM: Moved-Seconded (Douglas-Seward) to approve and authorize the Chair to sign a letter on behalf of Lawrence County to express full support for South Dakota's application for federal funding through Rural Access to Emergency Devices Grant Program, because the availability of automated external defibrillators (AEDs) to our first responders would greatly enhance the level of emergency medical services in the County. Motion Carried.

SEVERANCE TAX FUNDS: Moved-Seconded (Weisenberg-Douglas) to approve the funding request for the Lead/Deadwood School's Wireless Lab in the amount of \$20,000. Motion Carried. The Board asked Barrett to contact the Spearfish School District and let them know that \$20,000 is available to them if they have a special project they are interested in.

Moved-Seconded (Douglas-Mattson) to set a supplemental budget hearing for July 23rd, 2002 at 8:30 a.m. for Severance Tax Fund in the amount of \$40,000. Motion Carried.

SURPLUS PROPERTY: Moved-Seconded (Douglas-Seward) To declare the 1984 YAMA YTM225DX Three Wheeler surplus and allow the three wheeler to be donated back to Kim and Kathy Culver who originally donated the three wheeler to Search & Rescue. Motion Carried.

BILLS: Moved-Seconded (Douglas-Weisenberg) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,208.83; Aud-\$4,618.77; Treas-\$6,636.67; Comp-\$4,402.83; States Atty-\$9,140.96; Pub Def-\$5,450.60; Gen Govt Bldg-\$4,616.83; Equal-\$8,670.46; Rod-\$4,950.02; Vso-\$689.15; Disp-\$7,629.20; Sher-\$27,630.37; Jail-\$13,113.53; Emerg Mgnt-\$1,370.84; E911-\$2,250.40; Highway-\$24,232.02; Exten-\$1,114.48; Weed-\$3,129.65; Pz-\$2,303.77; **Bills:** Locken,W-\$213.12; Mowell,R-\$6,115.50; Speiser,A-\$49.32; Abc Business Supply-\$192.03; American Family Life-\$1,950.10; At&T-\$24.71; Bh Chemical Company-\$791.75; Bh Federal Credit Union-\$6,503.29; Bh Fibercom-\$1,715.20; Bh Pest Control-\$95.00; Bh Power&Light-\$830.73; Best Business Prod-\$36.70; Binder,T-\$181.50; Blue Cross-\$37,013.24; Butte Electric Coop-\$85.90; Cameron Communications-\$19.95; Cardinal Printing-\$107.85; Cellular One-\$26.67; Christensen Law Office-\$450.00; Conoco-\$347.70; Credit Collections Bureau-\$197.05; Culligan Soft Water Serv-\$13.50; D Ware -\$110.00; Deadwood Recreation Center-\$92.00; Deadwood, City Of-\$509.26; Deckers Food-\$4.98; Dept Of The Treasury-\$30,703.20; Election Sys&Software-\$1,154.23; Family Thrift Center-\$4.59; Fish,V-\$295.80; Gold Dust-\$24.07; Havemeier,L-\$53.40; Heisler Hardware-\$154.90; Hills Material Comp-\$7,235.55; Ibm Corp Sqh-\$149.40; Ikon Office Solutions-\$241.50; Insight-\$1,525.00; Intab-\$250.16; Knecht True

Value-\$15.28; Lc Centennial-\$111.03; Lc Public Health-\$2,208.00; Lead-Deadwood Sanitary-\$215.72; Lee,J-\$15.00; Lexisnexis Matthew Bender-\$547.59; Mcpherson Propane-\$45.00; Montana-Dakota Util-\$955.46; Nh Family Ymca-\$420.00; Office Of Child Support-\$284.50; Office Tech/Supply-\$210.00; Pennington Co Auditor-\$57.00; Pizza Hut-\$106.54; Porter Law Office Pc-\$621.00; Qwest-\$235.33; Rc Regional Hospital-\$2,227.41; Radio Shack/Kazco-\$59.98; Rushmore Safety Supplies-\$128.82; Sd Retirement System-\$27,246.64; Sd State Treasurer-\$4,815.00; Sd Supplemental Retirement-\$662.50; Servall Towel & Linen-\$192.68; Smithkline Beecham-\$209.25; Spearfish Auto Supply-\$4.00; Spearfish Surgery Center-\$25.00; State Disbursement Unit-\$60.00; Sturdevant's Auto Parts-\$20.60; Texaco-\$140.69; Twin City Hardware & Lumber-\$140.66; Viking Office Prod-\$204.91; Walmart Store-\$92.24; Warne Chemical-\$36.64; Wells Plumbing & Farm Supp-\$10.99; Western Communication-\$294.10; Western Sd Juvenile Serv-\$3,580.50; Wyoming Child Support Coll-\$190.00; Z&S Dust Control-\$17,479.54; **Witness & Juror Fees:** Allard,S-\$56.96; Alpert,R-\$59.86; Bertch,D-\$58.70; Bohls,G-\$61.60; Brockman,H-\$59.86; Cihak,K-\$60.44; Cline,R-\$69.14; Covell,S-\$54.06; Higbee,M-\$59.86; Kearney,G-\$61.60; Kent,C-\$63.34; Nauta,K-\$61.60; Papka,M-\$58.70; Schmidt,D-\$59.86; Shields,F-\$59.28; Steinmeyer,R-\$59.28; Walton,K-\$191.76;

ADJOURN: 12:15 p.m. - There being no further business it was Moved-Seconded (Opitz-Weisenberg) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – JULY 23, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on July 23, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Terry Weisenberg and Connie H. Douglas present. George Opitz and James J. Seward absent.

All motions were passed by unanimous vote by members present unless stated otherwise.

MINUTES: Moved-Seconded (Weisenberg-Mattson) to approve the minutes of July 9, 2002. Motion Carried.

PERSONNEL:

EQUALIZATION: Piekkola stated that Angela Chaney found another job and she would like to have Tammy Ehnes complete the budgeted hours. Moved-Seconded (Douglas-Mattson) to approve Tammy Ehnes to work part-time in the Equalization Office to complete the budgeted hours of Angela Chaney at the rate of \$8.92 an hour. Motion Carried.

SHERIFF: Moved-Seconded (Douglas-Weisenberg) to approve Hannah M. Heinzerling as a transport officer at the rate of \$8.92 an hour, effective 7-9-02. Motion Carried.

Moved-Seconded (Douglas-Weisenberg) to allow the Sheriff Office personnel and Dispatch personnel to exceed vacation limits until October 2002, due to the fire and emergency situations in Lawrence County. Motion Carried. Individual names will be submitted to the Board at the end of October.

Moved-Seconded (Douglas-Weisenberg) to approve and authorize the Chair to sign the Amended Agreement with the forest service for campground patrol allowing an additional \$10,000 a month for extra patrolling. Motion Carried.

Moved-Seconded (Douglas-Weisenberg) to approve Paul Huberling as a temporary deputy at the rate of \$15.00 an hour to help with additional patrolling duties. Motion Carried.

VOLUNTEER FIRE DEPARTMENT MEMBERS: Moved-Seconded (Weisenberg-Mattson) to approve Todd Nelson and Jack Thomas as Volunteer Fire Fighters for insurance purposes. Motion Carried.

2003 BUDGET: The Board reviewed and discussed the budget requests for 2003. The provisional budget was set and will be published.

TRAVEL REQUESTS:

SHERIFF: Moved-Seconded (Douglas-Mattson) to approve the travel request for Marian Hamilton and Sue Black to attend the Communications Officer – Instructor Certification in Vermillion, SD on August 18-22, 2002. Motion Carried.

Moved-Seconded (Weisenberg-Douglas) to approve the travel request for Brian Klein and Kristy Wilson to attend the Basic Tele-communicators Training in Pierre, SD on August 11-23, 2002. Motion Carried.

AIRPORT: Moved-Seconded (Douglas-Mattson) to deny the travel request for Ray Jilek to attend the DOT Transportation Improvement Program Meeting in Rapid City, SD on July 23, 2002 because Jilek is not a member of the Airport Board. Motion Carried.

EQUALIZATION: Moved-Seconded (Weisenberg-Douglas) to approve the travel request for Darlene Piekkola, Ron Green, Dennis Schumacher and Jason Writer to attend the Annual Assessor’s School in Pierre, SD on September 30-October 4, 2002. Motion Carried.

WEED: Moved-Seconded (Weisenberg-Douglas) to approve the travel request for David Heck to attend the USDS APHIS Grasshopper Training in Pierre, SD on July 23-24, 2002. Motion Carried.

WESTFIELD ROAD DISTRICT / SPEED LIMIT: Moved-Seconded (Douglas-Weisenberg) to follow the recommendation of the Westfield Road District and establish a speed limit of twenty (20) miles per hour upon the roads subject to the jurisdiction of the Westfield Road District. The County will provide technical assistance but will not pay for the signs. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted for August 2002 fuel: (prices per gallon) **Cenex Oil Co.** - Highway Dept. - Regular Gasoline - \$1.275; No. 1 Diesel - \$no bid; No. 2 Diesel - \$.948; 50/50 Blend - \$no bid; and Sheriff Office - Unleaded Gasoline - \$1.275. **Sanito Oil Company** - Highway Dept. - Regular Gasoline - \$1.274; No.1 Diesel - no bid; No.2 Diesel - \$.927; 50/50 Blend - \$no bid; and Sheriff Office - Unleaded Gasoline - \$1.274. **Moved-Seconded** (Douglas-Weisenberg) to accept the lowest fuel quote submitted from **Sanito Oil Company**. Motion carried.

H.R. 2389 “SECURE RURAL SCHOOLS AND COMMUNITY SELF-

DETERMINATION ACT OF 2000”: Moved-Seconded (Weisenberg-Mattson) to approve and authorize the Chairperson to sign Resolution #02-29 H.R. 2389 “SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000”. Motion Carried. **RESOLUTION #2002-29 H.R. 2389 “SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000” PURPOSE:** Yearly Designation of the Amount of Funding to be Assigned to Title II and Title III Projects. WHEREAS, Lawrence County previously selected to receive full safety net payments derived from Forest Revenue payments for roads and schools, and WHEREAS, Lawrence County dedicated 15% of its safety net payments to be

allocated to Title II or Title III local projects under this legislation, and WHEREAS, Lawrence County must declare each year what percentage of the local project funds will be dedicated to Title II or Title III projects, and THEREFORE BE IT RESOLVED, that Lawrence County intends to allocate the portion of funds which it receives for local projects through the safety net payments in the following manner: TITLE III 100%. BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Governor of South Dakota by such date as may be necessary for it to reach the United States Secretary of Agriculture by September 30, 2002. Dated this 23rd day of July 2002. FOR THE BOARD: Barbara A. Mattson, CHAIR. ATTEST: Connie Atkinson, AUDITOR

RESOLUTION #02-27 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Douglas-Weisenberg) to approve and adopt the following Resolution #02-27 to Adopt a Supplemental Budget for Severance Tax Funds. Motion Carried. **RESOLUTION #02-27 TO ADOPT A SUPPLEMENTAL BUDGET:** WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: SEVERANCE TAX FUND IMPACT & ECONOMIC FUNDS- \$40,000 The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 23rd day of July, 2002 at the hour of 8:30 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 23rd day of July, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

LEGISLATION PROPOSAL / ROAD DISTRICTS: Moved-Seconded (Weisenberg-Douglas) to approve the submittal of proposed legislation to the South Dakota Association of County Commissioners allowing the Board of County Commissioners to require a developer to form a road district and that the governing body would not be required to open, improve or maintain any access from the subdivision created to any state, county or federal highway. Motion Carried.

ON-OFF SALE MALT BEVERAGE LICENSE: A public hearing was held on an application for On-Off Sale Malt Beverage License for **AMY G. MOORE (AMERICAN EAGLE SALOON & CAFÉ)** AKA 385 RALLY PARK: 15 River Road, Willington, CT 06279. Legal description: Lot D of HES 297, Section 18 & 19, T4N, R4E, Lawrence County, SD. Larry David, landowner was present to speak in favor of the license.

Moved-Seconded (Douglas-Weisenberg) to approve the On-Off Sale Malt Beverage License for **AMY G. MOORE (AMERICAN EAGLE SALOON & CAFÉ)**. Motion Carried.

UTILITY PERMITS:

QWEST COMMUNICATIONS: Moved-Seconded (Weisenberg-Mattson) to approve and authorize the Chair to sign the Application for Occupancy on the Right Of Way of County Highways for a cable occupancy of Red Hill Road in Section 4, T6N, R1E to provide telephone service to Driscoll. Motion Carried.

QWEST COMMUNICATIONS: Moved-Seconded (Douglas-Weisenberg) to approve and authorize the Chair to sign the Application for Occupancy on the Right Of Way of County Highways for a cable occupancy of Dalton Lake Road in Section 9, T3N, R5E to provide telephone service to Schmidt. Motion Carried.

HIGHWAY SHOP BIDS: Moved-Seconded (Douglas-Mattson) to accept ABI#2 of the Highway Shop Building Bids of \$12,400 for the Cutting Mine Water Tie-In from Scull Construction. Motion Carried. The City of Deadwood will reimburse the County for the expense.

BID OPENING FOR OVER THE SNOW VEHICLE FOR SEARCH AND RESCUE:

Moved-Seconded (Douglas-Mattson) to accept the only bid received for the over-the-snow vehicle from Track Inc. of: \$27,000 vehicle; \$7,000 trade-ins; for a total of \$20,000. Motion Carried. The board stated the additional \$5,000 would still be available to build the aluminum box on the back of the snow vehicle.

ANNUAL REVIEW – LAC MINERALS & DOMESTIC WELL SAMPLING: Todd Duex, LAC Minerals presented the Annual Report for LAC Minerals. Duex reviewed the 2001 activities, On-Site Monitoring and Aquatic Monitoring. Duex discussed 2002 plans; Duex stated currently five sites are being monitored for residential well sampling, two sites in False Bottom Creek Drainage, one site in Spearfish Canyon near the confluence with Squaw Creek and two sites in Spearfish Canyon below Bridal Veil Falls. These sites are monitored semi-annually. Between 34 and 38 samples have been collected since 1988 and the drinking water standards have been met for metals, cyanide and minerals. There has been no change in water quality. Duex requested the sampling frequency be changed from semi-annual to annually. The Board stated they felt it was important to do the sampling twice a year. Duex stated scheduling the sampling is difficult at times. Dick Reed, resident, stated some people are not around because it is their summer cabin and the people have to be home so LAC can gain access. The Board asked that they document their attempts in these cases, but to sample those they can twice a year. Jack Cole presented questions from the Spearfish Canyon Echo Publications. Mattson asked that Cole meet with Duex personally and get his questions answered.

FIRE ABATEMENTS: Piekkola stated the Equalization Office will be working the abatements from the fire in September, October and November and will be presented to the Board after that time.

EMERGENCY WATERSHED PROTECTION PROGRAM: Tom Quinn, USDA Natural Resources Conservation Service was present and discussed the Emergency Watershed Protection Program for the Grizzly Gulch Fire. The estimated cost of the program is \$323,760. Quinn reviewed the Grizzly Gulch Fire map and the contour plan map for the area. Quinn stated the County could sign a letter requesting EWP assistance and they would then become a sponsor of the emergency watershed protection project. As a sponsor the County would need to be prepared to furnish 25 percent local cost-share of the construction work. This 25 percent could be shared with the other sponsors and could be cash or in kind services. The State has sent in a request as a sponsor and the City of Deadwood approved sponsorship on Monday night. Quinn stated they need to have at least one sponsor. Mattson stated she felt she had a conflict of interest and would have to abstain from the issue and the board would not have a quorum. Quinn stated they have at least one sponsor so the request can be processed and will contact the County if they run into a problem.

FISHER SAND & GRAVEL / DEWAYNE TVEIDT CONDITIONAL USE PERMIT:

Dewayne Tveidt was present and requested a transfer of Conditional Use Permit #136. Fisher Sand and Gravel will allow the transfer of the CUP. The Board discussed that Tveidt will need to get a mine permit from the state and post a reclamation bond. Moved-Seconded (Douglas-Weisenberg) to approve the transfer of Conditional Use Permit #136 from Fisher Sand and Gravel to Dewayne Tveidt with the revised conditions. Motion Carried. CONDITIONS: 1. The owner, operator, or agent shall follow all applicable County, State, and Federal regulations regarding the operation. 2. Access from the Whitewood Service Road shall be coordinated with and approved by the Lawrence County Highway Superintendent. 3. Maintenance, dust suppression and drainage shall be implemented by the operator in accordance with the Lawrence County Highway Superintendent concerning the condition of the affected private quarry road. 4. Owner/operator shall use Mag. Chloride to control dust on all access roads and haul roads within the permit area. Operator shall confer with the Lawrence County Highway Superintendent as to appropriate controls. 5. The Lawrence County Highway Superintendent shall be contacted prior to the transportation of a crusher on any county roads leading to the quarry. 6. The operator shall attach a dust suppression system to the crusher and use water suppressant to minimize the dust. 7. The proposed CUP permit boundary shall be permanently and visibly staked prior to beginning the operation. 8. All parking including truck loading and unloading shall conform to Section 4.1, Parking and Loading Regulations of the Lawrence County Zoning Ordinance. 9. All lights used for exterior illumination shall be directed away from nearby residences and public roads. 10. If a well is drilled for the operation, water quality testing shall be conducted by the owner, operator, or agent according to the South Dakota DENR Water Quality Division regulations. 11. Business hours pertaining to the quarry shall be from 6:00 a.m. to 6:00 p.m., Monday through Saturday. There shall be no business conducted on Sundays. 12. The Crusher must be permitted with the Air Quality Division of the Department of Environment and Natural Resources (DENR). 13. Reclamation shall be done to State and Federal specifications. 14. The operator shall receive approval of the mining permit by the DENR prior to commencement of the operation. A copy of the approved mining permit and crusher permit shall be filed with the Lawrence County Office of Planning and Zoning. 15. Should the operator/owner consider expanding the boundaries of the permitted boundary, a new conditional use permit shall be

required. 16. Copies of all notices of potential violation or actual violations from the DENR shall be sent to the Lawrence County Office of Planning and Zoning and the County Commission within ten (10) days of receipt by the owner/operator. 17. Should complaints and/or violations occur, the quarry operator/owner shall cooperate with the Lawrence County Commission or/and DENR to develop a workable solution in a satisfactory resolution to the issue of concern. 18. Any change of land ownership or proposed transfer of the Conditional Use Permit to another operating company shall be reported immediately to the Lawrence County Commission. The new owners of company shall meet with the Lawrence County Commission to review and accept the conditions of this permit. Or upon the decision of the County Commission, this Conditional Use Permit may be canceled upon completion of any remaining reclamation. 19. The owner or operator shall, ninety (90) days prior to any planned permanent closure or long term cessation of the small-scale sand, gravel, and rock quarry, give notice to said closure or cessation to the Lawrence County Office of Planning and Zoning and the County Commission. The owner or operator shall cooperate with any inspections undertaken by the County and Planning Commissions and the Highway Department for the purpose of identifying any impacts on affected roads and compliance to the reclamation plans. 20. One month prior to the annual review, the operator shall file a written annual report with the Lawrence County Office of Planning and Zoning addressing employment, amount of acreage disturbed, tonnage extracted, anticipated activities and any additional area of concerns (i.e. drilling, blasting, noise, dust, traffic, etc...). 21. This permit shall be reviewed on an annual basis, or on an as needed basis should complaints arise to assure compliance with the attached conditions, at which time additional conditions may be attached if deemed necessary for the protection of the public interest. 22. Any violation of these conditions shall be grounds for cancellation of this permit. 23. The operator will hire a responsible drill & blasting contractor. Certificate of Insurance will be kept on file with Dwayne Tweidt. If deemed necessary, the drill & blast contractor would monitor air blast and ground vibration from the blasting operations.

BILLS: Moved-Seconded (Weisenberg-Mattson) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,162.83; Aud-\$4,838.98; Treas-\$7,085.33; Comp-\$4,548.71; States Atty-\$9,267.84; Pub Def-\$5,634.44; Gen Govt Bldg-\$5,434.16; Equal-\$8,668.74; Deeds-\$5,294.98; Vso-\$689.15; Disp-\$10,193.98; Sher-\$17,429.78; Emerg Mngt-\$1,370.84; E911-\$1,635.66; Highway-\$31,697.76; Airport-\$48.55; Exten-\$1,235.44; Weed-\$4,440.00; Pz-\$2,387.45; **Bills:** Dias,G-\$28.14; Harmon,J-\$206.25; Kosel,J-\$10.08; Landeen,J-\$8.16; Thomson,P-\$419.40; A&B Business Equip-\$534.10; A&M Transport-\$312.50; Abc Business Supply-\$560.12; Alco Store-\$23.94; Alex Air Apparatus-\$3,135.32; Altaire Enterprises-\$60.00; Amcon Distributing-\$346.25; Amoco Oil Co-\$279.74; At&T-\$49.09; Bh Ammunition-\$267.74; Bh Chemical Company-\$1,566.90; Bh Federal Credit Union-\$6,503.29; Bh Fibercom-\$712.46; Bh Land Analysis-\$1,881.52; Bh Medical Ctr Pharmacy-\$430.45; Bh Pioneer-\$221.84; Bh Power & Light-\$6,804.34; Biegler,G-\$60.00; Binder,T-\$687.60; Black Hills Lawn Care-\$35.00; Boondocks-\$31.79; Brevik&Thurman-\$90.32; Buckstop Express Mart-\$42.04; Butler Law Office-\$4,104.66; Butte Electric Coop-\$152.89; Campbell Supply Co-\$88.00; Cardinal Printing-

\$141.95; Cellular One-\$126.42; Central Parts-\$511.28; Chaput Funeral Home-\$420.00; Chaput,K-\$1,922.60; Choicepoint-\$3.00; Christensen Law Office-\$4,869.25; City/County Alcohol & Drug-\$210.00; Claims Associates-\$1,000.00; Coley,M-\$60.00; Converse County Sher Office-\$20.00; Corral West-\$80.85; Credit Collections Bureau-\$25.00; Culligan Soft Water Serv-\$108.00; Deadwood Supply-\$97.29; Deadwood City Of-\$43.10; Deckers Food-\$14.94; Dena Sheets Property Mngt-\$450.00; Dept Of Human Services-\$33.60; Dept Of The Treasury-\$38,882.84; Domestic Crisis Outreach-\$632.50; Duffy&Duffy Law Office-\$23,045.47; Eddie's Truck Sales/Serv-\$174.26; Extension Service-\$144.90; Family Thrift Center-\$4.59; Farm Plan/Rdo-\$586.91; Fish,V-\$719.40; Fisher Sand&Gravel-\$1,528.85; Fuller,Tellinghuisen,Gordon-\$268.00; Glenn C Barber & Assoc-\$204,716.61; Grand Leigh-\$1,765.63; Great Western Tire-\$74.39; Greens Alignment-\$581.66; Hansen&Hubbard-\$1,623.86; Havemeier,L-\$40.20; Heisler Hardware-\$55.49; Hidden Treasure C-Mart-\$48.65; Hills Material Comp-\$11,495.24; Ibm Corp-\$185.00; Ikon Office Solutions-\$154.75; Insight-\$276.00; Johnson,D-\$35.00; Jordan,J-\$30.00; Kadrmas, Lee And Jackson-\$1,730.58; Kaiser,R-\$35.00; Kar Products-\$389.97; Kimbell's Auto Repair-\$278.64; Knecht True Value-\$39.43; Koala Electric-\$233.29; Lc Centennial-\$51.27; Lc Sheriff-\$109.54; Lead-Deadwood School District-\$20,000.00; Leiker,L-\$99.00; Lexisnexis Matthew Bender-\$338.04; Mv Deisz Consulting-\$298.00; Maintenance Usa-\$1,375.99; Mayer Radio-\$680.10; McArthur,J-\$70.00; Macfarlane,G-\$60.00; Meade Co Auditor-\$480.00; Meade Co Exten Workshop-\$30.50; Mobility Concepts-\$3,526.00; Montana-Dakota Util-\$26.51; Motive Parts&Supply-\$399.59; Murphy,J-Atty At Law-\$3,443.26; Nh General Hospital-\$23.84; Njs Engineering-\$1,971.18; Nita-\$17.95; Neighbors,J-Phd-\$388.00; Nemo Volunteer Fire Dept-\$1,277.50; Neve's Uniforms-\$42.90; Niesent,L-\$35.00; Office Of Child Support-\$284.50; Office Technology/Supply-\$79.49; Page Two-\$75.00; Pennington Co Jail-\$400.86; Pennington County Sheriff-\$7.50; Pennington County Sts.Attny-\$200.00; Pitney Bowes-\$117.20; Porter Law Office-\$189.75; Postmaster,Deadwood-\$148.00; Queen City Rocket Lube-\$114.31; Qwest-\$856.69; Rc Community Health-\$122.40; Rc Finance Office-\$560.00; Radio Shack/Kazco-\$119.97; Rapid Delivery-\$6.00; Reliable-\$138.08; Sd Aao-\$600.00; Sd Federal Property Agency-\$14,500.00; Sd Supplemental Retirement-\$662.50; Salzsieder,M-\$3,435.00; Sand Creek Printing-\$163.20; Sanito Oil-\$6,257.80; Savoy Vol Fire Dept-\$238.00; Schmidt,H-\$45.00; Schmit,A-\$105.00; Secretary Of State-\$20.00; Servall Towel&Linen-\$477.22; Spearfish City Of-\$130.23; Spearfish Auto Supply-\$214.41; Spearfish Husky-\$10.00; Spearfish Surgery Center-\$25.00; Specialized Auto Service-\$91.80; State Disbursement Unit-\$60.00; Summit Signs&Supply-\$80.00; Superior Lamp And Supply-\$319.14; Teen Court-\$6,420.17; Texaco-\$166.21; Thompson Publishing Group-\$298.00; Twin City Hardware & Lumber-\$33.88; Verizon Wireless-\$1,099.57; Victims Of Violence-\$632.50; Viking Office Prod-\$120.26; Waste Connections-\$343.74; Western Communication-\$1,068.00; Western Sd Juvenile Serv-\$3,984.75; Western Stationers-\$370.45; Wyoming Child Support Coll-\$190.00; Xerox Corporation-\$259.00; Yankton Co Sheriff-\$16.50; Z&S Dust Control-\$22,922.53; **Juror & Witness Fees:** Davidson,J-\$28.70; Degraw,N-\$28.70; Wickenheiser,T-\$28.70; Bellman,S-\$18.70; Carter,D-\$55.80; Chapman,B-\$61.60; Clauser,J-\$18.70; Coburn,C-\$21.60; Croft,S-\$55.80; Davis,C-\$58.70; Farrington,J-\$18.70; Furnish,V-\$58.70; Garlick,K-\$59.86; Heinbaugh,C-\$20.44; Johnson,C-\$18.70; Laufenberg,K-\$61.60; Locati,M-\$61.60; Lorensen,D-\$52.32; Madsen,T-\$15.80; Mason,S-\$11.74; Mclellan,B-\$61.02; Meverden,J-\$17.54; Nelson,M-\$10.58; Palmer,W-\$20.44; Parker,M-\$18.70; Pochop,J-\$18.70; Roadifer,L-\$21.60; Sack,E-\$18.70; Schumacher,T-\$11.74; Sharp,S-\$18.70; Thacker,J-\$18.70; Thomas,C-\$50.58; Vancleave,L-\$21.60; Verhelst,D-\$18.70; Wilkening,B-\$18.70; Willuweit,D-\$10.58;

Essink,J-\$15.80; Allard,S-\$56.96; Brockman,H-\$59.86; Cihak,K-\$60.44; Covell,S-\$54.06; Higbee,M-\$59.86; Nauta,K-\$61.60; Shields,F-\$59.28; Steinmeyer,R-\$59.28; Kracht,P-\$23.48; Crowley,J-\$60.44; Hemmah,B-\$11.74; Kruse,J-\$22.18; Parcel,R-\$21.60; Ballert,K-\$21.74; Bogard,W-\$28.70; Clities,S-\$28.70; Collins,C-\$29.86; Cooper,D-\$28.70; Eckhardt,T-\$89.89; Farrier,L-\$28.70; Fischer,T-\$26.96; Gorder,R-\$21.74; Hartle,J-\$34.50; Hawki,K-\$20.58; Kleen,S-\$28.70; Kniffen,L-\$28.70; Knutson,F-\$21.74; Lawver,S-\$21.74; Lotenero,D-\$20.00; Mcguire,T-\$21.74; Noren,C-\$28.70; Olson,J-\$109.60; Olson,L-\$21.74; Rittenhouse,T-\$20.58; Shy,B-\$28.70; Smith,D-\$28.70; Svoboda,C-\$65.22

ADJOURN: 11:35 p.m. - There being no further business it was Moved-Seconded (Douglas-Weisenberg) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

BRENDA MCGRUDER, Deputy Auditor

LAWRENCE COUNTY COMMISSIONERS SPECIAL MEETING – AUGUST 13, 2002

Chairperson Barbara Mattson called the special meeting of the Lawrence County Commissioners to order at 1:30 p.m. on August 13, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg, Connie H. Douglas and George Opitz. James J Seward absent.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Weisenberg-Douglas) to approve the minutes of July 23, 2002. Motion Carried. Seward absent.

PERSONNEL:

SHERIFF: Moved-Seconded (Opitz-Douglas) to allow employees to donate sick leave to LeeAnn Burrer because of medical reasons. Motion Carried. Seward Absent

TRAVEL REQUEST:

SHERIFF: Moved-Seconded (Douglas-Weisenberg) to approve the travel request for Joe Harmon to attend the Northwest Regional Conference in Bend Oregon on September 9-15, 2002. Motion Carried. Seward Absent.

SHERIFF: Moved-Seconded (Douglas-Mattson) to approve the travel request for Rick Mowell and Bruce Outka to attend the SD Retirement System Board of Trustees meeting in Pierre on September 18-19, 2002. Motion Carried. Seward Absent.

COUNTY OFFICIALS: Moved-Seconded (Opitz-Weisenberg) to approve the travel request for all county officials to attend County Convention in Rapid City on September 23-25, 2002. Motion Carried. Seward Absent.

COMMUNITY DEVELOPMENT BLOCK GRANT FOR HAWK FIRE TRUCK: Van Lindquist from Black Hills Council of Local Government and Norm Lingle and Steve Hardy from the Governor's Office of Economic Development were asked to come before the board and answer some questions and concerns they had about the Block Grant. The board questioned who would be the actual owner of the truck, who would be responsible to carry the liability insurance and who would be responsible for the operation and maintenance of the Hawk Fire Truck. After discussing the matter the board instructed Van Lindquist to draw up a letter to the Governors' Office of Economic Development asking these questions. Moved-Seconded (Weisenberg-Douglas) to approve and authorize the chair to sign the Performance Contract Amendment between Lawrence County and Black Hills Council of Local Governments and the amendment to the Fire Equipment Grant. Motion Carried. Seward Absent.

SPONSORSHIP OF EMGERGENCY WATERSHED PROGRAM: Moved-Seconded (Douglas-Weisenberg) to approve and authorize the chair to sign a letter accepting sponsorship of the Emergency Watershed Program. Motion Carried. Mattson Abstained Seward Absent.

VOLUNTEER FIRE DEPARTMENT MEMBERS: Moved-Seconded (Weisenberg-Douglas) to approve Gary Bennett as Volunteer Fire Fighters for insurance purposes. Motion Carried. Seward Absent.

BILLS: Moved-Seconded (Opitz-Weisenberg) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried. Seward Absent. **Payroll:** Comm-\$3,162.83; Aud-\$4,885.31; Treas-\$7,691.31; Comp-\$4,694.48; States Atty-\$9,817.52; Pub Def-\$5,818.28; Gen Govt Bldg-\$4,885.11; Equal-\$9,795.12; Deeds-\$5,639.96; Vso-\$689.15; Disp-\$8,059.22; Sher-\$29,945.50; Jail-\$14,414.00; Emerg Mgnt-\$2,307.44; E911-\$1,342.08; Highway-\$32,170.13; Exten-\$1,202.24; Weed-\$5,340.55; Pz-\$2,471.13; **Bills:** Dias,G-\$328.54; Landeen,J-\$6.48; Mcgruder,R-\$89.95; Mowell,R-\$6,093.00; Abc Business Supply-\$203.14; Air Connection-\$12,500.00; Altaire Enterprises-\$20.00; American Family Life-\$1,950.10; At&T-\$9.43; Bh Chemical Company-\$345.50; Bh Federal Credit Union-\$6,553.29; Bh Fibercom-\$2,336.16; Bh Land Analysis-\$1,835.40; Bh Pest Control-\$95.00; Bh Pioneer-\$556.63; Bh Power&Light-\$913.45; Binder,T-\$2,313.00; Blue Cross-\$38,353.02; Brevik&Thurman Llc-\$270.72; Brownsville Fire Dept-\$1,198.09; Bureau Of Administration-\$26.00; Burrly's Lube-\$67.20; Business Warehouse-\$350.00; Butler Law Office-\$2,611.69; Butte County Sheriff-\$8.90; Butte Electric Coop-\$237.29; Cameron

Page 2

LAWRENCE COUNTY COMMISSIONERS SPECIAL MEETING – AUGUST 13, 2002

Communications-\$99.95; Campbell Co Sheriffs-\$40.00; Cardinal Printing-\$134.50; Carlson,D-\$30.00; Carquest Of Spearfish-\$99.30; Cellular One-\$231.68; Chemsearch-\$280.30; Cheyenne Crossing Vol-\$873.03; Christensen Law Office-\$458.00; Clinical Lab Of Bh-\$4,216.61; Connelly,R-\$2,890.00; Conoco-\$371.36; Correctional Billing Svc-\$80.33; Credit Collections Bureau-\$25.00; Culligan Soft Water Serv-\$43.50; Dakota Graphics-\$270.00; Deadwood Recreation Center-\$92.00; Deadwood Vol Fire Dept-\$6,733.69; Deadwood, City Of-\$1,411.65; Dept Of The Treasury-\$35,788.72; Derosier,L-\$29.28; Dietrich,D-\$212.20; Ekeren,M-\$15.00; Ellingson,J-\$178.40; Executone Of The Bh-\$42.00; Expanets-\$52.01; Family Medical Center-\$129.72; Fuller,Tellinghuisen,Gordon-\$134.00; Gene's Lock Shop-\$48.50; Great Western Tire-\$520.96; Hauge Associates-\$37.50; High Plains Business Forms-\$806.05; Huskii Enterprises-\$435.00; Ibm Corp-\$334.40; Ikon Office Solutions-\$186.44; Insight-\$579.99; Kittelson,J-\$15.00; Knecht True Value-\$3.71; Koala Electric-\$270.25; Lc Auditor-\$19.95; Lc Centennial-\$446.22; Lc Public Health-\$2,208.00; Lead Fire Department-\$9,844.86; Lead, City Of-\$2,500.00; Lead-Deadwood Sanitary-\$631.12; Lexisnexis Matthew Bender-\$181.99; Lustig,K-\$11.20; Manlove Psychiatric Group-\$845.00; Mayer Radio-\$116.25; Minitman-\$212.80; Minnehaha County Auditor-\$265.00; Mobility Concepts-\$84.00; Montana-Dakota Util-\$577.15; Nh Family Ymca-\$420.00; Nw Regional Transport Conferen-\$125.00; Nemo Volunteer Fire Dept-\$781.65; Nicholas,C-\$75.75; Office Of Child Support-\$284.50; Office Technology/Supply-\$313.23; Pennington County Sheriff-\$8.70; Pennington County Sts.Attny-

\$400.00; Postmaster, Spearfish-\$100.00; Qwest-\$168.07; Rc Regional Hospital-\$3,557.16; Rabe Elevator-\$515.61; Radio Shack/Kazco-\$246.86; Reliable-\$354.09; Richards Law Firm-\$1,689.84; Rochford Vol Fire Dept-\$367.34; Rombough,D-\$326.20; Romkema,P-\$52.70; Sd Assn Of Co Comm-\$620.00; Sd Retirement System-\$37,548.86; Sd State Treasurer-\$715.58; Sd Public Assur Alliance-\$23,117.27; Sd School Of Mines&Technolo-\$1,500.00; Sd Supplemental Retirement-\$662.50; Safety Benefits-\$200.00; Sand Creek Printing-\$3.75; Sanito Oil-\$1,724.06; Savoy Vol Fire Dept-\$437.80; Servall Towel&Linen-\$385.36; Silverado-\$830.72; Snorteland,I-\$271.44; Spearfish Auto Supply-\$153.22; Spearfish Canyon Resorts-\$86.80; Spearfish Fire Dept-\$19,586.00; Spearfish Surgery Center-\$25.00; Specialized Auto Service-\$733.06; St Onge Fire Dept-\$896.97; State Disbursement Unit-\$60.00; Sturgis Fire Department-\$433.53; Teen Court-\$4,586.53; Texaco-\$159.74; Twin City Hardware&Lumber-\$203.53; Uap Timberland-\$80.00; Usd School Of Law Foundation-\$30.00; United Parcel Service-\$4.38; Walmart Store-\$328.17; West Group-\$445.00; Western Communication-\$1,036.41; Whitewood Vol Fire Dept-\$2,485.89; Williams Standard Serv-\$36.40; Wyoming Child Support Coll-\$190.00; Xerox Corporation-\$120.00; Yankton Co Sheriff-\$33.00; Zent,M-\$96.20; Division Of Motor Veh-\$13.00; Mv Deisz Consulting-\$440.00; **Witness & Juror Fees:** Sullivan,M-\$21.74; Alpert,R-\$59.86; Bertch,D-\$58.70; Bohls,G-\$61.60; Cline,R-\$69.14; Cooper,D-\$61.60; Papka,M-\$58.70; Schaefer,S-\$50.58; Umberger,M-\$59.86; Walton,K-\$63.92; Anderson,L-\$58.70; Armstrong,C-\$21.60; Atkinson,R-\$12.32; Bassett,G-\$19.86; Beguin,V-\$24.50; Blackburn,W-\$18.12; Bunney,B-\$21.60; Corrick,D-\$61.60; Dardis,A-\$19.86; Fierro,M-\$17.54; Goodrich,M-\$61.60; Grenstiner,I-\$50.58; Hansen,M-\$58.70; Harmon,M-\$23.34; Hoffman,M-\$58.70; Hunt,D-\$18.12; Jensen,K-\$18.70; Johnson,R-\$18.70; Lesselyoung,E-\$21.60; Meverden,A-\$17.54; Murphy,G-\$18.70; Nicholas,M-\$18.70; Pawlowski,L-\$61.60; Schmit,D-\$20.44; Stadler,T-\$61.60; Stafford,M-\$59.86; Stott,B-\$12.32; Vandewerker,N-\$19.86; Walby,C-\$18.70; Welch,B-\$15.80; Whittington,R-\$11.74; Williamson,P-\$58.70; Harlan,R-\$21.74; Cooper,C-\$19.28; Gillespie,G-\$18.70; Huckins,K-\$18.70; Novak,C-\$67.40; Seaver,C-\$58.70; Aberle,D-\$21.74; Aberle,K-\$21.74; Barden,N-\$28.70; Crooks,C-\$28.70; Croteau,M-\$28.70; Dahlstrom,T-\$21.74; Davis,A-\$49.00; Dittus,K-\$28.70; Ell,D-\$21.74; Erickson,J-\$20.58; Ewing,S-\$28.70; Gibson,C-\$28.70; Golebiewski,A-\$28.70; Hamak,A-\$21.74; Hammerquist,P-\$28.70; Hart,L-\$29.28; Hart,S-\$29.28; Hintz,C-\$25.80; Holliday,R-\$28.70; Jeffrey,L-\$28.70; Picotte,C-\$49.00; Plunkett,M-\$28.70; Schuft,A-\$28.70; Sherman,D-\$34.50; Startz,R-\$20.58; Startz,J-\$20.58; Welch,B-\$37.40; Werlinger,D-\$61.74:

ADJOURN: 3:15 p.m. - There being no further business it was Moved-Seconded (Douglas-Weisenberg) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – AUGUST 27, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on August 27, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Douglas-Weisenberg) to approve the minutes of August 13, 2002. Motion Carried.

8:05 AM: Moved-Seconded (Douglas-Mattson) to go into executive session to discuss personnel matters with Deputy States Attorney Bruce Outka. Motion carried. **8:15 AM:** The Board reopened for regular business

PERSONNEL:

STATES ATTORNEY: Moved-Seconded (Weisenberg-Mattson) to approve Tobin Karn as a Special Deputy States Attorney. Motion Carried.

HIGHWAY: Moved-Seconded (Weisenberg-Opitz) to allow for the advertisement to replace Kenneth Williams who is resigning in the Highway Department because of medical reasons. Motion Carried.

SHERIFF: Moved-Seconded (Opitz-Seward) to approve Rhonda Chavez as a Cook/Jail Assistant at the rate of \$10.71 an hour to replace Faith Kaiser, effective August 14, 2002. Motion Carried.

Moved-Seconded (Seward-Weisenberg) to approve Susan Mckeown as a full-time Correctional Officer I at the rate of \$10.53 an hour, effective August 19, 2002. Motion Carried.

Moved-Seconded (Douglas-Mattson) to approve Don Clyne as a Correctional Officer II at the base rate of \$12.11 an hour, effective August 26, 2002. Motion Carried.

TRAVEL REQUESTS:

EMERGENCY MANAGEMENT: Moved-Seconded (Opitz-Seward) to approve the travel request for Paul Thomson and Ken Hawki to attend the SD Emergency Management Association Fall Conference in Mitchell, SD on September 9-12, 2002. Motion Carried.

VSO: Moved-Seconded (Opitz-Weisenberg) to approve the travel request for William Locken to attend the VSO School in Pierre, SD on August 26-29, 2002. Motion Carried.

Moved-Seconded (Weisenberg-Mattson) to approve the travel request for William Locken to attend the VSO Congressional Forum in Hot Springs on September 4, 2002. Motion Carried.

AIRPORT: Bob Golay asked the Board to reconsider the travel request for Ray Jilek to attend the DOT Transportation Improvement Program meeting in Rapid City on July 23, 2002. Golay stated the Airport Board asked Jilek to attend the meeting on behalf of the Board. Golay stated Jilek is the Airport Manager under a contract. The Board raised concerns on the fact that Jilek is not an employee of the County and is not an Airport Board member. Insurance and liability issues were discussed.

Moved-Seconded (Seward-Mattson) to approve the travel request for Ray Jilek to attend the DOT Transportation Improvement Program meeting in Rapid City on July 23, 2002. Motion Carried. Aye-4 Nay-Douglas. The Board stated they will pay for this last trip but will not approve any more requests until the States Attorney has an opportunity to research the issue.

WELFARE GUIDELINES: Moved-Seconded (Opitz-Mattson) to approve the following Resolution 02-34 setting the welfare guidelines for Lawrence County. Motion Carried. LAWRENCE COUNTY RESOLUTION #02-34 AMENDMENT #5 LAWRENCE COUNTY WELFARE GUIDELINES APPENDIX A -ELIGIBILITY INCOME: WHEREAS, Lawrence County has adopted Welfare Guidelines to provide assistance to indigent persons of the county under SDCL Chapter 28-13); and WHEREAS, Lawrence County uses the federal poverty guidelines published in the Federal Register, which are updated on an annual basis, as eligibility income standards; NOW THEREFORE BE IT RESOLVED, that effective October 1, 2002, and until otherwise revised, the attached revisions and amendment setting forth the new income guidelines in the Lawrence County Welfare Guidelines are hereby adopted. Dated this 27th day of August 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson; Connie Douglas, James Seward, Terry Weisenberg, and George Opitz. ATTEST: Connie Atkinson, Auditor.

COURTHOUSE BONDS: Moved-Seconded (Weisenberg-Seward) to approve and authorize the Chair to sign the following Resolution #2002-30 RELATING TO LEASE-PURCHASE OF COURTHOUSE; AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO LEASE-PURCHASE AGREEMENT AND APPROVING AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS Motion Carried. **RESOLUTION 2002-30 A RESOLUTION RELATING TO LEASE-PURCHASE OF COURTHOUSE; AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO LEASE-PURCHASE AGREEMENT AND APPROVING AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS.** BE IT RESOLVED by the Board of Commissioners of Lawrence County, South Dakota (the County) as follows: Section 1. Recitals. 1.01. 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. 1.02. U.S. Bank National Association (formerly known as First Bank of South Dakota (National Association)), (the Trustee) has acquired certain interests in real property (the Land) from the County pursuant to a Ground Lease Agreement, dated as of May 1, 1990, and has leased its interest in the Land and leased and agreed to sell to the County the buildings, structures and improvements located thereon (the Facilities), pursuant to a Lease-Purchase Agreement, dated as of May 1, 1990 (the Original Lease), as amended by a First Amendment to Lease-Purchase Agreement, dated as of September 1, 1997 (the First

Amendment to Lease). 1.03. The County has heretofore entered into a Declaration of Trust, dated as of May 1, 1990 (the Original Declaration of Trust), as amended by a First Supplemental Declaration of Trust, dated as of April 15, 1997 (the First Supplemental Declaration of Trust) with the Trustee. Pursuant to the First Supplemental Declaration of Trust, the Trustee issued \$4,400,000 Refunding Certificates of Participation, Series 1997, dated as of September 1, 1997 (the Series 1997 Certificates) in the First Amendment to Lease and the payments to be made by the County thereunder. 1.04. The County has determined that this would be an opportune time to refinance the lease payments payable after January 1, 2003 under the Original Lease and thereby to refund the callable maturities of the Series 1997 Certificates, currently outstanding in the aggregate principal amount of \$3,500,000 (the Refunded Certificates). The County will accomplish the refunding by entering into a Second Amendment to Lease-Purchase Agreement (the Second Amendment to Lease, together with the First Amendment to Lease and the Original Lease, the Lease) and a Second Supplemental Declaration of Trust (the Second Supplemental Declaration of Trust; together with the First Supplemental Declaration of Trust and the Original Declaration of Trust, the Declaration of Trust) with the Trustee, pursuant to which the Trustee will issue Certificates of Participation, Series 2002 (the Series 2002 Certificates) in the Lease and the payments to be made by the County thereunder; the principal amount of the Series 2002 Certificates shall not exceed the sum of (i) the amount necessary to refund the Series 1997 Certificates, (ii) the amount necessary to pay the costs of issuance of the Series 2002 Certificates, including the Underwriters' discount, (iii) the premium or initial fees for bond insurance or other qualified guarantee for the Series 2002 Certificates, and (iv) original issue discount (not to exceed 2% of the principal amount of the Series 2002 Certificates) on the Series 2002 Certificates. Section 2. Sale, Bond Purchase Agreement and Official Statement. 2.01. Appointment of Financial Consultant and Bond Counsel. Evensen Dodge Inc., of Minneapolis, Minnesota (the Financial Consultant), is hereby appointed as the financial consultant to the City and the law firm of Dorsey & Whitney LLP, of Minneapolis, Minnesota (Bond Counsel), is hereby appointed as Bond Counsel. 2.02. Official Statement. The County Auditor and other officers of the County, in cooperation with the Financial Consultant, are hereby authorized and directed to prepare an Official Statement to be distributed by the Financial Consultant to potential purchasers of the Series 2002 Certificates. The bank or underwriting firm purchasing the Series 2002 Certificates, pursuant to the Official Statement, is herein referred to as the "Purchaser". 2.03. Sale. The Series 2002 Certificates authorized by this resolution shall be issued in an aggregate principal amount not exceeding \$1,650,000, shall be sold at public or negotiated sale, at a purchase price of not less than 98.5% of par (exclusive of original issue discount), plus accrued interest, shall bear interest at a rate or rates per annum resulting in an average interest rate not greater than 5.00% per annum and shall mature over a period not to exceed 20 years. The Financial Consultant is hereby authorized, on behalf of the County, to make application for bond insurance or a rating or ratings on the Bonds, and the County will pay the premium or fees therefor, to the extent not paid from the proceeds of the Series 2002 Certificates. 2.04. Bond Purchase Agreement. The execution of a Bond Purchase Agreement between the County and the Purchaser by the Chairman and County Auditor setting forth final terms of the Series 2002 Certificates is hereby approved and authorized and such execution shall be conclusive evidence of such agreement and shall be binding upon the County. The provisions of the Bond Purchase Agreement as so executed, including all Exhibits and Appendices thereto, are incorporated herein by reference. Section 3. Findings. On the basis of information given the County to date, it is hereby found, determined and declared that it is desirable and in the best

interest of the County (i) to issue and sell the Series 2002 Certificates, and (ii) to enter into the Second Amendment to Lease, the Second Supplemental Declaration of Trust (the Second Amendment to Lease, the Second Supplemental Declaration of Trust, together with any mortgages or assignments of leases and rents, or amendments thereto, any offering documents and purchase agreements relating to the offering and sale of Series 2002 Certificates and any other documents required by bond counsel named below, are referred to collectively as the Documents). Section 4. Authorization. The Financial Consultant, Bond Counsel, the County staff and the State's Attorney are hereby directed to prepare, negotiate and approve the forms of Documents referred to above and to take the necessary steps to obtain a rating or ratings on Series 2002 Certificates, if the Financial Consultant determines that a rating is necessary or advisable for the marketing of Series 2002 Certificates, and to obtain municipal bond insurance or other qualified guarantee for the Series 2002 Certificates, if deemed advisable by the Financial Consultant. The Chairman and the County Auditor are authorized and directed to execute the Second Amendment to Lease, the Second Supplemental Declaration of Trust as so approved. Copies of the Documents shall be delivered, filed and recorded as provided therein. The Chairman, County Auditor and State's Attorney are also authorized and directed to execute such other instruments as may be required to give effect to the transactions herein contemplated. Section 5. Modifications, Absence of Officers. The execution of the Documents and the Certificate Purchase Agreement by the 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 Chairman or the County Auditor, any of the documents authorized by this resolution to be executed may be executed by such officers as, in the opinion of the State's Attorney, may execute documents in their stead. Section 6. Payment of Lease Payments. The County will pay to the Trustee, promptly when due, all of the Lease Payments and other amounts required by the Lease. To provide moneys to make such payments, the County will include in its annual budget, or a supplemental appropriation, 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, and will take all other actions necessary to provide moneys for the payment of the obligations of the County under the Lease and the Declaration of Trust from sources of the County lawfully available for this purpose, including the levy of ad valorem taxes, if necessary. Section 7. Qualified Tax-Exempt Obligations. The County hereby designates the Series 2002 Certificates as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code relating to the disallowance of interest expense for financial institutions, and hereby finds that the reasonably anticipated amount of qualified tax-exempt obligations (within the meaning of Section 265(b)(3) of the Code) which will be issued by the County and all subordinate entities during calendar year 2002 does not exceed \$10,000,000. Section 8. Continuing Disclosure. The County acknowledges that the Series 2002 Certificates are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (as in effect and interpreted from time to time, the "Rule"). The Rule governs the obligations of certain underwriters to require that issuers of municipal obligations enter into agreements for the benefit of the holders of the obligations to provide continuing disclosure with respect to the obligations. To provide for the public availability of certain information relating to the Series 2002 Certificates and the security therefor and to permit participating underwriters in the primary offering of the Series 2002 Certificates to comply with the Rule, which will enhance the marketability of the Series 2002 Certificates, the Chairman and the County Auditor are hereby

authorized and directed to execute an Agreement Concerning Continuing Disclosure, by which the County agrees to provide such information, either directly or through a disclosure agent, and the County hereby covenants and agrees to observe and perform the covenants and agreements contained therein, unless amended or terminated in accordance with the provisions thereof, for the benefit of the registered owners or beneficial owners from time to time of the Outstanding Series 2002 Certificates as therein provided. Adopted: August 27, 2002. Chairman: Barbara Mattson Attest: County Auditor: Connie Atkinson.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Seward-Weisenberg) To accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** The Auditor's Account with the County Treasurer as of July 31, 2002 showed the following: Total amount of deposits in banks-\$9,541,800.35; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$38,403.19; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$1,779.42; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$5,400,000.00; Bank Balance-\$3,147,571.74; GNAM's-\$131,621.92; and Money Market \$862,606.69.

VOLUNTEER FIRE DEPARTMENT MEMBERS: Moved-Seconded (Opitz-Mattson) to approve Derrick Bult, Paul Dangel, Julie Harley, Kimberly Kelley, Luverne Kraemer, Norma Kraemer, Brian Rech, Mark Schwan, Cindy Solas, Kathy Stygles, Jim Tatge, Etta Finn, Judy Parson, Carma Lee McGrath, Ralph Reausau, Paul Hedge and Gene Cheever as a Volunteer Fire Fighter for insurance purposes. Motion Carried.

FIRE ADVISORY AUTOMATIC SUPPLEMENT: Moved-Seconded (Opitz-Seward) to approve an automatic supplement of \$9,492.91 in the Fire Advisory Grants Budget to cover grant fund expenditures for the Fire Advisory Grants. Motion Carried.

EXTENSION AUTOMATIC SUPPLEMENT: Moved-Seconded (Seward-Opitz) to approve an automatic supplement of \$1,303.70 in the Extension Supplies Grants Budget to cover grant fund expenditures for the Extension Office. Motion Carried.

RESOLUTION #02-33 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Opitz-Seward) to approve and adopt the following Resolution #02-33 to Adopt a Supplemental Budget for Highway & Bridge Reserve Funds. Motion Carried. **RESOLUTION #02-33 TO ADOPT A SUPPLEMENTAL BUDGET:** WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it **RESOLVED THAT SAID BOARD,** make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is

hereby appropriated the following sum of money, to-wit: HIGHWAY & BRIDGE RESERVE FUND- \$200,000 The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 27TH day of August, 2002 at the hour of 8:45 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 27th day of August, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

SUPPLEMENTAL BUDGET HEARING: Moved-Seconded (Seward-Weisenberg) to set a supplemental budget hearing for the 17th day of September at 8:45 a.m. for Juvenile Detention Budget (JDC) for \$25,000. Motion Carried.

E911 SUR-CHARGE: Moved-Seconded (Seward-Opitz) to continue the sur-charge of \$.75 per phone for the E911 system. Motion carried.

RESOLUTION #2002-32 SURPLUS PROPERTY: Moved-Seconded (Opitz-Weisenberg) to approve the following Resolution #2002-32 Surplus Property. Motion Carried. RESOLUTION #2002-32 SUPRLUS PROPERTY: WHEREAS, Lawrence County has several items of personal property which are no longer needed for public purpose and; WHEREAS, The Lawrence County Board of County Commissioners have appraised the personal property and the total value of such property exceeds \$500.00, to-wit: SEE ATTACHED LIST: NOW THEREFORE BE IT RESOLVED that the Lawrence County Board of County Commissioners hereby declare the attached list of property surplus and order the sale and/or disposal of said property. Dated this 27th day of August 2002. LAWRENCE COUNTY COMMISSIONERS: Barbara A. Mattson, Chair, James J. Seward, Terry Weisenberg, Connie Douglas and George Opitz. ATTEST Connie Atkinson, AUDITOR.

RESOLUTION #02-31 LIQUOR LICENSES: Moved-Seconded (Opitz-Douglas) to approve the following Resolution #02-31 Liquor Licenses for 2003. Motion Carried.

RESOLUTION #02-31 LIQUOR LICENSES: WHEREAS, Lawrence County has the authority to determine the number of On-Sale and Off-Sale liquor licenses it will approve for the ensuing calendar year, SDCL 35-4-11.1, and WHEREAS, the State of South Dakota by virtue of SDCL 35-4-2 determines the fees to be charged for the various classifications of licenses, and THEREFORE, BE IT RESOLVED that we, the Board of County Commissioners, will approve Two (2) Off-Sale and Nine (9) On-Sale Liquor Licenses or the number issued in 2002, whichever is less for the ensuing year, and Two (2) Retail On-Sale Wine License, and BE IT FURTHER RESOLVED that the Board of County Commissioners list the following fee schedule as a matter of record: A) On-Sale dealer-any person who sells or keeps for sale any alcoholic beverage for consumption on the premises where sold. Those current license holders being closer to Spearfish (1st class city) to be charged the fee of \$1,500.00: Guadalajara Mexican

Restaurant; Queen City VFW Post #5860. Those current license holders being closer to Lead, Deadwood or Whitewood (2nd class cities) to be charged the fee of \$1,200.00: Lead Country Club; Black Hills Chair Lift Co.; Branding Iron Bar & Restaurant; Spearfish Canyon Resorts LLC; Deer Mountain Ski Area; Boulder Canyon Country Club; Tomahawk Lake Country Club; B) Off-Sale dealer - any person who sells or keeps for sale any alcoholic beverage for consumption other than on premises where sold. Fee - \$400.00: Branding Iron Bar & Restaurant; St. Onge Store; C) Retail On-Sale Wine - Fee - \$500.00: Latchstring Village; Seven Down LLC. D) Sunday On-Sale liquor licenses-Additional - \$200.00. DATED at Deadwood, South Dakota, this 14th day of August, 2001. LAWRENCE COUNTY COMMISSIONERS: Barbara A Mattson, Chairperson, Connie H. Douglas, James J. Seward, Terry Weisenberg and George Opitz. ATTEST Connie Atkinson, AUDITOR.

FUEL QUOTES: The following fuel quotes were submitted for September 2002 fuel: (prices per gallon) **Cenex Oil Co.** - Highway Dept. - Regular Gasoline - \$1.253; No. 2 Diesel - \$.965; and Sheriff Office - Unleaded Gasoline - \$1.253. **Sanito Oil Company** - Highway Dept. - Regular Gasoline - \$1.228; No.2 Diesel - \$.982; and Sheriff Office - Unleaded Gasoline - \$1.228. **Moved-Seconded** (Opitz-Mattson) to accept the lowest fuel quote submitted from **Cenex Oil Company** for No. 2 Diesel and Sanito Oil Company for regular gasoline and Sheriff's Office – unleaded gasoline. Motion carried.

BLACK HILLS CENTRAL RESERVATION: The Board discussed a request from Black Hills Central Reservation for 0% interest on BHCR's Lawrence County Loan; in light of the fact they have 13 employees – two short of their loan requirement. Moved-Seconded (Seward-Opitz) to deny BHCR's request and continue to follow the contract in place. Motion Carried.

IRON CREEK – SPEARFISH ROAD PROJECT AGREEMENT: Moved-Seconded (Opitz-Douglas) to approve and authorize the Chair to sign Project Agreement SD PFH 27-1(1) Iron Creek-Spearfish Road. Motion Carried.

SPEARFISH CANYON FIRE PROTECTION DISTRICT: A public hearing was held on a Petition for Establishment of Spearfish Canyon Fire Protection District. Jim McGinnis was present to speak on behalf of the proposed district. A room full of supporters were present to express their support for the proposed district. Jack Cole stated he was in support of a Fire Department for Spearfish Canyon but stated there maybe a better way to do it. Cole expressed concern about the age of the volunteers in the proposed district.

Moved-Seconded (Seward-Weisenberg) to approve the following Order of Initiation of Organization of Spearfish Canyon fire Protection District. Motion Carried.

ORDER OF INITIATION OF ORGANIZATION OF SPEARFISH CANYON FIRE PROTECTION DISTRICT: WHEREAS, SDCL 34-11A allows for the organization and incorporation of rural fire protection district; and WHEREAS, a Public Hearing has been held at

which the determination was made by the Lawrence County Board of County Commissioners; wherein the area lies, that the proposed district does indeed meet the general fire protection policy of each county; and WHEREAS, at said Hearing, the boundaries of the proposed Spearfish Canyon Fire Protection District were defined and agreed upon by those Commissioners present; WHEREAS, the boundaries of the proposed Spearfish Canyon Fire District are defined as: LAWRENCE COUNTY: Sections 1-24, Township 3 North, Range 1 East; Sections 2-11 and 14-19, Township 3 North, Range 2 East; all of Township 4 North, Range 1 East (or Sections 1-36, T4N, R1E); Sections 4-9, 14-23 and 26-35, Township 4 North, Range 2 East; Sections 13-36, Township 5 North, Range 1 East; Sections 17-20, 30 and 31, Township 5 North, Range 2 East; BHM, Lawrence County South Dakota. NOW, THEREFORE, BE IT ORDERED, that an election will be held at which the question of the organization of the Spearfish Canyon Fire Protection District shall be determined by majority vote of those qualified electors of the proposed district who present themselves for that purpose. BE IT FURTHER ORDERED that should the majority of the electors present determine for the organization of the district, an election of the Board of Directors shall be held immediately. Dated this 27th day of August, 2002. LAWRENCE COUNTY COMMISSIONERS: Barbara A Mattson, Chairperson, Connie H. Douglas, James J. Seward, Terry Weisenberg and George Opitz. ATTEST Connie Atkinson, AUDITOR.

WATER ISSUES IN SPEARFISH CANYON: Dick Reid, Spearfish Canyon Preservation Trust (SCPT), Inc. and Dick Fort, Action for the Environment and Spearfish Canyon Preservation Trust, Inc. were present to discuss the water issues in regard to Homestake's two power plants in Spearfish Canyon. Reid stated his interests are the water quantity and quality in the Spearfish Canyon watershed. Reid stated that SCPT respectfully requests that the Lawrence County Commission establish a committee to study the Spearfish Creek water resource and to formulate a long range plan to protect and preserve this vital resource for the maximum benefit for all residential, recreation, City of Spearfish quality of life and irrigation use. The proposed committee would only be for informational and advisory purposes. Fort stated this committee should consist of one member from the County Commission, City of Spearfish, SD Game Fish & Parks, US Geological Survey, US Forest Service, Federal Emergency Management, Barrick Gold, Action for the Environment, Spearfish Canyon Preservation Trust, Spearfish Canyon Owners Assoc, Spearfish Canyon Foundation and the downstream irrigation district. Fort presented some history in the Power Plant legal issues. Fort stated that Barrick's Attorney has advised against being a part of the committee. The County Commission stated they will discuss the request with the States Attorney.

FIRE FUNDING IN LAWRENCE COUNTY: Rob Mattox and Jerome Harvey were present representing the Fire Advisory Board. Harvey presented the Board with information on the Fire Equipment within the County. Harvey asked the Board when Lawrence County is going to provide adequate funding for fire protection and stated they needed a long term sustained source of adequate funding including a permanent capitol improvement program. Harvey stated they are firefighters not fundraisers. The Board stated the County is locked into a tax freeze and is currently levying the maximum allowed without opting out of the tax freeze. They stated they are currently using Title III funds to try and update fire equipment throughout the County and

suggested the district form Taxing Rural Fire Protection Districts like Rochford, Whitewood and the proposed Spearfish Canyon Fire Protection District.

SPRUCE MOUNTAIN SUBDIVISION: Dan Hefner was present to express concerns about the Spruce Mountain Subdivision. Hefner stated he was concerned about their water source, water quality and quantity. Hefner stated the subdivision will be like a town with half the population of Whitewood being located out in the middle of the County. Hefner stated they will have individual septic systems and wells. Hefner stated he is not here to stop development, because he feels a person should have a right to do what they want with their land, up to the point when it starts to affect the rest of the people in the area. Hefner showed Aquifer maps and discussed recharge areas for wells. He also mentioned soils in the area and perk tests that were completed. Hefner stated the density of the development poses a great threat to existing wells. Hefner asked that the Board conduct a comprehensive independent study to prove that the wells in the area will not dry up or be contaminated. Hefner asked for a site specific investigation and asked the Board if they were ready for the liability of this development.

Tom Smith was also present and expressed concerns about the development. Smith presented the Board with a list of his concerns, additional concerns of fire, dry hydrants and high performance wells were discussed. Tom Thompson was also present and expressed concerns on the wells.

Dwight Ahlers, land owner, stated the property was zoned park forest when it was purchased and they have followed all the regulations of the County. Ahlers stated they meet with the Sturgis and Whitewood Fire Department last fall and have complied with the fire plans. Ahlers stated he feels there is sufficient water in the area and that they have other developments in other states and they have never contaminated anyone's wells.

Eric Birk gave history on the development, the first time this was before Planning and Zoning was in September of 2001 and was presented as approximately 600 acres and 100 home sites. The Board discussed that the soils would have to perk before a septic system would be allowed and they would have to be designed by an engineer. Mattson asked why no-one was at the meetings prior to now. Mattson stated the property is zoned Park Forest and therefore is within the law. Hefner stated he thought they were 40 acre lots and therefore did not attend the meetings.

AIRPORT: Bob Golay discussed the Gas Tax Funds the Airport receives from the fuel sales at the Airport. Golay stated the Airport would like to purchase a loader for \$14,950 from Federal Surplus. The State would then reimburse the County for the expenditure from the fuel sales fund. Moved-Seconded (Opitz-Weisenberg) to approve the purchase of the loader from Federal Surplus for \$14,950 and to set a supplemental budget hearing for September 17th 2002 at 8:45 a.m. Motion Carried.

FOREST SERVICE ISSUES: Pam Brown, US Forest Service, was present to discuss the Beaver Park legislation that was passed recently. Brown presented charts on the estimated

mortality of the Ponderosa Pine due to the Mountain Pine Beetle based on aerial survey. 1996 – 1,500; 2000-38,000; 2001-305,000 and in 2002-400,000. Brown stated this does not include the green trees that are currently infected. Brown stated 8,000 acres can be treated outside of the Beaver Park Roadless area. They are currently working on a fuel break line around Beaver Park. They are also working on a ¼ mile buffer zone around Sturgis. Brown stated they are allowed to do some things but this will not solve the problem. Brown showed the aerial maps and how the infestation has grown outside of the Beaver Park Roadless area. Brown stated she will keep the Board informed on the progress of the Beaver Park Project.

NORTHERN HILLS FIRE PROTECTION DISTRICT: Jack Cole provided a Statement concerning a proposed Northern Hills Fire Protection District. Cole stated he has not seen any evidence that the volunteers within the proposed Spearfish Canyon Fire Protection District were capable of protecting the canyon. Cole stated they do not have an acceptable list of volunteers; the average age is 60-70 years old. Cole stated the average age for the Lead Department is 30 and he would like to see them combine with Lead. Cole stated the Spearfish Canyon Fire Protection District provided a sham list of volunteers and they need young volunteers not old men. Cole stated they are too old and they don't live in the district. Cole stated Lead needs money and more management staff to protect Spearfish Canyon. Cole stated they needed a professional, properly financed department. The Board stated an election will be held for the proposed Spearfish Canyon Fire Protection District and if he is not happy with the proposed district he needs to discuss these issues with them.

OUTDOOR ADVERTISING: Bruce Outka and Eric Birk discussed the current County Ordinances regarding outdoor advertising. Outka stated current issues regarding the signs by the National Cemetery brought to their attention the need for the proposed Resolution #2002-36 Emergency Resolution Concerning Outdoor Advertising. Outka stated this would provide temporary control until such a time that the problem can be resolved. Outka stated this would take the State regulations and make them applicable to County Roads. Moved-Seconded (Seward-Mattson) to approve the following Resolution #2002-36 Emergency Resolution Concerning Outdoor Advertising. Motion Carried. Aye-4, Nay-Douglas.

RESOLUTION #2002-36 EMERGENCY RESOLUTION CONCERNING OUTDOOR ADVERTISING: PURPOSE: Emergency Resolution designed to augment existing County regulations regarding outdoor advertising. WHEREAS, regulation of outdoor advertising in areas adjacent to county primary and secondary highways is necessary for the immediate preservation of the public peace, health, or safety, or support of the county government; and WHEREAS, Lawrence County has enacted certain ordinances and regulations regarding outdoor advertising; and WHEREAS, controversies concerning the regulation of outdoor advertising have arisen in neighboring counties; and WHEREAS, the controversies arising in the neighboring counties regarding outdoor advertising have caused Lawrence County to evaluate the County's existing ordinances and regulations concerning outdoor advertising; and WHEREAS, Lawrence County has identified that the existing county ordinances and regulations regarding outdoor advertising are inadequate for purposes of maintaining the immediate preservation of the public peace, health, safety, or support of the county government; and WHEREAS, Lawrence County is currently in the process of revising the existing county ordinances and regulations regarding outdoor advertising; and WHEREAS, Lawrence County has deemed it necessary for the immediate preservation of the public peace, health, or safety, or support of the county

government to incorporate, enact and make applicable to all county primary and secondary highways certain regulations regarding outdoor advertising in areas adjacent to interstate and primary highways as found in SDCL Chapter 31. THEREFORE BE IT RESOLVED, that owing to circumstances constituting an emergency situation, Lawrence County hereby incorporates, enacts and makes applicable certain regulations regarding outdoor advertising found in SDCL Chapter 31 to all county primary and secondary highways; and BE IT FURTHER RESOLVED, that the regulations concerning outdoor advertising found in SDCL Chapter 31 shall be read together, and with any county ordinances or regulations currently in effect or as may be subsequently adopted until such time as permanent ordinances or regulations are adopted. BE IT FURTHER RESOLVED, that owing to the emergency situation presently existing, this Resolution shall be effective immediately. Dated this 27th day of August 2002. FOR THE BOARD: Barbara Mattson, Chairperson. ATTEST: Connie Atkinson, Auditor.

BILLS: Moved-Seconded (Weisenberg-Mattson) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,165.43; Aud-\$4,617.47; Treas-\$6,990.40; Comp-\$4,473.83; States Atty-\$9,876.40; Pub Def-\$5,634.44; Gen Govt Bldg-\$4,443.63; Equal-\$9,233.31; Deeds-\$5,294.99; Vso-\$689.15; Disp-\$9,893.73; Sher-\$38,382.49; Jail-\$17,010.04; Emerg Mgnt-\$1,968.48; E911-\$1,230.24; Highway-\$28,278.01; Airport-\$77.68; Ext-\$1,078.00; Weed-\$4,860.48; Pz-\$2,387.45; **Bills:** Atkinson,S-\$11.74; Jagim,N-\$30.74; Leatherman,D-\$5.16; 3d Specialties-\$2,113.16; A&B Business Equip-\$353.16; A1 Steam Brothers-\$259.95; Abc Business Supply-\$125.33; Altaire Enterprises-\$40.00; Amcon Distributing-\$301.37; Amoco Oil Co-\$511.65; At&T-\$112.08; Bh Chemical Company-\$1,143.93; Bh Federal Credit Union-\$6,768.43; Bh Land Analysis-\$2,901.40; Bh Medical Ctr Pharmacy-\$474.97; Bh Pediatrics & Neonatology-\$125.00; Bh Pioneer-\$15.88; Bh Power & Light-\$6,758.21; Best Business Prod-\$73.40; Binder,T-\$265.20; Bob Barker Company-\$967.74; Bratton,C-\$20.00; Brevik&Thurman-\$90.32; Buckstop Express Mart-\$175.01; Bureau Of Administration-\$28.00; Bus Systems-\$164.75; Butler Machinery-\$599.31; Butte County Sheriff-\$8.20; Cameron Communications-\$1,420.73; Cardinal Printing-\$34.10; Carlson,D-\$15.00; Carquest Of Spearfish-\$10.69; Central Parts-\$463.75; Cermak,L-\$35.00; Chemical Sanitizing-\$93.02; Chief Supply-\$102.38; Choicepoint-\$25.00; Chris Supply-\$6.20; Christensen Law Office-\$453.50; City/County Alcohol & Drug-\$248.00; Cooperative Extension Service-\$260.40; Corral West-\$80.85; Credit Collections Bureau-\$25.00; Culligan Soft Water Serv-\$139.25; Custom Cage-\$150.00; Daniels,P-\$35.00; Deadwood Supply-\$198.92; Deckers Food-\$44.31; Dept Of Hlth Lab Services-\$185.00; Dept Of The Treasury-\$37,614.59; Dietrich,D-\$105.35; Domestic Crisis Outreach-\$842.50; Doyle&Kennedy-\$400.20; Ecolab-\$84.00; Ekeren,M-\$15.00; Ellingson,J-\$734.58; Expanets-\$29.60; Fish,V-\$1,167.00; Frederickson,J-\$165.60; Frontier Precision-\$122.83; Fuller,Tellinghuisen,Gordon-\$2,662.53; G&C Trucking-\$240.00; Gall's-\$664.65; Glenn C Barber&Assoc-\$67,349.70; Goetz&Klimisch-\$102.90; Great Western Tire-\$1,155.31; Greens Alignment-\$384.74; Grimm's Pump Service-\$172.75; Hauge Associates-\$37.50; Heisler Hardware-\$56.42; Hills Material Comp-\$547,837.86; Hills Tire And Supply-\$518.74; Ikon Office Solutions-\$98.94; Insight-\$84.49; Intoximeters-\$268.50; Jenter,G-\$5.00; Jonathan Publishing-\$39.00; Jones,T-\$155.00; Kadrmas, Lee And Jackson-\$6,525.79; Kar Products-\$798.39; Karpinen,S-\$852.32; Kimball-Midwest Co-\$162.93; Kinney&Koch-\$264.94; Lc Auditor-\$6.00; Lc Centennial-\$619.27; Lc

Sheriff-\$138.67; Lawson Products-\$44.92; Lee,J-\$15.00; Lewis&Clark-\$250.00; Lexisnexis Matthew Bender-\$941.74; Lookout Memorial Hospital-\$1,730.29; Lucero,L-\$286.54; Lyle Signs-\$179.42; M&M Sanitation-\$175.00; M&S Doors-\$45.90; Mailworks Plus-\$60.00; Marilyn's Interiors-\$35.50; Mayer Radio-\$670.00; Mearthur,J-\$175.00; Mccoy,C-\$161.84; Mid-Night Star-\$81.91; Montana-Dakota Util-\$39.61; Murphy,J-\$861.07; Muth Electric-\$384.15; Nh General Hospital-\$176.24; N Js Engineering-\$4,219.32; Neighbors,J-\$417.00; Nelson,C-\$70.00; Nelson,T-\$1,540.00; Nemo Volunteer Fire Dept-\$1,237.89; Neve's Uniforms-\$77.98; Novus-\$40.00; Office Of Child Support-\$284.50; Office Technology/Supply-\$150.98; Page Two-\$5.00; Pamida-\$42.08; Pennington Co Auditor-\$46.00; Pennington Co Jail-\$389.85; Pennington County Sts Attny-\$200.00; Phillips Petroleum-\$27.87; Pitney Bowes-\$170.10; Postmaster, Deadwood-\$37.00; Queen City Motors-\$172.29; Queen City Rocket Lube-\$195.48; Qwest-\$969.78; Rc Community Health-\$44.70; Rc Finance Office-\$805.00; Rc Regional Hospital-\$1,040.00; Radio Shack/Kazco-\$43.98; Rapid Delivery-\$6.00; Regan Battery Maint Services-\$226.82; Regsoft Com-\$42.95; Reindl,S-\$334.15; Rushmore Safety Supplies-\$5.35; Sd Assn Of Co Comm-\$465.00; Sd Dept Of Transportation-\$893.13; Sd Supplemental Retirement-\$662.50; Sand Creek Printing-\$161.85; Sanito Oil-\$10,444.13; Schmit,A-\$280.00; Servall Towel&Linen-\$381.76; Seton Identification Products-\$753.11; Severyn,T-\$133.28; Sign-Up Ltd-\$14,629.40; Sirchie Finger Print Lab-\$61.78; Spearfish Auto Supply-\$447.78; Spearfish Fire Dept-\$432.04; Spearfish Motors-\$3.73; Spearfish Surgery Center-\$25.00; Specialized Auto Service-\$145.23; Speedylube-\$42.15; State Disbursement Unit-\$60.00; State Radio Communication-\$2,619.00; Summit Signs&Supply-\$316.50; Sunshine-\$2,500.00; Teen Court-\$3,985.24; Texaco-\$312.87; The Windmill Travel Center-\$20.21; Tigerdirect-\$137.83; Track-\$20,000.00; Triple K Tire&Repair-\$32.00; Twin City Hardware&Lumber-\$2.24; Uap Timberland-\$2,800.00; Us Bank-\$1,125.00; Verizon Wireless-\$1,093.34; Victims Of Violence-\$842.50; Viking Office Prod-\$481.54; Ws Darley&Co-\$61,962.11; Walmart Store-\$181.99; Warne Chemical-\$127.35; Western Communication-\$1,390.21; Western Sd Juvenile Serv-\$3,003.00; Williams&Associates-\$12,036.94; Wyoming Child Support Coll-\$190.00; Z&S Dust Control-\$2,383.48; **Witness & Jurors:** Allard,S-\$56.96; Alpert,R-\$59.86; Bertch,D-\$58.70; Brockman,H-\$59.86; Cihak,K-\$60.44; Cline,R-\$69.14; Covell,S-\$54.06; Higbee,M-\$59.86; Kearney,G-\$61.60; Kent,C-\$63.34; Nauta,K-\$61.60; Papka,M-\$58.70; Schaefer,S-\$50.58; Shields,F-\$59.28; Steinmeyer,R-\$59.28; Umberger,M-\$59.86; Walton,K-\$63.92; Auer,K-\$21.60; Bantam,V-\$19.86; Becht,J-\$123.20; Bendickson,P-\$20.44; Berry,L-\$118.56; Buckles,J-\$11.74; Cleveland,R-\$11.74; Conard,J-\$123.20; Corbitt,S-\$102.32; Coyle,J-\$102.32; Daczewitz,K-\$18.70; Deweese,R-\$21.60; Donner,S-\$18.70; Eastmo,R-\$117.40; Engen,R-\$21.60; Falk,A-\$18.70; Feiok,M-\$19.28; Fischer,S-\$11.74; Gray,P-\$21.60; Hall,C-\$21.60; Hanna,M-\$12.90; Harris,N-\$11.74; Harvey,B-\$16.96; Henry,J-\$115.08; Hermann,C-\$18.70; Jones,J-\$18.70; Kayser,W-\$18.70; Kerwin,C-\$19.86; Kirchesler,K-\$117.40; Klumb,G-\$15.80; Knight,M-\$14.64; Loken,M-\$120.88; Mack,G-\$10.58; Macneill,J-\$21.60; Marta,C-\$21.60; McCormick,D-\$18.70; Milano,E-\$18.70; Milligan,T-\$123.20; Niehaus,J-\$18.70; Noem,M-\$120.88; Nuzum,R-\$18.12; Pedneau,J-\$21.60; Phillips,J-\$13.48; Quaschnick,D-\$12.90; Reed,W-\$12.32; Rommen,T-\$17.54; Ruhnnow,D-\$21.60; Schempf,D-\$18.70; Silling,D-\$18.70; Sparrow,W-\$16.96; Stonefelt,B-\$13.48; Walker,B-\$117.40; Wennberg,P-\$22.18; Wilkinson,M-\$14.64; Wold,N-\$25.66; Zuercher,W-\$56.10

ADJOURN: 2:55 p.m. - There being no further business it was Moved-Seconded (Opitz-Weisenberg) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – SEPTEMBER 3, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on September 3, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Douglas-Seward) to approve the minutes of August 27, 2002. Motion Carried.

PERSONNEL:

EQUALIZATION: Moved-Seconded (Seward-Douglas) to approve Jason Writer as a part-time 20-29 hrs employee, effective 9-16-2002, to allow him to further his education. Motion Carried.

TRAVEL REQUESTS:

WEED: Moved-Seconded (Douglas-Weisenberg) to approve the travel request for David Heck to attend the SD Weed & Pest Control Commission Meeting in Yankton, SD on September 4-6, 2002. Motion Carried.

TRANSFER OF FUNDS:

Moved-Seconded (Opitz-Weisenberg) to authorize the transfer of funds from General Fund to Emergency Management Fund for \$4,860 and to approve a contingency transfer of \$4,860 from Commissioners Contingency to Emergency Management Search and Rescue Budget to cover match money for Title III expenditures. Motion Carried.

Moved-Seconded (Seward-Opitz) to authorize the transfer of funds from General Fund to Emergency Management Fund for \$11,800; to approve a contingency transfer of \$3,800 from Commissioners Contingency to Emergency Management Travel Budget; to approve a contingency transfer of \$8,000 from Commissioners Contingency to Emergency Management Salary Budget and to approve Rene Larson to assist in the Emergency Management Office on a temporary part-time basis through October 2002, due to the emergency situation in Lawrence County because of fire and flooding. Motion Carried.

2003 BUDGET: A public hearing was held on the proposed 2003 Budget for Lawrence County. Moved-Seconded (Seward-Weisenberg) to approve an additional \$1,000 for the Computer Utilities line item and an additional \$1,000 for Emergency Management Supplies line item. Motion Carried. Cash balance applied will be \$244,396 and total taxes levied will be \$5,864,372.

ABATEMENTS:

VAUGHN: Moved-Seconded (Opitz-Douglas) to approve the abatement for 2001 taxes that are uncollectible on Raymond R. Vaughn's 1972 Covant mobile home, title-Y15885 which was located at Lot U Lantern Estates. Motion Carried.

JOHNSON: Moved-Seconded (Weisenberg-Opitz) to approve the abatement for 2001 & 2002 taxes that are uncollectible on Kollette Johnson's 1970 Champion mobile home, title-T75390. Motion Carried.

APA: Moved-Seconded (Opitz-Weisenberg) to approve abatement for 7 months for Gerald Apa on parcel #31090-03000-120-10 because the garages were tore down in May 2002. Motion Carried.

PARTIAL PAYMENTS: Moved-Seconded (Seward-Opitz) to delay taking building on leased site distress warrant and accept partial payments of taxes for Sam Cerkoney on 412 Mine Street, Lead. Motion Carried.

EQUALIZATION VEHICLE: Darlene Piekkola, Director of Equalization, discussed the need to replace a vehicle that is used in the Equalization department. Piekkola stated she did have money in her budget to cover the expense. The Board asked Piekkola to watch Federal Surplus for a vehicle.

GRIZZLY GULCH FIRE AND SALVAGE: Bill Coburn was present to update the Board on the progress of the Grizzly Gulch Fire and Salvage of timber. Coburn showed a video on the fire damage, salvage and the wood borer bugs. Coburn stated the wood borers are of an epidemic state and they are attacking some green trees that have been damaged by the fire.

SEVERANCE TAX FUNDS: Dave Peters, Spearfish School Superintendent, Dan Leikvold, Principal and Whitney Driscoll, Asst Principal presented a proposal for severance tax funds for "Teaching and Learning with Palm Handhelds". Moved-Seconded (Douglas-Seward) to approve the funding request for the Spearfish School's Teaching and Learning with Palm Handheld proposal in the amount of \$20,000. Motion Carried.

BILLS: Moved-Seconded (Weisenberg-Mattson) To Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried

Bills: Black,S-\$99.00; Hamilton,M-\$99.00; Abc Business Supply-\$32.39; Amoco Oil Co-\$234.78; Bh Fibercom-\$1,636.86; Bh Pest Control-\$95.00; Bh Power & Light-\$704.75; Cellular One-\$261.84; City/County Alcohol &Drug-\$210.00; Conseco Finance Serv-\$432.82; Corral West-\$53.90; Dakota Graphics-\$255.00; Dept Of Hlth Lab Services-\$218.34; Glenn C Barber & Assoc-\$60,909.58; Glenney,T-\$175.00; Great Western Tire-\$10.50; Ikon Office Solutions-\$87.50; Insight-\$316.00; Loll,J-\$18.70; Lexisnexis Matthew Bender-\$52.23; Mcarthur,J-\$35.00; Meade Co Auditor-\$360.00; Montana-Dakota Util-\$7.50; National Sheriff's Assoc-\$264.00;

Neve's Uniforms-\$29.85; Postmaster, Deadwood-\$148.00; Rc Regional Hospital-\$84.32; Reddick,E-\$24.50; Regan Battery Maint Services-\$19.53; Regsoft Com-\$26.90; Sd Federal Property Agency-\$14,950.00; Sd Public Assur Alliance-\$131.00; Sanito Oil-\$649.74; Texaco-\$105.43; Twin City Hardware&Lumber-\$191.36; Ups-\$3.68; Walmart Store-\$207.57; Western Communication-\$294.10; **Witness & Jurors:** Aldrich,W-\$50.58; Alger,S-\$58.70; Anderson,A-\$22.76; Anderson,M-\$11.74; Carsten,D-\$18.70; Degen,D-\$58.70; Desart,V-\$24.50; Drury,B-\$15.80; Fanning,K-\$61.60; Hickson,K-\$64.50; Ice,K-\$51.74; Kaiser,C-\$22.76; Kermu,K-\$50.58; Kjelsrud,C-\$61.60; Lamb,D-\$18.70; Longden,G-\$10.58; Manderfeld,S-\$54.64; Mcmichael,D-\$18.70; Morlock,E-\$13.48; Mossett,R-\$24.50; Noteboom,T-\$61.60; Olson,R-\$15.80; Pratt,T-\$18.70; Rang,A-\$50.58; Reynolds,W-\$18.70; Ruff,K-\$21.60; Say,G-\$24.50; Scheef,K-\$27.40; Stuen,W-\$21.60; Toms,D-\$11.74; Wika,K-\$174.36

ADJOURN: 10:40 a.m. - There being no further business it was Moved-Seconded (Seward-Weisenberg) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – SEPTEMBER 17, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on September 17, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Opitz-Mattson) to approve the minutes of September 3, 2002. Motion Carried.

PERSONNEL

HIGHWAY: Moved-Seconded (Seward-Weisenberg) to approve Robert Kellar as a heavy equipment operator at the base rate of \$14.15 an hour, effective 8-19-2002. Motion Carried.

SHERIFF: Moved-Seconded (Douglas-Mattson) to allow Tavis Little, Tom Sandvick and Joe Harmon to exceed the vacation limitations. Motion Carried.

Moved-Seconded (Opitz-Seward) to allow employees to donate leave to Rhonda Chavez . Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Seward-Opitz) To accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** The Auditor's Account with the County Treasurer as of August 31, 2002 showed the following: Total amount of deposits in banks-\$8,626,649.86; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$144,858.62; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$3,819.29; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$3,100,000.00; Bank Balance-\$2,231,497.11; GNAM's-\$131,212.68; and Money Market \$3,163,940.07.

2003 BUDGET: Moved-Seconded (Opitz-Weisenberg) to make the following changes to the 2003 provisional budget: Tax Levy in Dollars for General Fund - \$5,297,657 and Snow Removal - \$0; Levy for General Fund – 5.65; Snow Removal – 0; operating transfer from General Fund to Highway Building Fund for \$200,000. Motion Carried.

ADOPTION OF 2003 BUDGET: Moved-Seconded (Weisenberg-Douglas) to adopt the 2003 Annual Budget and approve the following resolution. Motion Carried. **RESOLUTION #02-35: ADOPTION OF ANNUAL BUDGET FOR LAWRENCE COUNTY, SOUTH DAKOTA -**

WHEREAS, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and, WHEREAS, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and WHEREAS, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto. NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATIONS AND EXPENDITURES FOR LAWRENCE COUNTY, SOUTH DAKOTA and all its institutions and agencies for calendar year beginning January 1, 2003 and ending December 31, 2003 and the same is hereby approved and adopted by the Board of County commissioners of Lawrence County, South Dakota, this 17th day of September, 2002 The annual budget so adopted is available for public inspection during normal business hours at the office of the County Auditor Lawrence County, South Dakota. The accompanying taxes are levied by Lawrence County for the year January 1, 2003 through December 31, 2003.

FUND	TAX LEVY IN DOLLARS	\$'s/thousand (levy)
GENERAL	5,297,657	5.65
SNOW REMOVAL	000,000	.00
HIGHWAY & BRIDGE	220,000	.23
COURTHOUSE & JAIL	300,000	.32
FIRE PROTECTION	44,637	.10
TOTALS	5,862,294	6.30

DATED at Deadwood, South Dakota, this 17th day of September 2002. LAWRENCE COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. **ATTEST:** Connie Atkinson, Auditor.

RESOLUTION #02-37 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Seward-Weisenberg) to approve and adopt the following Resolution #02-37 to Adopt a Supplemental Budget for GENERAL FUND – Airport supplies- \$14,950; Juvenile Detention - \$25,000. Motion Carried. **RESOLUTION #02-37 TO ADOPT A SUPPLEMENTAL BUDGET:** WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND – Airport supplies- \$14,950; Juvenile Detention -\$25,000. The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 17TH day of September, 2002 at the hour of 8:45 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN

WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 17th day of September, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

STATE OF DROUGHT RESOLUTION # 2002-38: Moved-Seconded (Douglas-Seward) to approve the following *STATE OF DROUGHT RESOLUTION # 2002-38*. Motion Carried. WHEREAS, Lawrence County, South Dakota, has endured drought conditions, ranging from mild to severe, over the past several years, and WHEREAS, Lawrence County would like to be included in the United States Department of Agriculture “Secretarial Natural Disaster Determination” because of the long term drought conditions being endured, and WHEREAS, statistically the current drought conditions are worse than the drought conditions experienced in 1936, 1961, the late 70’s and again in the 90’s in South Dakota, and statistically Lawrence County has been the most deficient of all South Dakota counties in moisture received this year (over 8 inches from normal), and WHEREAS, the major forest fire experienced in Lawrence County this summer along with the lack of water for dams, springs and wells is forcing livestock producers to liquidate their livestock, and WHEREAS, the long range meteorological forecast predicts no substantial increase in moisture for Lawrence County or western South Dakota, and BE IT THEREFORE RESOLVED, that the Lawrence County Board of Commissioners declare that Lawrence County is in a State of Drought and respectfully request that Governor Janklow to declare Lawrence County in a State of Drought. Dated this 17th day of September 2002. FOR THE BOARD: Barbara A. Mattson, CHAIR. ATTEST: Connie Atkinson, AUDITOR

NATIONAL FOREST COUNTIES & SCHOOLS: Moved-Seconded (Opitz-Mattson) to pay dues to the National Forest Counties and Schools for the year 2003. Motion Carried.

911 UPDATE: Tom Sandvick updated the Board on the E911 Project. Lawrence County is now Enhanced 911. Sandvick stated they are at 90% accuracy and they are working on a record by record issue to resolve the problems. Sandvick stated there is a problem with the routing switch when the information goes through the Sioux Falls switch instead of Rapid City. The Dispatchers are aware of the problem and are verifying the information from the caller. The signing is completed and they are now purchasing signs for the new areas. Sandvick stated people are slow putting the numbers on their homes and this will be addressed in a press release.

PURCHASE AGREEMENT AMENDMENT – HIGHWAY SHOP: Moved-Seconded (Opitz-Seward) to approve and authorize the Vice-Chairperson to sign the Agreement to Amend Purchase Agreement agreeing to extend the closing date of the Purchase Agreement and the Amended Purchase Agreement to March 31, 2003 for the Highway Shop (Slime Plant). Motion Carried. Aye-4, Abstain-Mattson.

UTILITY PERMIT: Moved-Seconded (Opitz-Weisenberg) to approve and authorize the Chair to sign the Application for Utility Permit for Butte Electric on Hwy No. 014A, approximately ½ mile west from intersection of Hwy 14 & Old Belle Rd for construction of power line begin section 32 T7N, R2E. Motion Carried.

HAWK FIRE TRUCK AGREEMENT: Paul Thomson discussed the Hawk Fire Truck Agreement with the Board. A Type I engine rate is \$105, County Tender \$65 and the State is suggesting \$65 for the Hawk. Thomson stated they only want to pay \$65 for the hawk because they do not have an established rate for this type of machinery and they do not have any maintenance costs for the Hawk. Thomson stated he would not recommend accepting the \$65 rate. Moved-Seconded (Weisenberg-Seward) to approve the Hawk Fire Truck Agreement, with the revised rate of \$105 an hour, and resubmit the agreement to the state with the revised rate. Motion Carried.

COMMUNITY ACTION PROGRAM: Ida Marie Snorteland discussed the Western Dakota Community Action Inc., program with the Board. Snorteland reviewed the services Lawrence County residents have received from the program and what the poverty guidelines were. The Board thanked Snorteland for her committed service to the community.

ANNUAL REVIEW – CUP #253 JERRY SAVAGE – N.H. CHURCH OF CHRIST: An annual review of Conditional Use Permit #253 for Jerry Savage – N.H. Church of Christ was conducted. Moved-Seconded (Seward-Weisenberg) Conditional Use Permit # 253 was found to be in compliance and will be reviewed on an as needed basis, if complaints should arise, or at the desire of the Board to review. Motion Carried.

ANNUAL REVIEW – CUP #275 CLAYTON & MARY OVERLAND – FIATBED AND HORSE TRAILER SALES ON CROOK MTN. RD. An annual review of Conditional Use Permit #275 for Clayton & Mary Overland was conducted. Moved-Seconded (Douglas-Opitz) Conditional Use Permit # 275 was found to be in compliance and will be reviewed on an as needed basis, if complaints should arise, or at the desire of the Board to review. Motion Carried.

U.S. FOREST SERVICE – PHASE II PROCESS: Jeff Ulrich, US Forest Service Phase II Amendment Team Leader was present to discuss the Phase II Process. Ulrich gave history on the Forest Plan and Phase II Amendment. Ulrich stated the first draft of the amendment should be available for public inspection in April 2003 and the final draft by December 2003. Ulrich explained it is a long process because every possible aspect of forest management must be addressed. Ulrich stated they have to document everything so that it can withstand appeals. Ulrich stated they are trying to find a “Balance of Risk” that is good for the species and good for the forest at the same time. The Board expressed concerns that only 50-70 million board feet are cut each year and the forest is growing at the rate of 180 million. Opitz stated this is not a problem but an opportunity for beneficial use. Mattson stated they are not hearing from the general public because they have made the process so complicated. Douglas stated the forest

service is hearing from action groups that have the money to put their thoughts forward. Seward stated it is frustrating for those of us that live here. Seward continued "When you make a policy, you can walk away, and we have to live with it. If you make a mistake, you don't have to live with it." Seward stated that a fire leaves a 100 year old scare, burns up the crop, you pay to fight the fire and then you pay to restore the areas. Old growth and fire danger were discussed. Opitz questioned if the species have the priority. Ulrich admitted that species generally win over reducing the risk of fire, insects and disease in the forest. The Board stated you can't protect the species if you have fire and everything is burned. Bill Coburn, Timber Committee, was present and expressed concerns on Forest Health. Jack Cole mentioned the Resource Advisory Committee and stated they need to take advantage of this opportunity. Douglas stated everything is committee'd to death and still our forests are not healthy. Seward stated sometimes committee's are used as delay tactics. Seward questioned if the suitable acres from Spearfish Canyon would be allowed to be spent elsewhere. Opitz questioned the amount of money being spent on litigation and appeals that could be spent on the actual forests.

MOUNTAIN STATES LEGAL FOUNDATION & FOREST SERVICE: Mary Flanderka, Hulett, WY, stated "We need to get the focus back on what we are trying to protect" Flanderka continued "The very things we are trying to save are being destroyed by fire." Flanderka stated attorney Perry Pendally of Mountain States Legal Foundation has suggested that local entities band together and file a class-action lawsuit against the Forest Service that would deal with issues to save the forest and to protect the habitat. Flanderka stated the expense to the County would be for expert witness fees estimated at \$15,000 to \$20,000. Flanderka stated she will be talking with Pennington, Meade and Custer County and Weston and Crook County in Wyoming. Flanderka stated the Mission would be not to make anything worse; make sure science is on our side, don't give up and stay focused. Flanderka stated "We keep hearing that their hands are tied. We want to take a look at the ropes that are tying the hands". Seward stated he felt the County needs to take a serious look at this and suggested that if three or more Counties commit Lawrence County needs to get involved. The Board asked that Flanderka send a brief paper to the Board and to schedule a future meeting with Pendally so he can explain what is achievable and what is not.

ANNUAL REVIEW – CUP #264 SIOUX FALLS TOWER & COMMUNICATIONS: Erik Birk stated the towers have not been built at this time however, Sioux Falls Tower & Communications would like to keep the CUP active. Moved-Seconded (Seward-Mattson) Conditional Use Permit # 264 shall remain on an annual review basis unless a new tower company submits a request to build a tower. Motion Carried.

BILLS: Moved-Seconded (Weisenberg-Opitz) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,165.43; Aud-\$4,617.47; Treas-\$7,144.69; Comp-\$4,473.83; States Atty-\$9,341.57; Pub Def-\$5,634.44; Govt Gen Bldg-\$4,291.61; Equal-\$8,768.41; Deeds-\$5,209.46; Vso-\$689.15; Disp-\$9,829.87; Sher-\$27,075.37; Jail-\$14,130.08; Emerg Mgnt-\$1,772.24; E911-\$1,230.24; Highway-\$25,411.02; Ext-\$1,078.00; Weed-\$4,520.00; Pz-\$2,387.45; **Bills:** Deneui,K-\$112.76; Duncan,D-\$10.58; Green,R-\$122.00; Harmon,J-\$275.00; Harvey,J-\$104.64; Kopel,L-\$222.60; McCormick,R-\$42.36; Mowell,R-\$7,996.50; Piekkola,D-\$122.00; Schumacher,D-\$122.00; Thomson,P-\$30.00; Weisenberg,T-\$89.28; Writer,J-\$122.00; A&B Business Equip-\$235.71; Abc Business Supply-\$76.63; Accurint Accounts Receivable-\$4.75; Alpine Impressions-\$82.00; Altaire Enterprises-\$60.00; Amcon Distributing-\$196.47; American Family Life-\$2,142.56; Amoco Oil-\$99.03; Armstrong Extinguish-\$90.00; At&T-\$52.41; Bh Federal Credit Union-\$6,768.43; Bh Fibercom-\$762.13; Bh Medical Ctr Pharmacy-\$60.59; Bh Pioneer-\$742.47; Bh Power&Light-\$368.95; Banigan,B-\$115.08; Behavior Mngt Systems-\$340.00; Belle Fourche Daily Post-\$53.04; Best Western Ramkota Inn-\$1,100.00; Black Hills Foot Clinic-\$64.40; Blue Cross-\$37,906.57; Bob Barker Company-\$135.96; Buckstop Express Mart-\$25.68; Bullock Hotel-\$53.50; Bureau Of Administration-\$28.00; Bus Systems-\$79.75; Butte Electric Coop-\$202.12; Cameron Communications-\$159.00; Campbell Supply Co-\$99.99; Cardinal Printing-\$26.00; Cellular One-\$29.99; Central Parts-\$514.15; Christensen Law Office-\$321.75; Clark Printing-\$156.00; Clinical Lab Of Bh-\$2,262.28; Conoco-\$374.25; Credit Collections Bureau-\$25.00; Culligan Soft Water Serv-\$92.25; Dakota Graphics-\$50.00; Dartek Computer Supplies-\$224.35; Deadwood 1 Hour Photo-\$64.00; Deadwood Recreation Center-\$92.00; Deadwood City-\$557.70; Deckers Food-\$13.38; Dept Of The Treasury-\$32,055.85; Eagle Aviation-\$889.88; Election Sys&Software-\$1,394.52; Esri-\$63.30; Executone Of The Bh-\$5,466.45; Family Thrift Center-\$4.59; Fish,V-\$32.10; Fuller,Tellinghuisen,Gordon-\$69.00; Gene's Lock Shop-\$15.00; Gibbens,K-\$76.47; Glenn C Barber&Assoc-\$23,169.69; Great Western Tire-\$54.05; Greens Alignment-\$246.04; Grimm's Pump Service-\$23.66; Hauge Associates-\$37.50; Heisler Hardware-\$36.45; Ibm Corp Sqh-\$334.40; Insight-\$4,453.95; Kadrmas, Lee And Jackson-\$7,648.59; Kar Products-\$267.15; Karpinen,S-\$525.00; Kinney&Koch-\$190.00; Klopfenstein Dr-\$42.12; Lc Auditor-\$4.40; Lc Conservation Dist-\$4,500.00; Lc Public Health-\$2,208.00; Lc Sheriff-\$41.44; Lead-Deadwood Sanitary-\$239.28; Lee,J-\$15.00; Lewis&Clark Bhs-\$125.00; Lexisnexis Matthew Bender-\$173.46; Looyenga Dr-\$350.00; M&S Doors-\$178.50; Mailworks Plus-\$37.26; Manlove Psychiatric Group-\$1,158.00; May,Johnson,Doyle&Becker-\$111.02; Mayer Radio-\$296.74; Montana Dakota Util-\$665.28; Nh Family Ymca-\$434.00; Neuerburg,A-\$350.00; Office Of Child Support-\$284.50; Office Technology/Supply-\$68.44; Ore Car Express-\$23.00; Outdoor Motor Sports-\$10.08; Pennington Co Auditor-\$97.00; Pennington County Sheriff-\$38.70; Performance Automatic&Serv-\$2,187.04; Pierce Manufacturing-\$315,000.00; Pitney Bowes-\$215.00; Queen City Rocket Lube-\$172.77; Quinlan Publishing-\$101.81; Qwest-\$1,187.63; Rc Finance Office-\$2,765.00; Radio Shack/Kazco-\$109.42; Reliable-\$114.76; Rescue Response Gear-\$2,475.50; Richards,R-\$172.46; Rombough,D-\$174.20; Ryken,R-\$81.00; Sd Retirement System-\$34,990.78; Sd State Treasurer-\$1,183.98; Sd Cooperative Exten Assoc-\$24.00; Sd Supplemental Retirement-\$662.50; Sanito Oil-\$1,119.92; Scheels All Sports-\$349.98; Servall Towel&Linen-\$192.68; Spearfish Auto Supply-\$101.53; Spearfish Extinguisher Service-\$173.00; Spearfish School District-\$20,000.00; Spearfish Surgery Center-\$25.00; State Disbursement Unit-\$60.00; Stretch's Glass&Mirror-\$1,564.89; Swanson,T-\$35.00; Teevens,M-\$131.99; Texaco-\$324.65; Thyssenkrupp Elevator-\$3,615.02; Tigerdirect-\$36.59; Tri-County Extradition-\$205.00; Triple K Tire&Repair-\$10.00; Uap Timberland-\$410.00; Us Identification Manual-\$82.50; Us Postal

Service-\$5,600.00; United Parcel Service-\$5.15; Verizon Wireless-\$771.90; Vermillion Comfort Inn-\$300.00; Warne Chemical-\$57.46; Waste Connections-\$687.48; West Group-\$166.00; Western Communication-\$119.00; Wyoming Child Support Coll-\$190.00; Xerox Corporation-\$120.00; Yankton Co Sheriff-\$16.50; Zandstra Const-\$16,973.76; **Witness & Juror Fees:** Bertch,D-\$58.70; Bohls,G-\$61.60; Cihak,K-\$60.44; Cline,R-\$69.14; Covell,S-\$54.06; Higbee,M-\$59.86; Kearney,G-\$61.60; Nauta,K-\$61.60; Papka,M-\$58.70; Schaefer,S-\$50.58; Schmidt,D-\$59.86; Shields,F-\$59.28; Steinmeyer,R-\$59.28; Umberger,M-\$59.86; Walton,K-\$63.92; Aberle,D-\$11.74; Andrews,B-\$12.32; Bartels,K-\$23.92; Bousa,P-\$116.24; Bradley,L-\$103.48; Cameron,K-\$112.76; Diers,C-\$123.20; Dorfschmidt,D-\$21.60; Etter,M-\$20.44; Garrett,B-\$18.70;Heisinger,L-\$18.70; Hopkins,L-\$11.74; Johnson,E-\$18.70; Jones,J-\$117.40; Kehres,J-\$10.58; Kiger,J-\$123.20; Larive,C-\$11.74; Larson,D-\$10.58; Mcbride,A-\$16.96; Merchant,T-\$18.70; Milos,A-\$11.74; Mitchell,J-\$15.80; Overland,C-\$16.96; Perry,H-\$117.40; Ramse,G-\$19.28; Romness,K-\$27.40; Ross,L-\$12.90; Schopen,J-\$11.74; Schryver,G-\$112.76; Sorensen,M-\$11.16; Stalder,S-\$103.48; Uttecht,D-\$24.50; Whitlock,L-\$19.86; Azevedo,B-\$21.60; Bueno,E-\$59.86; Burr,D-\$58.70; Burshek,J-\$11.74; Ceritelli,J-\$19.86; Dowdy,D-\$55.80; Engler,G-\$10.58; Fierro,P-\$17.54; Garton,J-\$51.74; Gest,S-\$58.12; Ginter,W-\$59.86; Hanson,R-\$60.44; Herrboldt,M-\$16.96; Hoffman,J-\$51.74; Jensen,T-\$19.86; Mcgriff,T-\$18.70; McLain,M-\$51.74; Miller,V-\$21.60; Morlock,A-\$12.32; Neuhauser,S-\$23.34; Novotny,T-\$21.60; Osloond,M-\$16.96; Oxford,D-\$51.74; Peck,J-\$51.74; Ponce De Leon,C-\$50.58; Ruediger,D-\$18.70; Schultz,J-\$18.70; Ulvestad,L-\$31.74

ADJOURN: 12:00 p.m. - There being no further business the meeting was adjourned.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – OCTOBER 8, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on October 8, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg, Connie H. Douglas and George Opitz present. James J. Seward was absent.

All motions were passed by unanimous vote, by those present at the meeting, unless stated otherwise.

MINUTES: Moved-Seconded (Douglas-Mattson) to approve the minutes of September 17, 2002. Motion Carried.

PERSONNEL: Moved-Seconded (Weisenberg-Opitz) to approve Tamera Ehnes as a permanent part-time County Employee Secretary at the base rate of \$8.92 an hour effective 10-1-2002, Ehnes will assist various county offices. Motion Carried.

SHERIFF: Moved-Seconded (Douglas-Opitz) to allow for the advertising of a full-time Correctional Officer to fill an open position. Motion Carried.

TRAVEL REQUESTS:

SHERIFF: Moved-Seconded (Douglas-Weisenberg) to approve the travel request for Dale Larson and Robert Williams to attend the Interpersonal Communications Skills for Correctional Officers training in Sioux Falls, SD on December 8-13, 2002. Motion Carried.

Moved-Seconded (Weisenberg-Mattson) to approve the travel request for Martin Goetsch to attend the Critical Incident Stress Management Team Training in Pierre, SD on October 10-11, 2002. Motion Carried.

Moved-Seconded (Weisenberg-Mattson) to approve the travel request for Kristy Wilson and Mark Ginsbach to attend the Emergency Medical Dispatch Training in Rapid City on October 15-17, 2002. Motion Carried.

EMERGENCY MANAGEMENT: Moved-Seconded (Opitz-Douglas) to approve the travel request for Paul Thomson and Ken Hawki to attend the Emergency Response to Terrorism Basic Concepts in Rapid City on October 23-24, 2002. Motion Carried.

Moved-Seconded (Douglas-Opitz) to approve the travel request for Paul Thomson to attend the 4th Annual Safety & Loss Control Training Conference in Pierre on November 13-14, 2002. Motion Carried.

HIGHWAY: Moved-Seconded (Douglas-Weisenberg) to approve the travel request for Chuck Williams to attend the meeting in Rapid City on October 22-24, 2002. Motion Carried.

VOLUNTEER FIRE DEPARTMENT MEMBERS: Moved-Seconded (Weisenberg-Mattson) to approve Ross Kraft as a Volunteer Fire Fighter for insurance purposes. Motion Carried.

FIRE ADVISORY TRANSFER OF FUNDS & CONTINGENCY TRANSFER: Moved-Seconded (Weisenberg-Mattson) To transfer \$390.49 from General Fund to Fire Advisory Fund and do a contingency transfer of \$390.49 from Commissioners Contingency Fund to Fire Advisory Machinery to cover the costs for match money on the Title III project. Motion Carried.

FIRE ADVISORY AUTOMATIC SUPPLEMENT: Moved-Seconded (Weisenberg-Mattson) to approve an automatic supplement of \$315,000 in the Fire Advisory Machinery Budget to cover grant fund expenditures for the Hawk Fire Truck Grant; and to approve an automatic supplement of \$33,766 in the Fire Advisory Grant Budget to cover grant fund expenditures for the Fire Proportioners Grant. Motion Carried.

Moved-Seconded (Opitz-Mattson) to approve an automatic supplement of \$4,869.07 to the Fire Advisory Grant Funds Budget for revenue received for the Fire Wise Grant. Motion Carried.

GRIZZLY GULCH FIRE AUTOMATIC SUPPLEMENT OF FUNDS:

Moved-Seconded (Douglas-Weisenberg) to approve the automatic supplement for FEMA Funds received for reimbursement from the Grizzly Gulch Fire and Mudslide as Follows: SHERIFF-\$24,652.78 (Travel-5,932.50, Supplies-399.48, Salary-18,320.80); JAIL-\$4,793.46 (Salary); DISPATCHERS-\$1,677.87 (Salary); EMERGENCY MANAGEMENT-\$1,914.12 (Travel-294.12, Supplies-1,620); 911-\$1,234.16 (Salary). Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Opitz-Mattson) To accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** The Auditor's Account with the County Treasurer as of September 30, 2002 showed the following: Total amount of deposits in banks-\$9,755,551.30; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$48,964.15; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$5,037.35; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$3,700,000.00; Bank Balance-\$2,698,938.05; GNAM's-\$130,764.91; and Money Market \$3,169,011.84.

RESOLUTION #02-39 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Douglas-Opitz) to approve and adopt the following Resolution #02-39 to Adopt a Supplemental Budget for FIRE ADVISORY FUND – Fire Advisory Grant Funds-\$6,000 (Match Funds). Motion Carried. RESOLUTION #02-39 TO ADOPT A SUPPLEMENTAL BUDGET:

WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: FIRE ADVISORY FUND – Fire Advisory Grant Funds - \$6,000. The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 8th day of October, 2002 at the hour of 8:45 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 8th day of October, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

SUPPLEMENTS: Moved-Seconded (Opitz-Douglas) to set a supplemental budget hearing for October 22, 2002 at 8:45 a.m. for Courthouse & Jail Administrative Bond Expenses of \$30,000. Motion Carried.

RESOLUTION #2002-40 TO LIFT THE TEMPORARY EMERGENCY REGULATION OF FIRE HAZARDS IN LAWRENCE COUNTY: Moved-Seconded (Douglas-Mattson) to approve the following Resolution #2002-40 to lift the temporary emergency regulation of fire hazards in Lawrence County. Motion Carried.

RESOLUTION #2002-40 TO LIFT THE TEMPORARY EMERGENCY REGULATION OF FIRE HAZARDS IN LAWRENCE COUNTY WHEREAS, the Lawrence County Commission is charged with protecting the health and safety of citizens of Lawrence County including all property situated therein; and WHEREAS, on June 27, 2002 the Lawrence County Commission instituted temporary controls to ban open burning, prohibit fireworks, and any other activity which could be reasonably calculated to lead to the ignition and/or spread of wildfires in Lawrence County; and WHEREAS, the State Fire Marshall lifted the State's open burning ban on September 27, 2002, and WHEREAS, after consultation with local fire and emergency personnel, it has been determined that the threat posed by wildfires has abated; NOW THEREFORE BE IT RESOLVED, that the Lawrence County Commission does hereby lift the temporary controls instituted by Resolution #2002-26. Dated this 8th day of October 2002. FOR THE BOARD: Barbara A. Mattson, CHAIR. ATTEST: Connie Atkinson, AUDITOR.

EMERGENCY MANAGEMENT STATE AND LOCAL AGREEMENT: Moved-Seconded (Weisenberg-Mattson) to approve and authorize the Chair to sign the Emergency Management State and Local Agreement between the State of South Dakota and Lawrence County. Motion Carried.

FEDERAL EQUITABLE SHARING AGREEMENT: Moved-Seconded (Weisenberg-Opitz) to approve and authorize the Chair to sign the Federal Equitable Sharing Agreement with the U.S. Department of Justice effective through September 30, 2005. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted for October 2002 fuel: (prices per gallon) **Cenex Oil Co.** - Highway Dept. - Regular Gasoline - \$1.265; No. 1 Diesel - \$1.115; No. 2 Diesel - \$1.06; and Sheriff Office - Unleaded Gasoline - \$1.265. **Sanito Oil Company** - Highway Dept. - Regular Gasoline - \$1.285; No.2 Diesel - \$1.001; Blend Diesel - \$1.031; and Sheriff Office - Unleaded Gasoline - \$1.285. **Moved-Seconded** (Douglas-Mattson) to accept the lowest fuel quote submitted from **Cenex Oil Company** for Regular Gasoline - \$1.265; No. 1 Diesel - \$1.115; Unleaded Gasoline - \$1.265 and Sanito Oil Company No.2 Diesel - \$1.001; Blend Diesel - \$1.031. Motion carried.

ABATEMENTS:

WEST RIVER TRANSIT: Moved-Seconded (Douglas-Opitz) to approve the abatement for West River Transit on parcel #32690-00300-010-50 for 2002 because the property was granted tax exempt status during Board of Equalization. Motion Carried.

GLEN NICHOLAS: Moved-Seconded (Opitz-Douglas) to approve the abatement for Glenn Nicholas on parcel #23000-00701-334-10 because the mobile home was double assessed. Motion Carried.

HANKINS PROPERTY: Roger Tellinghuisen, representing the Hankins Property, presented an application for abatement. Deb Tridle, Treasurer, Darlene Piekkola, Director of Equalization and Bruce Outka, Deputy States Attorney, were also present. Tellinghuisen explained the two parcels of property in question were in the mine formula. This property was leased to Brohm in 1988. Brohm was responsible for the taxes and all tax notices were sent to Brohm. Tellinghuisen stated Brohm stopped paying the taxes in 1997 and Hankins did not know this until they tried to pay the taxes in 2000. When Hankins tried to pay the taxes in 2000 they were not allowed to because of the back taxes and the County was unable to break out the amount they owed because the value was part of the mine formula. Tellinghuisen stated the County was only recently able to determine the amount of taxes owed, therefore, Hankins are requesting an abatement for only the back interest owed, not the taxes due. The taxes due are \$70,271.96 and interest owed is \$18,046.81.

Moved-Seconded (Douglas-Opitz) To approve the abatement on parcel #26620-01517-000-00 and #26800-01905-000-00, for the interest only of \$18,046.81, for the years 1997 through the first half of 2001 taxes payable in 2002, if the taxes of \$70,271.96 are paid in full by October 31, 2002; because Hankins were not notified of the taxes owed, due to the notice being sent to Brohm Mine. Motion Carried.

SEVEN DOWN ARENA – HAUNTED HOUSE: Moved-Seconded (Douglas-Mattson) to approve and authorize Seven Down Arena to hold a Halloween Haunted House for 2002. Motion Carried.

CONDITIONAL USE PERMIT #276 – JON & DIANE VANPATTEN – BED & BREAKFAST: Diane VanPatten presented construction pictures of the log Bed and Breakfast. VanPatten stated they are behind schedule in the construction of the building but they are planning on being open for business around December 1, 2002. Moved-Seconded (Douglas-Mattson) to approve an extension to CUP #276 to allow them time to complete construction and to hold the first annual review next year. Motion Carried.

COURTHOUSE & JAIL BONDS: Opitz thanked Commissioner Douglas and Weisenberg for their efforts in refinancing the Courthouse and Jail Bonds. Opitz stated because of their work the County saved \$320,027.82 and will be paid off two years earlier than the original bonds.

CHANGE OF ZONING #221 - JOSEPH G. HENRY: A public hearing was held on Change of Zoning #221 for Joseph Henry to allow for a commercial business complex - South of I-90 off of the Old Belle Road at Exit 8. Daryl Johnson stated he was presenting the request on behalf of Mr. Henry and his interest in the property was, if the Change of Zoning is approved, he would be purchasing the property in question. Johnson gave a review of the Change of Zoning #221 fact sheet. The legal description of the property is as follows: Tract B1-A, excluding Lot H1 (+/- 1.17 acres), of Tract B1, a subdivision of Tract B, a subdivision of SE1/4S E1/4 Section 32, T7N, R2E, B.H.M. Lawrence County, SD according to Plat Doc #78-707, approximately 5.189 acres.

A petition was presented to the Board by concerned landowners who would be adversely impacted by the rezoning.

John Niehaus, Spearfish Valley Sanitary District Board Trustee, suggested Johnson contact an engineer to make sure the lines have the capacity to handle this type of growth. Niehaus also stated Johnson would need to look into the tap fee and the expense of putting in a new line if the current lines are not sufficient to handle commercial use. Niehaus mentioned the well in the industrial park that the City of Spearfish took over and under the state permit it was for industrial use and they were not allowed to water with it. Niehaus stated however, they have been watering with it all summer and his well has dropped as far as the amount of free flow from it as is the case with others in the area. Niehaus stated this could be partly due to the draught.

Terry Chronister expressed concerns on the lighting. Chronister stated the property in question is at a lower elevation than his property and the interstate causing the lights and lighted signs to shine into their homes. Maxine Vodopich stated the exit was put in as a safety factor not to exploit her neighborhood that has been there for 30 years. Vodopich stated Spearfish has plenty of hotels, storage units and restaurants. Jeff Stock said he lives close to where the storage units are proposed. Stock stated he asked Johnson if he would put a shell around the storage unit area and he said he would not. Stock expressed concerns on the water, wells and sewer. Stock stated

he has contacted the state on the well and they said the well is for industrial use only. Nancy Robertson expressed concern on the increased tourist traffic this will bring. Robertson stated this road does not have shoulders or sidewalks and is concerned for the safety of the kids in the area. Robertson asked if the County or City would be improving the roads in the area to accommodate the increased traffic. Vodopich asked if a market study was done to see if there was a need for these commercial businesses. Douglas stated if the developer wants to build without a study, it is not the Boards responsibility to tell him not to. Linda Schaefer stated the property values will be affected if this Change of Zoning is approved. John Clowser stated he moved to the area because of the country setting and it was a good place for kids, now he is concerned for kid's safety and how the lighting will affect them. Clowser stated this kind of development should be in the City.

Mattson closed the public hearing. The Board discussed wells in the area and the aquifers. Johnson stated he has a letter saying he can hook up to the Spearfish Valley Sanitary District and he does know this will be at the expense of the development. Johnson referred to the Atlas of Water Resources in the Black Hills Area of South Dakota and the B.H. Hydrology Study. Johnson stated the Board has a meeting in the afternoon where they will be presented the completed study.

Birk stated Planning and Zoning recommended approval and so did Spearfish. Douglas stated she felt the Board should have a chance to look at the Atlas of Water Resources in the Black Hills Area of South Dakota and the B.H. Hydrology Study prior to making a decision.

Discussion followed on who will oversee the development. The Board stated the County would do the Change of Zoning and Spearfish would be responsible for everything after that. Concerned citizens asked if Johnson would own the businesses himself or if he would be selling them. Mattson stated the Board has to look at the property and location, not who owns it.

Moved-Seconded (Douglas-Weisenberg) to postpone the decision until the morning of the 7th of November to allow time for the Board to hear the presentation on the Atlas of Water Resources in the Black Hills Area of South Dakota and the B.H. Hydrology Study, and to allow more time for the Board to consider the issue. Motion Carried. Mattson stated the Board will take written comments but the Public Hearing has been closed.

BLACK HILLS HYDROLOGY STUDY: Van Lindquist, Dan Driscoll, Larry Putnam and Janet Carter were present to announce the completion of the Black Hills Hydrology Study. They presented the Board with the Atlas of Water Resources in the Black Hills Area of South Dakota and the B.H. Hydrology Study. They reviewed the various studies completed since 1990 and finished with the completed Atlas and Study. Commissioner George Opitz was honored with a Plaque for his vision and dedication to the Hydrology Study. A question and answer period completed the presentation.

BILLS: Moved-Seconded (Douglas-Weisenberg) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance,

Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$6,330.86; Aud-\$8,966.79; Treas-\$13,830.64; Comp-\$8,727.03; States Atty-\$18,666.60; Pub Def-\$11,085.04; Gen Govt Bldg-\$8,336.75; Equal-\$16,412.46; Deeds-\$10,245.00; Vso-\$1,378.30; Disp-\$15,475.15; Sher-\$50,199.85; Jail-\$28,571.41; Emerg Mgnt-\$3,499.98; E911-\$2,348.64; Highway-\$53,890.80; Ext-\$2,058.00; Weed-\$8,157.80; Pz-\$4,691.22; **Bills:** Bear Ridge Vol Fire Dept-\$3,291.32; Brownsville Fire Dept-\$3,500.00; Cellular One-\$246.16; Cheyenne Crossing Vol-\$2,648.95; Deadwood Vol Fire Dept-\$3,500.00; Domestic Crisis Outreach-\$1,117.50; Expanets-\$29.58; Ikon Office Solutions-\$332.79; Lead Fire Department-\$2,648.95; Mci-\$23.16; Nemo Volunteer Fire Dept-\$3,284.93; Savoy Vol Fire Dept-\$2,648.95; Spearfish Fire Dept-\$3,500.00; St Onge Fire Dept-\$2,843.95; Verizon Wireless-\$94.42; Victims Of Violence-\$1,117.50; Whitewood Vol Fire Dept-\$2,648.95; Asheim,R-\$21.74; Barrett,M-\$60.48; Burrer,L-\$20.58; Harmon,J-\$894.83; Heying,B-\$51.74; Locken,W-\$228.40; Mowell,R-\$7,839.00; Outka,B-\$137.60; Seward,J-\$618.48; Watts,J-\$7.00; A&B Business Equip-\$336.14; Abc Business Supply-\$1,034.26; Accurint Accounts Receivable-\$6.25; Alco Store-\$13.95; Altaire Enterprises-\$20.00; Amcon Distributing-\$450.62; American Family Life-\$2,142.56; Amoco Oil-\$156.32; Bh Chemical Company-\$978.15; Bh Collection Service-\$50.00; Bh Council Of Local Govt-\$3,250.00; Bh Federal Credit Union-\$12,958.28; Bh Fibercom-\$2,362.60; Bh Land Analysis-\$597.27; Bh Medical Ctr Pharmacy-\$623.84; Bh Pest Control-\$95.00; Bh Pioneer-\$741.04; Bh Power&Light-\$7,276.71; Barry's Electric Service-\$227.93; Best Business Prod-\$36.70; Best Western Ramkota Inn-\$107.80; Bickle's Truck&Diesel-\$29.58; Binder,T-\$282.00; Blue Cross-\$38,340.06; Brevik&Thurman-\$90.32; Brown&Saenger-\$337.56; Burrly's Lube-\$70.36; Butler Law Office-\$6,341.19; Butler Machinery Co-\$739.09; Butte County Sheriff-\$8.20; Butte Electric Coop-\$290.53; Csd-\$110.00; Carlson,D-\$24.00; Chemical Sanitizing Sys-\$86.46; City/County Alcohol&Drug-\$1,335.00; Clark Printing-\$319.39; Clinical Lab Of Bh-\$1,262.92; Coley,M-\$60.00; Conoco-\$371.18; Credit Collections Bureau-\$50.00; Culligan Soft Water Serv-\$64.50; Dale's Tire&Retread-\$3,812.56; Dartek Computer Supplies-\$229.13; Deadwood Recreation Center-\$92.00; Deadwood Supply-\$35.16; Deadwood,City-\$547.00; Deckers-\$16.72; Dept Of The Treasury-\$61,423.09; Dietrich,D-\$130.05; Duffy&Duffy Law Office-\$451.12; Election Sys&Software-\$23.19; Etsu Physicians &Associates-\$1,828.76; Experian-\$193.95; Family Thrift Center-\$4.38; Farmers Union Oil Co-\$3,818.51; Federal Express Corp-\$7.19; Fish,V-\$259.20; Forgey Construction-\$520.00; Frederickson,J-\$648.60; Fuller, Tellinghuisen,Gordon-\$138.00; Gene's Lock Shop-\$46.50; Global Computer Supply-\$208.51; Great Plains Chemical-\$360.00; Great Western Tire-\$1,107.99; Greens Alignment-\$142.00; Hauge Associates-\$75.00; Heisler Hardware-\$75.41; Hobart Sales&Service-\$345.05; Insight-\$587.49; Johnson Ford-\$210.39; Kar Products-\$100.03; Kimball-Midwest Co-\$99.77; Kinney&Koch-\$3,199.12; Knecht True Value-\$5.69; Lc Centennial-\$197.96; Lc Public Health-\$2,208.00; Lc Sheriff-\$398.71; Language Line Services-\$9.68; Lead Fire Department-\$15,765.00; Lead-Deadwood Sanitary-\$188.44; Lee,J-\$15.00; Lee,T-\$185.09; Lexisnexis Matthew Bender-\$116.88; Lucero,L-\$77.00; Lyle Signs-\$52.19; Maine Computer Group-\$50.00; Manlove Psychiatric Group-\$456.00; Mcarthur,J-\$35.00; Mcfarling,B-\$165.00; Mcleod's Office Supply-\$39.83; Montana-Dakota Util-\$825.85; Murphy,J-\$555.99; Nh Family Ymca-\$420.00; Njs Engineering-\$476.60; Neighbors,J-\$556.00; Nicholas,C-\$35.00; Office Max-\$28.82; Office Of Child Support-\$569.00; Pamida-\$82.78; Pennington Co Jail-\$706.24; Pennington County Sheriff-\$44.10; Pitney Bowes-\$1,060.59; Porter Law Office-\$1,269.20; Postmaster,Deadwood-\$34.00; Pronto Auto Supply-\$37.99; Queen City

Motors-\$441.19; Qwest-\$44.60; Rc Community Health-\$55.00; Rc Regional Hospital-\$622.86; Radio Shack/Kazco-\$48.96; Regan,D-\$165.00; Reindl,S-\$151.30; Reliable-\$407.72; Rombough,D-\$24.80; Sd Retirement System-\$32,728.07; Sd State Treasurer-\$6,572.35; Sd Supplemental Retirement-\$1,325.00; Sanito Oil-\$1,458.10; Scheels All Sports-\$249.99; Servall Towel&Linen-\$385.36; Severyn,T-\$136.00; Skogberg,C-\$147.10; Scull Construction Serv-\$325,170.00; Spearfish Auto Supply-\$233.07; Spearfish Surgery Center-\$50.00; Specialized Auto Service-\$166.00; Spencer Industries-\$746.01; Stacey,R-\$28.70; State Disbursement Unit-\$120.00; Summit Signs&Supply-\$220.00; Swanson,T-\$35.00; Teen Court-\$1,012.99; Texaco-\$16.82; Triple K Tire&Repair-\$30.50; Twin City Hardware&Lumber-\$251.21; Usm Telecommunication-\$109.00; Ua Election Supply Co-\$189.69; United Parcel Service-\$10.13; Viking Office Prod-\$107.55; Walmart Store -\$614.97; Walser,B-\$24.00; Waste Connections-\$213.18; Weese,S-\$1,016.28; Western Communication-\$326.10; Western Sd Juvenile Serv-\$2,367.75; Williams Standard Serv-\$236.65; Wyoming Child Support Coll-\$380.00; Xerox Corporation-\$264.00; Z&S Dust Control-\$11,682.53; Zep Manufacturing Co-\$82.53; **Witness & Jurors:** Bertch,D-\$58.70; Bohls,G-\$61.60; Cline,R-\$69.14; Cooper,D-\$61.60; Papka,M-\$58.70; Schaefer,S-\$50.58; Schmidt,D-\$59.86; Umberger,M-\$59.86; Walton,K-\$63.92; Wood,C-\$20.29; Lawver,S-\$20.87; Ewing,S-\$29.86; Barnes,A-\$21.74; Burr,K-\$20.00; Thorson,I-\$21.74; Eisenbraun,C-\$27.54; Feywine,A-\$28.70; Flanagan,R-\$28.70; Garness,C-\$28.70; Goeringer,C-\$92.20; Gomez,A-\$136.00; Gotfredson,K-\$37.40; Hansen,B-\$21.74; Hartle,S-\$76.54; Hartley,D-\$37.40; James,J-\$31.60; Johnson,J-\$47.54; Lea,R-\$37.40; Little,T-\$27.54; Mcconnell,S-\$21.74; Mcginnis,C-\$28.70; Miller,R-\$21.74; Palczweski,C-\$27.54; Palmer,D-\$27.54; Patino,P-\$31.60; Pearson,T-\$53.35; Rhodes,K-\$37.40; Roberts,B-\$28.70; Rosenfeld,A-\$20.00; Saivong,W-\$20.58; Sargent,L-\$31.60; Sargent,R-\$21.74; Thompson,J-\$23.48; Young,J-\$27.54; Allart,S-\$19.86; Bomberg,W-\$19.28; Brady,F-\$61.60; Carter,C-\$51.74; Collins,L-\$23.92; Conger,D-\$24.50; Crooks,K-\$18.70; Deibert,L-\$56.96; Delarosa,B-\$64.50; Dugger,S-\$52.90; Farwell,D-\$11.16; Feyereisen,A-\$10.58; Fisher,H-\$11.74; Galland,N-\$18.70; Jahner,J-\$18.70; Johnson,A-\$21.60; Kahler,S-\$21.60; Kemp,J-\$21.60; King,S-\$10.58; Kloeckl,J-\$58.70; Mathison,D-\$58.70; Mcnall,N-\$21.60; Miller,R-\$19.28; Murphy,A-\$21.60; Nelin,N-\$12.90; Neuhauser,C-\$23.34; Olson,B-\$70.88; Owens,G-\$54.64; Rinker,J-\$51.74; Terwee,D-\$63.34; Tusha,M-\$35.22

ADJOURN: 4:00 p.m. - There being no further business the meeting was adjourned.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – OCTOBER 22, 2002

Vice-Chairperson James Seward called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on October 22, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg, Connie H. Douglas and George Opitz present. Barbara Mattson arrived at 8:20 a.m.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Weisenberg-Douglas) to approve the minutes of October 8, 2002. Motion Carried.

TRAVEL REQUESTS:

VETERAN SERVICE OFFICE: Moved-Seconded (Opitz-Weisenberg) to approve the travel requests for Bill Locken to attend the Congressional Forum in Hot Springs on November 15, 2002; to attend the Fall Training in Rapid City, SD on November 6, 2002; and to attend the BH Tactical Planning Conference in Rapid City, SD on October 18, 2002. Motion Carried. Mattson absent.

EMERGENCY MANAGEMENT: Moved-Seconded (Weisenberg-Seward) to approve the travel request for Paul Thomson and Ken Hawki to attend the Emergency Response to Terrorism Operations in Rapid City on November 7-8, 2002. Motion Carried. Mattson absent.

COMMUNITY HEALTH SERVICES CONTRACT: Moved-Seconded (Weisenberg-Opitz) to approve and authorize the Vice-Chairman to sign the 2003 nurse's contract with the S.D. Department of Health for \$17,740 a year. Motion Carried. Mattson absent.

PERSONNEL: Moved-Seconded (Weisenberg-Mattson) to approve Tamera Ehnes as a permanent three quarter-time Secretary at the base rate of \$8.92 an hour effective 10-15-2002, Ehnes will be the Secretary for the Airport Board plus assisting various county offices. Motion Carried

SHERIFF: Moved-Seconded (Opitz-Weisenberg) to approve Robert L. Williams as a full time Correctional Officer I at the base rate of \$10.53 an hour, effective 10-18-2002, after the completion of 40 hours of training at \$6.74 an hour. Motion Carried.

Moved-Seconded (Weisenberg-Opitz) to approve Clifford Hanel as a part time Correctional Officer I at the base rate of \$10.53 an hour, effective 10-18-2002, after the completion of 40 hours of training at \$6.74 an hour. Motion Carried.

RESOLUTION #02-41 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Weisenberg-Mattson) to approve and adopt the following Resolution #02-41 to Adopt a Supplemental Budget for COURTHOUSE JAIL FUND – Administrative Expenses-\$30,000. Motion Carried. **RESOLUTION #02-41 TO ADOPT A SUPPLEMENTAL BUDGET:** WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: COURTHOUSE JAIL FUND – Administrative Expenses-\$30,000. The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 22nd day of October, 2002 at the hour of 8:45 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 22nd day of October, 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

EQUALIZATION VEHICLE: Darlene Piekola, Director of Equalization, discussed the need to purchase a different vehicle to replace one of the old Chevy Blazers. The Board directed Piekola to develop bid specs and they will set a bid letting for a different vehicle and then declare the blazer surplus and allow it to be traded in.

ABATEMENTS:

HEISINGER: Moved-Seconded (Douglas-Weisenberg) to approve an abatement for Eugene and Carina Heisinger on parcel 26280-00758-000-20 because the house was burned down in the Grizzly Gulch Fire on June 29, 2002. Motion Carried.

COX: Moved-Seconded (Opitz-Douglas) to approve an abatement for Thomas P. Cox on parcel #12000-00402-150-10 because the cabin burned down on April 10, 2002. Motion Carried.

UTILITY PERMITS: Moved-Seconded (Weisenberg-Seward) to approve and authorize the Chairperson to sign the Application for Occupancy on the Right of Way of County Highways made by Qwest Communications for a cable occupancy on the Rochford Road in Sec 12, T2N, R4E and Sec 7, T2N, R5E, in Lawrence County for telecommunications service. Motion Carried.

RESOLUTION 2002-42 COUNTY FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM: Moved-Seconded (Seward-Douglas) to approve and

authorize the Chairperson to sign Resolution #2002-42 County Federal Aid Bridge Replacement Or Rehabilitation Program for the Belle Oil Road Bridge. Motion Carried.

COUNTY FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM
RESOLUTION #2002-42: WHEREAS, the Lawrence County Board of County Commissioners desire the replacement of the bridge hereinafter described: Location and length: Str #41-080-037 located 1.5 Mi W & 4.2 Mi N of Spearfish over a creek, AND WHEREAS, Lawrence County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements, AND WHEREAS, Lawrence County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Special Bridge Replacement Funds. AND WHEREAS, the bridge is in need of replacement/rehabilitation for the following reasons: (1). The sufficiency rating is 25.2. (2). The bridge is located on a County or Township designated Minimum Maintenance Road. (3). The bridge is located on a school bus route, a mail route, a field to farm or market route. (4). The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge. NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the approved Secondary Road Plan Agreement and the State's "Standard Specifications for Roads and Bridges", the bridge replacement or rehabilitation project at the above described location. Consultant services are to be with Federal Participation. Preliminary Engineering Services by State Forces with Federal Participation are the Hydraulic Study and the Foundations Investigation (if necessary). Construction administration is to be handled by State forces with Federal Participation. Lawrence County will have \$70,000 available during calendar year 2003 to match available Special Bridge Replacement Funds. Vote of Commissioners: Yes: 5, No 0. Dated at Deadwood, SD, this 22nd day of October, 2002. Barbara Mattson, Chairperson. ATTEST: Connie Atkinson, County Auditor.

UTILITIES CERTIFICATE: Moved-Seconded (Weisenberg-Seward) to approve and authorize the Chairperson to sign the Utilities Certificate on Project Number BRO 8041 (1) PCEMS 6320. Motion Carried.

LETTING AUTHORIZATION: Moved-Seconded (Douglas-Mattson) to approve and authorize the Chairperson to sign the Letting Authorization for Project Number BRO 8041 (1) PCEMS 6320. Estimated total project cost: \$326,527.60 and the County share being 20%. Motion Carried.

RIGHT OF WAY CERTIFICATE: Moved-Seconded (Seward-Mattson) to approve and authorize the Chairperson to sign the Right of Way Certificate for Project Number BRO 8041. Motion Carried.

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION: Moved-Seconded (Seward-Mattson) to approve and authorize the Chairperson to sign the Agreement for Voluntary Right-of-Way Donation for Project Number BRO 8041 with Gloria Delzer for temporary easement on: 2.010 acres more or less in the SW1/4 of Sec. 21, T7N, R2E, BHM and with

Harvey Krautschun on: 0.128 acres more or less in the SE1/4 of Sec. 20 T7N, R2E, BHM.
Motion Carried.

FUEL QUOTES: Moved-Seconded (Weisenberg-Opitz) to accept the only fuel quote submitted for November 2002 fuel: (prices per gallon) **Sanito Oil Company** - Highway Dept. - Regular Gasoline - \$1.288; No.1 Diesel - \$1.124; No.2 Diesel - \$1.024; 50/50 Blend - \$1.074; and Sheriff Office - Unleaded Gasoline - \$1.288. Motion Carried.

SPEARFISH CANYON FIRE PROTECTION DISTRICT:

OFFICIAL CANVASS OF SPEARFISH CANYON FIRE PROTECTION DISTRICT:

Moved-Seconded (Douglas-Weisenberg) to approve the following Official Canvass of Spearfish Canyon Fire Protection District of October 21, 2002. Motion Carried. 49 For Incorporation of Spearfish Canyon Fire Protection District and 5 Against Incorporation of Spearfish Canyon Fire Protection District. STATE OF SOUTH DAKOTA / COUNTY OF LAWRENCE. WE, the undersigned being the duly appointed Board of Canvassers in Lawrence County, for the Spearfish Canyon Fire Protection District Election held in Lawrence County on the 21st day of October, 2002, hereby certify that the foregoing is a true and correct abstract of the votes cast in Lawrence County at said election, as shown by the returns certified to the County Auditor of said County. Subscribed and sworn to before me this 22nd day of October, 2002. LAWRENCE COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, Connie H. Douglas, James J. Seward, Terry Weisenberg, George Opitz, ATTEST: Connie Atkinson, Auditor.

ORDER FOR ORGANIZATION AND INCORPORATION SPEARFISH CANYON FIRE PROTECTION DISTRICT:

Moved-Seconded (Opitz-Mattson) to approve and sign the following Order for Organization and Incorporation Spearfish Canyon Fire Protection District. Motion Carried. WHEREAS, the official election returns indicated the desire of the majority of the qualified electors to organize the fire protection district, and WHEREAS, the County Commissioners are satisfied with the legality of said election, NOW, THEREFORE, BE IT ORDERED, that we, the County Commissioners for Lawrence County declare the Spearfish Canyon Fire Protection District, located in Lawrence County, to be organized and established to be a governmental subdivision of the State of South Dakota and a public body, politic and corporate effective for the 2003 tax year, payable in 2004. BE IT FURTHER ORDERED, that the boundaries for said District be designated as closely as follows: LAWRENCE COUNTY: : Sections 1-24, Township 3 North, Range 1 East; Sections 2-11 and 14-19, Township 3 North, Range 2 East; all of Township 4 North, Range 1 East (or Sections 1-36, T4N, R1E); Sections 4-9, 14-23 and 26-35, Township 4 North, Range 2 East; Sections 13-36, Township 5 North, Range 1 East; Sections 17-20, 30 and 31, Township 5 North, Range 2 East; BHM, Lawrence County South Dakota. BE IT FURTHER ORDERED, that any parcels lying partially within and partially outside of the boundaries shall not be split for taxation purposes and the whole parcel shall be taxed as if it lied within said boundaries. Dated this 22nd day of October, 2002. LAWRENCE COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, Connie H. Douglas, James J. Seward, Terry Weisenberg, George Opitz, ATTEST: Connie Atkinson, Auditor.

PETITION TO VACATE PORTION OF SECTION LINE: Moved-Seconded (Seward-Mattson) to set a public hearing for November 12, 2002 at 9:30 on a PETITION TO VACATE PORTION OF HIGHWAY, PART OF WHICH IS LOCATED ON A SECTION LINE. LEGAL DESCRIPTION FOR THE VACATION: Beginning at the corners of Sections 25, 30, 36 and 31, Township 6 North, Range 2 East, Black Hills Meridian, Lawrence County, South Dakota, proceeding south along the section line for one-half mile and terminating at the quarter line of Sections 36 and 31, Lawrence County, South Dakota. LANDOWNERS: CRAIG AND TERESA CARLSON, TOM AND MARY CRAWFORD, PATRICE WEBER, DALLAS AND CATHLEEN F. HINRICHS. Motion Carried.

PUBLIC HEALTH NURSE REPORT: Denise Rosenberger presented the Board with the August-September 2002 quarterly report, reviewing the Family Planning services, WIC, MCH (Maternal Child Health) services, meetings and office related matters.

PROJECT LEARNING TREE: Dianne Miller, Project Learning Tree Coordinator, presented an update on the project. Projects from April through October of 2002 were reviewed. Miller showed a breakdown of the Title III Grant Funds spent. Miller thanked the Board for the Grant Funds in 2002 and asked the Board to Consider Project Learning Tree for 2003 funds.

USGS JOINT FUNDING AGREEMENT: Moved-Seconded (Opitz-Seward) to approve and authorize the Chairperson to sign the US Department of Interior Joint Funding Agreement for Water Resources Investigations from October 1, 2002 to September 30, 2003 for the operation and maintenance of stream flow gauging stations at Crow Creek, Annie Creek and False Bottom Creek. Motion Carried. Wharf Resources will reimburse the County for the cost on Annie and False Bottom Creek.

STUDY OF BEDROCK AQUIFERS IN LAWRENCE COUNTY: Dan Driscoll and Larry Putnam, US Geological Survey, were present to discuss the progress made on the Study of Bedrock Aquifers in Lawrence County with emphasis on the Spearfish Area. Planned activities in the coming year and potential topics for continuation of study were discussed. The project is in its second year of a three year project. Driscoll asked if the Board would be interested in extending the study to a five year study instead of three years. Discussion followed on the possibility of doing dye testing in Spearfish Canyon to study the flow paths from Spearfish Creek loss-zone to wells, additional stream flow gauging and the additional collection and analysis of age dating tracers. The Board stated they would be interested in discussing the possibility of an additional two years if the City of Spearfish plans on continuing the study. Driscoll and Putnam will discuss the issue with the City of Spearfish and report back to the Board.

BILLS: Moved-Seconded (Weisenberg-Opitz) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel,

Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,165.43; Aud-\$4,607.47; Treas-\$7,160.51; Comp-\$4,473.83; States Atty-\$9,525.31; Pub Def-\$5,634.44; Gen Govt Bldg-\$4,507.85; Equal-\$8,684.55; Deeds-\$5,294.99; Vso-\$689.15; Disp-\$7,861.40; Sher-\$24,609.05; Jail-\$14,552.38; Emerg Mgnt-\$1,745.48; E911-\$1,230.24; Highway-\$27,314.17; Exten-\$1,078.00; Weed-\$3,246.10; Pz-\$2,387.45; **Bills:** Green,R-\$13.00; Kosel,J-\$317.52;; Ziegenbein,S-\$27.72; A&B Business Equip-\$720.00; A-1 Steam Brothers-\$300.00; Abc Business Supply-\$248.58; Air Systems Mechanical-\$5,295.57; Altaire Enterprises-\$40.00; Amoco Oil Co-\$105.33; Apco Institute-\$60.00; At&T-\$68.24; Bh Chemical Company-\$642.10; Bh Collection Service-\$50.00; Bh Federal Credit Union-\$6,629.14; Bh Land Analysis-\$823.28; Bh Medical Center-\$446.30; Bh Power&Light-\$5,039.74; Bh Travel Agency-\$356.50; Behavior Mngt Systems-\$297.50; Buckstop Express Mart-\$300.00; Bureau Of Administration-\$28.00; Burrly's Lube-\$215.04; Butte Electric Coop-\$270.64; Csd-\$110.00; Cameron Communications-\$20.95; Cardinal Printing-\$30.00; Carquest Of Spearfish-\$156.51; Cellular One-\$242.85; Chaput Funeral Home-\$1,170.00; City/County Alcohol &Drug-\$105.00; Claggett,D-\$381.40; Claims Associates-\$2,351.40; Clinical Lab Of Bh-\$1,061.52; Connelly,R-\$3,010.80; Credit Collections Bureau-\$25.00; Culligan Soft Water Serv-\$61.25; Dartek Computer Supplies Corp-\$222.30; Deadwood Supply-\$201.38; Deckers Food-\$11.98; Dept.Of The Treasury-\$31,097.22; Domestic Crisis Outreach-\$535.00; Eddie's Truck Sales/Serv-\$106.23; Expanets-\$29.35; Fisher Sand&Gravel-\$8,055.87; Gall's-\$30.95; Gaughen,R-\$300.00; Gene's Lock Shop-\$109.48; Global Computer Supply-\$112.62; Gold Dust-\$91.45; Great Western Tire-\$10.50; Hauge Associates-\$37.50; Ibm Corp Sqh-\$334.40; Insight-\$395.00; Johnson,D-\$28.70; Kadrmas, Lee And Jackson-\$4,906.20; Kar Products-\$284.80; Lc Auditor-\$25.00; Lc Centennial-\$192.11; Lc Sheriff-\$42.11; Language Line Services-\$49.75; Leiker,L-\$165.00; Lewis&Clark Bhs-\$125.00; Medicine Shoppe-\$162.75; Midnight Star-\$103.50; Mountain Shadows Estates-\$160.00; Nh General Hospital-\$397.40; Njs Engineering-\$1,138.20; Nelson,C-\$105.00; Novus-\$726.00; Office Of Child Support-\$284.50; Owens,G-\$70.48; Pennington Co Auditor-\$138.00; Pennington Co Jail-\$575.52; Pennington County Sheriff-\$52.50; Phillips Petroleum Co-\$70.05; Postmaster, Spearfish-\$200.00; Pro Rental Management-\$198.00; Public Safety Information-\$109.00; Queen City Rocket Lube-\$117.77; Qwest-\$1,097.21; Rc Finance Office-\$1,015.00; Radio Shack/Kazco-\$19.99; Regan Battery Maint Services-\$457.35; Reliable-\$42.11; Risk Services Of Sd-\$45.00; Sdi Bermuda Limited-\$80.00; Sd Law Review-\$56.60; Sd Supplemental Retirement-\$662.50; Salzsieder,M-\$3,435.00; Sand Creek Printing-\$17.35; Sanito Oil-\$3,605.30; Servall Towel&Linen-\$287.22; Silverado-\$832.32; Sinclair Oil Corporation-\$12.51; Spearfish Surgery Center-\$25.00; Standard&Poor's Ratings Serv-\$1,500.00; State Disbursement Unit-\$60.00; Texaco-\$380.63; Tigerdirect-\$1,163.51; Us Bank-\$2,000,000.00; United Parcel Service-\$10.34; Valley Auto-\$35.00; Verizon Wireless-\$928.26; Vermillion Comfort Inn-\$50.00; Victims Of Violence-\$535.00; Viking Office Prod-\$25.36; Vodopich,M-\$21.60; Ws Darley&Co-\$3,000.00; Waste Connections-\$130.56; Weber Enterprises-\$600.00; West River International-\$71.87; West Tire And Alignment-\$1,083.52; Western Fire&Safety-\$84.95; Western Sd Juvenile Serv-\$9,673.12; Williams&Associates-\$4,680.85; Wyoming Child Support Coll-\$190.00; Wyoming Dept Of Transportation-\$6.00; Z&S Dust Control-\$4,889.70; **Witness & Jurors:** Mcgruder,B-\$11.74; Sadler,L-\$103.48; Allard,S-\$56.96; Brockman,H-\$59.86; Cihak,K-\$60.44; Covell,S-\$54.06; Kearney,G-\$61.60; Kent,C-\$63.34; Nauta,K-\$61.60; Shields,F-\$59.28; Steinmeyer,R-\$59.28; Croteau,M-\$24.64; Davis,A-\$46.10; Jensen,T-\$28.70; Saivong,W-\$20.58; Bachand,D-\$15.80;

Bentley,B-\$18.70; Bertalot,S-\$27.40; Blume,S-\$21.60; Burshek,J-\$18.70; Capp,P-\$18.70; Claflin,E-\$18.70; Cooper,A-\$18.12; Cox,T-\$21.60; Deneire,S-\$10.58; Engelhaupt,C-\$18.70; Feist,A-\$10.58; Finn,B-\$18.70; Fischer,J-\$18.70; Fleury,D-\$123.20; Funk,R-\$18.70; Gengler,M-\$21.60; Gienger,L-\$20.44; Goodsell,K-\$117.40; Haataja,E-\$18.70; Harley,T-\$18.70; Hauck,R-\$19.86; Hunt,R-\$19.86; Jacobs,H-\$16.96; Kava,R-\$11.16; Keller,T-\$20.44; Lee,T-\$11.16; Mackay,M-\$11.74; Mader,L-\$24.50; Mccoy,C-\$11.74; Mendoza,V-\$110.44; Miller,L-\$18.70; Mitcheltree,D-\$102.32; Mohr,G-\$101.16; Morris,J-\$105.80; Muxlow,P-\$117.40; Nachatilo,M-\$117.40; Nichols,R-\$19.28; Osborn,L-\$26.82; Pautz,F-\$16.96; Petersen,L-\$117.40; Retzl,M-\$15.80; Rich,K-\$18.70; Rounce,J-\$117.40; Rounsevell,S-\$25.66; Sandidge,B-\$11.74; Schaefer,V-\$21.60; Showman,S-\$19.28; Specht,G-\$10.58; Stearns,L-\$18.70; Steger,L-\$11.74; Termes,B-\$18.70; Timm,D-\$10.58; Tracy,B-\$11.74; Traver,J-\$11.16; Umberger,D-\$123.20; Walker,J-\$21.60; Waterman,M-\$16.38; Weiers,L-\$120.88; Wilkinson,J-\$18.70; Williamson,W-\$18.70; Williamson,W-\$16.96; Wolff,E-\$20.44; Zubrod,L-\$15.80; Campbell,T-\$124.40; Canfield,N-\$21.74; Clark,B-\$28.70; Conn,R-\$20.58; Cracco,I-\$21.74; Forget,L-\$28.70; Geffre,B-\$21.74; Ginsbach,C-\$27.54; Halling,B-\$30.44; Henwood,D-\$60.88; Konst,T-\$22.90; Ladner,M-\$28.70; Lake,J-\$20.00; Lee,P-\$28.70; Lichens,R-\$20.00; Meldonado,T-\$20.00; Miner,K-\$46.10; Nickerson,E-\$21.74; Ortiz,V-\$21.74; Paris,J-\$30.15; Patino,D-\$49.00; Pinley,L-\$28.70; Pitt,S-\$20.58; Roth,L-\$28.70; Saivong,V-\$20.58; Salonek,S-\$20.58; Strangerhorse,C-\$28.70; Taylor,W-\$21.74; Tieman,D-\$21.74; Wallace,L-\$28.70; Westberg,J-\$86.10

ADJOURN: 1:30 p.m. - There being no further business it was Moved-Seconded (Douglas-Mattson) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – NOVEMBER 7, 2002

Chairperson Barbara Mattson called the meeting of the Lawrence County Commissioners to order at 9:00 a.m. on November 7, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Seward-Mattson) to approve the minutes of October 23, 2002. Motion Carried.

2002 GENERAL ELECTION: Moved-Seconded (Seward-Weisenberg) to canvass the 2002 General Election Results. Motion Carried.

TRAVEL REQUEST:

STATES ATTORNEY: Moved-Seconded (Opitz-Douglas) to approve travel for Bruce Outka to attend the hearing in Denver on the temporary restraining order pertaining to Forest Service Issues in Beaver Park. Motion Carried.

SHERIFF: Moved-Seconded (Opitz-Douglas) to approve the travel request for Brian Dean, Paul Hansen and Randall Rosenau to attend the LECC Training in Sioux Falls, SD on November 12-14, 2002. Motion Carried.

HAWK FIRE TRUCK AGREEMENT: Moved-Seconded (Opitz-Mattson) to approve and authorize the Chairperson to sign the Joint Powers Agreement with the S.D. Department of Agriculture for the Hawk Fire Truck at the rate of \$105 an hour, plus \$5.00 per hour for foam injection system. Motion Carried.

PERSONNEL:

STATES ATTORNEY: Moved-Seconded (Seward-Weisenberg) to approve a step raise for Shannon Crane to a Secretary Step II at the base rate of \$9.48 an hour, effective 9-1-2002. Motion Carried.

JAIL MEDICAL SERVICES CONTRACT: Moved-Seconded (Seward-Douglas) to approve and authorize the Chairperson to sign the contract for medical services for Lawrence County Jail with Northern Hills General Hospital for July 1, 2002 thru June 30, 2003. Motion Carried.

SUPPLEMENTAL BUDGET: Moved-Seconded (Douglas-Mattson) to set a supplemental budget hearing for November 26, 2002 at 8:45 am for the Courts – Court Appointed Attorney budget. Motion Carried.

CHANGE OF ZONING #221 - JOSEPH G. HENRY: The Board asked Birk to review concerns expressed on the Change of Zoning and asked Birk questions on Change of Zonings. Birk reviewed the concerns expressed at the public hearing and stated the Board is to take into consideration the area and then determine if the zoning is appropriate for the location. Birk stated currently under the ordinance the developer submits a plan for the area and if the Change of Zoning is approved they can not change the plan unless they request an amendment. Birk stated the Lawrence County Planning and Zoning recommended approval and the City of Spearfish has also reviewed and approves of the request.

Seward stated he did not know of an area that would be more appropriate for this type of development. Seward stated it would enhance the area and could possibly double the value of abutting property. The neighboring landowners expressed concerns and disagreements with Seward's statements and asked how this would affect their taxes. Darlene Piekola, Director of Equalization, explained the assessment process and stated the value of the property for taxation would only double if the surrounding residential properties would sell at a higher value.

Commissioner Douglas stated due to recent remarks in the media, she wanted to make it clear before voting on the Change of Zoning, that her business has not done any business with Daryl Johnson for 20 years.

Commissioner Opitz asked if a tree belt could be built on the west side of the property to help serve as a buffer zone and to improve the aesthetics of the surrounding homes. Daryl Johnson stated he would not be against the idea, depending on what the commission would request. Douglas stated the Board could request a letter from the developer stating they would include a tree barrier. Douglas stated this property is not currently zoned to the best use of the property. Seward stated this is a public road that is designed to handle the traffic and the area does have industrial use.

Opitz suggested one row of protective trees or shrubs on the west side of the property to help the residents in the area and asked that it become part of a motion. The Board stated it would not need to be part of the motion but could be sent as a recommendation to the City of Spearfish when landscaping is discussed.

Moved-Seconded (Seward-Weisenberg) To follow Planning and Zoning recommendation and approve the following Change of Zoning Number 221 from General Agricultural District to HSC Highway Service Commercial District. Aye-4, Nay-Opitz. Motion Carried.

COZ NO. 221 AN ORDINANCE AMENDING LAWRENCE COUNTY ZONING FROM A-1 - GENERAL AGRICULTURE DISTRICT TO HSC - HIGHWAY SERVICE COMMERCIAL DISTRICT ORDINANCE NUMBER ONE: Pursuant to a Petition of Joseph G. Henry for a Change of Zoning on a tract of land located in Lawrence County, South

Dakota and pursuant to notice thereof having been given by publication of such as required by law, and pursuant to notice having been given to adjacent landowners by certified mail as required by law, and pursuant to the favorable recommendation of the Lawrence County Planning Commission. BE IT ORDAINED: By Lawrence County, South Dakota, that the boundaries of A-1 — General Agriculture District as established by the Lawrence County Zoning Ordinance One, be amended so as to remove the following described real property, to-wit: Tract B1-A, excluding Lot H1 (±1.17 AC), of Tract B1 of Tract B of the SE1/4SE1/4 of Section 32, T7N, R2E, B.H.M. from the A-1 — General Agriculture District and include it in the HSC — Highway Service Commercial District. This amendment will become effective on the twentieth (20th) day following publication. Barbara Mattson, Lawrence County Commission Chairperson. ATTEST: Connie Atkinson, County Auditor.

GENERAL DISCUSSION: Mattson discussed the possibility of purchasing an original old metal desk that was in the Courthouse and making a display room on the top floor of the annex building. Mattson stated the Deadwood Historic Preservation may be interested in sharing the cost of this project. Mattson suggested displaying other items from the courthouse in this room. The Board stated Mattson could look into the idea further but the Board would not be interested in spending any money on the project.

ADJOURN: 10:10 a.m. - There being no further business it was Moved-Seconded (Opitz-Mattson) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – NOVEMBER 12, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on November 12, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg, Connie H. Douglas and George Opitz present. James J. Seward was absent.

All motions were passed by unanimous vote, by Board members present, unless stated otherwise.

MINUTES: Moved-Seconded (Opitz-Douglas) to approve the minutes of November 7, 2002. Motion Carried.

PERSONNEL:

HIGHWAY: Moved-Seconded (Opitz-Douglas) to approve the hiring of Paul Engel as a light equipment operator at the base rate of \$13.47 an hour, effective 11-12-2002. Motion Carried.

REGISTER OF DEEDS: Judy Meverden, Register of Deeds informed the Board that First Deputy Sharon Narem will be retiring December 31, 2002. Narem's last working day will be December 12, 2002. Meverden asked that the staff in her office receive promotions to fill the positions vacated as the promotions are granted.

Moved-Seconded (Opitz-Weisenberg) to approve Sheree Green as First Deputy, Mary Slane as Secretary Step 7 and Laurie Fisher Records Clerk IV Step 3, effective 1-1-2003. Motion Carried.

Moved-Seconded (Douglas-Opitz) to approve the advertising for a records clerk in the Register of Deeds office to fill the open position. Motion Carried.

STATES ATTORNEY: Moved-Seconded (Douglas-Weisenberg) to approve Shannon Crane as a Secretary step 3 at the base rate of \$9.71 an hour, effective 11-16-2002. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Opitz-Weisenberg) To accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** as of October 31, 2002 showed the following: Total amount of deposits in banks-\$13,340,769.91; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$1,103,582.21; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$12,066.57; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$3,700,000.00; Bank Balance-\$8,337,212.80; GNAM's-\$130,358.39; and Money Market \$1,173,198.72.

AIRPORT/SKY DIVING: Bob Golay and Ray Jilek were present to discuss sky diving at the Lawrence County Airport. Golay stated the Sky Diving Club offers a \$50,000 insurance limitation and has offered to sign waivers to use the County Airport for sky diving. Golay stated the Airport Board is turning the issue back to the County Board for a decision. The Board discussed the issue that this is a federally funded airport; however, the County does require a \$1million dollar policy. Douglas stated the County is not being un-justly discriminatory to have the \$1million policy for sky divers because it is required from others involved in County affairs.

Moved-Seconded (Douglas-Weisenberg) Sky Diving will not be allowed at the Lawrence County Airport unless the County is named as additionally insured on a minimum of \$1,000,000 comprehensive insurance liability policy because the current \$50,000 policy is not adequate coverage. Motion Carried.

STUDY OF BEDROCK AQUIFERS IN LAWRENCE COUNTY: Larry Putnam, US Geological Survey, was present to discuss the Study of Bedrock Aquifers in Lawrence County with emphasis on the Spearfish Area. Putnam referred to the October 22nd meeting and stated the City of Spearfish approved an additional two year study at the cost of \$25,000 per year. Putnam reviewed what the additional two years of study would mean in data collection and testing. Opitz asked if the County could receive a well and water resources catalog. Putnam stated they could provide this at no additional cost. Moved-Seconded (Weisenberg-Opitz) to approve an additional two years for the Bedrock Aquifers study at the cost of \$25,000 per year. Motion Carried.

RESOLUTION & ORDER TO VACATE PORTION OF HIGHWAY, PART OF WHICH IS LOCATED ON A SECTION LINE: A public hearing was held on a petition to vacate a portion of highway, part of which is located on a section line. Roger Tellinghuisen, Attorney for Tom Crawford, discussed the issue with the Board over the speaker phone. Tellinghuisen stated the property is located in the Eagle Ridge Subdivision and was overlooked by the City of Spearfish. The property in question is located in the three mile jurisdiction of Spearfish. Tellinghuisen stated Don Mueller had suggested vacating this portion of unimproved section line to eliminate any problems in the future.

Mattson asked for public input, none was available and the Public Hearing was closed.

Moved-Seconded (Weisenberg-Douglas) to approve and authorize the Chairperson to sign the following Resolution #02-44 resolution & order to vacate portion of highway, part of which is located on a section line. Motion Carried.

LAWRENCE COUNTY RESOLUTION #02-44 RESOLUTION & ORDER TO VACATE PORTION OF HIGHWAY, PART OF WHICH IS LOCATED ON A SECTION LINE:
WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by at least one percent of the ballots cast for the last gubernatorial election in Lawrence County, requesting that a portion of a section line be vacated, and
WHEREAS, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the B.H. Pioneer times, Lead, South Dakota and Lawrence County Centennial, once each week for two consecutive weeks prior to the date of hearing and
WHEREAS, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and
WHEREAS, said section line does not

constitute a portion of a South Dakota State Trunk Highway System nor the Lawrence County Highway System, now therefore, BE IT RESOLVED by the Lawrence County Board of Commissioners as follows: That the described portion of Section Line be vacated: Legal Description For The Vacating Of A Portion Of Section Line: Beginning at the corners of Sections 25, 30, 36 and 31, Township 6 North, Range 2 East, Black Hills Meridian, Lawrence County, South Dakota, proceeding south along the section line for one-half mile and terminating at the quarter line of Sections 36 and 31, Lawrence County, South Dakota. LANDOWNERS: CRAIG AND TERESA CARLSON; TOM AND MARY CRAWFORD; PATRICE WEBER; DALLAS AND CATHLEEN F. HINRICHS. Dated this 12th day of November, 2002. BARBARA MATTSON CHAIRPERSON. Lawrence County Commissioner
ATTEST: CONNIE ATKINSON Lawrence County Auditor

9:50 AM: Moved-Seconded (Douglas-Opitz) to go into executive session to discuss personnel matters with John Fitzgerald, States Attorney. Motion carried.

10:10 AM: The Board reopened for regular business.

ABATEMENT:

CHARLES FILLMORE: Moved-Seconded (Douglas-Weisenberg) To approve the abatement on M.S. 193 Yellow Jacket (Charles Fillmore) for the interest only of \$630.82, for the years 1997 through 2001 taxes payable in 2002 because Fillmore was not notified of the taxes owed, due to the notice being sent to Brohm Mine. Motion Carried.

SUPPLEMENTAL BUDGET: Moved-Seconded (Weisenberg-Opitz) to set a supplemental budget hearing for November 26, 2002 at 8:45 am for the Courthouse/Jail Bonds for \$2,000,000. Motion Carried.

Moved-Seconded (Weisenberg-Opitz) to set a supplemental budget hearing for November 26, 2002 at 8:45 am for the Airport Supplies for \$8,950. Motion Carried. This supplement will cover the cost of a snowplow / truck mounted that will be purchased from federal surplus and reimbursed by the State from the fuel sales fund.

Moved-Seconded (Douglas-Weisenberg) to set a supplemental budget hearing for November 26, 2002 at 8:45 am for the Register of Deeds Salary for \$2,250 to cover the additional expenses in the office due to an employee retiring. Motion Carried.

RESOLUTION #02-43 TO ESTABLISH CONSOLIDATED BOARD OF

EQUALIZATION: Moved-Seconded (Douglas-Weisenberg) to approve the following Resolution #02-43 to establish a Consolidated Board of Equalization. Motion Carried. **BE IT RESOLVED** the Lawrence County Commission, Deadwood, South Dakota that a consolidated Board of Equalization as authorized by SDCL 10-11-66 shall be established pursuant to the Resolution of the Governing Boards of Lawrence County, City of Lead, City of Deadwood, City of Central City, City of Spearfish, Lead/Deadwood School District and Spearfish School District. The consolidated Board of Equalization as created by this Resolution shall be authorized to exercise all powers contained in SDCL 10-11. **BE IT FURTHER RESOLVED**

that three members from the Lawrence County Commission and one member of the City Commission and one member of the School District shall constitute a consolidated Board of Equalization as provided by SDCL 10-11-66. **BE IT FURTHER RESOLVED** that the Lawrence County Commission, City of Lead, City of Deadwood, City of Central City, City of Spearfish, Lead/Deadwood School District and Spearfish School District shall be responsible for the per diem, salary and mileage costs of the respective members that serve on the consolidated Board of Equalization. Lawrence County Commission shall be responsible for the ordinary and customary expenses associated with the equalization of property including appeals to the State Board of Equalization. The financial responsibilities contained in this resolution shall remain unless the Lawrence County Commission, City of Lead, City of Deadwood, City of Central City, City of Spearfish, Lead/Deadwood School District or Spearfish School District shall request that they be modified prior to December 1st of each year. **THIS RESOLUTION** shall be binding upon Lawrence County Commission, Deadwood, South Dakota upon each governing body adopting this Resolution according to law. Dated this 12th day of November, 2002.

LAWRENCE COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, Connie H. Douglas, Terry Weisenberg, George Opitz, ATTEST: Connie Atkinson, Auditor.

BILLS: Moved-Seconded (Weisenberg-Douglas) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,165.43; Aud-\$4,913.10; Treas-\$7,717.63; Comp-\$4,694.48; States Atty-\$9,959.99; Pub Def-\$5,818.28; Govt Gen Bldg-\$4,854.43; Equal-\$9,073.62; Deeds-\$5,554.42; Vso-\$689.15; Disp-\$7,876.38; Sher-\$27,572.98; Jail-\$14,527.66; Emerg Mgnt-\$1,870.36; E911-\$1,342.08; Highway-\$30,072.18; Air-\$48.55; Exten-\$1,176.00; Weed-\$3,135.75; Pz-\$2,480.66;

Bills: Ginsbach,M-\$21.00; Harmon,J-\$718.75; Kosel,J-\$34.56; Locken,W-\$42.39; Mowell,R-\$7,722.00; A&B Business Equip-\$412.48; Abc Business Supply-\$264.02; Active Data Systems-\$235.00; Altaire Enterprises-\$40.00; Amcon Distributing-\$327.13; American Family Life-\$2,142.56; Amoco-\$245.99; Bh Chemical Company-\$1,073.80; Bh Collection Service-\$50.00; Bh Federal Credit Union-\$6,694.14; Bh Fibercom-\$2,372.37; Bh Medical Ctr Pharmacy-\$602.31; Bh Pediatrics & Neonatology-\$55.23; Bh Pioneer-\$1,083.34; Bh Power & Light-\$1,049.50; Best Business Prod-\$36.70; Bickle's Truck&Diesel-\$91.15; Binder,T-\$444.90; Black Hills Rc&D-\$100.00; Blue Cross-\$37,405.70; Bob Barker Company-\$148.99; Brevik&Thurman-\$90.32; Buckstop Express Mart-\$27.97; Burrly's Lube-\$40.14; Butler Law Office-\$1,678.10; Butler Machinery Co-\$1,532.64; Butte County Sheriff-\$10.30; Butte Electric Coop-\$1,379.78; Campbell Supply-\$10.79; Cardinal Printing-\$143.26; Carlson,D-\$15.00; Carquest Of Spearfish-\$73.76; Central Parts-\$1,865.51; Chinatown Caf -\$49.28; Christensen Law Office-\$1,555.25; City/County Alcohol &Drug-\$315.00; Coley, Mike Ccdcii-\$60.00; Community Health Services-\$60.00; Conoco-\$286.64; Contractors Insulation-\$129.00; Corral West-\$107.80; Credit Collections Bureau-\$25.00; Culligan Soft Water Serv-\$141.50; Dm Data Corp-\$6,021.45; Deadwood Recreation Center-\$92.00; Deadwood Supply-\$132.06; Deadwood City Of-\$504.45; Deckers Food-\$44.40; Dept Of Hlth Lab Services-\$35.00; Dept Of The Treasury-\$33,897.73; Dietrich,D-\$166.42; Eddie's Truck Sales/Serv-\$501.48; Ekeren,M-\$15.00; Elan Financial Services-\$326.79; Election Sys&Software-\$3,692.73; Equipment Service Prof-

\$574.08; Exit 14 Amoco-\$81.88; Family Thrift Center-\$248.53; Fish,V-\$62.10; Fisher Sand&Gravel-\$10,995.91; Fox,Youngberg &Lewno-\$129.88; Frederickson,J-\$622.13; Fuller,Tellinghuisen,Gordon-\$1,097.59; Gene's Lock Shop-\$174.96; Haivala Law Firm-\$197.97; Havemeier,L-\$56.70; Heisler Hardware-\$19.74; Hills Material Comp-\$54,309.69; Ibm Corp-\$14,523.80; Ikon Office Solutions-\$117.37; Insight-\$10,517.84; JI's Gifts-\$187.45; Johnson Ford-\$14,164.22; Johnson Machine-\$1,675.25; Kar Products-\$911.45; Karpinen,S-\$350.00; Kimball-Midwest Co-\$255.90; Kullbom,T-\$23.31; Lc Centennial-\$725.07; Lc Public Health-\$2,208.00; Lc Reg Of Deeds-\$21.30; Lc Sheriff-\$543.69; Lead-Deadwood Sanitary-\$183.48; Lee,J-\$15.00; Lewis,K-\$44.00; Lexisnexis Matthew Bender-\$117.12; Mci-\$13.61; Marshall&Swift-\$1,746.90; Mayer Radio-\$62.12; Mcarthur,J-\$70.00; Mcleod's Office Supply-\$937.80; Meade County Sheriff-\$124.50; Meister,B-\$50.00; Mikelson,G-\$191.60; Montana-Dakota Util-\$1,898.56; Morman Law Firm-\$2,575.16; Murphy,J-\$2,536.06; Nh Family Ymca-\$404.00; Nat'l Assoc Of Counties-\$406.00; Nebraska Salt&Grain Co-\$3,657.75; Neighbors,J-\$200.00; Nelson,T-\$910.00; Neve's Uniforms-\$83.36; Novus-\$100.00; Office Max-\$21.36; Office Of Child Support-\$284.50; Outdoor Motor Sports-\$80.32; Pennington County Sheriff-\$36.90; Pennington County Sts Attny-\$200.00; Perkins Co Ext Office-\$47.00; Pheasantland Industries-\$271.61; Postmaster,Deadwood-\$222.00; Queen City Motors-\$17.95; Queen City Rocket Lube-\$130.20; Qwest-\$42.24; Rc Community Health-\$37.20; Rc Regional Hospital-\$208.00; Radio Shack/Kazco-\$62.76; Rapid Delivery-\$24.00; Reindl,S-\$141.00; Rombough,D-\$395.16; Sd Retirement System-\$35,540.25; Sd State Treasurer-\$337.14; Sd Dept Of Transportation-\$117.27; Sd Supplemental Retirement-\$662.50; Sand Creek Printing-\$163.40; Sanito Oil-\$7,991.89; Schmit,A-\$140.00; Servall Towel&Linen-\$334.49; Sound Powered Communications-\$125.25; Spearfish Auto Supply-\$704.82; Spearfish Surgery Center-\$25.00; State Disbursement Unit-\$60.00; Swanson,T-\$70.00; T&W Appliance/Knothole-\$121.75; Teen Court-\$8,356.85; Texaco-\$34.50; Tigerdirect-\$117.02; Triple K Tire&Repair-\$57.50; Twin City Hardware&Lumber-\$526.17; U Bid Online Auction-\$197.97; Us Bank-\$1,293.75; United Parcel Service-\$4.02; Velvet Uniforms-\$230.02; Verizon Wireless-\$91.53; Viking Office Prod-\$2,109.88; Walmart-\$463.26; Waste Connections-\$343.74; West Group-\$1,164.75; Western Communication-\$294.10; Wyoming Child Support Coll-\$190.00; Xerox Corporation-\$120.00; Yankton Co Sheriff-\$33.00; Yankton Medical Clinic-\$548.55; Yankton Radiology-\$34.70; **Witness & Jurors:** Wilson,K-\$21.00; Allard,S-\$56.96; Alpert,R-\$59.86; Bertch,D-\$58.70; Cihak,K-\$60.44; Cline,R-\$69.14; Covell,S-\$54.06; Higbee,M-\$59.86; Kearney,G-\$61.60; Kent,C-\$63.34; Papka,M-\$58.70; Schaefer,S-\$50.58; Schmidt,D-\$59.86; Shields,F-\$59.28; Steinmeyer,R-\$59.28; Umberger,M-\$59.86; Walton,K-\$191.76

ADJOURN: 10:25 a.m. - There being no further business it was Moved-Seconded (Opitz-Mattson) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – NOVEMBER 26, 2002

Chairperson Barbara Mattson called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on November 26, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners James J. Seward, Terry Weisenberg, Connie H. Douglas and George Opitz present.

All motions were passed by unanimous vote unless stated otherwise.

MINUTES: Moved-Seconded (Weisenberg-Opitz) to approve the minutes of November 12, 2002. Motion Carried.

PERSONNEL:

EMERGENCY MANAGEMENT: Moved-Seconded (Weisenberg-Douglas) to approve the advertising of a part-time secretary in the Emergency Management Office. Motion Carried.

COMPUTER: Moved-Seconded (Seward-Douglas) to approve a raise for Randall McGruder at the new rate of \$17.92 an hour, effective 1-1-2003. Motion Carried.

SHERIFF: Moved-Seconded (Weisenberg-Opitz) to approve Jennifer Johnson as a temporary part-time scanner in the Sheriff's Office at the rate of \$10.30 an hour, effective 10-1-2002. Motion Carried.

TRAVEL REQUESTS:

EMERGENCY MANAGEMENT: Moved-Seconded (Seward-Mattson) to approve the travel request for Paul Thomson and Ken Hawki to attend training in Rapid City, SD on December 3-5, 2002. Motion Carried.

WEED: Moved-Seconded (Weisenberg-Seward) to approve the travel request for David Heck to attend the Restoration of Invasive Plant workshop in Salt Lake City, UT on December 8-12, 2002. Motion Carried.

COUNTY HEALTH INSURANCE: Moved-Seconded (Seward-Weisenberg) To change the County Health Insurance coverage to the following: WellMark - County share 60% and Employee share 40% of premium. To Change the deductible to \$500/\$1000; Maximum out of pocket - \$1750/\$3500; Office Co-Pay-\$15.00; Drug Co-Pay-\$15/\$25; Effective 1-1-2003. Motion Carried.

COUNTY CHRISTMAS LUNCHEON: Moved-Seconded (Weisenberg-Mattson) To close the Courthouse on December 10, 2002 from 11:30 a.m. to 1:00 p.m. for the County Christmas Lunch. Motion Carried.

PLANNING & ZONING BOARD APPOINTMENT: Moved-Seconded (Weisenberg-Seward) to appoint Jackie Fuller to the Planning and Zoning Board to fill Greg Owens term. Motion Carried.

HIPAA: Marlene Barrett, Commission Assistant, updated the Board on HIPAA. Barrett stated an extension was filed on behalf of the County and she has been in contact with Pennington County to contract with them to assure compliance.

HIGHWAY TRANSFER OF FUNDS: Moved-Seconded (Seward-Mattson) to approve the transfer of \$45,000 from Snow Removal Funds to the Road and Bridge Labor Salaries and transfer \$60,000 from Snow Removal Funds to the Highway Bridge Reserve Funds and account for expenses properly chargeable against the Snow Removal Funds. Motion Carried.

TRANSFER OF FUNDS: Moved-Seconded (Weisenberg-Opitz) to approve the transfer of \$500,000 from the General Fund to the Highway Building Fund. Motion Carried

SUPPLEMENTAL BUDGETS: Moved-Seconded (Seward-Douglas) to approve a supplemental budget hearing for December 10, 2002 at 8:30 a.m. for the Highway Building Budget for \$500,000 and the Coroner Professional Services budget for \$8,000. Motion Carried._

RESOLUTION #02-45 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Weisenberg-Douglas) to approve the following Resolution #02-45 to Adopt a supplemental budget. Motion Carried. WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND: Court Appointed Attorney - \$50,000.00; Register of Deeds – Salary - \$2,250; Airport – Supplies - 8,950. COURTHOUSE/JAIL: Courthouse/Jail – Bonds principal - \$2,000,000. The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 26th day of November, 2002 at the hour of 8:45 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 26th day of November, 2002. LAWRENCE COUNTY

COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

FUEL QUOTES: Moved-Seconded (Seward-Mattson) to accept the only fuel quote submitted by Sanito Oil Company for December 2002 fuel: (prices per gallon) Highway Dept. - Regular Gasoline - \$1.096; No. 1 Diesel - \$1.08; No. 2 Diesel - \$.96; 50/50 Blend - \$1.02; and Sheriff Office - Unleaded Gasoline - \$1.096. Motion carried.

US GEOLOGICAL JOINT FUNDING AGREEMENT: Moved-Seconded (Opitz-Weisenberg) to approve and authorize the Chair to sign the Joint Funding Agreement NO#SD03-02800 with the US Geological Survey. Motion Carried.

HAWK FIRE TRUCK: Moved-Seconded (Weisenberg-Mattson) to allow the Deadwood Fire Department to take the Hawk Fire Truck to the Light Parade in Rapid City. Motion Carried.

SPEARFISH SCHOOL DISTRICT: Dan Liekvold and Whitney Driscoll of the Spearfish School District were present to give an update on the Palm Handheld Computer Project. The program is going well and in the future they would like to have a handheld available for all students. They explained the different programs that are being used and thanked the Board for helping them to get the program started.

BEAVER PARK UPDATE: Pam Brown and Dewayne Thornburgh from the US Forest Service were present and updated the Board on the progress in Beaver Park. Brown stated they are awaiting a ruling on the constitutionality of the legislation that allowed the work in Beaver Park. Brown stated if the restraining order is lifted they will resume work immediately.

EXECUTIVE SESSION: 10:20 a.m. Moved-Seconded (Opitz-Mattson) to go into executive session to discuss personnel with Greg Dias. Motion Carried. 10:35 a.m. opened.

PATROL CARS BID DATE: Moved-Seconded (Seward-Weisenberg) to declare two 1999 Crown Victoria's Surplus (Vin# 2FAFP71W3XX16455 & 2FAFP71W5XX164556) and allow them to be traded in and to set the bid opening for replacement of the two patrol cars on December 30, 2002 at 9:30 a.m.. Motion Carried.

EXECUTIVE SESSION: 10:40 a.m. Moved-Seconded (Opitz-Douglas) to go into executive session to discuss personnel with Joe Harmon. Motion Carried. 10:45 a.m. opened.

SUPPLEMENTAL BUDGETS: Moved-Seconded (Opitz-Douglas) to approve a supplemental budget hearing for December 10, 2002 at 8:30 a.m. for the Public Defender's Budget \$12,160: Professional Services-\$10,000, Supplies-\$660.00 and In-State Travel-\$1,500. Motion Carried._

BILLS: Moved-Seconded (Weisenberg-Douglas) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

Payroll: Comm-\$3,165.43; Aud-\$4,751.35; Treas-\$7,165.65; Comp-\$4,560.18; States Atty-\$9,857.76; Pub Def-\$5,634.44; Govt Gen Bldg-\$4,309.83; Equal-\$8,416.97; Deeds-\$5,209.46; Vso-\$689.15; Disp-\$7,482.80; Sher-\$24,757.39; Jail-\$14,831.62; Emerg Mgnt-\$1,727.64; E911-\$1,230.24; Highway-\$28,401.33; Exten-\$1,078.00; Weed-\$1,680.00; Pz-\$2,396.98; **Bills:** Atkinson,C-\$202.32; Baumann,M-\$39.60; Fitzgerald,J-\$36.00; Nelson,M-\$21.60; Outka,B-\$202.50; Thomson,P-\$67.27; 3d Specialties-\$1,421.00; A&M Transport-\$527.50; Abc Business Supply-\$1,057.84; Active Data Systems-\$356.16; Altaire Enterprises-\$20.00; Amcon Distributing-\$319.13; Amoco Oil Co-\$40.71; At&T-\$81.77; Bh Collection Service-\$50.00; Bh Federal Credit Union-\$6,959.14; Bh Power&Light-\$5,221.28; Bh Travel Agency-\$702.50; Best Western Of Sioux Falls-\$150.00; Bob Barker Company-\$756.07; Buckwalter,P-\$100.00; Bureau Of Administration-\$28.00; Bus Systems-\$87.45; Butler Machinery Co-\$714.92; Butte County Sheriff-\$8.90; Csd-\$165.00; Cameron Communications-\$53.99; Cardinal Printing-\$130.14; Cellular One-\$212.52; Christensen Law Office-\$456.75; Clem,L-\$350.00; Cleveland Cotton Products-\$45.48; Clinical Lab Of Bh-\$2,109.14; Commercial Door&Special-\$430.00; Community Health Services-\$186.20; Computerland-\$323.00; Corral West-\$53.90; Credit Collections Bureau-\$25.00; Dakota Graphics-\$753.75; Daniels,P-\$35.00; Deadwood 1 Hour Photo-\$38.00; Deadwood Supply-\$97.33; Dept Of The Treasury-\$31,202.46; Domestic Crisis Outreach-\$240.00; Dorsey&Whitney-\$5,000.00; Eagle Aviation-\$1,591.70; Ecolab-\$84.00; Expanets-\$29.70; Extension Service-\$513.35; Family Thrift Center-\$39.67; Frontier Precision-\$654.66; Glenney,T-\$70.00; Governors Inn-\$50.00; Great Western Tire-\$18.50; Grimm's Pump Service-\$217.78; Heisler Hardware-\$18.15; Hills Material Comp-\$445.66; Honeywell-\$20,754.00; Huskii Enterprises-\$500.00; Hyde,C-\$85.00; Iaa-\$155.00; Ibm Corp-\$334.40; Jh Hilt Engineering-\$730.32; Job's Daughters Bethel 4-\$75.50; Kadrmas, Lee And Jackson-\$4,012.85; Kar Products-\$37.97; Lc Auditor-\$20.14; Lc Centennial-\$400.23; Lc Sheriff-\$138.49; Lewis&Clark Bhs-\$285.00; Lexisnexus Matthew Bender-\$3,397.15; Light&Siren-\$155.95; M&M Sweeping&Sanitation-\$225.00; Mayer Radio-\$36.80; Medicine Shoppe-\$37.00; Mid-Continent Testing-\$700.00; Minnehaha County Sheriff-\$7.50; Montana-Dakota Util-\$93.52; Morman Law Firm-\$2,575.16; Murphy, John R Atty-\$2,536.06; Nh Community Development-\$2,000.00; Nh Training Center-\$2,850.00; National Emergency-\$150.00; Neve's Uniforms-\$128.70; Nicholas,C-\$35.00; Office Of Child Support-\$284.50; Pedersen Excavation-\$525.00; Pennington Co Jail-\$1,310.73; Pennington County Sheriff-\$11.10; Pitney Bowes-\$170.10; Qwest-\$1,048.76; Rc Finance Office-\$1,120.00; Rc Regional Hospital-\$208.00; Rabe Elevator-\$515.61; Radio Shack/Kazco-\$92.95; Rescue Response Gear-\$5,399.20; Sd Dept Of Revenue-\$13.00; Sd Supplemental Retirement-\$662.50; Sanito Oil-\$4,320.90; Servall Towel&Linen-\$192.68; Shedd Jewelers-\$58.75; Scull Construction Serv-\$302,352.86; Spearfish Auto Supply-\$83.41; Spearfish Surgery Center-\$25.00; State Disbursement Unit-\$60.00;

Summit Signs&Supply-\$2,216.75; Superior Sanitation-\$200.00; Texaco-\$181.02; Tigerdirect-\$43.22; Us Bank Corp Trust Debt Manag-\$86,270.00; Usm Telecommunication-\$109.00; Us Postal Service-\$5,000.00; United Parcel Service-\$22.19; Univerty Psychiatry Assoc-\$275.00; Verizon Wireless-\$792.03; Victims Of Violence-\$240.00; Viking Office Prod-\$52.38; Walmart Store-\$285.63; Weese,S-\$425.68; Western Sd Juvenile Serv-\$5,197.50; Williams&Associates-\$840.00; Wyoming Child Support Coll-\$190.00; **Witness, Juror & Election Worker Fees:** Moe,F-\$75.00; Callahan,M-\$85.00;Cook,S-\$87.24; Hovland,A-\$105.00; Hunt,D-\$115.80; Mattern,N-\$85.00; Westphal,H-\$85.00; Waisanen,A-\$85.00; Vodopich,M-\$85.00; Silvernail,G-\$105.00; Schenk,D-\$85.00; Rotert,J-\$85.00; Quaschnick,E-\$105.00; Pawlowski,D-\$85.00; Nicholas,C-\$75.00; McCormick,R-\$115.80; Mcgrath,M-\$85.00; Mattson,D-\$85.00; Hallinger,R-\$85.00;Eddy,S-\$75.00; Hink,J-\$85.00; Kellogg,D-\$105.00; Keough,M-\$94.36; Dingeman,E-\$75.00; Burleson,A-\$75.00; Taylor,J-\$115.80; Trent,J-\$115.80; Ridley,R-\$115.80; Robidou,E-\$85.00; Robinson,P-\$75.00; Caserio,M-\$85.00; Boyer,J-\$85.00;Baker,H-\$75.00; Banigan,B-\$17.54; Aman,B-\$85.00; Rear,K-\$75.00; Harvey,J-\$12.32; Deneui,K-\$16.38; York,B-\$107.16; Zwingelberg,A-\$85.00; Davidson,J-\$60.00; Alpert,R-\$59.86; Bohls,G-\$61.60; Cline,R-\$69.14; Cooper,D-\$61.60; Papka,M-\$58.70; Schaefer,S-\$50.58; Schmidt,D-\$59.86; Umberger,M-\$59.86; Walton,K-\$63.92; Johnson,M-\$21.74; Johnson,T-\$57.40; Thompson,K-\$28.70; Nicholas,D-\$85.00; Fowler,D-\$78.00; Harlan,R-\$21.74; Mcguire,T-\$21.74; Ewing,S-\$28.70; Loken,M-\$85.00; Andrews,B-\$12.32; Bousa,P-\$58.12; Bradley,L-\$51.74; Cameron,K-\$16.38; Diers,C-\$61.60; Dorfschmidt,D-\$61.60; Etter,M-\$20.44; Garrett,B-\$18.70; Hopkins,L-\$51.74; Johnson,E-\$18.70; Kehres,J-\$50.58; Kiger,J-\$21.60; Larive,C-\$51.74; Larson,D-\$10.58; McBride,A-\$16.96; Milos,A-\$11.74; Overland,C-\$56.96; Perry,H-\$58.70; Ross,L-\$12.90; Schryver,G-\$16.38; Sorensen,M-\$51.16; Paris,J-\$30.15; Brien,J-\$20.87; Cartwright,D-\$49.00; Cartwright,M-\$49.00; Clark,D-\$30.44; Dempsey,K-\$28.70; Foster,S-\$28.70; Gage,D-\$21.74; Gage,J-\$21.74; Gleason,M-\$40.58; Huhn,D-\$28.70; Hunt,G-\$21.74; Lewis,J-\$28.70; Ludens,S-\$47.26; Mckenzie,T-\$20.58; Nona,K-\$28.70; Nusz,D-\$20.00; Peddycoart,T-\$194.00; Sano,E-\$21.74; Steilow,N-\$54.80; Taylor,S-\$28.70; Way,D-\$21.74; Weinicke,J-\$28.70; West,A-\$92.50; Willuweit,W-\$28.70; Wilson,D-\$28.70; Wilson,T-\$28.70; Gustafson,A-\$85.00; Sailer,T-\$85.00; Howe,M-\$85.00; Hughes,W-\$85.00; Hughes,L-\$85.00; Thorman,S-\$85.00; Robinson,W-\$75.00; Roberts,B-\$115.80; Millard,N-\$85.00; Horak,L-\$85.00; Weber,E-\$85.00; Cordes,B-\$27.40; Follette,J-\$58.70; Stadler,S-\$11.74; Williamson,P-\$167.40

ADJOURN: 11:10 a.m. - There being no further business it was Moved-Seconded (Opitz-Seward) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – DECEMBER 10, 2002

Vice-Chairperson James J. Seward called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on December 10, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg, Connie H. Douglas and George Opitz present. Barbara Mattson, absent.

All motions were passed by unanimous vote, by Commissioners present, unless stated otherwise.

MINUTES: Moved-Seconded (Weisenberg-Opitz) to approve the minutes of November 26, 2002. Motion Carried.

COURTHOUSE CLOSING: The Board announced County Offices will be closing at 12:00 noon on December 24th, for a Holiday. The County Offices will also be closed on December 25th for Christmas and on January 1st, for New Years.

PERSONNEL:

SHERIFF: Moved-Seconded (Douglas-Opitz) to approve the advertising for a full-time Dispatcher. Motion Carried.

Moved-Seconded (Weisenberg-Seward) to approve the advertising for a Sheriff Admin Assistant. Motion Carried.

Moved-Seconded (Douglas-Weisenberg) to allow employees to donate sick leave to Deb Duncan. Motion Carried.

REGISTER OF DEEDS: Moved-Seconded (Opitz-Weisenberg) to approve the hiring of Florence Feterl as a full time clerk III step 3, at the rate of \$8.67 an hour, effective 12-17-2002. Motion Carried.

HIGHWAY:

8:55 AM: Moved-Seconded (Opitz-Seward) to go into executive session to discuss personnel matters with Chuck Williams. Motion carried.

9:25 AM: The Board reopened for regular business.

Moved-Seconded (Douglas-Weisenberg) to approve John Bey as Foreman in the Highway Department, at the base rate of \$17.04 an hour, effective 1-1-2003. Motion Carried.

TRAVEL REQUESTS:

EMERGENCY MANAGEMENT: Moved-Seconded (Douglas-Opitz) to approve the travel request for Paul Thomson to attend the Department of Justice meeting in Pierre, SD on December 10, 2002. Motion Carried.

E911 AUTOMATIC SUPPLEMENT: Moved-Seconded (Opitz-Weisenberg) to approve an automatic supplement of \$29,473.58 in the E911 Budget to cover 911 projects reimbursed by the City of Spearfish. Motion Carried.

SUPPLEMENTAL BUDGET: Moved-Seconded (Douglas-Weisenberg) to set a supplemental budget hearing for December 30, 2002 at 8:45 a.m. for Dispatch Salary in the amount of \$5,000. Motion Carried.

SHERIFF 2003 BUDGET: Joe Harmon discussed his 2002 budget with the Board. Harmon stated he budgeted for items in 2002 that he would not be able to purchase until 2003 amounting to approximately \$32,000. Harmon stated he wanted the Board to be aware of the issue because he would probably be asking for a supplement in 2003 to cover these expenses. Harmon stated he would be leaving the 2002 budget unspent for these items consisting of two radio's and furniture for the remodeled dispatch center.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Opitz-Weisenberg) to accept the following report as read by the Auditor. Motion Carried. **Auditor's Account with the County Treasurer:** as of November 30, 2002 showed the following: Total amount of deposits in banks-\$9,348,534.13; Total amount of actual cash-\$1,250.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days check deposit in transit)-\$64,242.08; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$4,801.62; Petty Cash-\$1,585.00; (NOTE: petty cash includes: Sheriff-\$1,000; Reg.of Deeds-\$275; Auditor-\$100; Hwy & Planning & Zoning-\$50; Equalization-\$35.; Public Defender, Gen.Govt.Bldgs and Extension-\$25). Total amount of deposits in bank include: CD's-\$3,700,000.00; Bank Balance-\$4,358,327.76; GNAM's-\$115,702.65; and Money Market \$1,174,503.72.

RESOLUTION #02-46 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Douglas-Weisenberg) to approve the following Resolution #02-46 to adopt a supplemental budget. Motion Carried. WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND: Coroner – Professional Services - \$8,000.00; Public

Defender – Professional Services - \$10,000, Supplies - \$\$660, In-State Travel - \$1,500; HIGHWAY BUILDING FUND: Highway Building - \$500,000. The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 10th day of December, 2002 at the hour of 8:30 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 26th day of November, 2002. LAWRENCE COUNTY COMMISSIONERS: James J. Seward, Vice-Chairperson, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

PRAIRIE DOG RESOLUTION: Moved-Seconded (Opitz- Seward) to approve and authorize the Vice-Chair to sign the following Resolution 2002-47. Motion Carried. LAWRENCE COUNTY RESOLUTION # 2002-47: WHEREAS, the United States Forest Service (Forest Service) issued a Final Environmental Impact Statement and Land and Resource Management Plan (FEIS) in July, 2001, for the Nebraska National Forest and the associated National Grasslands in Nebraska and South Dakota; and WHEREAS, the National Grasslands associated with the Nebraska National Forest for administrative purposes include the Buffalo Gap National Grasslands and the Fort Pierre National Grasslands in South Dakota, and the Oglala National Grasslands in Nebraska; and WHEREAS, Fall River, Custer, Pennington, and Jackson Counties submitted substantial and substantive recommendations for the FEIS during the comment period allowed by the United States Forest Service; and WHEREAS, Rick Cables, Rocky Mountain Regional Forester, signed the Record of Decision for the Nebraska National Forest Final Environmental Impact Statement and Land and Resource Management Plan (ROD) on July 31, 2002; and WHEREAS, the ROD failed to adopt and address the vast majority of the substantive recommendations by Fall River, Custer, Pennington, and Jackson Counties; and WHEREAS, Fall River, Custer, Pennington, and Jackson Counties in South Dakota, Dawes and Sioux Counties in Nebraska, the Black Hills Multiple Use Coalition, the South Dakota Stock growers Association, the Cottonwood, Pioneer, Sugarloaf, Central South Dakota, White River, Eastern Pennington, and Indian Creek Grazing Districts, and numerous individuals and businesses holding permits for use of the Nebraska National Forest and associated Grasslands, have formed the Nebraska National Forest Plans Revision Appeal Coalition (Coalition); and WHEREAS, the purpose of the Nebraska National Forest Plans Revision Appeal Coalition is to seek the administrative review of the ROD by the United States Department of Agriculture; and WHEREAS, the Coalition believes the Forest Service has not adequately addressed the potential adverse environmental and economic impacts the land and people of the region will sustain; and WHEREAS, the Coalition believes the ROD will enhance the risk of wildfire, as the ROD calls for increased fuel loads and limitations on access for fire suppression on thousands of acres of the Grasslands; and WHEREAS, the ROD makes no definitive provisions for any control of the prairie dog population and colonization of adjacent private property; and WHEREAS, the ROD designates thousands of acres for the purpose of creating large, concentrated prairie dog complexes, containing thousands of prairie dogs; and WHEREAS, large concentrated prairie dog complexes have facilitated sylvatic and bubonic plague epidemics, decimating prairie dog populations in those areas. (Source: Plague in Black-tailed Prairie Dogs: Implications for

Management at Thunder Basin National Grasslands, Jack F. Cully, Jr., United States Geological Survey, Kansas Cooperative Fish and Wildlife Research Unit, Division of Biology, Kansas State University, Manhattan, Kansas); and WHEREAS, from 1960 through 2001, thirty-three human cases of plague in the United States were positively linked with prairie dogs or their fleas, and four of those were fatal. (Source: United States Centers for Disease Control and Prevention); and WHEREAS, the Coalition believes that large, concentrated prairie dog populations are a threat to the health of the region's prairie dog, wildlife and domestic animal populations and potentially to the health of the area's human population. NOW THEREFORE BE IT RESOLVED, that the Lawrence County Commission supports the Counties of Fall River, Custer, Pennington and Jackson, and the Coalition's administrative appeal; and BE IT FURTHER RESOLVED, that the Lawrence County Commission respectfully requests Governor-elect Mike Rounds, Senator Tom Daschle, Senator Tim Johnson and Congressman William Janklow to request that the Under-Secretary of the United States Department of Agriculture conduct a full administrative review of the ROD, and that the Coalition be given the opportunity to make a verbal presentation of the appeal issues to the Under-Secretary. MOVED, PASSED, AND ADOPTED this 10th day of December, 2002. FOR THE BOARD: James J. Seward, VICE-CHAIRMAN. ATTEST: Connie Atkinson, AUDITOR.

2003 LIQUOR LICENSE RENEWALS: Moved-Seconded (Douglas-Weisenberg) to renew the following liquor licenses for 2003: Package Liquor - Off Sale License: Kim J. Rhodes, Branding Iron Bar & Rest.; Tim & Janet Asheim (St.Onge Store); Retail Or Retail And Sunday On-Sale License Kim J. Rhodes, Branding Iron Bar & Rest.; Lead Country Club, Inc.; Jose Vega, Guadalajara Mexican Restaurant; Spearfish Canyon Resorts Llc.; Dakota Resorts Management Group Inc., Deer Mountain Ski Area; Black Hills Chairlift Co.Inc.; Queen City Vfw Post #5860; Tomahawk Lake Country Club; Boulder Canyon Country Club; Retail On-Sale Wine - Spearfish Canyon Resorts Llc, (Latchstring Village); Seven Down Llc.

UTILITY PERMIT: Moved-Seconded (Opitz-Weisenberg) to approve and authorize the Vice-Chair to sign the Application for Permit to Occupy County Highway Right-Of-Way for Black Hills Power & Light approximately 1 mile west on the Bench Mark Road. Motion Carried.

ABATEMENTS:

WEST RIVER FOUNDATION: Moved-Seconded (Weisenberg-Douglas) to approve the abatement for West River Foundation on parcel #32210-13030-020-02 because the property was purchased on 5-16-2001 and should have received tax exempt status. Motion Carried.

ECKHART, DARWIN: Moved-Seconded (Opitz-Douglas) to approve the abatement for Darwin Eckhart on parcel #26580-01370-000-90 because the house was destroyed by fire on October 12, 2002. Motion Carried.

HECKERT, TODD: Moved-Seconded (Douglas-Opitz) to approve the abatement for Todd Heckert on a 1973 Guerdon Ajtra Mobile Home because the mobile home was moved to Butte County in July 2001. Motion Carried.

EQUALIZATION / PLANNING AND ZONING ISSUES: Darlene Piekkola, Director of Equalization, asked the Board if they would consider requiring Blue Prints for building permits in the County. Piekkola stated the buildings being built are of irregular design and makes it difficult to measure for assessment purposes. The Board asked Piekkola to remind them when they begin the public hearing and writing of ordinances stage.

CHANGE OF ZONING #224 – DENNIS & BRENDA SABO: Jim Seward opened the public hearing for the Change of Zoning #224 – Dennis and Brenda Sabo from Park Forest to Highway Service Commercial. Sabo's were not present and members in the audience spoke in opposition of the Change of Zoning. Seward closed the public hearing and asked for discussion from the Board. Sabo's called and requested to withdraw the request for Change of Zoning. Moved-Seconded (Douglas-Weisenberg) to accept the request from Sabo's and allow them to withdraw their request for Change of Zoning #224. Motion Carried.

FISHER SAND & GRAVEL CONDITIONAL USE PERMIT #211: Ray Leahy presented the annual review of CUP #211. The McGuigan Pit review showed Employment Utilized 14 people. Acres Disturbed: 7.25 acres. Tonnage Extracted: 197,733 tons. Sales Tonnage: 125,945 tons. The plans for next year will depend upon State, County and Private projects. It is anticipated that production and sales will be close to the same as last year. Leahy stated no complaints were received for the year. Moved-Seconded (Douglas-Seward) to accept the annual review as presented. Motion Carried.

FISHER SAND & GRAVEL CONDITIONAL USE PERMIT #136: The Board discussed Conditional Use Permit #136 on the Dwayne Tweidt Sturgis Quarry. Birk stated Fisher Sand & Gravel transferred the CUP #136 to Dwayne Tweidt with the contingency that a permit was applied for and a Bond was secured. Birk stated at this time this has not been accomplished. Birk stated a condition of the CUP is if activity ceases for one year the CUP is revoked. The Board directed Birk to notify the state that the CUP has been revoked.

TIMBER COMMITTEE / FOREST SERVICE ISSUES / ELK BUGS: Dean Rasmussen and Brad Gordon from the Timber Committee were present to discuss the Elk Bugs and Fuel Project Environmental Impact Statement. They discussed cooperative status, road closures and construction, areas of high hazard for pine beetle and fire, untreated stands from the Grizzly Gulch Fire, access and cable logging. Gordon and Rasmussen stated the Timber Committee felt it was appropriate and necessary to recommend the Board send a letter to the Forest Service and Mr. Twiss requesting cooperative status with regard to the development of the EIS for the Forest Service Elk Bugs and Fuel Project. Moved-Seconded (Douglas-Weisenberg) to approve and allow Seward to send a letter to John Twiss requesting that the Forest Service grant the Commission cooperative status with regard to the development of the Environmental Impact Statement (EIS) for the Forest Service Elk Bugs and Fuel Project on the Northern Hills District of the Black Hills National Forest. Motion Carried.

TITLE III FUNDS: The Board reviewed requests for Title III Funds. Requests were received from Search and Rescue, Project Learning Tree, and the Fire Advisory Board. Search and Rescue requested funding for two rescue snowmobiles and snowmobile accessories. Fire Advisory submitted two proposals and Douglas stated the Fire Advisory Board needs to recommend one proposal and show how they plan to cover the matching funds needed. The Board stated they will need more documentation on the percent on National Forest Service Lands. The Board stated they will continue with the practice of using the last two years average in determining the amount of funds to be allocated from Title III Funds.

BILLS: Moved-Seconded (Weisenberg-Opitz) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried.

PAYROLL: Comm-\$3,165.43; Aud-\$4,349.31; Treas-\$6,647.07; Comp-\$4,254.79; States Atty-\$9,306.21; Pub Def-\$5,450.60; Gen Govt Bldg-\$3,962.81; Equal-\$7,793.05; Deeds-\$4,950.03; VSO-\$689.15; Disp-\$9,327.62; Sher-\$27,074.82; Jail-\$15,945.48; Emerg Mgnt-\$2,039.84; E911-\$1,118.40; Highway-\$29,739.27; Exten-\$980.00; Weed-\$1,250.00; PZ-\$2,313.30; **BILLS:** Duncan,D-\$10.58; Harmon,J-\$306.25; Mowell,R-\$6,502.50; Seward,J-\$275.00; Weisenberg,T-\$172.08; A&B Business-\$300.00; A&B Welding Supply-\$134.64; A&J Supply-\$100.81; Abc Business-\$250.70; Ace Hardware-\$21.92; Active Data Systems-\$6,206.64; Alex Air Apparatus-\$2,999.00; Altaire Enterprises-\$20.00; American Family Life-\$2,134.22; Amoco Oil Co-\$367.39; Avera Sacred Heart Hospital-\$434.76; Bh Chemical Company-\$436.30; Bh Collection Service-\$50.00; Bh Federal Credit Union-\$6,959.14; Bh Fibercom-\$2,469.19; Bh Land Analysis-\$484.00; Bh Medical Ctr Pharmacy-\$1,023.89; Bh Pioneer-\$420.37; Bh Power&Light-\$1,451.05; Bh Travel Agency-\$1,718.00; Binder,T-\$331.50; Blue Cross-\$36,727.34; Butler Law Office-\$1,780.00; Butler Machinery Co-\$146.36; Butte Electric Coop-\$415.33; Cameron Communications-\$18.99; Central Parts-\$376.09; Chemsearch-\$653.25; Chinatown Café-\$114.95; City/County Alcohol & Drug-\$1,925.00; Claims Associates-\$3,000.00; Clarke,N-\$358.00; Conoco-\$286.29; Credit Collections Bureau-\$25.00; Culligan Soft Water Serv-\$121.50; Deadwood Lumber Company-\$70.34; Deadwood Recreation Center-\$92.00; Deadwood,City-\$493.55; Deckers Food-\$26.85; Dept Of The Treasury-\$32,282.65; Dynamic Imaging System-\$3,184.50; Eddie's Truck Sales/Serv-\$482.72; Elan Financial Services-\$577.77; Esri-\$4,456.26; Federal Express-\$27.60; Fox,Dr-\$180.20; Franklin Hotel Dining-\$114.20; Frankman,R-\$393.80; Frederickson,J-\$2,289.72; Fuller,Tellinghuisen,Gordon-\$172.50; Godfrey's Brake Serv-\$206.45; Golay,B-\$429.60; Gold Dust-\$145.83; Golden Hills Resort-\$319.19; Greens Alignment-\$39.50; Havemeier,L-\$62.40; Heisler Hardware-\$43.00; Hills Material Comp-\$534.79; Holiday Inn Express Fort Pierr-\$35.00; Hunt,D-\$18.70; Ibm Corp-\$149.40; Ikon Office Solutions-\$87.50; Insight-\$280.00; Johnson Ford-\$119.60; Kmart-\$79.92; Kadrmas, Lee And Jackson-\$3,047.55; Kar Products-\$442.90; Karpinen,S-\$222.32; Kelly Inn-\$54.00; Kimball-Midwest Co-\$151.32; Kinney&Koch-\$210.47; Knecht True Value-\$397.70; Lc Centennial-\$38.40; Lc Public Health-\$2,208.00; Lc Sheriff-\$16.04; Lawson Products-\$74.95; Lead-Deadwood Sanitary-\$179.12; Lee,J-\$15.00; Lexisnexis Matthew Bender-\$852.60; Mayer

Radio-\$15.98; Minitman-\$20.50; Montana-Dakota Util-\$2,358.58; Morman Law Firm-\$131.67; Mutchler,T-\$173.75; Nh Family Ymca-\$404.00; Nh General Hospital-\$141.65; Nasppg-\$2,435.40; National Academy Of Emd-\$90.00; Nebraska Salt&Grain-\$2,523.65; Nelson,T-\$490.00; Neve's Uniforms-\$98.50; Office Of Child Support-\$284.50; Office Technology/Supply-\$247.75; Olsen,J-\$14.00; Queen City Rocket Lube-\$127.61; Rc Journal-\$180.00; Rabe Elevator-\$167.67; Radio Shack/Kazco-\$48.88; Rapid Delivery-\$6.00; Reliable-\$121.24; Richards Law Firm-\$470.35; Rombough,D-\$108.04; Sd Assn Of Co Comm-\$2,898.22; Sd Retirement System-\$35,291.39; Sd State Treasurer-\$930.56; Sd State's Atty Assoc-\$550.00; Sdcvso-\$50.00; Sd Dept Of Transportation-\$134,270.79; Sd Federal Property Agency-\$8,950.00; Sd Supplemental Retirement-\$662.50; Sanito Oil-\$1,076.10; Selk,B-\$55.42; Servall Towel&Linen-\$192.68; Spearfish Auto Supply-\$817.00; Spearfish Fire Dept-\$243.00; Spearfish Surgery Center-\$25.00; State Bar Of South Dakota-\$1,450.00; State Disbursement Unit-\$60.00; Teen Court-\$2,525.65; Texaco-\$73.73; Trent,B-\$297.92; Triple K Tire&Repair-\$10.00; Twin City Hardware&Lumber-\$741.57; Us Geological Survey-\$11,700.00; United Parcel Service-\$4.03; Viking Office Prod-\$440.03; Walmart Store-\$164.13; Waste Connections-\$213.18; Weese,S-\$194.20; Westcoast Sales&Market-\$380.25; Western Communication-\$594.10; Wienk,M-\$364.56; Willis,J-\$891.27; Wyoming Child Support Coll-\$190.00; Xerox Corporation-\$120.00; Yankton Factoring-\$600.00; Zep Manufacturing Co-\$76.06; **Witness & Juror Fees:** Franstook,J-\$16.96; Frasier,W-\$58.70; Williams,C-\$57.54; Auer,K-\$21.60; Bantam,V-\$19.86; Becht,J-\$21.60; Bendickson,P-\$20.44; Berry,L-\$118.56; Buckles,J-\$11.74; Cleveland,R-\$103.48; Corbitt,S-\$102.32; Coyle,J-\$102.32; Daczewitz,K-\$18.70; Deweese,R-\$21.60; Donner,S-\$18.70; Eastmo,R-\$20.44; Engen,R-\$123.20; Falk,A-\$18.70; Feiok,M-\$19.28; Fischer,S-\$11.74; Gray,P-\$123.20; Harris,N-\$103.48; Harvey,B-\$16.96; Henry,J-\$17.54; Hermann,C-\$18.70; Kayser,W-\$117.40; Kerwin,C-\$19.86; Kirchgesler,K-\$18.70; Klumb,G-\$15.80; Knight,M-\$14.64; Loken,M-\$120.88; Mack,G-\$10.58; Macneill,J-\$21.60; Milano,E-\$18.70; Niehaus,J-\$18.70; Noem,M-\$120.88; Nuzum,R-\$18.12; Pedneau,J-\$21.60; Quaschnick,D-\$12.90; Reed,W-\$12.32; Rommen,T-\$17.54; Ruhnow,D-\$123.20; Schempf,D-\$18.70; Silling,D-\$18.70; Sparrow,W-\$16.96; Stonefelt,B-\$20.44; Wennberg,P-\$22.18; Wilkinson,M-\$14.64; Wold,N-\$25.66; Azevedo,B-\$61.60; Bueno,E-\$59.86; Burr,D-\$18.70; Burshek,J-\$11.74; Ceritelli,J-\$59.86; Engler,G-\$50.58; Fierro,P-\$17.54; Garton,J-\$51.74; Ginter,W-\$19.86; Hanson,R-\$20.44; Herrboldt,M-\$16.96; Jensen,T-\$19.86; Mcgriff,T-\$18.70; Mclain,M-\$51.74; Miller,V-\$21.60; Novotny,T-\$61.60; Osloond,M-\$16.96; Oxford,D-\$51.74; Peck,J-\$11.74; Ponce De Leon,C-\$50.58; Ruediger,D-\$18.70; Ulvestad,L-\$10.58; Asheim,S-\$19.28; Blake,M-\$19.86; Casados,D-\$19.86; Collins,J-\$24.50; Conrad,J-\$21.60; Conley,G-\$12.32; Goetz,I-\$117.40; Hamilton,B-\$18.70; Hoffman,J-\$18.70; Huhnerkock,K-\$15.80; Langer,L-\$17.54; Loeffen,M-\$11.74; Maynard,M-\$10.58; Nelson,C-\$14.64; Ramsey,D-\$18.70; Randall,B-\$21.60; Snedeker,J-\$10.58; Adams,D-\$57.54; Breidenbach,M-\$18.12; Broadhurst,T-\$60.44; Casavan,L-\$16.96; Cummings,K-\$51.74; Dropulich,M-\$52.90; Eckhart,D-\$15.80; Emanuel,R-\$10.58; Green,D-\$55.22; Hale,M-\$12.90; Heimbaugh,C-\$20.44; Heinert,J-\$21.60; Hepper,K-\$58.70; Keller,D-\$61.60; Krambeck,B-\$18.12; Labau,K-\$19.86; Leatherman,K-\$15.80; Mathern,J-\$16.38; Meyers,K-\$16.96; Mitchell,C-\$12.32; Pellegrino,J-\$20.44; Raad,L-\$60.44; Rans,J-\$18.70; Ruth,L-\$14.06; Schlup,K-\$61.60; Schweitzer,R-\$21.02; Steckline,T-\$64.50; Thomas,B-\$12.90; Trandahl,S-\$18.70; Richardson,M-\$18.70; Allen,T-\$22.76; Arsaga,R-\$50.58; Covey,J-\$12.32; Konstant,M-\$22.18; Stadler,R-\$58.70; Woods,G-\$172.62

ADJOURN: 2:10 p.m. - There being no further business it was Moved-Seconded (Opitz-Weisenberg) to adjourn. Motion Carried.

DATE APPROVED

BARBARA MATTSON, Chairperson

ATTEST:

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – DECEMBER 30, 2002

Vice-Chairperson James J. Seward called the regular meeting of the Lawrence County Commissioners to order at 8:00 a.m. on December 30, 2002 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg and George Opitz present. Barbara Mattson arrived at 8:10 a.m. Connie Douglas was absent.

All motions were passed by unanimous vote, by Commissioners present, unless stated otherwise.

GEORGE OPITZ DAY: Senator Jerry Apa was present and read an Executive Proclamation, State of South Dakota, Office of the Governor, William J. Janklow, proclaiming December 30, 2002 as George Opitz Day in South Dakota.

MINUTES: Moved-Seconded (Weisenberg-Seward) to approve the minutes of December 10, 2002. Motion Carried.

PERSONNEL:

STATES ATTORNEY: Moved-Seconded (Weisenberg-Opitz) to approve a step raise for Margie Stoflet to Legal Secretary step 7 at the 2003 base rate of \$12.57 an hour, effective 1-1-2003. Motion Carried.

WEED: Moved-Seconded (Seward-Weisenberg) to approve Josh Cuppy as an intern doing field mapping and using the arc view software for 300 hours in the Weed Department.

EMERGENCY MANAGEMENT: Moved-Seconded (Seward-Weisenberg) to approve Renae Larson as a permanent part-time secretary step 1 at the rate of \$9.37 an hour, effective 1-6, 2003. Motion Carried.

EQUALIZATION: Moved-Seconded (Seward-Weisenberg) to appoint Les Struble as First Deputy/Appraiser IV in the Equalization Office at the base rate of \$14.35 an hour, effective 12-30-2002. Motion Carried.

TRAVEL REQUESTS:

VSO: Moved-Seconded (Seward-Opitz) to approve the travel request for William Locken to attend the VSO Congressional Forum on January 10, 2003. Motion Carried.

EMERGENCY MANAGEMENT: Moved-Seconded (Opitz-Weisenberg) to approve the travel request for Paul Thomson and Ken Hawki to attend the DEM Class on Effective Communications in Oacoma, SD on January 21-23, 2003. Motion Carried.

B.H. RESOURCE CONSERVATION DEVELOPMENT: Moved-Seconded (Opitz-Weisenberg) to allow Rob Mattox to provide RC&D with GIS mapping information, completed by the Fire Advisory Board, for the Fire Recovery Assistance Center in response to the Grizzly Gulch, Little Elk and Battle Creek Fires.

NATIONAL SCIENCE FOUNDATION/BARRICK MINE: Moved-Seconded (Weisenberg-Mattson) to allow Weisenberg to draft a letter, to send to the Governor of South Dakota, encouraging them to work with the National Science Foundation and Barrick Mine in support of the Neutrino Lab.

SHERIFF AUTOMATIC SUPPLEMENT: Moved-Seconded (Seward-Mattson) to approve an automatic supplement of \$18,398.92 for salary in the Sheriff's Office Budget to cover grant fund expenditures for the COOP Law/Sererity Patrol from July 1 through Aug 15, 2002. Motion Carried

HIGHWAY AUTOMATIC SUPPLEMENT: Moved-Seconded (Opitz-Seward) to approve an automatic supplement of \$79,698.91 for supplies in the Road and Bridge Budget to cover revenue received from other Governmental Entities, due to unexpected expenditures for 2002. Motion Carried

CANCELED CHECK RESOLUTION 02-48: Moved-Seconded (Opitz-Mattson) to approve the following Resolution #02-48 to cancel checks that have not been presented for payment within two years for a total of \$1,111.46. Motion Carried. Aye-Mattson, Seward and Opitz. Nay-Weisenberg. Absent-Douglas. RESOLUTION # 02-48: WHEREAS the Lawrence County Auditor has presented the Lawrence County Board of Commissioners with a list of checks whereon the County of Lawrence is the Drawer, a copy of which list is attached hereto marked as

Exhibit "A" and made a part hereof as though set forth fully herein, and WHEREAS each of the checks listed has not been presented for payment within two (2) years of the date upon which the check was issued, NOW, THEREFORE, BE IT RESOLVED by the Lawrence County Board of Commissioners, pursuant to SDCL 7-22-17, that the checks on said Exhibit "A" be and are hereby canceled and that the Lawrence County Auditor note such cancellation in the check register. DATED this 30th day of December 2002. BOARD OF COUNTY COMMISSIONERS: Barbara Mattson, Chairperson, James J. Seward, Connie H. Douglas, Terry Weisenberg, George Opitz. ATTEST: Connie Atkinson, Auditor.

AMENDED LAWRENCE COUNTY RESOLUTION #02-44 RESOLUTION & ORDER TO VACATE PORTION OF HIGHWAY, PART OF WHICH IS LOCATED ON A

SECTION LINE: Moved-Seconded (Weisenberg-Mattson) to approve the following Amended Resolution #02-44, to clarify the legal description. Motion Carried.

AMENDED LAWRENCE COUNTY RESOLUTION #02-44 RESOLUTION & ORDER TO VACATE PORTION OF HIGHWAY, PART OF WHICH IS LOCATED ON A

SECTION LINE: WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by at least one percent of the ballots cast for the last gubernatorial election in Lawrence County, requesting that a portion of a section line be vacated, and **WHEREAS**, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the B.H. Pioneer times, Lead, South Dakota and Lawrence County Centennial, once each week for two consecutive weeks prior to the date of hearing and **WHEREAS**, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and **WHEREAS**, said section line does not constitute a portion of a South Dakota State Trunk Highway System nor the Lawrence County Highway System, now therefore, **BE IT RESOLVED** by the Lawrence County Board of Commissioners as follows: That the described portion of Section Line to be vacated is as follows: **Legal Description For The Vacating Of A Portion Of Section Line:** Beginning at the corners of Sections 25 and 36, T6N, R2E, BHM and Sections 30 and 31, T6N, R3E, BHM, Lawrence County, South Dakota, proceeding south along the section line for one-half mile and terminating at the quarter line of said Section 31, T6N, R3E, BHM and Section 36, T6N, R2E, BHM;

The specific property descriptions through which the Section Line travels are: Lots 3, 9, 11, 12, 19, 28 and 29 of the Eagle Ridge Subdivision located in the E1/2NE1/4 Section 36, T6N, R2E, BHM and NW1/4 Section 31, T6N, R3E, BHM Lawrence County, South Dakota; **The owners of the property through which the Section Line travels are:** Craig and Teresa Carlson; Tom and Mary Crawford; Patrice Weber; Dallas and Cathleen F. Hinrichs. Dated this 30th day of December, 2002. BARBARA MATTSON CHAIRPERSON, Lawrence County Commissioner ATTEST: CONNIE ATKINSON, Lawrence County Auditor

RESOLUTION #02-49 TO ADOPT A SUPPLEMENTAL BUDGET: Moved-Seconded (Seward-Weisenberg) to approve the following Resolution #02-49 to adopt a supplemental budget. Motion Carried. WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2002, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners

of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, be it RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2002, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND: GENERAL FUND Dispatch – Salary - \$5,000.00: The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated Fund. Be it further RESOLVED that a hearing was held on the 30th day of December, 2002 at the hour of 8:45 o'clock, a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 30th day of December, 2002. LAWRENCE COUNTY COMMISSIONERS: Barbara Mattson Chairperson, Connie H. Douglas, Terry Weisenberg, George Opitz, and Jim Seward. ATTEST: Connie Atkinson, Auditor.

FUEL QUOTES: Moved-Seconded (Weisenberg-Seward) to accept the only fuel quote submitted for January 2003 from Sanito Oil Company - Highway Dept. - Regular Gasoline - \$1.235; No.1 Diesel - \$1.157; No.2 Diesel - \$1.047; 50/50 Blend - \$1.102; and Sheriff Office - Unleaded Gasoline - \$1.235. Motion carried.

SHERIFF VEHICLE BIDS: Moved-Seconded (Seward-Weisenberg) to accept the only bid received from Integrity Ford for two 2003 Ford Explorer 4 Door 4X4 XLT for a price of \$25,392.57 each and trade in values of \$5,500 and \$4,500 for the two 99 Crown Victoria's. Motion Carried.

REQUEST FOR CHANGE OF ZONING: A public hearing was held for Duane Nicholas - Pt. NE¹/₄NE¹/₄, except Lots 1 through 6 and except Lot H-1 and Lot H-2, of Section 8, T6N, R2E, B.H.M. – To allow higher density development – Spearfish area west of Pope and Talbot. Randy Deibert represented the petitioner. Deibert stated if approved they will be doing a comprehensive flood study on the property. They are proposing group water and individual septic systems for the property. Deibert stated Spearfish recommended approval and asked them to check with Spearfish Valley Sanitary District to see if it would be feasible to connect to their lines. Deibert stated they have done some checking but the land is not contiguous to the sanitary district.

Jim Rarick, representative from Pope & Talbot expressed concerns on the safety and traffic on the Road. He stated one of the reasons Exit 8 was built was to keep the large trucks out of town and away from people. If you allow the change of zoning and development occurs you will be bringing the people and traffic back to the large truck traffic. The narrow road, no shoulders and steep grade on the road, and the access off the road were discussed.

Mattson closed the public hearing and turned over to the Board of Commissioners. Chuck Williams discussed safety concerns and recommended working with the Federal Highway Commission to see what the plan was for the road. Williams stated the County Highway Department should remain in control over the accesses on and off the road. The Board discussed buffer zones and stated there are so many unknowns pertaining to this issue.

Moved-Seconded (Seward-Opitz) to reopen the public hearing and table the Change of Zoning request until such a time that the Right of Way acquisitions and requirements are known; and have a Forest Service Engineer present to review the road plans for the McGuigan Road. Motion Carried.

BILLS: Moved-Seconded (Weisenberg-Mattson) To Approve Payment Of The Following Payroll And Authorize The Chairman To Approve The Vouchers Listed Below For Expenditures For Insurance, Professional Services, Publications, Rentals, Supplies, Repairs, Maintenance, Travel, Conference Fees, Utilities, Furniture And Equipment Drawn On The Proper Funds and Various Departments. Motion Carried. **Payroll:** Comm-\$2,665.43; Aud-\$4,349.32; Treas-\$6,665.71; Comp-\$4,254.80; States Attny-\$9,233.60; Pub Def-\$5,525.45; Gen Govt Bldg-\$3,995.82; Equal-\$7,875.15; Deeds-\$4,950.02; Vso-\$689.15; Disp-\$6,855.48; Sher-\$22,279.88; Jail-\$13,713.60; Emerg Mgnt-\$2,084.44; E911-\$1,118.40; Highway-\$26,977.18; Ext-\$980.00; Weed-\$1,250.00; Pz-\$2,313.30; **Bills:** Orion Industries-\$5,000.00; Heck,D-\$86.78; Kosel,J-\$58.39; Locken,W-\$198.72; Mcgruder,B-\$11.74; Opitz,G-\$761.04; Smith,M-\$41.04; Weisenberg,T-\$143.00; 3d Specialties-\$160.92; A&B Business Equip-\$5,530.50; A&J Supply-\$69.20; Abc Business Supply-\$524.54; Active Data Systems-\$235.00; Adamson Industries-\$542.00; Altaire Enterprises-\$40.00; Amcon Distributing-\$261.44; American Bar Assoc-\$82.90; Amoco Oil-\$351.59; Armstrong Extinguish-\$269.00; At&T-\$91.01; Bh Chemical Company-\$1,314.88; Bh Collection Service-\$50.00; Bh Federal Credit Union-\$7,059.14; Bh Fibercom-\$1,489.89; Bh Land Analysis-\$920.00; Bh Painting-\$2,181.44; Bh Pest Control-\$190.00; Bh Pioneer-\$34.02; Bh Power & Light-\$5,340.79; Bh Travel Agency-\$3,100.50; Best Business Prod-\$36.70; Bureau Of Administration-\$28.00; Burrly's Lube-\$196.51; Bus Systems-\$84.75; Butler Machinery Co-\$59.89; Csd-\$82.50; Cameron Communications-\$40.00; Carquest Of Spearfish-\$86.45; Cellular One-\$167.34; Central Parts-\$1,787.21; Chris Supply Co-\$34.94; City/County Alcohol&Drug-\$2,205.00; Clinical Lab Of Bh-\$5,259.99; Coburn,B-\$182.60; Coley,M-\$60.00; Color Mystique-\$100.00; Compaq Computer Corp-\$5,124.00; Cooperative Extension Service-\$276.78; Corral West-\$53.90; Credit Collections Bureau-\$25.00; Dale's Tire & Retread-\$2,310.00; Deckers Food-\$14.84; Dept Of The Treasury-\$28,631.65; Derosier,L-\$219.12; Division Of Motor Veh-\$26.00; Domestic Crisis Outreach-\$190.00; Eagle Aviation-\$312.46; Ellingson,J-\$3,929.83; Executone Of The Bh-\$364.50; Exit 14 Amoco-\$53.45; Expanets-\$18.80; Extension Service-\$254.46; Fast Break Screen Printing-\$330.00; Fish,V-\$390.00; Frederickson,J-\$6,230.45; Fuller,J-\$28.60; Gall's-\$421.98; Global Computer Supply-\$876.53; Great Western Tire-\$1,296.96; Greens Alignment-\$355.39; Gummow,L-\$700.00; Heisler Hardware-\$130.61; Hills Material Comp-\$55.76; Hoseth Auto-\$9.56; Ibm Corp Sqh-\$185.00; Ics Warehouse-\$105.01; Ikon Office Solutions-\$90.53; Insight-\$7,037.44; Jenner Equipment Co-\$13.35; John's Welding-\$3,247.50; Johnson Ford-\$321.03; Kadmas,Leandjackson-\$3,069.15; Kar Products-\$149.26; King,M-\$739.24; Kinney&Koch-

\$1,149.90; Kota Graphics-\$399.99; Kullbom,T-\$114.40; Lc Centennial-\$931.12; Lc Extension-\$22.40; Lc Plan&Zone-\$4.77; Lc Public Defender-\$22.60; Lc Sheriff-\$83.48; Lawson Products-\$42.76; Leiker,L-\$313.50; Lexisnexis Matthew Bender-\$86.65; Light&Siren-\$1,194.90; Loll,J-\$18.70; Looyenga,D-\$700.00; Lyle Signs-\$531.64; M&T Fire&Safety-\$990.00; Macks Auto Body-\$358.80; Markertek Video Supply-\$801.50; May,Johnson,Doyle&Becker-\$1,349.28; Mayer Radio-\$100.84; Mcarthur,J-\$35.00; Mcleod's Office Supply-\$298.00; Mickelson Construct Serv-\$519.00; Mickelson,C-\$73.04; Mineral Palace Hotel-\$107.73; Mobility Concepts-\$121.75; Montana-Dakota Util-\$103.66; Motorola-\$12,861.36; Murphy,J-\$846.63; Nh Family Ymca-\$200.00; Nh General Hospital-\$2,428.66; National Academy Of Emd-\$90.00; National Presto Ind-\$75.00; Neafcs-Sd-\$90.00; Nelson,C-\$105.00; Nelson,T-\$41.16; Neve's Uniforms-\$887.67; Office Of Child Support-\$284.50; Office Technology/Supply-\$552.24; Olsen,J-\$28.70; Pennington Co Auditor-\$57.00; Pennington Co Jail-\$1,211.19; Pennington County Sts.Attny-\$200.00; Petal Pushers-\$40.00; Pheasantland Industries-\$335.47; Pitney Bowes-\$732.00; Postmaster,Deadwood-\$68.00; Postmaster,Spearfish-\$137.06; Queen City Motors-\$207.46; Quill Corp-\$522.87; Qwest-\$1,047.86; Rc Finance Office-\$840.00; Rc Regional Hospital-\$832.00; Rabe Elevator-\$878.72; Radio Shack/Kazco-\$765.70; Reindl,S-\$949.10; Reliable-\$342.71; Rock-N-Rescue/Je Weinel-\$1,032.00; Rombough,D-\$129.20; Root Spring Scraper-\$292.82; Sd Dept Of Transportation-\$1,795.95; Sd Sheriff's Association-\$450.00; Sd Supplemental Retirement-\$662.50; Sand Creek Printing-\$204.00; Sanito Oil-\$994.07; Schacher,S-\$30.00; Servall Towel&Linen-\$287.22; Silverado-\$383.10; Scull Construction Serv-\$147,224.86; Spartan Technologies-\$288.00; Spearfish Husky-\$200.00; Spearfish Surgery Center-\$25.00; State Bar Of South Dakota-\$125.00; State Disbursement Unit-\$60.00; Stretch's Glass & Mirror-\$105.87; Summit Signs & Supply-\$360.00; Superior Lamp And Supply-\$160.32; Teen Court-\$3,873.48; Texaco-\$231.09; The Abacus-\$1,301.40; Tigerdirect-\$913.99; Triple K Tire&Repair-\$502.95; Verizon Wireless-\$985.98; Victims Of Violence-\$190.00; Viking Office Prod-\$612.52; Vodopich,M-\$123.20; Wsi Corporation-\$1,785.00; Walmart Store-\$1,149.11; Warne Chemical-\$5,500.00; Waste Connections-\$130.56; Westcoast Sales & Market-\$342.42; West Group-\$118.00; West Tire And Alignment-\$804.58; Western Communication-\$789.90; Western Sd Juvenile Serv-\$2,367.75; Willis,J-\$20.00; Wyoming Child Support Coll-\$190.00; **Witness & Juror Fees:** Krska-Hanson,B-\$19.86; Sadler,L-\$11.74; Allard,S-\$56.96; Bertch,D-\$58.70; Bohls,G-\$61.60; Brockman,H-\$59.86; Cihak,K-\$60.44; Cooper,D-\$61.60; Covell,S-\$54.06; Higbee,M-\$59.86; Kearney,G-\$61.60; Kent,C-\$63.34; Nauta,K-\$61.60; Papka,M-\$58.70; Schaefer,S-\$50.58; Schmidt,D-\$59.86; Shields,F-\$59.28; Steinmeyer,R-\$59.28; Umberger,M-\$59.86; Walton,K-\$63.92; Dahlstrom,T-\$21.74; Alger,S-\$58.70; Anderson,A-\$22.76; Anderson,M-\$11.74; Carsten,D-\$28.12; Degen,D-\$18.70; Desart,V-\$24.50; Fanning,K-\$21.60; Ice,K-\$51.74; Kaiser,C-\$22.76; Kermu,K-\$50.58; Lamb,D-\$58.70; Longden,G-\$50.58; Manderfeld,S-\$14.64; Mcmichael,D-\$18.70; Morlock,E-\$53.48; Mossett,R-\$64.50; Olson,R-\$15.80; Pratt,T-\$58.70; Reynolds,W-\$18.70; Ruff,K-\$21.60; Say,G-\$24.50; Scheef,K-\$27.40; Stuen,W-\$61.60; Toms,D-\$51.74;

Bachand,D-\$15.80; Bertalot,S-\$27.40; Blume,S-\$123.20; Burshek,J-\$18.70; Capp,P-\$18.70; Cooper,A-\$18.12; Engelhaupt,C-\$18.70; Feist,A-\$101.16; Fischer,J-\$117.40; Fleury,D-\$21.60; Funk,R-\$18.70; Gengler,M-\$123.20; Gienger,L-\$20.44; Goodsell,K-\$18.70; Haataja,E-\$18.70; Harley,T-\$117.40; Hauck,R-\$19.86; Hunt,R-\$19.86; Jacobs,H-\$113.92; Keller,T-\$20.44; Mackay,M-\$11.74; Mader,L-\$24.50; Mendoza,V-\$15.22; Miller,L-\$18.70; Mitcheltree,D-\$11.16; Mohr,G-\$10.58; Morris,J-\$12.90; Muxlow,P-\$18.70; Nachatilo,M-\$18.70; Nichols,R-\$19.28; Pautz,F-\$16.96; Petersen,L-\$117.40; Retzl,M-\$111.60; Rich,K-\$18.70; Rounce,J-\$18.70; Rounsevell,S-\$25.66; Sandidge,B-\$11.74; Schaefer,V-\$21.60; Showman,S-\$19.28; Stearns,L-\$18.70; Timm,D-\$10.58; Tracy,B-\$11.74; Traver,J-\$11.16; Umberger,D-\$21.60; Walker,J-\$21.60; Wilkinson,J-\$117.40; Wolff,E-\$20.44; Zubrod,L-\$15.80; Gage,D-\$21.74; Buckovac,W-\$38.56; Canavan,P-\$20.58; Keren,T-\$21.74; Erskin,D-\$28.70; Johnson,C-\$46.10; Johnson,J-\$28.70; Katon,M-\$21.74; Lawson,C-\$21.74; Mace,R-\$28.70; Natress,R-\$28.70; Rost,S-\$20.58; Schrank,J-\$130.20; Yanzick,J-\$28.70; Glanzer,C-\$50.58; Green,S-\$15.22; Larose,S-\$18.70; Littleton,B-\$18.70; Ross,D-\$24.50; Schott,R-\$12.32; Sjurseth,K-\$21.60; Walz,P-\$55.80; Bailey,R-\$17.54; Bakeberg,B-\$117.40; Listman,J-\$15.80; Long,B-\$123.20; Meisel,R-\$16.38; Skroch,G-\$18.12; Snortland,D-\$18.70; Young,P-\$56.10

ADJOURN: 11:30 a.m. - There being no further business it was Moved-Seconded (Opitz-Mattson) to adjourn. Motion Carried.

DATE APPROVED

Chairperson

ATTEST:

CONNIE ATKINSON, Auditor