

LAWRENCE COUNTY COMMISSIONERS MEETING – January 7, 2014

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on January 7, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Robert Ewing, Richard Sleep and Terry Weisenberg present.

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

AGENDA: Moved-Seconded (Ewing-Weisenberg) to approve the agenda as amended. Motion Carried.

2014 ANNUAL APPOINTMENTS & DESIGNATIONS

CHAIRPERSON OF COUNTY COMMISSIONERS: Moved-Seconded (Ewing-Flanagan) to appoint Commissioner Sleep as the Chairperson of the Lawrence County Commissioners for 2014. Motion Carried.

VICE-CHAIRPERSON OF COUNTY COMMISSIONERS: Moved-Seconded (Johnson-Ewing) to appoint Commissioner Weisenberg as the Vice-Chairperson of the Lawrence County Commissioners for 2014. Motion Carried.

BOARD OF ADJUSTMENT: Moved-Seconded (Flanagan-Ewing) to appoint Daryl Johnson, Bob Ewing, Brandon Flanagan, Richard Sleep, and Terry W. Weisenberg as the Board of Adjustment for 2014. Motion Carried.

BUILDING CODE: Moved-Seconded (Weisenberg-Sleep) to appoint Daryl Johnson, Bob Ewing, Brandon Flanagan, Richard Sleep, and Terry W. Weisenberg as the Building Code Board of Resolution for 2014. Motion Carried.

LEGAL NEWSPAPERS: Moved-Seconded (Weisenberg-Johnson) to designate the B.H. Pioneer as the legal newspapers for 2014. Motion Carried.

SHERIFF'S OFFICE POSITIONS: Moved-Seconded (Weisenberg-Flanagan) To restate the full time positions in the Lawrence County Sheriff's office for 2014 as follows: (1) Chief Deputy (1) Captain, (1) Lieutenant, (2) Squad Sergeant, (5) Deputies, (2) Detectives, (2) Process Servers, (4) Office Personnel (11) Jailers, (1) E911 Coordinator, and (7) Dispatchers. Motion Carried.

INDIGENT FUNERAL EXPENSE: Moved-Seconded (Johnson-Flanagan) to set the 2014 standard burial fee at \$2,210 and continue the remaining indigent funeral expenses paid by the County as stated in the Lawrence County Welfare Program Rule. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Flanagan) to approve the minutes of December 23rd County Commission meeting. Motion Carried.

Moved-Seconded (Weisenberg-Sleep) to approve the minutes of December 31st, 2013 with the correction that on C.U.P. #424, Stolen Kiss Ranch the vote was 4-1 with Johnson voting Nay. Motion Carried.

COUNTY BOARDS AND COMMITTEES:

AIRPORT BOARD: Moved-Seconded (Ewing-Flanagan) to appoint Commissioner Johnson as representative, Commissioner Sleep as alternate for 2014; and to appoint Don Aaker for a five-year term to end 1-2019. Motion Carried.

ENVIRONMENTAL REVIEW / AG COMMITTEE: Moved-Seconded (Weisenberg-Flanagan) to appoint Leo Orme to the AG Committee for a three year term to expire 1-2017. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to appoint Bob Ewing to the AG Committee for a three year term to expire 1-2017. Motion Carried.

ENVIRONMENTAL REVIEW / TIMBER COMMITTEE: Moved-Seconded (Flanagan-Sleep) To appoint John Frederickson to the Timber Committee for a three year term to expire 1-2017. Motion Carried

ENVIRONMENTAL REVIEW / WILDLIFE, RECREATION & TOURISM COMMITTEE: Moved-Seconded (Ewing-Weisenberg) To appoint Lee Schmunk to the Wildlife, Recreation & Tourism Committee for a three year term to expire 1-2017. Motion Carried.

ENVIRONMENTAL REVIEW / CUSTOM, CULTURE & ECONOMIC PLAN COMMITTEE: Moved-Seconded (Flanagan-Ewing) To appoint Dave Heck, Bill Coburn, Richard Sleep, John Fredrickson, Amber Vogt, Bruce Outka, Jim Nelson, Rob Mattox and Mike Whalen to the Custom, Culture & Economic Plan Committee for a one year term to expire 1-2015. Motion Carried

EMERGENCY MANAGEMENT LOCAL EMERGENCY PLANNING COMMITTEE AND EMERGENCY OPERATIONS PLAN: Moved-Seconded (Flanagan-Sleep) to appoint Commissioner Johnson for 2014. Motion Carried.

FAIR BOARD: Moved-Seconded (Johnson-Flanagan) To appoint Commissioner Sleep to the Fair Board for 2014 and to appoint Sheryl Pittman for a (3) year term to expire 1-2017. Motion Carried.

HOUSING & REDEVELOPMENT COMMISSION: Moved-Seconded (Johnson-Ewing) to appoint Gordon Campbell to the Housing and Redevelopment Commission for a (5) year term to expire 12-31-2018. Motion Carried.

INSURANCE COMMITTEE: Moved-Seconded (Johnson-Flanagan) to appoint Commissioner Weisenberg for 2014. Motion Carried.

INVASIVE SPECIES MANAGEMENT: Moved-Seconded (Ewing-Weisenberg) To appoint Commissioner Sleep for 2014 and to appoint Commissioner Johnson as Alternate for 2014. Motion Carried.

Moved-Seconded (Ewing-Weisenberg) To appoint Clint Ridley to the Invasive Species Management Board District #2, and to appoint Shad Schnieder to the Invasive Species Management Board District Spearfish for a 3 year term to expire 12-2016. Motion Carried.

MOUNTAIN PINE BEETLE PLAN ADVISORY COMMITTEE: Moved-Seconded (Johnson-Flanagan) To appoint Dave Heck, Bruce Outka, Bill Coburn, Rob Mattox and Bob Ewing to the Mountain Pine Beetle Plan Advisory Committee for 1 year to expire 12-31-2014. Motion Carried. Aye-Johnson, Weisenberg, Flanagan and Sleep. Nay-Ewing.

PLANNING & ZONING BOARD: Moved-Seconded (Flanagan-Johnson) to appoint Commissioner Ewing and to appoint Commissioner Sleep as the alternate for 2014; and to appoint Craig Mickelson to the Planning and Zoning Board for a five year term to expire 1-2019. Motion Carried.

PUBLIC DEFENDER: Moved-Seconded (Johnson-Flanagan) To appoint Commissioner Ewing, Commissioner Weisenberg, and Jaci Pearson to the Public Defender Board for 2014. Motion Carried.

B.H. COUNCIL OF LOCAL GOVERNMENTS: Moved-Seconded (Weisenberg-Johnson) to appoint Commissioner Flanagan as Representative and Commissioner Sleep as Alternate for 2014. Motion Carried.

LAWRENCE COUNTY REVOLVING LOAN FUND: Moved-Seconded (Ewing-Sleep) to appoint Commissioner Flanagan, Commissioner Weisenberg, and Blaise Emerson to the Lawrence County Revolving Loan Fund Board for 2014. Motion Carried.

LIBRARY BOARD: Moved-Seconded (Johnson-Ewing) to appoint Commissioner Weisenberg for 2014. Motion Carried.

SPEARFISH ECONOMIC DEVELOPMENT BOARD: Moved-Seconded (Weisenberg-Flanagan) to appoint Commissioner Johnson to the Spearfish Economic Development Board for 2014 and Commissioner Sleep as the alternate for 2014. Motion Carried.

STATE DIVISION OF FORESTRY CONTACT PERSON / RANGE LAND FIRES: Moved-Seconded (Flanagan-Ewing) to appoint Chairperson Sleep, and Emergency Management Director, Paul Thomson for 2014. Motion Carried.

MULTIPLE USE COMMITTEE: Moved-Seconded (Ewing-Flanagan) to appoint Commissioner Weisenberg to the Multiple Use Committee for 2014. Motion Carried.

WESTERN SD COMMUNITY ACTION: Moved-Seconded (Weisenberg-Sleep) to appoint Ida Marie Snorteland for 2014. Motion Carried.

WESTERN SD JUVENILE SERVICES CENTER COMPACT: Moved-Seconded (Ewing-Johnson) To appoint Commissioner Sleep to the Western SD Juvenile Services Center Compact for 2014. Motion Carried.

LEAD OPERA HOUSE: Moved-Seconded (Flanagan-Johnson) to appoint Commissioner Weisenberg to the Historic Lead Opera House Board for 2014. Motion Carried.

BH CENTRAL RESERVATIONS: Moved-Seconded (Johnson-Flanagan) not to make an appoint to the BH Central Reservation Board. Motion Carried.

BH DISTRICT: Moved-Seconded (Flanagan-Johnson) to acknowledge Weisenberg on the Black Hills District Board. Motion Carried.

SDPAA: Moved-Seconded (Flanagan-Johnson) to acknowledge Weisenberg on the SDPAA. Motion Carried.

SPECIAL RULE OF ORDER & ROBERTS RULES OF ORDER: Moved-Seconded (Johnson-Weisenberg) to adopt the special rule of order requiring three members approval to pass a motion for 2014, and the Newly Revised Roberts Rules of Order for the County Commissioners and all County Boards and Committees. Motion Carried.

2014 WAGES & SCALES: Moved-Seconded (Johnson-Flanagan) to accept the following 2014 longevity pay policy, Per Diem, Cell Phone Per Diem, Wage Scales, and Wages for the salaried personnel and per hour for hourly personnel, unless stated otherwise, effective December 29, 2013. Motion Carried.

LONGEVITY PAY: Longevity pay will be awarded to permanent employees who have been employed for a minimum of five (5) years. Eligibility takes place on anniversary date of 5th year of employment, with increases on the 10th year of employment, 15th year of employment, and 20th year of employment. Longevity pay schedule is as follows: 5 Years -1 cent per hour for each year of employment; 10 Years- 2 cents per hour for each year of employment; 15 Years-3 cents per hour for each year of employment; 20 Years-4 cents per hour for each year of employment. Elected Officials are eligible for longevity pay. Elected County Commissioners are not eligible for longevity pay. Seasonal employees working consecutive years are eligible for longevity pay.

PERDIEM: Sheriff Deputies-\$6.00 per day, for a maximum of 5 days a week. Correctional Officers-\$1.00 per each day physically worked.

2014 CELL PHONE PER DIEM:

Bruce Outka-75.00; Greg Dias-75.00; Randy McGruder-75.00; Rick Wisser-75.00; Allan Bonnema-75.00; Steve Ryan-50.00; Bob McCormick-50.00; Norm Burlson-50.00; Rick Frerichs-50.00; Tim Agena-50.00; Connie Atkinson-75.00; Brenda McGruder-\$50.00 Deb Tridle-75.00; Sheree Green-75.00; Amber Vogt-60.00; Jeff Schroeder-50.00; Paul Thomson-136.00; Rene' Larson-68.00; Jason Fischer-\$50.00; Mike Meehan-50.00; Brett Runge-50.00; Carmen Symonds-50.00; Tim Hodson-

50.00; Rick Mowell-126.00; Brian Dean-126.00; Paul Hansen-126.00; Marty Goetsch-126.00; Tavis Little-126.00; Nathaniel Davis-\$104.00; Joe Leveque-104.00; Rob Ruffato-104.00; Katie Tkach-104.00; Larry Gabriel-126.00; Seth Brennen-104.00; Tom Derby-104.00; Pat Johnson-104.00; Megan Merwin-\$104.00; Matthew McCroden-\$104.00; Dave Heck-50.00; Brian Lewis-\$50.00; and Gary Gould-50.00.

2014 WAGES (per SDCL 6-1-10): Commissioners: Brandon Flanagan-12,468.33; Ewing,Bob-12,468.33; Richard Sleep-12,468.33; Johnson,Daryl-12,468.33; Weisenberg,Terry-12,468.33; Outka,Bruce-91,958.23. Auditor: Atkinson,Connie-66,900.40; McGruder,Brenda-21.29; Lucero, Robin-17.05; Nelson,Melody-17.86; Sargent,Debbie-17.26. Treasurer: Tridle,Debra-61,743.16; Adams, Julia-17.05; Atkinson,Sally-19.11; Brownlow,Carleen-17.06; Haupt,Janice-18.00; Marshall, Laurie-17.05; Quenzer, Linda-15.49. Information System & Technology: Dias,Gregory-77,081.17; Leatherman, Debra-17.92; McGruder,Randall-25.40; Wissner, Ricky-22.53. States Attorney: Fitzgerald, John-81,664.61; Baumann, Brianna-9.00; Baumann,Michelle-22.85; Silvernail,Janice-18.23; Stoflet,Margie-19.69; Harvey,Brenda-56,289.02; Thielen, Trevor-54,030.71. Public Defender: Pike,Matthew-\$76,788.03; Lopez,Amber-67,299.18; Albertson, Kirk-58,383.90; Smith,Molly-22.05; Peterson, Virginia-17.99. Maintenance: Frerichs,Richard-26.42; Carr,Zoe-15.27; Agena, Timothy-22.00; Lee,Laura-12.89; Latuseck, Kelby-13.47; Mattson,Robert-12.68. Director of Equalization: Hodson, Timothy-52,887.57; Bridenstine,Nancy-18.16; Carrico,Linda-18.24; Fisher, Jason-17.04; Meehan, Michael-16.68; Runge,Brett-22.54; Symonds,Carmen-19.76; Woodle,Sharon-18.53. Register of Deeds: Green Sheree-58,641.50; Carr, Marie-15.77; Feterl,Florence-17.54; Hansen,David-18.89; Podoll, Keri-17.07. Veterans Service Officer: Locken,William-33,186.59. Sheriff: Mowell, Richard-72,516.11; Dean,Brian-64,351.04; E-911-Black,Sue-22.03; Dispatch: Abernathy, Emily-18.18; Greeley,Laurie-18.27; Hamilton,Marian-19.02; Iverson, Andrew-18.18; Johnson, Ross-17.83; Steffen,Peggy-18.25; Torgerson, Daleen-17.83; White,Richard-18.44; Sheriff: Davis, Nathaniel-23.24; Derby, Tommie II-23.24; Dragoo, Shelley-19.24; Gabriel,Larry-20.51; Gould, Gary-17.89; Hansen, Paul-25.70; Johnson, Patrick-23.92; Kellogg, Susan;-17.22; Leveque,Victor-24.22; Little,Tavis-24.63; Mccroden, Matthew-22.89; Mellaragno, Anthony-17.89; Merwin, Megan-21.42; Nelson,Kesha-18.94; Rakow, Julie-17.32; Rosenau, Randall-17.89; Ruffatto,Robert-23.31; Symonds, Matthew-17.89; Thompson,Colin-17.89; Tkach, Katherine-23.92; Utecht,Jerome-15.55; Wainman, John Jr-17.89; Walker,John-17.89; Jail: Abell, Mary-17.83; Allen, Dawn-19.08; Antar, Nadim III-18.18; Berndt,Wendy-18.27; Brennan, Seth-23.50; Cortez, Frank-18.88; Crandall, Marc-18.18; Culver,Kim-18.44; Goetsch,Martin-25.75; Hanson, Jordan-15.88; Harmon, Justin-18.18; Harter, Ralph-17.49; Johnson, Michael-18.18; Kampa, Kerry-18.18; Kellogg,Susan-18.40; Kotak,Joe-17.49; Moraga, Virginia-17.49; Nash, Christina-18.18; Schleep, Neil-22.55; Sherer, Stacey-17.83; Wainman, John Sr.-13.55; Coroner: Gould, Gary- \$6,000 yr &100.00 call; Isburg,Damon-200.00 call; Pedneau, Darin-200.00 call; Schumacher, Kristy-200.00 call; Rosenau, Randall-200.00 call. Emergency Management: Thomson,Paul-60,494.67; Larson,Rene-\$17.56. Highway: Bonnema, Allan-72,291.17; Bey,John-26.54; Burleson, Norman-21.70; Burnitt, James-21.16; Cooper, John-21.16; Dittes, Bonnie-21.00; Eide,Curtis-22.32; Engel,Paul-21.38; Grenstiner,Edwin-22.68; Harley, Troy-21.16; Harper,Jeffrey-21.25; Heying,Bradley-21.96; Holen, Gerald-21.16; Larimore,Mark-21.23; McCormick,Robert-26.90; Patino,Mark-21.44; Ryan,Steve-26.74; Sheeler, Daniel-21.16; Silvernail,Dennis-22.28; Skavang, Robert-21.21; Vandenberg,Maria-17.28; Waisanen, Jimmy-21.16. Airport: Harmon, James-18.11; Aaker, Donald-40.00 meeting; Randy Diebert-40.00 meeting; Jim Seward-40.00 meeting; Hanna, Brooks-40.00 meeting; Lantis,Travis-40.00 meeting; Rath, Michael-40.00 meeting. Mental Health Board: Johns,Timothy-\$84.00; Strawn,Eric-84.00; Oswald, Rod-84.00. Invasive Species Management: Heck,David-52,127.13; Lewis, Brian-15.24; Hauge,

John-40.00 meeting; Ridley, Clint-40.00 meeting; Schneider, Shad-40.00 meeting; Kyle Vavruska-40.00 meeting; Whalen, Michael-40.00 meeting; Seasonal Invasive Species Employees-Soderstrom, Steven-13.73; Tyson, Chase-13.73; Eisenbruan, Darick-12.21 Planning&Zoning: Vogt,Amber-52,278.45; Schulz,Sherryl-17.40; Schroeder, Jeffery-20.09; Brady,Thomas-40.00 meeting; Coburn,William-40.00 meeting; Mickelson,Criag-40.00 meeting; Stone,Julie-40.00 meeting; Schenk, Travis-40.00 meeting; Tysdal,Richard-40.00 meeting; Seasonal Tree Markers: Abrahamson, Finn-12.00; Addington, Jeremy-12.00; Anderson, Lucas-12.00; Baker, Alexander-12.00; Bau-Cameron, Adam-12.00; Bennett, Luke-12.00; Brown, Braden-12.00; Bueno, Chance-12.00; Burrows, Rocky-12.00; Cleveland, Brandon-12.00; Conn, Craig-12.00; Creviston, Rhonda-12.00; Delatore, Aaron-12.00; Dieffenderfer, Randy-12.00; Dunn, Steven-12.00; Engel, Joshua-12.00; Evans, Jesse-12.00; Farley, Sean-12.00; Feiler, David-12.00; Fluegel, Edward-12.00; Gillespie, Merryse-12.00; Gordon-Sartain, Ruth-12.00; Hazledine, Tyson-13.33; Heath, Trenton-12.00; Herberg, Nicholas-12.00; Johnson, Andrew-12.00; Johnson, Cody-12.00; Johnson, Jason-12.00; Johnson, Matthew-12.00; Kegler, David-12.00; Koski, Michele-12.00; Krog, Chase-12.00; Krueger, Spencer-12.00; Laney, Dylan-12.00; Lauer, Robert-12.00; Lee, James-12.00; Lewis, Jeremy-12.00; Limbert, Josh-12.00; Ludens, Brandon-12.00; Mazza, Mark-12.00; McDonald, Joshua-12.00; McDonald, Robert-12.00; McKee, Kevin-12.00; Miller, Jessica-12.00; Miranda, Joeray-12.00; Mosher, Andrew-13.33; Myers, Wyatt-12.00; Nielsen, Jason-12.00; Palmer, Ryan-13.33; Pearson, Brodie-12.00; Pearson, Travis-12.00; Pontius, James-12.00; Pummel, Josh-12.00; Roth, Benjamin-12.00; Ruby, Jeremy-12.00; Sadler, Cody-12.00; Smith, Danny-13.33; Staley, Jacob-12.00; Statler, Tyler-12.00; Tasset, Matthew-12.00; Taylor, David-12.00; Tillman, Tanner-12.00; Turbiville, Patricia-13.33; Vandavelde, Paul-12.00; Wellman, Mark-12.00; Wheeler, Cody-12.00; White, Aaron-12.00.

<i>NEWLY ELECTED BASE</i>	<i>2014 BASE</i>	<i>SDCL #</i>
AUDITOR	\$ 33,444.00	SDCL 7-7-9.1
TREASURER	\$ 33,444.00	SDCL 7-7-9.1
REGISTER DEEDS	\$ 33,444.00	SDCL 7-7-9.1
STATES ATTORNEY	\$ 61,900.00	SDCL 7-7-12
SHERIFF	\$ 50,721.00	SDCL 7-12-15

RESOLUTION #14-01 / ELECTION OFFICIALS COMPENSATION: Moved-Seconded (Johnson-Weisenberg) to approve the following Resolution #2014-01 Election Officials Compensation. Motion Carried. **RESOLUTION #2014-01 ELECTION OFFICIALS COMPENSATION** WHEREAS, SDCL 12-15-11 requires the Lawrence County Commission at its first regular meeting each year to 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 \$175.00; Judges \$150.00 IN ADDITION, each of the election officials and workers who participate in an election school prior to any election shall be compensated an additional \$20.00. All election officials and employees shall be paid mileage for all travel incurred in regard to said employment at the state rate per mile. Extra help hired to work on election night in the Auditor's Office will be paid at the rate of \$15.00 per hour. DATED this 7th day of January 2014. For the Board, Richard Sleep, Chairperson. ATTEST: Connie Atkinson, Auditor.

RESOLUTION #14-02 POLLING PLACES & PRECINCTS: Moved-Seconded (Flanagan-Johnson) to approve the following resolution setting the polling places and precincts in 2014. 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** - 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; **Nemo**-Nemo Church; **Rural #1**-Lawrence County; Administrative Annex; **St. Onge**-St. Onge Community Hall; **Whitewood**-Whitewood City Hall; **Rural #2**-Spearfish Park Pavilion. **DATED** this 7th day of January 2014. For the Board, Richard Sleep, Chairperson. **ATTEST:** Connie Atkinson, Auditor.

RESOLUTION #14-03 TO ESTABLISH OFFICIAL DEPOSITORIES: Moved-Seconded (Johnson-Flanagan) to follow the recommendation of Deb Tridle, Treasurer and approve the following Resolution #14-03 to Establish Official Depositories in Lawrence County. Motion Carried. **RESOLUTION 14-03 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 2014: Wells Fargo-South Dakota 721 Main St. Deadwood, SD; First Interstate Bank 696 Main St. Deadwood, SD; First National Bank 197 Glendale Dr., Lead, SD; Pioneer Bank 140 E Jackson Blvd Spearfish, SD; and Great Western Bank 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 2014. Dated this 7th day of January 2014. For the Board of County Commissioners: Richard Sleep, Chairperson Attest: Connie Atkinson, Auditor

VOLUNTEER FIRE FIGHTER / SEARCH & RESCUE MEMBERS: Moved-Seconded (Flanagan-Johnson) to approve the following list of 2014 Volunteer Fire Fighters and Search & Rescue Members for insurance purposes and thank members for their service. Motion Carried. **Brownsville:** Dennis Anderson, Mike Anderson, Brian Bergman, Chris Bergman, Derek Berman, Loren Dobyns, Dennis Hoover, Chad Krantz, Robert Mattox, Bryce Quaschnick, Jared Quaschnick, Lynette Quaschnick, Don Quaschnick, Tim Quaschnick, Scott Reif, Frank Stamp, Loren Vrem, Jason Wichterman, Brett Winsell, and Dennis Winsell. **Search & Rescue:** Albertson, Kirk; Baumberger, Ashana; Bradley, Hunter; Carlson, Richard; Davis, Lynn; Ewing, Bob; Hover, Paul; Hover, William; Huhnerkoch, Chris M; Leonard, Rob; Lillehaug, Arlando L; Lillehaug, Gary D; Mattox, Rob L; McCroden, Matt; McFarling, William L; Millard, Raymond L; Radliff, Megan; Radliff, Rick; Raubach, Fred L; Rear, Kay L; Regan, Daniel J; Sanchez, Sharon; Schroeder, Jeff; Siedschlaw, Robert W; Smith, Molly; Stahl, Mike J; Tollefson, Jamey L; Tollefson, Melanie L; Wissner, Rick; Wilczynski, Joy; Thomson, Paul. **Nemo:** Janna Bechard, Jeff Bechard, Kelsey Chaloupka, Virginia Clark, Jeane Henrichsen, Justin Henrichsen, Jerry Hood, Patrica Hood, Troy

Krull, Larry Marquette, Greg Nepstad, Vince Pfeifle, Larry Rhodes, Chad Solaas, Cindy Solaas, and Kathy Stygles.

PERSONNEL:

EQUALIZATION: Moved-Seconded (Ewing-Flanagan) to approve a step raise for Michael Meehan as Appraiser II G3 at the base rate of \$17.04, effective January 12, 2014. Motion Carried.

TRAVEL REQUEST:

HIGHWAY: Moved-Seconded (Flanagan-Johnson) to approve the Travel Request for Allan Bonnema to attend the Annual National Association of County Engineers (NACE) Conference in Baton Rouge, Louisiana on April 13th thru 17th, 2014; contingent upon the signed travel and training agreement. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Ewing-Flanagan) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of December 31, 2013 showed the following: Total amount of actual cash-\$1,350.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$40,788.58; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$2,811.18; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,650,000; Bank Balance \$4,421,841.71, Money Market \$2,132,727.00; Savings-\$6,421,215.41; Total \$16,672,593.88

2014 FAIR AGREEMENT: Moved-Seconded (Ewing-Flanagan) to approve and authorize the Chairman to sign the 2014 Fair Agreement with Butte County. Motion Carried.

SHERIFF BUSINESS: Brian Dean, Chief Deputy was present to discuss issues in the Sheriff's Office.

HIGHWAY BUSINESS: Allan Bonnema, Highway Superintendent was present to update the Board on Highway Business. The Board discussed the Rizzi Road and water drainage / run-off. The Board was in agreement that no action be taken at this time.

Moved-Seconded (Ewing-Johnson) to set the bid opening for (2) New Dump Bodies with Hoists & Hydraulic Systems, (2) New Stainless Steel Sand spreaders, and (2) New Truck Snow Wings for February 11th, 2014 at 8:30 a.m. Motion Carried.

AIRPORT:

RESOLUTION 2014-4 - NOTICE OF INTENT TO ENTER INTO LEASE OF COUNTY OWNED PROPERTY: A public hearing was held on the County's Intent to Enter Into Lease Of County Owned Property. No public input was voiced and the hearing was closed. Moved-Seconded

(Flanagan-Ewing) to approve and authorize the Chairman to sign the following Resolution 2014-4 - Notice Of Intent To Enter Into Leases For County Owned Airport Hangars, Bare Land Sites For Private Hangar Construction And Haying. Motion Carried.

LAWRENCE COUNTY RESOLUTION NO. 2014-4: A RESOLUTION DECLARING NOTICE OF INTENT TO ENTER INTO LEASES FOR COUNTY OWNED AIRPORT HANGARS, BARE LAND SITES FOR PRIVATE HANGAR CONSTRUCTION AND HAYING: WHEREAS, Lawrence County (the "County") owns the premises known as Black Hills Airport/Clyde Ice Field (the "Airport"); WHEREAS, fifty three (53) County owned "THangars" are situated at the Airport together with several bare land sites set aside for lease and construction of privately owned hangars; WHEREAS, from time to time, "THangar" sites become available for lease, and interest is expressed by private individuals desiring to lease bare land sites for purposes of constructing privately owned hangars; WHEREAS, the income derived from the lease of "THangars" and bare land sites contributes to reducing the costs and expenses associated with operating and maintaining the Airport; WHEREAS, the County has adopted a policy for prioritization and allocation of County owned "THangars" and bare land sites at the Airport; WHEREAS, the County has also developed a standard lease agreement for lease of "THangars" and bare land sites; WHEREAS, areas of the Airport premises are also suitable for haying; WHEREAS, each year the County typically enters into a lease permitting haying at the Airport; WHEREAS, the income derived from the haying lease also contributes to offsetting the costs and expenses associated with operating and maintaining the Airport; WHEREAS, pursuant to SDCL 71832, if the County Commission agrees to lease any county owned property to any private individual for a term exceeding one hundred twenty days and for an amount exceeding five hundred dollars annual value, it shall adopt a resolution of intent to enter into such lease(s) and fix a time for public hearing concerning the adoption of the resolution; WHEREAS, the "THangars" leases, bare land leases and haying lease to be offered by the County may be for a term exceeding one hundred twenty days and for an amount exceeding five hundred dollars annual value; and NOW THEREFORE, BE IT RESOLVED, that the Board of Lawrence County Commissioners has given its notice of intent to lease certain County owned property at the Airport, and that a PUBLIC HEARING on adoption of this Resolution was held on January 7, 2013, and that NOTICE of said hearing was published in the official newspaper once, at least 10 days prior to the hearing; and BE IT FURTHER RESOLVED, that the Board of County Commissioners authorizes the Lawrence County Airport Board and/or the Airport Manager to enter into leases of County owned "THangars", bare land sites and a haying lease at the Airport according to the terms and conditions of the standard lease agreement, the Airport Rules and Regulations and Minimum Standards. Dated this 7th day of January, 2014. FOR THE BOARD: Richard Sleep, CHAIRMAN. ATTEST: Connie Atkinson, Auditor.

ABATEMENTS:

Moved-Seconded (Johnson-Ewing) To approve and authorize the Chairman to sign the following Abatements for the State of South Dakota for 2013. Motion Carried.

PARCEL	LEGAL
	<u>COMMON WEALTH TO STATE OF SOUTH DAKOTA</u>
14000-00404-080-00	GOVT LOTS 3, 4, 5, & 7
26280-00138-000-00	M.S. 138 ANCHOR
26280-00188-000-00	M.S. 188 RATTLESNAKE JACK
26280-00189-000-00	M.S. 189 CENTER FR

26280-00218-000-00	M.S. 218 LITTLE GIANT
26280-00311-000-00	M.S. 2311 MONTENEGRO
26280-00328-000-00	M.S. 328 GILT EDGE
26280-00483-000-00	M.S. 483 OPHIR
26280-00646-000-00	M.S. 646 ORA FINO
26280-00648-000-10	M.S. 648 ORO BELLA 3/8 INT
26280-00649-000-10	M.S. 649 WAGGONER 3/8 INT
26280-00650-000-00	M.S. 650 SUNDAY
26280-00699-000-00	M.S. 699 TWO BEARS
26280-00700-000-00	M.S. 700 SONORA
26280-00712-000-10	M.S. 712 STRAWBERRY CREEK PLACER M & B
26340-00884-000-00	M.S. 884 BISMARCK, GOLDEN STAR ETAL
26340-00927-000-00	M.S. 927 HALEY & THEODOR
26340-00975-000-20	M.S. 975 DELHIGH BINGHAMPTON ETAL
26340-00975-000-30	M.S. 975 ONTARIO
26380-01069-000-00	M.S. 1069 ALGOL FR ETAL
26540-01225-000-00	M.S. 1225 DAKOTA MAID & DAKOTA MAID FR
	M.S. 1239 HAPPY NEW YEAR, GOLDEN CREST &
26540-01239-000-00	MIANTONOM
26680-01575-000-10	M.S. 1575 OSSA MINNA & PELION
26680-01575-000-20	M.S. 1575 WATERLOO & BUNKER HILL
	<u>BROHM TO STATE OF SOUTH DAKOTA</u>
26340-00975-000-25	BLDGS ON LEASED SITE M.S. 975 & M.S. 1134 ETAL
	<u>BORSCH TO STATE OF SOUTH DAKOTA</u>
26280-00327-000-10	M.S. 327 BLACK DAN 1/2 INTEREST
26680-01632-000-10	M.S. 1632 OLD PENNSYLVANIA 1/2 INTEREST
26680-01681-000-10	M.S. 1681 BARRETTE FR 1/2 INTEREST
26840-01964-000-10	M.S. 1964 FISSURE-CEDAR HILL ETAL 1/2 INTEREST

Moved-Seconded (Johnson-Flanagan) To approve and authorize the Chairman to sign the following partial Abatements for the State of South Dakota for 2013. Motion Carried.

PARTIAL ABATEMENT

26340-00926-000-10	M.S. 926 ST. PATRICK, SUMMIT, & MARY ELLEN
26340-01031-000-10	M.S. 1031 BAVARIA ETAL

EMERGENCY MANAGEMENT / SEARCH & RESCUE: Paul Thomson, Jeff Schroeder and Rick Wisser were present to update the Board on Search & Rescue issues and current equipment. The request was made to purchase a new larger trailer for approximately \$11,000. The trailer can also be used as a command center if needed in the future. The Board thanked Search & Rescue for their service and offered support in the purchase.

TOUR JAIL FACILITY: The Board toured the Jail facility.

PLANNING & ZONING:

ORDINANCE #13-06 CONTRACTOR LICENSING: Second Reading was held on ORDINANCE #13-06, Contractor Licensing.

Moved-Seconded (Weisenberg-Johnson) to approve ORDINANCE #13-06, Contractor Licensing / An Ordinance Amending The Lawrence County Zoning Ordinance, Amendments and Additions Thereto: Chapter 13 Building Permits. Motion Carried.

BILLS:

Moved-Seconded (Flanagan-Johnson) to approve payment of the following payroll and 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-\$5,857.93; Aud-\$8,264.78; Treas-\$10,401.15; Comp-\$8,097.04; States Atty-\$12,142.64; Pub Def-\$10,263.97; Gen Govt Bldg-\$8,120.77; Equal-\$11,885.66; Rod-\$7,635.73; Vso-\$1,238.55; Disp-\$13,847.05; Sher-\$32,651.31; Jail-\$25,753.94; Coroner-\$23.08; 24/7-\$117.74; Emerg Mgnt-\$3,734.92; E911-\$1,574.72; Highway-\$39,284.79; Air-\$1,054.20; Weed-\$80.00; Pz-\$4,838.60; Cty Mpb-\$28,934.75; **Bills:** Mowell,Richard-\$8,796.00; Evans,Jesse-\$192.40; A&B Business,Inc Solutions-\$383.26; Alco Store-\$5.98; At&T Mobility-\$759.05; BH Chemical Company-\$916.70; BH Federal Credit Union-\$8,084.00; BH Pioneer-\$544.00; BH Power-\$601.08; Black Hills Pure-\$94.50; Bob Barker Company-\$246.32; Butte Electric Coop-\$772.48; City/County Alcohol&Drug-\$840.00; Claggett,Dave Pc-\$868.14; Clerk Of Courts-\$50.00; DWare-\$1,550.00; David W Kauffman Phd-\$2,769.50; Dept Of The Treasury-\$61,754.21; Diversified Collections-\$100.00; Ellingson,Joseph-\$1,164.88; Frederickson,John R-\$3,029.15; Great Plains Chemical-\$180.00; Grimm's Pump Service-\$426.76; Heartland Paper Co-\$137.27; Heisler Hardware-\$16.99; Hewlett-Packard Company-\$77.56; Kosel,Joseph-\$4,377.72; LC Conservation Dist-\$5,000.00; Lead,City Of-\$56.95; Lead-Deadwood Sanitary-\$554.28; Lee,James-\$15.00; Marco-\$37.35; Mcgas Propane-\$856.86; Midcontinent Communications-\$33.98; Montana Dakota Utilities-\$1,228.14; Neve's Uniforms-\$229.95; Office Of Child Support-\$1,145.54; Office Technology/Supply-\$272.80; Ohio Child Support-\$136.43; Pennington Co Auditor-\$59.00; Rabe Elevator-\$881.87; Rapid Delivery-\$10.80; Regional Health Physicians-\$151.63; Rocket Lube-\$88.98; SD Public Assur Alliance-\$29,362.15; SD State Treasurer-\$13,623.51; Sander,Duane-\$400.00; Sdaco-\$2,211.79; Spearfish Ambulance Service-\$5,225.00; Spearfish Auto Supply-\$434.38; Spearfish Husky-\$15.00; Sturdevant's Auto Parts-\$455.58; Toddy Boy's-\$124.11; Twin City Hardware&Lumber-\$204.07; Usd School Of Law-\$200.00; Victims Of Violence-\$645.00; Washington State Support Reg-\$75.00; Waste Connections-\$645.70; Watertree-\$31.30; West River International-\$71.85; Wex Bank-\$309.98; Whisler Bearing Co-\$141.77; White's Queen City Motors-\$447.64; Wilde&Hunt, Prof. Llc-\$1,374.83; **Witness & Jurors:** Bernards,P-\$11.48; Black,D-\$61.10; Chapeau,C-\$64.80; Cook,B-\$64.80; Corey,K-\$24.80; Cowen,C-\$52.22; Derosia,G-\$10.74; Dimond,B-\$12.22; Edwards,C-\$24.80; Gabel,B-\$12.22; Haivala, J-\$21.10; Hall,P-\$23.32; Holien,G-\$69.24; Hopewell,C-\$23.32; Jones,B-\$28.50; Keim, R-\$22.58; Lavoie,R-\$59.62; Law,J-\$52.22; Mason,L-\$52.22; Mitcheltree,R-\$50.74; Motzko,D-\$23.32; Ray,K-\$21.84; Rhodes,B-\$20.36; Rohla,R-\$21.10; Sleep,R-\$29.24; Sargent,D-\$12.22; Saye,W-\$21.10; Startz,Z-\$57.40; Sutfin,D-\$12.22; Syman,A-\$21.10;Trevino,B-\$15.92; Whiton,S-\$11.48; Willingham,K-\$12.22

ADJOURN: 9:40 a.m. Moved-Seconded (Ewing-Flanagan) there being no further business the meeting was adjourned. Motion Carried.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – February 11, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on February 11, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Brandon Flanagan and Terry Weisenberg present. Robert Ewing was absent.

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

AGENDA: Moved-Seconded (Flanagan-Weisenberg) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Flanagan) to approve the minutes of January 7, 2014 County Commission meeting. Motion Carried.

PERSONNEL:

MOUNTAIN PINE BEETLE: Moved-Seconded (Weisenberg-Flanagan) to approve the hiring of the following temporary seasonal recon employees at the rate of \$12.00 an hour, effective January 13, 2014: Justin Bellizzi, Randy Cook and Daniel Lewis. Motion Carried

EQUALIZATION: Moved-Seconded (Johnson-Flanagan) to approve Nicolle Geuke as a permanent full-time Administrative Secretary G1 at the base rate of \$14.82 an hour, effective February 5, 2014. Motion Carried.

SHERIFF: Moved-Seconded (Johnson-Flanagan) to approve Lance Palmer as a permanent full-time Correction Officer I G1 at the base rate of \$15.19 an hour, upon completion of 40 hours of training at \$10.38 an hour, effective January 26, 2014. Motion Carried.

Moved-Seconded (Johnson-Weisenberg) to approve Jolene Wetz as a permanent part-time under 20 hours Corrections I G1 at the base rate of \$15.19 an hour, upon completion of 40 hours of training at \$10.38 an hour, effective February 23, 2014. Motion Carried.

HIGHWAY: Moved-Seconded (Flanagan-Johnson) to allow employees to donate leave to Jim Waisanen upon the exhaustion of the employee's accumulated vacation time, "comp. time" and sick leave. Motion Carried.

BOARD APPOINTMENTS: Moved-Seconded (Weisenberg-Johnson) to appoint Steve Butsko and Randall Rosenau to the Mountain Pine Beetle Committee for a term to expire 12-31-2014. Motion Carried.

TRAVEL REQUESTS:

COMMISSION: Moved-Seconded (Flanagan-Johnson) to approve the travel request for Bruce Outka to travel to Denver for the 10th Circuit Court of Appeals Argument on March 20th, 2014. Motion Carried.

SHERIFF: Moved-Seconded (Johnson-Weisenberg) to approve the travel request for Katie Tkach to attend the Active Shooter Instructor Training in Buffalo, WY on April 21 thru April 24, 2014. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Flanagan-Sleep) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of January 31, 2014 showed the following: Total amount of actual cash-\$1,350.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$84,468.05; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$4,910.74; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,650,000; Bank Balance \$4,422,647.66, Money Market \$2,133,480.03; Savings-\$6,421,891.44; Total \$16,720,607.92

TRANSFER OF FUNDS:

Moved-Seconded (Flanagan-Johnson) to approve the annual budgeted transfer of \$1,615,000 from General Fund to Road & Bridge Fund and to transfer \$125,075 from General Fund to Emergency & Disaster Fund. Motion Carried.

DELINQUENT TAXES REPORT: Per SDCL 7-21-35 the total 2012 taxes levied for in 2013 was \$34,459,379.58 and the total unpaid as of 12-31-13 was \$174,772.77 which represents a .51% delinquency. Moved-Seconded (Weisenberg-Sleep) to accept the Delinquent Taxes Report of 2013 levied and unpaid taxes as reported by the Auditor. Motion carried.

SUPPLEMENTAL BUDGETS: A public hearing was held for a supplemental budget for Invasive Species Management / Mountain Pine Beetles: - \$600,000. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the following Resolution #2014-05. Motion Carried.

RESOLUTION #14-05 TO ADOPT A SUPPLEMENTAL BUDGET, WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2014, 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 2014, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: **GENERAL FUND:** (Invasive Species Management / Mountain Pine Beetles: - \$600,000). 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 11th day of February, 2014 at the hour of 8:10 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 11th day of February, 2014. FOR THE BOARD OF COUNTY COMMISSIONERS Richard Sleep, Chairman. ATTEST: CONNIE ATKINSON. LAWRENCE COUNTY AUDITOR

SHERIFF BUSINESS: Brian Dean, Chief Deputy was present to discuss issues in the Sheriff's Office.

EQUITABLE SHARING AGREEMENT: Moved-Seconded (Johnson-Flanagan) to approve and authorize the Chairman to sign the Equitable Sharing Agreement Certification Report SD0400000 with the Department of Justice. Motion Carried.

VEHICLE BID OPENING: Moved-Seconded (Flanagan-Weisenberg) to set March 11, 2014 at 8:15 a.m. for the bid opening for three patrol vehicles and to declare the 2006 Dodge Durango 1D4HB48286F163224, 2008 Dodge Durango 1D8HB48258F129081, 2009 Chevy Tahoe 1GNFK03059R198798 surplus and allow to be offered for trade. Motion Carried.

INTERVIEW ROOM: Moved-Seconded (Flanagan-Johnson) to proceed with a federal grant to update the Interview Room in the Sheriff's Office. Motion Carried.

ST. ONGE: Brian Dean, Chief Deputy Sheriff stated Larry Fierro from St. Onge Township has requested a couple of speed signs as you enter the Township. The costs of the signs are approximately \$4,700 each and St. Onge has requested the County front \$2,000 in costs with the township reimbursing the county. Discussion will continue at a future meeting when a Township representative is present.

VEHICLE FLEET: Dean stated the Sheriff's Office is looking at reducing their vehicle fleet by one vehicle. The Board asked Dean to identify the extra vehicle so the Board can determine if the vehicle can be transferred to another County department.

ABATEMENT: Moved-Seconded (Johnson-Flanagan) to approve the abatement for the City of Lead on parcel #31580-00000-000-08 and 31580-00000-000-09 since the City acquired the property in September 2013. Motion Carried.

HIGHWAY BUSINESS: Allan Bonnema, Highway Superintendent was present to update the Board on Highway Business.

BID OPENING HIGHWAY EQUIPMENT: Only one bid was received for (2) New Dump Bodies with Hoists & Hydraulic Systems, (2) New Stainless Steel Sand spreaders, and (2) New Truck Snow Wings: Moved-Seconded (Johnson-Weisenberg) to accept the only and lowest responsible bid and waive any irregularities from Northern Truck Equipment for (2) New Dump Bodies with Hoists & Hydraulic Systems \$82,532.00, (2) New Stainless Steel Sand Spreaders \$34,280.00, and (2) New Truck Snow Wings \$19,754.00 for a total of \$136,566.00 and approve and allow the Chairman to sign the contracts and agreements. Motion Carried.

BRIDGE INSPECTIONS: Moved-Seconded (Johnson-Flanagan) to approve and authorize the Chairman to sign the BRIDGE REINSPECTION RESOLUTION #14-06. Motion Carried. Resolution #2014-06 BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years. THEREFORE, Lawrence County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds. The County requests SDDOT to hire Interstate Engineering (Spearfish) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds. Dated this 11th day of February, 2014, at Deadwood, South Dakota. Board of County Commissioners of Lawrence County Richard Sleep, Chairman of the Board. ATTEST: Connie Atkinson, County Auditor.

DEPARTMENT OF TRANSPORTATION STRIPING AGREEMENT: Moved-Seconded (Johnson-Flanagan) to approve and authorize the Chairman to sign the Agreement to Provide for the Striping and Continuing Maintenance of County Roads within Lawrence County with the State of South Dakota Transportation for 2014. Motion Carried.

HIGHWAY SUPPLIES BID OPENING: Moved-Seconded (Flanagan-Johnson) to set a bid opening for March 25, 2014 at 8:30 a.m. for Magnesium Chloride, asphalt hot mix, asphalt cold mix, gravel aggregates, de-icing sand, in-place Hot Mix Asphalt Paver Patching, Precast Concrete Culverts, Box Culverts, Bridge Beams and Deck Units. Motion Carried

DEPARTMENT OF TRANSPORTATION FUNDING AGREEMENT (SWAP): Moved-Seconded (Flanagan-Weisenberg) to approve and authorize the Chairman to sign the State of South Dakota Department of Transportation Funding Exchange Agreement (SWAP) for 2014 when available. Motion Carried.

COUNTY SECONDARY ROADS: The Board reviewed and discussed recommended changes by Allan Bonnema, Highway Superintendent to the County Secondary Road System. Bonnema stated his recommendations were based on spending taxpayer's dollars on the roads that get the most bang for the County dollars and to treat everyone fair. The Board will review the recommended changes and discuss at future meetings.

FUEL QUOTES: The following fuel quotes were submitted as of January 29, 2014: Deadwood Diesel 5500: (prices per gallon) CBH Cooperative - \$3.314, MG Oil - \$3.31314*; Deadwood Unleaded 2700 gallons: (prices per gallon) CBH Cooperative - \$2.908, MG Oil - \$2.8167*; Spearfish Diesel 1900 gallons: (prices per gallon) CBH Cooperative - \$3.314, MG Oil - \$3.31314*; Spearfish Unleaded 1100 gallons: (prices per gallon) CBH Cooperative - \$2.908, MG Oil -

\$2.8167*; Whitewood Diesel 250 gallons: (prices per gallon) CBH Cooperative - \$3.314, MG Oil - \$3.31314*. *Represents lowest quote awarded. No bid was received from Southside or Harms Oil.

TEEN COURT: Marlene Todd was present to update the Board on the Teen Court Program. Todd thanked the Commission for their support in the past and requested their continued support for future funding.

EMERGENCY MANGEMENT: Paul Thomson, Emergency Management Director was present to update the Board on the Elected Officials Briefing for Emergency Management and the 2013 Safety Synopsis.

FIREWISE: Rob Mattox, Wildland/Urban Interface Specialist was present to discuss the Bureau of Land Management Community Assistance for Firewise. Moved-Seconded (Johnson-Flanagan) to approve and authorize the Chairman to sign the Bureau of Land Management Community Assistance Agreement to continue the program. Motion Carried.

MOUNTAIN PINE BEETLE: Dave Heck, Invasive Species Management Director was present to update the Board on the Mountain Pine Beetle Project.

10:19 a.m. EXECUTIVE SESSION: Moved-Seconded (Flanagan-Weisenberg) to go into executive session pursuant to (SDCL 1-25-2(3) Consultation with Legal Counsel about Contractual Matter). Motion Carried. 10:42 a.m. the Board opened for regular business with no-action taken.

AIRPORT: Michael Rath and Randy Deibert, Airport Board Representatives were present to request permission to advertise for Engineering Services and to request that the Board appoint a Selection Committee. Moved-Seconded (Flanagan-Weisenberg) to advertise for proposals for Engineering Services for the Airport and to appoint Daryl Johnson, Randy Deibert, Michael Rath and Ray Jilek as the Selection Committee, with Bruce Outka attending the meetings as legal council. Motion Carried.

ALCOHOLIC MALT BEVERAGE TRANSFER: A public hearing was held on an application to transfer a Retail On-Off Sale Malt Beverage License from Charles L Farruggia, (Branding Iron Restaurant) To Nemo Guest Ranch, (Branding Iron Restaurant). No public input was voiced and the hearing was closed. Moved-Seconded (Johnson-Weisenberg) to approve the following transfer of CLASS-RETAIL (ON-OFF SALE) Malt Beverage License from: ***PREVIOUS LICENSE: CHARLES L FARRUGGIA, (BRANDING IRON RESTAURANT)*** Lots 1, 2 and 3 of Nemo Guest Ranch Sub, a sub of tract 4-T of Nemo Placer MS1368. ***TRANSFER TO:NEMO GUEST RANCH, (BRANDING IRON RESTAURANT)*** Lots 1, 2 and 3 of Nemo Guest Ranch Sub, a sub of tract 4-T of Nemo Placer MS1368.. Motion Carried.

PLANNING & ZONING:

PLATS:

PRELIMINARY PLAT / POWDER HOUSE PASS: Moved-Seconded (Weisenberg-Johnson) to approve the Preliminary Plat Powder House Pass (Phase #1) Lots 1-9, Blk 1; Lots 1 & 2, Blk 2; Lots 1-16, Blk 3; Lots 1-5, Blk 4; Lots 1 & 2, Blk 5 of Wilderness Estates 2nd Addition, Section 7, 8, 17,18, 19, and 20 T4N, R3E and Section 24, T4N, R2E, Location: Hwy 85 Near Deer Mountain (Re-Approval from Expired Preliminary Plat Originally Approved August 4, 2011) B.H. Development, LLC, Applicant. Motion Carried.

FINAL PLAT / SMOKEY MT. RANCH: Moved-Seconded (Flanagan-Johnson) to approve the Final Plat of Lot 3A of Smokey Mt. Ranch Subdivision in Section 28 & 33, T6N, R4E, Location: Crook City Road (Kapsa Custom Homes, Applicant). Motion Carried.

PRELIMINARY & FINAL PLAT / FOLVEN & HAEUSSELER: Moved-Seconded (Johnson-Flanagan) to approve the Preliminary Plat of Lot J-2A of Tract J of Nemo Placer, M.S. 1368, Section 27, T3N, R5E; Location: Box Elder Forks Road and Old Sawmill Road Near Nemo Dennis Folven & Joni Haeusseler, Applicants). Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to approve the Final Plat of Lot J-2A of Tract J of Nemo Placer, M.S. 1368, Section 27, T3N, R5E; Location: Box Elder Forks Road and Old Sawmill Road Near Nemo Dennis Folven & Joni Haeusseler, Applicants). Motion Carried.

DEVELOPMENT PLAN / STORAGE UNITS / WILLIAMSON: A public hearing was held on DP #14-01, Development Plan for Storage Units Located on Tract A-3, Section 28, T7N, R1E, Location: 1-90 at Exit 2 on Red Hill Road (G. Allen and Linda Williamson, Applicants). No public input was voiced and the hearing was closed.

Moved-Seconded (Johnson-Weisenberg) to approve the DP #14-01, Development Plan for Storage Units Located on Tract A-3, Section 28, T7N, R1E, Location: 1-90 at Exit 2 on Red Hill Road (G. Allen and Linda Williamson, Applicants). Motion Carried.

BUILDING INSPECTION AGREEMENT: Amber Vogt, Planning & Zoning Administrator discussed a possible Mutual Aid Agreement with the City of Spearfish and Lead for Building Inspection Services along with other possible alternatives.

RECESS: 10:52 a.m. Moved-Seconded (Flanagan-Johnson) to recess the County Commission Meeting. Motion Carried. 11:04 a.m. The Chairman called the meeting back to order.

ITEMS FROM COMMISSIONERS:

INVASIVE SPECIES MANAGEMENT: The Board discussed meeting with the municipalities in regards to weed control and other issues. The Chairman will meet with City Officials to discuss issues and concerns.

11:41 a.m. EXECUTIVE SESSION: Moved-Seconded (Weisenberg-Sleep) to go into executive session pursuant to (SDCL 1-25-2(3) Consultation with Legal Counsel about Contractual Matter). Motion Carried. 12:10 p.m. the Board opened for regular business with no action taken.

BILLS:

Moved-Seconded (Flanagan-Weisenberg) to approve payment of the following payroll and 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-\$11,920.96; Aud-\$17,040.74; Treas-\$21,413.93; Comp-\$16,673.07; States Atty-\$25,249.07; Pub Def-\$23,363.60; Gen Govt Bldg-\$16,539.79; Equal-\$24,456.12; Rod-\$15,663.59; Vso-\$2,549.94; Disp-\$25,439.66; Sher-\$69,994.40; Jail-\$47,532.14; Coroner-\$715.70; 24/7-\$311.76; Emerg Mgnt-\$7,602.80; E911-\$3,524.80; Highway-\$81,640.33; Air-\$2,437.84; Mh Serv-\$102.00; Pz-\$10,343.58; County Mpb-\$92,125.13; **Bills:** Baumann,Michelle-\$112.25; Mowell, Richard-\$7,260.00; Thomson,Paul-\$23.00; Ewing,Robert-\$19.62; Harvey,Brenda-\$180.70; Cortez, Frank-\$20.36; Fisher,Jason-\$64.00; Meehan,Michael-\$64.00; Smith,Danny-\$238.28; Evans, Jesse-\$204.24; Herberg,Nicholas-\$115.44; A&B Business,Inc Solutions-\$661.08; A&J Supply-\$69.56; A-Z Shredding-\$36.30; Abc Business Supply Corp-\$194.29; Aberdeen-\$941.00; At&T Mobility-\$70.26; BH Chemical Company-\$767.30; BH Land Analysis-\$682.50; BH Pioneer-\$764.97; BH Power-\$2,077.08; BH Regional Multiple-\$100.00; Behavior Mngt Systems-\$24,097.00; Behavior Mngt Systems-\$230.00; Big Sky Communications-\$79.00; Binder,Tracy-\$54.40; Black Hills Pure-\$64.50; Blake Machine-\$85.00; Butler Machinery Co-\$99.32; Butte Electric Coop-\$717.07; Butte-Lawrence Co Fair-\$10,000.00; Century Business Products-\$155.87; Centurylink-\$166.10; Chris Supply Co-\$97.58; City/County Alcohol&Drug-\$280.00; Clark Printing-\$382.90; Cna Surety-\$50.00; Community Health Services-\$160.00; Dakota Equipment Rental-\$278.56; Deadwood Carnegie Library-\$91,801.00; Deadwood,City Of-\$801.45; Dharma Tree Care-\$79,470.00; Eddie's Truck Sales/Serv-\$299.06; Election Sys&Software-\$484.63; Ellingson,Joseph-\$2,431.21; Fastenal-\$20.04; First Western Ins Deadwood-\$1,320.00; Governors Inn-\$79.95; Grace Balloch Mem Library-\$230,421.00; Hamann,Chris-\$200.00; Heartland Paper Co-\$993.00; Heisler Hardware-\$23.93; Hewlett-Packard Company-\$3,901.84; Interstate Engineering-\$12,145.08; Jacobs Precision Welding-\$55.08; Keller,Bob-\$1,600.00; Kimball-Midwest Co-\$175.76; Kosel,Joseph-\$3,208.02; LC Auditor-\$24.00; Lawson Products-\$675.37; Lead,City Of-\$108,796.95; Lead-Deadwood Regional Hospital-\$260.00; Lead-Deadwood Sanitary-\$379.56; Lee,James-\$15.00; Lewis&Clark Specialty Hospital-\$70.00; Lewno, Lucy-\$84.25; Lyle Signs-\$297.29; M&M Sanitation-\$425.00; Marco-\$37.35; McClure,Susan-\$100.00; Mccolley's Chapels Of The Hill-\$2,210.00; Mcleod's Office Supply-\$66.48; Mg Oil Company-\$34,137.11; Midcontinent Communications-\$34.19; Midwest Alarm-\$88.20; Mikelson,Gary-\$157.86; Miller,Steve-\$402.34; Montana Dakota Utilities-\$7,632.68; Mutchler,Tricia-\$53.20; National Assoc Legal Assistant-\$140.00; National Assoc Of Co Engineers-\$575.00; Nelson,Christy-\$250.00; Nelson,Tonya-\$450.00; Neve's Uniforms-\$1,097.68; Northern Hills Dental-\$1,668.00; Northern Truck Equip Corp-\$243.28; Novus-\$359.00; Office Technology/Supply-\$36.63; Pacific Coast Contracting-\$112,560.00; Pennington County Sts Attny-\$215.00; Pitney Bowes-\$276.98; Queen City Tire-\$15.00; Quik Signs-\$121.54; Quill Corporation-\$458.73; RC Regional Hospital-\$97.59; Rabe Elevator-\$925.97; Radiology Associates-\$30.58; Rapid Delivery-\$48.00; Rapid City Emergency Services-\$89.19; Rapid Transcript Co-\$693.00; Rasmussen Mechanical Serv-\$9,306.57; Regional Health Physicians-\$87.67; Regional Pharmacy-\$13.39; Reliable-\$492.06; Reserve Account-\$5,000.00; Rocket Lube-\$414.92; Rsinet/Thomas W Nichols-\$180.00; Rushmore

Communications-\$275.00; SD Association Of County-\$225.00; SD Building Officials Assoc-\$75.00; SD Public Assur Alliance-\$1,820.00; SD State Treasurer-\$87.83; Sanitation Products-\$229.26; Securus Technologies T-Netix-\$1,050.00; Semerad,Sandra-\$376.60; Servall Towel &Linen-\$941.84; Shepherd Reporting-\$30.00; Smalls Typewriter S&S-\$137.00; Southside Service-\$95.00; Spearfish Auto Supply-\$1,141.39; Spearfish Regional Hospital-\$118.08; State Radio Communication-\$5,280.00; Sterna,Laura-\$150.00; Sturdevant's Auto Parts-\$1,798.17; Subway-\$61.50; Swisher Hygiene/Css-\$77.00; Teen Court-\$7,500.00; Thomson Reuters-West-\$469.00; Tigerdirect-\$1,448.15; Triple K Tire&Repair-\$329.99; Twilight First Aid&Safety-\$79.95; Twin City Hardware&Lumber-\$608.68; Twin City Senior Citizens-\$2,000.00; Victims Of Violence-\$325.00; Washington Co Sher Office-\$45.20; Waste Connections-\$678.15; Watertree-\$31.30; Waytek-\$1,300.00; Wells Plumbing&Farm Supp-\$197.19; Western Sd Juvenile Serv-\$1,419.30; Western State Fire Protection-\$837.90; Wex Bank-\$632.84; Whitewood Library-\$61,320.00; Wilde&Hunt,Prof-\$150.00; Wm Werkhaven&Sons-\$20.84; Yankton Co Sheriff-\$50.00; Baumann,Michelle-\$37.00; Fluegel,Edward-\$70.30; Smith,Danny-\$152.44; Seward,James-\$77.70; Evans,Jesse-\$44.40; Eide,Curtis-\$34.67; American Family Life-\$3,611.25; At&T Mobility-\$759.05; Clerk Of Courts-\$50.00; Collections Services Center-\$336.73; Credit Collections Bureau-\$260.92; Deadwood Recreation Center-\$644.00; Delta Dental Of South Dakota-\$6,725.48; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,641.28; Northern Hills Rec Center-\$124.00; SD Retirement System-\$81,038.16; Wellmark Blue Cross-\$77,213.86; Wow!-\$1,562.08; A&B Business,Inc Solutions-\$1,174.89; A&I Distributors-\$1,935.95; A-Z Shredding-\$83.40; Abc Business Supply-\$396.78; Air Connection-\$1,000.00; Armstrong Extinguish-\$1,683.00; At&T-\$57.87; Audra Malcomb Consulting-\$387.38; BH Chemical Company-\$88.93; BH Federal Credit Union-\$16,668.00; BH Pest Control-\$190.00; BH Pioneer-\$302.77; BH Power-\$11,220.78; Barnaud Law Firm-\$333.11; Big Sky Communications-\$79.00; Black Hills Urgent Care-\$55.00; Century Business Products-\$260.28; Centurylink-\$2,368.67; Clerk Of Courts-\$50.00; Collections Services Center-\$336.73; Credit Collections Bureau-\$260.92; Cvd Construction-\$2,739.52; Dakota Equipment Rental-\$231.40; Deadwood Mountain Grand-\$148.68; Dept Of The Treasury-\$124,882.08; Diversified Collections-\$100.00; Election Sys&Software-\$6,060.00; Ellingson,Joseph-\$2,775.52; Esri-\$400.00; Fastenal-\$18.15; Fish,Veronica-\$133.00; Godfrey's Brake Serv-\$619.52; Great Western Tire-\$50.12; Heartland Paper Co-\$534.10; Heisler Hardware-\$73.93; Ibm Corporation-\$1,751.00; Kadrmas, Lee And Jackson-\$1,304.54; Kimbell's Auto Repair-\$234.25; Kosel,Joseph-\$2,193.06; Lead-Deadwood Reg Hospital-\$5,225.00; Lead-Deadwood Regional Hospital-\$581.79; Lewis&Clark Bhs-\$160.00; Lexisnexis Risk Data Mngt-\$75.00; Liewer Enterprises-\$79.04; Lippincott,Stephanie-\$332.98; Lueders-\$44.47; Microfilm Imaging Systems-\$1,680.00; Mid States Organized-\$150.00; Montana Dakota Utilities-\$942.21; Ms Mail-\$2,730.00; National Sheriff's Assoc-\$106.00; Northern Hills Casa-\$7,500.00; Office Of Child Support-\$2,291.08; Ohio Child Support-\$272.86; Pennington County Sheriff-\$1,482.60; Program Works-\$675.00; RC Finance Office-\$805.00; RC Regional Hospital-\$439.29; Regional Health-\$406.00; Regional Health Physicians-\$123.54; Reserve Account-\$5,000.00; Rocket Lube-\$71.49; SD Emergency Mngt Association-\$210.00; SD Public Assur Alliance-\$102,437.89; Sdrs Supplemental Retirement-\$2,358.00; Securus Technologies T-Netix-\$1,060.00; Servall Towel&Linen-\$799.46; Sheehan Mack Sales&Equip-\$209,696.00; Silverado-\$477.00; Spearfish Auto Supply-\$279.34; Spearfish Police Dept-\$10,415.76; Sturdevant's Auto Parts-\$35.00; System Design Advantage-\$580.00; Thomson Reuters-West-\$171.44; Tigerdirect-\$141.24; Top Quality Glove-\$260.00; Turnkey Corrections-\$17.41; Twin City Hardware&Lumber-\$390.02; Verizon Wireless-\$105.06; Washington State Support Reg-\$150.00; Wells Fargo Business Card-\$1,936.63; West River International-\$488.19; Western Sd Juvenile Serv-\$16,154.60; White Drug-\$2,945.31; Wilde&

Hunt, Prof-\$1,342.56; Williams Properties-\$400.00; Williams Standard Serv-\$62.52; Wimactel-\$60.00; Wolff Law Office, Pllc-\$43.00

Witness & Jurors: Black,D-\$61.10; Chapeau,C-\$64.80; Cook,B-\$64.80; Cowen,C-\$52.22; Holien,G-\$69.24; Lavoie,R-\$59.62; Law,J-\$52.22; Mason,L-\$52.22; Mitcheltree,R-\$50.74; Startz,Z-\$57.40; Roemer,M-\$10.74; Totino,J-\$72.20; Baye,E-\$63.32; Binstock,N-\$22.58; Boddicker,B-\$54.44; Dammen,C-\$10.74; Edwards,E-\$23.32; Gappinger,L-\$23.32; Heaphy,J-\$21.10; Henriksen,D-\$24.80; Hopewell,W-\$25.54; Hover,P-\$24.80; Hubenka,L-\$28.50; Huft,D-\$59.62; James,E-\$12.96; Kuhn,G-\$24.80; Ladner,A-\$18.14; Miles,D-\$13.70; Moak,J-\$68.50; Monsees,R-\$21.10; Moser,E-\$18.88; Nelson,R-\$12.22; Opbroek,M-\$21.10; Opstedahl,J-\$22.58; Osborne,B-\$52.96; Oswald,B-\$21.10; Pflaumer,E-\$24.80; Price,C-\$52.22; Rans,C-\$64.80; Reede,M-\$56.66; Robison,E-\$57.40; Savoie,K-\$51.48; Scholl,R-\$13.70; Schroeder,K-\$12.96; Smith,A-\$21.10; Steinlicht,Z-\$24.80; Stepper,O-\$21.10; Sternhagen,C-\$12.96; Torgerson,C-\$21.10; Watson,M-\$22.58; Weis,K-\$26.28; Wendland,T-\$12.96; Weyrich,N-\$22.58; Williams,S-\$58.88; Williamson,A-\$18.88; Yackley,T-\$24.80; Crain,P-\$55.52; Fulgaro,M-\$31.10; Lefebvre,D-\$55.52; Patterson,T-\$40.72; Hopewell,C-\$63.32; Sleep,R-\$69.24; Jones,B-\$68.50; Keim,R-\$62.58; Rohla,R-\$61.10; Sargent,D-\$52.22; Saye,W-\$61.10; Syman,A-\$61.10; Trevino,B-\$55.92; Bratcher,R-\$22.59; Roemer,M-\$10.74; Totino,J-\$32.20

ADJOURN: 12:10 p.m. Moved-Seconded (Flanagan-Weisenberg) there being no further business the meeting was adjourned. Motion Carried.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – February 11, 2014

Chairperson Richard Sleep called the Lawrence County Board of Adjustment meeting to order at 10:52 a.m. on February 11, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Terry Weisenberg and Brandon Flanagan present. Bob Ewing was absent.

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

VARIANCE #139 / SCHOENBECK: The Board discussed an administrative appeal on a denial for Variance #139. The Homeowner’s builder Leroy Stuen, Stuen Construction was present to discuss building issues. Stuen explained the reason for the size of the garage is to accommodate for the drop in elevation and stairs are required to go into the home from the garage. The Board discussed the topography of the property, locations of the septic system and drain field, and that the property is subject to setbacks on two sides because it is a corner lot.

Moved-Seconded (Weisenberg-Johnson) to approve Variance #139 Request for a Variance of (Donna and Lee Schoenbeck, Applicants) Request for a 5' Variance to the 25' Front Setback to Construct an Attached Garage on Lot 41, Blk 8 of Tract A of Lost Camp Valley Acreage in Section 2 and 11, T4N, R2E (.37) Acres - Location - Near Terry Peak, because of hardship due to the topography of the property, location of the septic system and drain field, and that the property is subject to setbacks on two sides because it is a corner lot. Motion Carried.

ADJOURN: 11:04 a.m. There being no further business it was Moved-Seconded (Johnson-Flanagan) to adjourn. Motion Carried.

Date Approved

Richard Sleep, Chairperson

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – February 25, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on February 25, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, and Terry Weisenberg present. Brandon Flanagan was present through video conference. Robert Ewing was absent.

All motions were roll call votes and passed by unanimous vote, by all members present or available by video conference, unless stated otherwise.

AGENDA: Moved-Seconded (Weisenberg-Johnson) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Flanagan) to approve the minutes of February 11, 2014 County Commission meeting and February 11, 2014 Board of Adjustment Meeting. Motion Carried.

PERSONNEL:

SHERIFF:

Moved-Seconded (Weisenberg-Flanagan) to approve Paul Hansen as full-time permanent Chief Deputy at the base rate of \$2,411.04 per pay period, effective April 1, 2014. Motion Carried.

Moved-Seconded (Johnson-Weisenberg) to approve Brian Dean as Sheriff at the base rate of \$2,743.49 per pay period, effective April 1, 2014. Motion Carried.

TREASURER: Moved-Seconded (Johnson-Sleep) to approve the advertising for an accounting clerk to replace Janice Haupt who will be retiring May 16th, 2014. Motion Carried. Deb Tridle, Treasurer stated she would like to have someone hired in April to begin training.

DIRECTOR OF EQUALIZATION: Moved-Seconded (Weisenberg-Flanagan) to approve the advertising for a permanent full-time appraiser in the Director of Equalization Officer. Motion Carried.

2014 WAGES: Moved-Seconded (Johnson-Weisenberg) to approve the following Wages for the salaried personnel, per pay period (biweekly), effective February 10, 2014. Motion Carried. 2014 WAGES (per SDCL 6-1-10): Brandon Flanagan-479.56; Ewing,Bob-479.56; Richard Sleep-479.56; Johnson,Daryl-479.56, Weisenberg,Terry-479.56; Outka,Bruce-3,528.06, Atkinson,Connie-2,569.90, Tridle,Debra-2,371.54, Dias,Gregory-2,964.67, Fitzgerald, John-3,137.75, Harvey,Brenda-2,164.97, Thielen,Trevor-2,078.11, Pike,Matthew-2,952.59, Lopez,Amber-2,588.43, Albertson, Kirk-2,245.54, Hodson,Timothy-2,033.34, Green Sheree-2,255.45, Locken,William-1,274.97, Mowell,Richard-2,789.09, Dean,Brian-2,475.04, Gould,Gary- 234.77 & \$100.00 per call, Thomson,Paul-2,325.12, Bonnema,Allan-2,780.43, Heck,David-2,003.29, Vogt,Amber-2,001.91.

TRAVEL REQUESTS:

VETERAN SERVICE: Moved-Seconded (Johnson-Flanagan) to approve the travel request for William Locken to attend the National Association of County Veterans Service Officer Training and Certification in Pierre, SD on August 24-29, 2014. Motion Carried.

PLANNING & ZONING: Moved-Seconded (Weisenberg-Johnson) to approve the travel request Amber Vogt, to attend the Western Planners conference in Salt Lake City, UT on September 30 through October 3, 2014. Motion Carried.

CASE LIBRARY AGREEMENT: Moved-Seconded (Johnson-Flanagan) to approve the Case Library Agreement / Gift Agreement with the Black Hills State University for the Extension Office Records. Motion Carried.

EXTENSION AGREEMENT: Moved-Seconded (Weisenberg-Johnson) to authorize the Chairman to sign the MOU with the SDSU Extension and Counties of South Dakota 2014 with the condition that the agreement is the same as 2013 including the Expansion Committee. Motion Carried.

RAFFLE: Moved-Seconded (Johnson-Sleep) to not object to the request from the Spearfish Veterans Monument Committee Raffle. Motion Carried.

SHERIFF BUSINESS: Brian Dean, Chief Deputy was present to discuss issues in the Sheriff's Office.

ST. ONGE SPEED CONTROL SIGNS: Larry Fierro, St. Onge Township was present to request 2 digital speed control signs as you enter the town. Highway Safety funds would be used to purchase the signs with 20% matching funds needed. Fierro stated St. Onge would reimburse the County for the 20% matching funds and would assume the maintenance and utility bills for the signs.

Moved-Seconded (Johnson-Weisenberg) to follow the recommendation of Brian Dean, Chief Deputy Sheriff and approve the application for the Highway Safety Fund Grant for the placement of the two digital speed control signs for St. Onge Township and accept the offer from St. Onge to reimburse the County for the 20% matching funds and assuming the maintenance and utility bills for the signs. Motion Carried.

BOARD OF PRISONERS: Dean discussed the current policy and procedure for Board of Prisoners. Dean stated at this time he feels it is in the best interest of the County and for the office of the Sheriff to change to a new system. Dean will research the options further and come back to the Board with a recommendation.

HIGHWAY BUSINESS: Allan Bonnema, Highway Superintendent was present to update the Board on Highway Business.

PRIVATE APPROACH PERMIT: Moved-Seconded (Weisenberg-Flanagan) to approve the Private Approach Permit for Kevin Wermager to construct an approach to the west side of the Lookout Mountain Road located approximately 110' from the corner post to 135'. Motion Carried.

HIGHWAY – CULVERT BIDS: Moved-Seconded (Johnson-Weisenberg) to approve and authorize the purchase of metal culverts and other bridge material off the Beadle County Bid from TrueNorth Steel for 2014. Motion Carried. (Bid on file in the Lawrence County Auditor's Office)

CROOK CITY ROAD: Moved-Seconded (Weisenberg-Flanagan) to set the bid opening for the Crook City Road Paving Project for April 8TH, 2014. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted as of February 20, 2014: Deadwood Diesel 4100: (prices per gallon) CBH Cooperative - \$3.455, Southside - \$3.45*; Deadwood Unleaded 2200 gallons: (prices per gallon) CBH Cooperative - \$3.186, Southside - \$3.12*; Spearfish Diesel 1700 gallons: (prices per gallon) CBH Cooperative - \$3.455*, Southside no-bid; Spearfish Unleaded 1100 gallons: (prices per gallon) CBH Cooperative - \$3.186*, Southside no-bid; *Represents lowest quote awarded. No bid was received from MG Oil or Harms Oil.

EMERGENCY MANGEMENT: Paul Thomson, Emergency Management Director was present to update the Board on the Elected Officials Briefing for Emergency Management. Moved-Seconded (Weisenberg-Sleep) to approve and authorize the Chairman to sign the Elected Officials Briefing. Motion Carried.

PARKING: Tim Conrad, Deadwood Mountain Grand was present to discuss parking in the ramp during Kool Deadwood Nights Car Auction. Conrad asked if they could use the county employee parking in the ramp on Thursday and Friday. Conrad offered alternative parking to the county employees in other areas and offered to bus the employees back and forth. The Board will address at a future meeting.

AIRPORT: Ray Jilek and Michael Rath were present to discuss the hail damage received in June 2013 at the airport. Jilek stated they have examined the roofs and there is more than just cosmetic damage on the County owned buildings and needs to be repaired. The insurance company has taken the position that the damage is cosmetic and in need of regular routine maintenance. Jilek stated Erskine Construction / Allied Contractors can do an independent inspection and they can assist the County in getting the insurance companies in repairing the buildings. The Board stated they will

send notification to the Insurance Company that the County does not accept their determination and will be researching the issue further.

DEADWOOD REVITALIZATION: Susan Johnson updated the Board on the Deadwood Revitalization project and requested funding of \$15,500 for Roger Brooks consultant fees and to become one of four stakeholders in Deadwood. Bid 7, City of Deadwood and Historic Preservation would be the remaining 3 stakeholders. Mike Rodman, Ron Russo, Ken Gienger and Ron Island were also present to provide updates on the future of Deadwood. The Board expressed concerns that this was not a budgeted expense for the County but also stated they could see the importance. The Board urged the group to submit a formal request for the 2015 budget.

PLANNING & ZONING: Amber Vogt, Planning and Zoning Administrator presented an update on the Apple Springs Development. Vogt stated the cold weather has final installation of the system on hold. The Board was in agreement that an addendum will need to be agreed upon to extend the development agreement from March 1, 2014. The addendum will be presented at the next meeting.

PLATS:

Moved-Seconded (Johnson-Weisenberg) to approve the Preliminary Plat - Tract A-2 and Tract A-3 of Reebe Ranch Estates, Section 28, T7N, R1E, Location: Exit 2 on Red Hill Road (G. Allen and Linda Williamson, Applicants). Motion Carried.

Moved-Seconded (Johnson-Flanagan) to approve the Final Plat - Tract A-2 and Tract A-3 of Reebe Ranch Estates, Section 28, T7N, R1E, Location: Exit 2 on Red Hill Road (G. Allen and Linda Williamson, Applicants). Motion Carried.

ANNUAL REVIEWS:

CONDITIONAL USE PERMIT #403 PRESBYTERY OF SOUTH DAKOTA (PIONEER CAMP): An annual review was held on CUP #403 – Presbytery of South Dakota (Pioneer Camp), Location: Highway 385, Zoned Park Forest. Construction continues on project with the pole building completed. Work continues on the residence and 3 cabins. Most of the roads are built and the septic is complete.

CONDITIONAL USE PERMIT #414 / COMMUNICATIONS TOWER: An annual review was held on CUP# 414 - Cell Tower/Shelter, Location: Merritt Estes Road/Hwy 385 (Hohn/Velocitel, Applicants). Moved-Seconded (Flanagan-Weisenberg) CUP #414 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.

CONDITIONAL USE PERMIT #415 / COMMUNICATIONS TOWER: An annual review was held on C.U.P. #415 - Cell Tower/Shelter, Location: Mystic Hills/Custer Peak Road (Mystic Hills/Velocitel, Applicants). Moved-Seconded (Weisenberg-Johnson) CUP #415 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.

CONDITIONAL USE PERMIT #416 / SECOND RESIDENCE / ANDERSON: An annual review was held on C.U.P. #416 - Temporary Second Residence, Location: Exit #2 Spearfish (Sherrie Anderson, Applicant).

CONDITIONAL USE PERMIT #417 / KISSACK: An annual review was held on CUP #417 - Don & Laura Kissack for a Temporary 2nd Residence for a Hired Hand/Daughters on approx. 320 ac +/- (80 in Lawrence County and 240 in Butte County), located off of Creekside Loop/Old Belle Road; NW 1/4 SW 1/4 Section 4, T7N, R2E.

BUILDING INSPECTION: Jeff Schroeder, Deputy Code Enforcement Officer discussed the building inspections with the Board. The Board discussed interior remodels and requests from landowners requesting an inspection. Amber Vogt will review the fee schedule and bring a recommendation back to the Board.

POWDER HOUSE PASS: John Frederickson, Attorney for Powder House Pass was present to update the Board on the proposed Memorandum of Agreement and Irrevocable Letter of Credit. The Board was in support of the proposed Memorandum of Agreement and Irrevocable Letter of Credit and will be presented for Board action at a future meeting.

BILLS:

Moved-Seconded (Johnson-Weisenberg) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,504.40; Treas-\$10,707.00; Comp-\$8,336.54; States Atty-\$12,362.42; Pub Def-\$10,989.76; Gen Govt Bldg-\$8,387.98; Equal-\$12,435.57; Rod-\$7,832.47; Vso-\$1,274.97, Disp-\$11,830.22; Sher-\$34,810.95; Jail-\$22,603.56; Coroner-\$257.85; 24/7-\$155.88; Emerg Mgnt-\$3,858.47; E911-\$1,762.40; Highway-\$41,179.36; Air-\$1,121.72; Weed-\$160.00; Pz-\$5,291.89; Cty Mpb-\$67,966.32; **Bills:** Fitzgerald,John-\$148.00; Fluegel,Edward-\$91.76; Evans,Jesse-\$185.00; Gordon-Sartain,R-\$76.64; Laney,Dylan-\$33.30; Wiley,Amanda-\$9.62; A&B Business,Inc Solutions-\$1,328.27; A&J Supply-\$54.29; A-Z Shredding-\$8.70; Abc Business Supply Corp-\$114.30; Ace Steel&Recycling-\$289.09; Andersen,Norma-\$15.00; At&T-\$22.80; Audra Malcomb Consulting-\$277.16; BH Chemical Company-\$465.13; BH Council Of Local Govt-\$6,265.00; BH Federal Credit Union-\$8,384.00; BH Pest Control-\$190.00; BH Power-\$10,552.42; Ball,Megan-\$100.00; Bob Barker Company-\$350.12; Bomgaars Supply-\$60.97; Brevik Law Office Prof-\$212.43; Butler Machinery Co-\$45.20; Cedar Shore-\$327.80; Century Business Products-\$365.08; Centurylink-\$2,203.64; City/County Alcohol&Drug-\$1,680.00; Clerk Of Courts-\$50.00; Collections Services Center-\$336.73; Credit Collections Bureau-\$260.92; Dakota Fluid Power-\$359.22; Dept Of The Treasury-\$68,914.31; Dharma Tree Care-\$28,095.00; Diversified Collections-\$100.00; Eddie's Truck Sales/Serv-\$5.82; Ekern,Marv-\$15.00; Ellingson, Joseph-\$131.77; Heartland Paper Co-\$169.27; Heisler Hardware-\$7.49; Hills Material Comp-\$1,502.21; Jacobs Precision Welding-\$43.50; Kadrmas, Lee And Jackson-\$2,933.51; Kinney, Matthew-

\$5,893.27; Koala Electric-\$5,668.19; Kosel,Joseph-\$1,613.40; Lewis&Clark Bhs-\$320.00; Lewno, Lucy-\$299.23; Lexisnexis Risk Data Mgmt-\$75.00; Lowe Roofing-\$1,483.50; Lyle Signs-\$111.00; Marc Mid-America Research Chem-\$91.51; Marshall&Swift/Boeckh-\$958.40; Microfilm Imaging Systems-\$2,660.00; Montana Dakota Utilities-\$594.21; NH Training Center-\$2,500.00; Nebraska Salt&Grain-\$4,776.53; Neve's Uniforms-\$38.88; Northeast Wisconsin-\$350.00; Northern Hills Dental-\$183.00; Novus-\$347.00; Office Of Child Support-\$1,145.54; Ohio Child Support-\$136.43; Pennington County Sheriff-\$1,741.80; Ponderosa Apt-\$275.00; Quill Corporation-\$838.05; RC Finance Office-\$735.00; Regional Health Physicians-\$101.69; Rehfuss, Cathryn-\$15.00; Reliance Telephone-\$201.00; Rocket Lube-\$111.98; SD Airport Conference-\$150.00; SD Assoc Of Criminal Defense-\$100.00; SD Association Of County-\$80.00; Sdrs Supplemental Retirement-\$1,179.00; Sdsu Extension-\$5,600.00; Servall Towel&Linen-\$542.11; Shepherd Reporting-\$30.00; Southside Oil-\$21,009.00; Spearfish Auto Supply-\$10.98; Spearfish Police Dept-\$10,394.19; Spearfish Senior Citizens-\$2,000.00; Stahl, Mike-\$77.33; Sturdevant's Auto Parts-\$149.01; Swanda, Karen-\$15.00; Swisher Hygiene/Css-\$77.00; Thomson Reuters-West-\$171.44; Three Square Market-\$12.93; Tigerdirect-\$548.83; Titan Machinery Construct Div-\$481.26; Triple K Tire&Repair-\$55.85; Twin City Hardware&Lumber-\$398.67; Ultramax-\$1,699.00; United Parcel Service-\$12.10; Verizon Wireless-\$105.08; Verizon Wireless-\$50.00; Washington State Support Reg-\$75.00; Wells Fargo Business Card-\$11,258.39; Western Communication-\$46.00; White Drug-\$1,098.51; Whitewood Senior Citizens-\$1,000.00; Wimactel-\$60.00; Wolff Law Office-\$273.36; Wow!-\$1,774.70; Yankton Co Sheriff-\$25.00; **Witness & Jurors:** Black, D-\$61.10; Chapeau, C-\$64.80; Cook, B-\$64.80; Cowen, C-\$52.22; Law, J-\$52.22; Mason, L-\$52.22; Mitcheltree, R-\$50.74; Startz, Z-\$57.40; Patterson, T-\$38.50; Valdez, K-\$23.70; Geist, J-\$32.95; Kruse, T-\$32.58; Reynolds, P-\$29.62; Steckler, S-\$22.22; Trainer-Dodds, L-\$31.10

ADJOURN: 10:44 a.m. Moved-Seconded (Weisenberg-Sleep) there being no further business the meeting was adjourned. Motion Carried.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – March 11, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on March 11, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan and Terry Weisenberg present. Daryl Johnson and Robert Ewing were absent. Daryl Johnson was available on speaker phone during the Apple Springs update.

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

AGENDA: Moved-Seconded (Weisenberg-Flanagan) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Flanagan) to approve the minutes of February 25, 2014 County Commission meeting. Motion Carried.

TRAVEL REQUESTS:

PLANNING & ZONING: Moved-Seconded (Flanagan-Weisenberg) to approve and authorize the Chairman to sign the application for Amber Vogt to apply for the EMI Course, E284 Advanced Floodplain Management Concepts in Maryland. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Flanagan-Sleep) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of February 28, 2014 showed the following: Total amount of actual cash-\$1,350.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$87,873.52; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$3,919.99; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,650,000; Bank Balance \$2,474,095.19, Money Market \$2,634,201.24; Savings-\$6,422,370.71; Total \$15,275,670.65.

PARKING: Moved-Seconded (Flanagan-Weisenberg) to approve Deadwood Mountain Grand's request to use the employee parking in the ramp during Kool Deadwood Nights Car Auction on Thursday and Friday with DMG making alternative parking and transport arrangements for employees and coordinating with the Sheriff's Office. Motion Carried.

CITY OF DEADWOOD PARKING: The Board reviewed a proposed parking agreement with the City of Deadwood and discussion followed on the loss of parking for County Employees. No action was taken and further negotiations and discussions will follow.

SHERIFF BUSINESS:

VEHICLE BID OPENING: The following bids were received from White's Canyon Motors: Option 1 – 2014 Explorer Interceptor \$26,961 each and Option 2 – 2014 Explorer Interceptor - \$28,467 each with add-on of carpet, wiring kit front & rear and wig-wag flasher. The trade in values equaled \$23,000. A bid was received from Chicago Motors Inc. but was not considered because it did not meet specifications. Moved-Seconded (Flanagan-Sleep) to accept the only bid from White's Canyon Motors Option 2 at \$28,467 each for a total of \$85,401 and to declare the 2006 Dodge Durango 1D4HB48286F163224, 2008 Dodge Durango 1D8HB48258F129081, 2009 Chevy Tahoe 1GNFK03059R198798 surplus and allow them to be traded in for a value of \$23,000 making the total due of \$62,401.00. Motion Carried.

BOARD OF PRISONERS: Brian Dean, Chief Deputy Sheriff discussed Board of Prisoners with the Board. Dean detailed the three options he researched. Option One: Contracting out the entire service with the contractor preparing and serving the food in the jail. Option Two: Bringing in prepared meals and then serving to inmates. Option Three: The County purchasing the food from a supplier and preparing and serving the meals with the existing staff. Dean stated after reviewing the options he recommended Option Three as being the least disruptive to the current operation of the jail and being in the best interest of the County and Taxpayers. Dean stated the County would enter into a non-contractual arrangement with a food supplier (CISCO) and would also become a member of a cost savings group (HPSI). Dean also recommended allowing the Correctional Staff to purchase meals at a cost of \$2.50 per meal. Moved-Seconded (Flanagan-Weisenberg) to follow the recommendation of Dean and change the Board of Prisoner Meals Policy as follows: The County will purchase food from a supplier with a non-contractual arrangement, the County will become a member of a cost savings group, the County will prepare and serve the meals to inmates with the existing staff, Correctional Staff will be eligible to purchase meals at \$2.50 per meal. Motion Carried. The County will transition to the new policy starting with the food purchasing on March 25th, 2014 and will also consult with a nutritionist to assure the County meals plans are in compliance.

HIGHWAY BUSINESS: Allan Bonnema, Highway Superintendent was present to update the Board on Highway Business.

PRIVATE APPROACH PERMIT: Moved-Seconded (Flanagan-Sleep) to approve and authorize the Chairman to sign the Application for Private Approach Permit for Mark Backens to construct an approach to the north side of Centennial Road. Motion Carried.

SPRING LOAD LIMIT RESOLUTION #14-07: Moved-Seconded (Flanagan-Weisenberg) to approve the following LAWRENCE COUNTY SPRING LOAD LIMIT RESOLUTION #2014-07. Motion Carried. Lawrence County Spring Load Limit Resolution #2014-07: Whereas, seasonal climatic changes can be detrimental to our Highways and create dangerous driving conditions and Whereas, the Lawrence County Board of County Commissioners desires to protect existing Lawrence County Highways, Ultimately saving tax dollars and, Whereas, The Lawrence County Board of County Commissioners, Desire to the enforcement of weight limitations on Lawrence County Highways as set forth and posted by the Lawrence County Highway Department. NOW

THEREFORE BE IT RESOLVED; Whereas the limits on the following Lawrence County Highways shall be set at six (6) tons per axle on the Nemo Road, North Rochford Road, Old Belle Road, Acorn Ridge Road, West Hwy 14 Road and Crook City Road during the spring thaw period and when load limits signs are in place and that the South Dakota Motor Carrier is hereby requested to enforce said weight limitations on Lawrence County Highways. BE IT FURTHER RESOLVED, that the penalty for the violation of load restrictions shall be set forth in SCL 32-22-55. Vote of Lawrence County Commission: AYE-3, NAY-0. Dated this 11th day of March, 2014 at Deadwood, South Dakota. Lawrence County Board of Commissioners: Richard Sleep, Chairman. ATTEST: Connie Atkinson, Lawrence County Auditor.

TRAFFIC COUNTS: Allan Bonnema discussed the need for daily traffic counts and stated they are an important tool in maintaining the county roads. Bonnema stated for six counters with software it would be approximately \$10,000. He stated this was not a budgeted item but was confident he could handle within his budget. The Board asked for a more detailed cost estimate to be presented at a future meeting.

RED CROSS: Richard Smith, Red Cross Representative was present and discussed the Storm Atlas last fall and the importance of emergency shelters in the County. Smith informed the Board about the Breakfast of Champions Recognition Event on Thursday March 13, 2014 and asked for permission to invite Paul Thomson, Rene Larson and Deb Leatherman as Lawrence County Representatives. Moved-Seconded (Weisenberg-Flanagan) to approve the donation of \$50.00 per ticket for Thomson, Larson and Leatherman to attend the event. Motion Carried.

INVASIVE SPECIES MANAGEMENT: Moved-Seconded (Flanagan-Sleep) to approve and authorize the Chairman to sign the application for a five year grant with the BLM Weed Spraying Agreement. Motion Carried.

PLANNING & ZONING:

APPLE SPRINGS: Nick Hoffman, Interstate Engineering and Mike Short, Apple Springs were present to update the Board on the progress on the sanitation system. The Board questioned if the Development Agreement needed to be amended. Discussion followed on the issuance of building permits and when the system would be fully operational. The Board directed Vogt that building permits could be issued but occupancy permits would not be issued until the system was fully operational and proper certification is received from the State. The Board will monitor the progress of the system. Daryl Johnson was available by speaker phone.

BILLS:

Moved-Seconded (Flanagan-Sleep) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,504.41; Treas-\$10,706.97; Comp-\$8,336.53; States Atty-\$12,242.43; Pub Def-\$10,989.76; Gen Govt Bldg-\$8,295.56; Equal-\$13,336.50; Rod-\$7,832.47;

Vso-\$1,274.97; Disp-\$12,956.54; Sher-\$36,485.52; Jail-\$23,593.17; Coroner-\$457.85; 24/7-\$155.88; Emerg Mgnt-\$3,781.28; E911-\$1,762.41; Highway-\$45,020.74; Air-\$1,374.40; Mh Serv-\$1,680.00; Pz-\$5,051.89; Cty Mpb-\$52,991.18; **Bills:** Mowell,Richard-\$6,642.00; Larson,Rene'\$54.00; Engel,Paul-\$5.00; Allen,Dawn-\$73.85; Dragoo,Shelley-\$26.00; Sleep,Richard-\$69.24 ; Whalen,Michael-\$753.69; Pummel,Josh-\$17.02; American Family Life-\$3,611.25; BH Federal Credit Union-\$8,384.00; Clerk Of Courts-\$50.00; Collections Services Center-\$336.73; Credit Collections Bureau-\$260.92; Deadwood Recreation Center-\$659.00; Delta Dental Of South Dakota-\$6,806.68; Dept Of The Treasury-\$67,705.97; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,662.32; Northern Hills Rec Center-\$124.00; Office Of Child Support-\$1,056.81; Ohio Child Support-\$136.43; SD Retirement System-\$55,578.70; Sdrs Supplemental Retirement-\$1,179.00; Washington State Support Reg-\$75.00; Wellmark Blue Cross-\$78,251.63; A&B Business,Inc Solutions-\$1,416.11; A&B Welding Supply-\$80.13; A&J Supply-\$11.43; A-Z Shredding-\$3.30; Abc Business Supply-\$546.87; Air Connection-\$188.15; Alco Store-\$10.37; At&T Mobility-\$959.31; BH Legal Professionals Assoc-\$80.00; BH Pest Control-\$190.00; BH Pioneer-\$88.81; BH Power-\$1,331.69; Biegler,Greg-\$75.00; Big Sky Communications-\$378.00; Black Hills Pure-\$76.50; Bomgaars Supply-\$59.99; Butler Machinery Co-\$584.32; Butte Electric Coop-\$805.23; Cbh Cooperative-\$9,753.04; Cdw Government-\$2,792.79; Century Business Products-\$64.34; Centurylink-\$106.96; City/County Alcohol&Drug-\$140.00; Cna Surety-\$50.00; Contractors Insulation-\$1,661.65; Csd-\$365.45; Dak Generator Services-\$867.57; Deadwood,City Of-\$742.88; Dept Of Hlth Lab Services-\$35.00; Ecolab-\$135.00; Ed Roehr Safety Products-\$158.00; Ellingson,Joseph-\$282.77; Frederickson,John-\$478.80; Hamann,Chris-\$150.00; Heartland Paper Co-\$196.00; Heisler Hardware-\$30.97; Kimball-Midwest Co-\$471.36; Knecht Home Center Of Spf-\$208.03; Kosel,Joseph-\$2,809.36; Lawson Products-\$645.16; Lead,City Of-\$31.75; Lead-Deadwood Sanitary-\$330.18; Lycox Enterprises-\$39,978.00; Marco-\$37.35; Megas Propane-\$1,720.75; Mcleod's Office Supply-\$189.12; Midcontinent Communications-\$34.00; Montana Dakota Utilities-\$7,152.30; Moore Medical-\$180.06; Ms Mail-\$75.00; Nelson,Tonya-\$250.00; Neve's Uniforms-\$358.60; Overhead Door Company of Rapid-\$411.60; Pitney Bowes-\$5,000.00; Postmaster,Deadwood-\$84.00; Rabe Elevator-\$925.97; Rapid Transcript Co-\$702.00; Regional Health Physicians-\$48.72; Rocket Lube-\$140.97; SD Assn Of Co Comm-\$2,991.00; SD Human Services Center-\$98.00; SD State Treasurer-\$1,212.44; Secretary Of State-\$30.00; Securus Technologies T-Netix-\$1,197.90; Servall Towel&Linen-\$399.73; Spearfish Auto Supply-\$2,229.48; Stadler Ind Service-\$1,241.00; Sterna,Laura-\$550.00; Sturdevant's Auto Parts-\$1,656.10; Thomson Reuters-West-\$171.44; Tigerdirect-\$52.56; Triple K Tire&Repair-\$475.98; Twilight First Aid&Safety-\$38.10; Twin City Hardware&Lumber-\$258.98; Two Bit Body Shop-\$300.00; United Parcel Service-\$14.82; Victims Of Violence-\$634.00; Waste Connections-\$678.15; Watertree-\$57.90; Wellmark Blue Cross-\$300.00; Wells Fargo Business Card-\$3,582.63; West River International-\$863.17; Western Communication-\$469.00; Wex Bank-\$786.33; White's Queen City Motors-\$58.62; **Witness & Jurors;** Hopewell,C-\$63.32; Jones,B-\$19.24; Rhodes,B-\$60.36; Rohla,R-\$61.10; Sargent,D-\$52.22; Saye,W-\$61.10; Syman,A-\$61.10; Ballard,J-\$33.32; Jolley,J-\$33.32; Jolley,J-\$33.32; Martz,D-\$33.32; Starr,C-\$33.32; Satterlee,A-\$31.10

ADJOURN: 10:03 a.m. There being no further business the Chairman adjourned the meeting. Motion Carried.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – March 25, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on March 25, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Bob Ewing, Brandon Flanagan and Terry Weisenberg present.

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

AGENDA: Moved-Seconded (Weisenberg-Johnson) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Ewing) to approve the minutes of March 11, 2014 County Commission meeting. Motion Carried.

PERSONNEL:

STATES ATTORNEY: Moved-Seconded (Ewing-Sleep) to set the cell phone per diem for Shelly Baumann at \$45.00 per month beginning April 1, 2014. Motion Carried.

SHERIFF: Moved-Seconded (Weisenberg-Flanagan) to approve Marty Goetsch as a full-time permanent Operations Captain at the base rate of \$25.65 an hour, effective April 1, 2014. Motion Carried.

TREASURER: Moved-Seconded (Flanagan-Johnson) to approve the hiring of Gail L. Derby as an Accounting Clerk G1 at the base rate of \$13.47 an hour, effective April 14, 2014. Motion Carried.

TRAVEL REQUESTS:

PLANNING & ZONING: Moved-Seconded (Ewing-Flanagan) to approve the travel request for Amber Vogt to attend the Floodplain Management Concepts III Class in Maryland on July 20-25, 2014. Motion Carried.

CITY OF DEADWOOD PARKING: The Board discussed a proposed parking ramp lease agreement between City of Deadwood and Lawrence County with Charles Turbiville, Deadwood Mayor. The Board proposed allowing the City of Deadwood to utilize 5 covered parking spaces in the ramp for police vehicles in exchange for the 6 designated spots behind the Post Office and 4 designated parking spots on the north side of the Sherman Street parking lot for county pool vehicles. The Board also proposed a 4-5 year agreement. Mayor Turbiville will present to the City Commission at their next meeting.

ELECTION AGREEMENT: Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to sign the Elections Systems & Software LLC Election Services Agreement. Motion Carried.

2 MILLION BIKERS TO DC RAFFLE: Moved-Seconded (Flanagan-Weisenberg) to not object to the request from the Horses to Harley's Raffle on behalf of 2 Million Bikers to DC Raffle. Motion Carried.

HIGHWAY BUSINESS: Allan Bonnema, Highway Superintendent was present to update the Board on Highway Business.

HIGHWAY SUPPLIES BIDS:

MAGNESIUM CHLORIDE: Moved-Seconded (Flanagan-Johnson) to accept the only bid from Z&S Dust Control at \$138.75 per ton and \$15.00 per ton application, and allow the Chairman to sign the Contract with Z&S Dust Control. Motion Carried.

HOT MIX ASPHALT: Sacrison Paving-\$65.00 at Exit 8 Plant; Hills Materials - \$59.50 at Centennial Quarry Plant. Moved-Seconded (Weisenberg-Johnson) to accept the low bid received from Hills Materials and allow the Chairman to sign the contract. Motion Carried.

COLD MIX ASPHALT: Hills Materials - \$100.00. Moved-Seconded (Johnson-Flanagan) to accept the only bid received from Hills Material at \$100.00 from the Centennial Pit and allow the Chairman to sign the contract. Motion Carried.

GRAVEL SURFACING AGGREGATE: Johner & Sons (Hurm Pit): ¾" gravel surfacing-no bid; 1" gravel base-\$7.35; ¾"; clean rock-no bid; ½" clean rock-no bid; 1" clean rock-\$9.50; 2" clean rock\$7.75 and \$.50 loading costs. Hills Material: ¾" gravel base course (Centennial)-\$8.60; 1" gravel base (Hansen Pit)-\$7.75; ¾"; clean rock(Centennial)-\$13.05; ½" clean rock-no bid; 1" clean rock (Hanson Pit)-\$10.80; 1" gravel base (Centennial)-\$9.20; Loading-included. Fisher Industries (Stateline Quarry)-¾" gravel surfacing-no bid; 1" gravel base-\$9.00; ¾"; clean rock-\$9.25; ½" clean rock-\$9.50; 1" clean rock-\$9.00; All prices include loading. Moved-Seconded (Weisenberg-Johnson) to accept all bids received, depending on the advantageous price and desired location, and allow Chairman to sign the Contracts. Motion Carried.

DE-ICING SAND: Hills Material - \$16.70 per ton. Fisher Industries - \$23.30 per ton. Moved-Seconded (Weisenberg-Flanagan) to accept the low bid from Hills Material at \$16.70 per ton and allow the Chairman to sign the contract. Motion Carried.

HOT MIX-IN ASPHALT PAVER PATCHING: Sacrison Paving - \$250.00 per ton. Hills Material - \$283.00 per ton. Moved-Seconded (Johnson-Sleep) to accept the low bid from Sacrison Paving at \$250.00 per ton and allow the Chairman to sign the Contract. Motion Carried.

PRECAST CONCRETE CULVERTS: No bids received.

BOX CULVERTS: No bids received.

BRIDGE BEAMS: No bids received.

DECK UNITS: No bids received.

ABATEMENTS:

Betty Terrill: Moved-Seconded (Weisenberg-Ewing) to follow the recommendation of Tim Hodson, Director of Equalization and State law, and deny the request from Betty Terrill for an abatement on 515 Tranquility Lane, Spearfish for Owner Occupied status because the Owner Occupied Application was received after the deadline. Motion Carried.

PUBLIC SAFETY BUILDING ROOF PROJECT: Steve Williams, Williams and Associates was present to discuss the Public Safety Building Roof Project. Williams recommended an EPDM roofing membrane and to increase to ¼” slope to assist with drainage beneath the stone ballast. Discussion followed on bid alternates to accommodate upgraded options with a possible bid opening the end of May.

BUREAU OF LAND MANAGEMENT: Marian Atkins, BLM was present to update the Board on current projects and activities on BLM property.

PLANNING & ZONING:

PRELIMINARY PLAT BOHLEN / HOFFMAN: Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning recommendation and to approve the preliminary plat for Earl & Helen Bohlen and Sharlene Hoffman Living Trust - Tract 1 and 2 of M.S. 1829 all located in Section 22, 23, 26, 27, T5N, R2E. Located off Richmond Hill Road. Creating Tracts to transfer to Homestake. Motion Carried.

FINAL PLAT BOHLEN / HOFFMAN: Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning recommendation and approve the final plat for Earl & Helen Bohlen and Sharlene Hoffman Living Trust - Tract 1 and 2 of M.S. 1829 all located in Section 22, 23, 26, 27, T5N, R2E. Located off Richmond Hill Road. Creating Tracts to transfer to Homestake. Motion Carried.

BILLS:

Moved-Seconded (Flanagan-Weisenberg) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,504.41; Treas-\$10,706.96; Comp-\$8,336.53; States Atty-\$12,242.44; Pub Def-\$10,989.76; Gen Govt Bldg-\$8,357.66; Equal-\$13,355.03; Rod-\$7,832.47; Vso-\$1,274.97; Disp-\$34,956.00; Sher-\$21,161.21; Jail-\$21,161.21; Coroner-\$657.85; 24/7-\$173.20; Emerg Mgnt-\$3,876.25; E911-\$1,762.40; Highway-\$41,843.50; Air-\$1,126.60; Mh Serv-\$168.00; Weed-\$3,508.65; Pz-\$5,251.89; Cty Mpb-\$6,727.36; **Bills:** Larson,Rene-\$42.00; Smith,Danny-\$315.61; A&B Business,Inc Solutions-\$479.48; A&B Welding Supply-\$114.09; A To Z Shredding-\$39.75; Abc Business Supply-\$423.24; Active Data Systems-\$2,018.10; Alco Store-\$20.58; Allied Oil&Tire Company-\$19,188.00; At&T-\$3.50; Audra Malcomb Consulting-\$397.46;

B&B Auto Salvage-\$557.60; BH Chemical Company-\$157.66; BH Federal Credit Union-\$8,384.00; BH Power-\$10,493.94; Black Hills Disposal-\$87.00; Black Hills Urgent Care-\$432.76; Butler Machinery Co-\$996.06; Century Business Products-\$342.84; Centurylink-\$2,271.29; Certified Laboratories Div-\$315.00; City/County Alcohol&Drug-\$2,043.50; Clerk Of Courts-\$50.00; Collections Services Center-\$54.00; Commercial Kitchen Products-\$2,556.00; Coulls Informatics Corp-\$337.50; Credit Collections Bureau-\$260.92; Csd-\$265.60; Dept Of The Treasury-\$53,586.35; Diversified Collections-\$100.00; First Gold Hotel-\$52.00; Frontier Glass-\$253.62; Great Plains Chemical-\$180.00; Great Western Tire-\$12.00; Hills Material Comp-\$1,555.55; Horn Law Office Prof-\$206.10; J.G. Service-\$1,195.10; Jacobs Precision Welding-\$197.96; Janke,Wendy-\$1,228.00; Kimball-Midwest Co-\$138.43; Kimbell's Auto Repair-\$309.07; Kosel,Joseph-\$2,868.76; Lead-Deadwood Regional Hospital-\$59.04; Lee,James-\$15.00; Lewis &Clark Bhs-\$320.00; Lexisnexis Risk Data Mgnt-\$75.00; McClure,Susan-\$100.00; Mcleod's Office Supply-\$70.83; Microfilm Imaging Systems-\$2,080.00; Miller,Steve-\$1,491.74; Montana Dakota Utilities-\$881.85; Ms Mail-\$150.00; Mulligan Trailer Sales-\$10,559.00; Nacvso-\$30.00; Nelson,Christy-\$100.00; Northern Truck Equip Corp-\$88.35; Office Depot-\$1,877.80; Office Of Child Support-\$905.08; Pennington County Sheriff-\$698.10; Pitney Bowes-\$1,078.65; Quill Corporation-\$91.95; RC Regional Hospital-\$346.75; Regional Health-\$40.00; Regional Health Physicians-\$94.02; SD Cvso-\$150.00; Sdaco-\$525.00; Sdrs Supplemental Retirement-\$1,179.00; Securus Technologies T-Netix-\$1,197.90; Semerad,Sandra-\$115.60; Servall Towel&Linen-\$399.73; Spearfish Auto Supply-\$159.00; Spearfish Police Dept-\$10,242.54; Sturdevant's Auto Parts-\$148.06; Triple K Tire&Repair-\$954.61; Turnkey Corrections-\$17.71; Twin City Hardware &Lumber-\$924.59; Verizon Wireless-\$105.06; Vfw Post 5969-\$75.00; Washington State Support Reg-\$75.00; Wells Plumbing&Farm Supp-\$274.10; Western Sd Juvenile Serv-\$3,833.25; White Drug-\$1,207.04; Wilde&Hunt,Prof-\$324.00; Williams Properties-\$1,100.00; Williams Standard Serv-\$31.90; Wimactel-\$60.00; Wow!-\$1,625.30; Yankton County-\$220.00; **Witness & Jurors:** Kratz,T-\$33.32; Ruby,J-\$61.44; Zellers,G-\$20.74

9:53 a.m. EXECUTIVE SESSION: Moved-Seconded (Johnson-Ewing) to go into executive session pursuant to (SDCL 1-25-2(3) Consultation with Legal Counsel about Contractual Matter). Motion Carried. 10:10 a.m. the Board opened for regular business with no-action taken.

ADJOURN: 10:10 a.m. There being no further business the Chairman adjourned the meeting. Motion Carried.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – April 8, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on April 8, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Bob Ewing, Brandon Flanagan and Terry Weisenberg present.

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

AGENDA: Moved-Seconded (Flanagan-Sleep) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Ewing) to approve the minutes of March 25, 2014 County Commission meeting. Motion Carried.

PERSONNEL:

AUDITOR: Moved-Seconded (Flanagan-Ewing) to approve Marlene Barrett as a Part-Time / Fill-In Secretary G3 at the base rate of \$17.00 an hour, effective May-12-2014. Motion Carried.

EQUALIZATION: Moved-Seconded (Ewing-Flanagan) to reclassify Jason Fisher as a Full-Time Permanent Appraiser III G1 at the base rate of \$17.84 an hour, effective April 7, 2014. Motion Carried.

Moved-Seconded (Weisenberg-Johnson) to approve the hiring of Louise Hohn as Full-Time Permanent Appraiser III G1 at the base rate of \$17.84 an hour, effective April 14, 2014. Motion Carried.

Tim Hodson, Director of Equalization explained to the Board that Hohn currently works in Butte County and they have already paid the registration fees for Hohn to attend training classes in the next few months in the State. Moved-Seconded (Johnson-Flanagan) to reimburse Butte County for the registration fees for Hohn to attend the future training sessions. Motion Carried.

SHERIFF: Moved-Seconded (Weisenberg-Ewing) to approve the advertising for the position of full-time correctional officer. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Ewing-Weisenberg) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of March 31, 2014 showed the following: Total amount of actual cash-\$1,350.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$80,162.85; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$398.40; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,650,000; Bank

Balance \$2,588,046.67, Money Market \$2,635,014.40; Savings-\$6,422,803.64; Total \$15,379,635.96.

WILLIAMS & ASSOCIATES AGREEMENT: Moved-Seconded (Johnson-Weisenberg) to approve and authorize the Chairman to sign the Williams and Associates Agreement for Professional Services for the Public Safety Building Roof Project. Motion Carried.

ELECTION AGREEMENT: Moved-Seconded (Flanagan-Sleep) to approve and authorize the Chairman to sign the Election System & Software, LLC Maintenance and Support Fees Agreement. Motion Carried.

STATE LOCAL AGREEMENT: Moved-Seconded (Johnson-Sleep) To approve and authorize the Chairman to sign the State and Local Agreement 2nd Quarter Report FY2014. Motion Carried.

SHERIFF BUSINESS: Brian Dean, Sheriff was present to update the Board on the Sheriff's Office.

US FOREST SERVICE CAMPGROUND AGREEMENT: Moved-Seconded (Ewing-Flanagan) to approve and authorize the Chairman to sign the Cooperative Law Enforcement Agreement 14-LE-11020300-012 for 2014. Motion Carried

SUPPLEMENTAL BUDGETS: A public hearing was held for a supplemental budget for Insurance - \$110,000. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Weisenberg) to approve and authorize the Chairman to sign the following Resolution #2014-08. Motion Carried.

RESOLUTION #14-08 TO ADOPT A SUPPLEMENTAL BUDGET, WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2014, 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 2014, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: **GENERAL FUND:** (Insurance - \$110,000). 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 April, 2014 at the hour of 8:25 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 April, 2014. FOR THE BOARD OF COUNTY COMMISSIONERS Richard Sleep, Chairman. ATTEST: CONNIE ATKINSON. LAWRENCE COUNTY AUDITOR

HIGHWAY BUSINESS: Allan Bonnema, Highway Superintendent was present to update the Board on Highway Business.

BID OPENING CROOK CITY ROAD: The following bids were received for the Crook City Road Project: Hills Material - \$843,618.84 and Bituminous Paving - \$853,228.60. The Board discussed that the bids were over the engineers estimate. Moved-Seconded (Flanagan-Ewing) to continue the bid opening until the next meeting to review funding options. Motion Carried.

DEPARTMENT OF TRANSPORTATION FUNDING AGREEMENT: Moved-Seconded (Weisenberg-Johnson) to approve and authorize the Chairman to sign the State of South Dakota Department of Transportation Funding Exchange Agreement (SWAP) for 2014. Motion Carried.

COOPERATIVE FOREST ROAD AGREEMENT & ROAD PROJECT AGREEMENT: Moved-Seconded (Ewing-Weisenberg) to approve and authorize the Chairman to sign the Cooperative Forest Road Agreement and Road Project Agreement #12-RO-11020300-022 modification #5 with the USDA Forest Service. Motion Carried

SPRING LOAD LIMITS: Bonnema discussed the spring load limits with the Board. The County limit is at 6 ton per axle along with Butte County. Meade and Pennington are currently at 7 ton per axle. Bonnema asked if the Board would be interested in allowing a permit that someone could purchase for a one time allowance. Discussion followed on the fee that would be charged for the one time permit and the possible damage to the County roads. The Board was in agreement to leave the spring load limit as is. Bonnema stated he will monitor the roads and remove the load limits when the conditions support the removal.

FUEL QUOTES: The following fuel quotes were submitted as of March 26, 2014: Deadwood Diesel 5700: (prices per gallon) CBH Cooperative - \$3.403, MG Oil - \$3.39004*; Deadwood Unleaded 2900 gallons: (prices per gallon) CBH Cooperative - \$3.219*, MG Oil - \$3.2562; Spearfish Diesel 3200 gallons: (prices per gallon) CBH Cooperative - \$3.403, MG Oil - \$3.39004*; Spearfish Unleaded 600 gallons: (prices per gallon) CBH Cooperative - \$3.239*, MG Oil - \$3.2562; Whitewood Diesel 950 gallons: (prices per gallon) CBH Cooperative - \$3.423, MG Oil - \$3.39004*. *Represents lowest quote awarded. No bid was received from Southside or Harms Oil.

CITY OF DEADWOOD PARKING: The Board discussed a proposed parking ramp lease agreement between City of Deadwood and Lawrence County with Charles Turbiville, Deadwood Mayor. Moved-Seconded (Ewing-Johnson) to accept the offer from the City of Deadwood for 7 covered parking spaces for City law enforcement in exchange for 6 designated parking spots behind the post office and also designated parking spots in the Sherman Street lot. Motion Carried.

RECESS: 9:15 a.m. Moved-Seconded (Ewing-Flanagan) to recess the County Commission Meeting. Motion Carried. 9:35 a.m. The Chairman called the meeting back to order.

AIRPORT:

RESOLUTION TO TRANSFER BLACK HILLS – CLYDE ICE AIRPORT: Moved-Seconded (Johnson-Flanagan) to approve, adopt and authorize the Chairman to sign the following Resolution #2014-09 RESOLUTION TO TRANSFER BLACK HILLS – CLYDE ICE AIRPORT TO CITY OF SPEARFISH UPON CHANGE OF FAA SPONSORSHIP. Motion Carried. LAWRENCE COUNTY RESOLUTION 2014-09 RESOLUTION TO TRANSFER BLACK HILLS – CLYDE ICE AIRPORT TO CITY OF SPEARFISH UPON CHANGE OF FAA SPONSORSHIP: WHEREAS, Lawrence County, South Dakota (County) is the owner and the Federal Aviation Administration (FAA) designated Sponsor of the Black Hills – Clyde Ice Airport (Airport) located in and adjacent to Spearfish, South Dakota (City); and WHEREAS, County has agreed to transfer Airport to City subject to and conditioned upon City first obtaining transfer and approval of sponsorship from County to City; and WHEREAS, City has agreed to accept transfer of Airport to City from County upon obtaining FAA Sponsorship designation; and WHEREAS, County has determined that it is in the interests of the County for City to be the sponsor of the Black Hills – Clyde Ice Airport and that City may undertake the responsibilities of operations and future Airport enhancements for purposes of economic development in the interests of Lawrence County; NOW THEREFORE BE IT RESOLVED that Lawrence County, by and through the assembled members of the County Commission, shall cooperate with the City of Spearfish and its application for Federal Aviation Administration designation of Sponsorship for Black Hills – Clyde Ice Airport; and, upon the City of Spearfish obtaining the requisite sponsorship designation, Lawrence County does hereby agree to the transfer of the Black Hills – Clyde Ice Airport real estate, together with easements, avionic easements, rights and interests together with personal property associated there with to the City of Spearfish in its “as is” and “where is” condition, subject to such contracts, leases and legal obligations as exist, together with the responsibilities, duties and obligations to the Federal Aviation Administration and any other governmental and regulatory agencies, including the South Dakota Department of Transportation. Dated this 8th day of April, 2014. FOR THE BOARD: Richard Sleep, CHAIR. ATTEST: Connie Atkinson AUDITOR

RESOLUTION DEDICATING CERTAIN COUNTY ROADS TO CITY OF SPEARFISH

LAWRENCE COUNTY: Moved-Seconded (Johnson-Flanagan) to approve, adopt and authorize the Chairman to sign the following RESOLUTION #2014-10 RESOLUTION DEDICATING CERTAIN COUNTY ROADS TO CITY OF SPEARFISH. Motion Carried. RESOLUTION #2014-10 RESOLUTION DEDICATING CERTAIN COUNTY ROADS TO CITY OF SPEARFISH: WHEREAS, Lawrence County, South Dakota (County) has agreed to dedicate in perpetuity certain roads and rights of way to the City of Spearfish, South Dakota (City), and the City has agreed to accept said dedication and responsibility for future use, maintenance and repair; and WHEREAS, the road and rights of way subject to the dedication shall include: North Rainbow Road from the intersection of East Colorado Boulevard and Rainbow Road to the intersection of Airport Road and Rainbow Road; Airport Road from the intersection of Rainbow Road and Airport Road until Airport Road becomes North 27th Street; North 27th Street from the intersection of Lookout Mountain Road and North 27th Street until North 27th Street becomes Airport Road; Industrial Drive from the intersection of 1st Avenue and Industrial Drive until Industrial Drive becomes Airport Road; and Aviation Place from the intersection of Airport Road until Aviation

Place ends at the Black Hills – Clyde Ice Airport; and WHEREAS, said dedication shall be completed effective upon the Federal Aviation Administration designation of City as the Sponsor for the Black Hills – Clyde Ice Airport (Airport) and conveyance of the Airport by County to City; NOW THEREFORE BE IT RESOLVED that Lawrence County, by and through the assembled members of the County Commission of Lawrence County, do, subject to the foregoing condition precedent, hereby authorize the Chair to sign the Dedication of Roads at such time. Dated this 8th day of April, 2014. FOR THE BOARD: Richard Sleep, CHAIR
ATTEST: Connie Atkinson, AUDITOR

SURPLUS ROCK PILE & MILLINGS: The Board reviewed a request from Johner & Sons to declare the rock pile at the B.H. Airport surplus and offer for sale. Moved-Seconded (Flanagan-Johnson) to declare the rock pile and asphalt millings at the B.H. Airport surplus and set a bid opening for May 13, 2014 at 8:45 a.m. with each item being bid separately. Motion Carried.

ABATEMENTS:

DESCHAMPS: Moved-Seconded (Johnson-Ewing) To approve the abatement for a 1972 Ritz 14x60 Mobile Home VIN #706716332 owned by Brian & Bobbie Deschamps because the mobile home was tore down and hauled away. Motion Carried.

COUNTY ASSISTANCE APPEAL: An appeal was heard for Robert McDonald and Merryse Gillespie on an application for rental and utility assistance. The applicants were not present for the appeal hearing. Brenda McGruder, Deputy Auditor was present to defend the decision by the Auditor's Office for denial of the Application. The application and all supporting documents were reviewed. Moved-Second (Ewing-Johnson) to uphold the decision by the Auditor's Office and deny the application for County Assistance for Robert McDonald and Merryse Gillespie. Motion Carried.

ON-OFF SALE WINE LICENSE: A public hearing was held on an application for a Retail On-Off Sale Wine License for Recreational Springs Resort. No public input was voiced and the hearing was closed. Moved-Seconded (Ewing-Flanagan) to approve the following Retail On-Off Sale Wine License for Recreational Springs Resort: M.S. 1200 Lot 3-A2 Of Tract 3-A A S/D Of Jay#1,2&3 & Fay#3, Albert Steele Fraction, Hazard, Log Cabin & Violet #3 Of Sec 24, T4N, R2E, BHM. Motion Carried.

PLANNING & ZONING:

FINAL PLAT / WILLIAMSON & GRIESS: Moved-Seconded (Ewing-Weisenberg) to approve the Final Plat for Williamson & Griess for Tract A-4 of Reebe Ranch Estates located in Section 28, T7N, R1E off of Exit 2 on Red Hill Road. Motion Carried.

POWDER HOUSE PASS: The Board discussed Building Permits and Certificate of Occupancy for the landowners. Nick Hoffman, Interstate Engineering stated collection facilities will be

completed by the end of construction season. Greg and Jennifer Kaschmitter were present and stated they would pump the collection facilities at the developers cost if the system was not up and running at the time of need. Johnson stated until they have a discharge permit from the state he would be concerned for the individual who purchases a lot and builds a home. Discussion followed that a bond is in place to guarantee the system is completed. Sleep questioned if Phase I is completed and requested more time to review the documents. Vogt recommended the Board require the building permits in the development area to come before the Board. The Board was in agreement that all building permits will come before the Board.

AGREEMENTS / LETTER OF CREDIT: Moved-Seconded (Johnson-Weisenberg) to approve and authorize the Chairman to sign the Powder House Pass Memorandum of Agreement and Final Development Agreement upon the completion of the fully executed Irrevocable Standby Letter of Credit. Motion Carried. Aye-Johnson, Weisenberg, Ewing and Flanagan. Nay-Sleep.

FINAL PLAT / POWDER HOUSE PASS:

Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning recommendation and approve the Final plat for Lot 1, Blk 5 of Wilderness Estates 2nd Addition located in Powder House Pass located along Hwy 85, upon the receipt of the executed letter of credit. Motion Carried.

Moved-Seconded (Flanagan-Ewing) to Planning and Zoning recommendation and approve the final plat for Lot 14, Blk 3 of Wilderness Estates 2nd Addition located in Powder House Pass along Hwy 85 upon the receipt of the executed letter of credit. Motion Carried.

BILLS:

Moved-Seconded (Flanagan-Weisenberg) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,505.05; Treas-\$10,706.97; Comp-\$8,336.54; States Atty-\$12,276.71; Pub Def-\$10,989.76; Gen Govt Bldg-\$8,242.72; Equal-\$13,293.33, Rod-\$7,832.48; Vso-\$1,276.41; Disp-\$10,610.20; Sher-\$35,515.28; Jail-\$22,759.52; Coroner-\$257.85; 24/7-\$173.20; Emerg Mgnt-\$3,766.28; E911-\$1,762.41; Highway-\$42,412.57; Air-\$1,294.40; Mh Serv-\$84.00; Weed-\$2,588.26; Pz-\$5,051.89; Cty Mpb-\$2,662.69; **Bills:** Mowell,Richard-\$7,241.42; Lopez,Amber-\$422.96; A&B Business,Inc Solutions-\$442.14; A&B Welding Supply-\$19.04; A&I Distributors-\$2,243.10; A&J Supply-\$163.98; AToZ Shredding-\$31.20; Abc Business Supply-\$105.51; Alco Store-\$4.39; Armstrong Extinguish-\$155.61; Asphalt Conference-\$100.00; At&T Mobility-\$869.31; BH Chemical Company-\$408.99; BH Pest Control-\$190.00; BH Pioneer-\$1,175.21; BH Power-\$1,223.65; Ball,Megan-\$150.00; Barnaud Law Firm-\$1,544.37; Bfd Llc-\$350.00; Black Hills Pure-\$52.50; Bomgaars Supply-\$69.99; Butler Machinery Co-\$393.98; Butte Electric Coop-\$779.72; Cbh Cooperative-\$11,278.50; Cdw Government-\$432.26; Century Business Products-\$54.49; Centurylink-\$106.96; Clauser Machine Works-\$12.24; Commercial Kitchen Products-\$298.00; Coulls Informatics Corp-\$487.50; Dale's Tire&Retread-\$450.64; Deadwood,City Of-\$5,684.94; Division Of Motor Veh-\$24.00; Eddie's Truck Sales/Serv-\$450.05; Ellingson,Joseph-\$1,349.31; Fastenal-\$870.17; Federal Express Corp-\$20.10; Fidler-Isburg Funeral Chapel-\$1,170.00; Godfrey's Brake Serv-\$168.75; Grey Law Office Prof Llc-\$6,171.57; Guest Services-\$125.20; Havemeier,Leslie-\$4.40; Heartland Paper Co-\$869.81; Jacobs Precision Welding-\$230.40; John Deere Financial-\$151.92; Kimball-Midwest Co-\$221.68; Kinney,Matthew-

\$859.69; Knecht Home Center Of Spf-\$152.37; Koll,Amy-\$150.00; Kosel,Joseph-\$3,367.11; LC Conservation Dist-\$5,000.00; L&S Restoration-\$1,008.87; Lead,City Of-\$54.15; Lead-Deadwood Sanitary-\$318.94; Leads Online Llc-\$1,758.00; Liewer Enterprises-\$1,093.61; Long Enterprises-\$400.00; M&T Fire&Safety-\$440.42; Mack's Auto Body Llc-\$62,876.44; Marco-\$37.35; Mcg Properties-\$450.00; Mcleod's Office Supply-\$364.22; Mg Oil Company-\$32,544.39; Miller,Steve-\$865.46; Montana Dakota Utilities-\$6,687.93; Moore Medical-\$124.38; Ms Mail-\$81.35; Nebraska Salt&Grain-\$4,855.01; Nelson,Tonya-\$300.00; Neve's Uniforms-\$19.00; Pitney Bowes-\$95.98; Quill Corporation-\$196.19; RC Finance Office-\$1,015.00; RC Regional Hospital-\$157.80; Rabe Elevator-\$925.97; Rapid Transcript-\$717.00; Reausaw,Bernie-\$350.00; Reuer,Allen-\$100.00; Rocket Lube-\$203.95; SD Dept Of Labor Unemployment-\$17,865.24; SD Law Review-\$33.02; SD State Treasurer-\$13,611.88; Sand Creek Printing-\$155.00; Sdaco-\$350.00; Servall Towel&Linen-\$542.11; Sheehan Mack Sales &Equip-\$1,059.10; Spearfish Auto Supply-\$2,229.78; Spearfish City Of-\$5,000.00; Spearfish Motors-\$77.00; Sterna,Laura-\$250.00; Sturdevant's Auto Parts-\$799.66; Sundance Equipment-\$332.39; Sysco Montana-\$1,992.36; Titan Machinery Construct-\$6.57; Triple K Tire&Repair-\$279.79; Twin City Hardware&Lumber-\$433.53; Victims Of Violence-\$805.00; Waste Connections-\$678.15; Watertree-\$62.85; Western Sd Juvenile Serv-\$3,495.15; White's Queen City Motors-\$457.20; **Witness & Jurors:** Black,D-\$61.10; Chapeau,C-\$64.80; Cowen,C-\$52.22; Holien,G-\$69.24; Hopewell,C-\$63.32; Jones,B-\$19.24; Keim,R-\$62.58; Lavoie,R-\$59.62; Law,J-\$52.22; Mason,L-\$52.22; Mitcheltree,R-\$50.74; Rhodes,B-\$60.36; Rohla,R-\$61.10; Sargent,D-\$52.22; Sleep,R-\$69.24; Startz,Z-\$57.40; Trevino,B-\$55.92

ADJOURN: 11:03 a.m. There being no further business the Chairman adjourned the meeting.
Motion Carried.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – April 8, 2014

Chairperson Richard Sleep called the Lawrence County Board of Adjustment meeting to order at 9:15 a.m. on April 8, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Terry Weisenberg, Bob Ewing and Brandon Flanagan present.

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

VARIANCE #140 / VANDEEST: A public hearing was held on application for Variance #140 Jamie & Andy VanDeest. The VanDeests are requesting numerous setbacks from a 25' setback for the existing garage and residence on Lot 3, Estates at Pillar Peak in Section 20, T5N, R4E. (2.96 acres). Located off Boulder Canyon Highway. The Board discussed the topography of the lot and the reasons for granting a variance. VanDeest acknowledged that the house was located and constructed in knowing violation of the applicable set-back requirement in the subdivision regulations. The homeowner did go through the homeowners association and got a variance but didn't realize they needed to go to the County for a variance.

Moved-Seconded (Ewing-Flanagan) to follow Planning and Zoning recommendation and deny the request for Variance #140 Request for a Variance #140 for Jamie & Andy VanDeest because it does not meet the ordinance. Motion Carried. Aye-Weisenberg, Ewing, Flanagan and Sleep. Nay-Johnson

ADJOURN: 9:34 a.m. There being no further business it was Moved-Seconded (Flanagan-Weisenberg) to adjourn. Motion Carried.

Date Approved

Richard Sleep, Chairperson

ATTEST:

Connie Atkinson, Auditor

2014 COUNTY BOARD OF EQUALIZATION

The Lawrence County Board of Equalization was called to order on Tuesday April 8, 2014 at 11:05 a.m. with the following members present: Richard Sleep, Daryl Johnson, Terry Weisenberg, Brandon Flanagan and Bob Ewing.

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

the State of South Dakota AG production formula to determine AG land value.

The 2014 Board of Equalization Oath was signed.

TAX EXEMPT PROPERTIES:

HOMESTAKE VISITOR CENTER INC 31440-00300-002-00 HOMESTAKE S/D LEAD LOT 2 TRACT 3 (TOUR OFFICE) Moved-Seconded (Flanagan-Ewing) To follow the recommendation of the Equalization Office and Change land value from \$42,360 to \$0 Change structure value from \$182,180 to \$0 Motion Carried: Remarks: Granted 100% tax exempt.

ST AMBROSE CHURCH 30025-02300-400-00 ORIGINAL TOWN DEADWOOD LOTS 32 THRU 39 & PT LOT 40 & ALL OF 40A & 41 BLK 23 (CHURCH) Moved-Seconded (Flanagan-Ewing) To follow the recommendation of the Equalization Office and add taxable value of \$102,540 NA-D1 Motion Carried.

NORTHERN HILLS AREA COURT APPOINTED SPECIAL ADVOCATE (CASA) 32030-02200-040-00 ORIGINAL TOWN SPEARFISH S 40' LOT 3 & N 10' LOT 4 BLK 22 Moved-Seconded (Johnson-Ewing) To follow the recommendation of the Equalization Office and grant 50.2% exemption. Motion Carried.

#0001 MEHLHAFF, DOUGLAS G & JUDITH A 26680-01624-000-20 MINERAL 1564 THRU 1742 M.S. 1624 TRACT B1(6.15) & TRACT B2(6.21) OF SYNDICATE #1 & #3: Moved-Seconded (Ewing-Weisenberg) To follow the recommendation of the Equalization Office and No change in land value. No change in structure value. Motion Carried: Remarks: The Mehlhaff's were present and expressed concerns on the valuation of the AG property versus Non-Ag. Mehlhaff gave examples of taxes paid on property in his area and the tax break the landowner was receiving if they were classified as AG property. The Board explained in Lawrence County you are required to own 41 acres to be classified as AG and stated the assessment is supported by fair and equitable sales and comparables for like properties.

#0002 ROCKY BLUFF APARTMENTS LP 32465-00400-020-00 MCGUIGAN RANCH ADDN TIF #3 LOT 2 BLK 4 Moved-Seconded (Ewing-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$874,440 to \$1,600,410 No change in the additional structure value. Motion Carried: Remarks: Added value to reflect the second level of the apartment complex.

The Board had a teleconference with Patrick Klier in reference to his appeal on the added value to **ROCKY BLUFF APARTMENTS LP 32465-00400-020-00** MCGUIGAN RANCH ADDN TIF #3 LOT 2 BLK 4. Klier stated this is a rental restricted property and felt the valuation of the property was not comparable to like properties. Moved-Seconded (Flanagan-Johnson) To follow

the recommendation of the Equalization Office and uphold the valuation as adjusted because the assessment is supported by fair and equitable sales and comparables.

#0004 BAR 10 LLC 19000-00601-024-20 T-006 R-01 SE1/4 SE1/4 Moved-Seconded (Weisenberg-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value. Barb Running was present to discuss soil surveys and the valuation of AG lands in Lawrence County.

#0005 BAR 10 LLC 19000-00601-111-10 T-006 R-01 NW1/4 NE1/4 Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0006 BAR 10 LLC 19000-00601-123-00 T-006 R-01 NW1/4 SW1/4 Moved-Seconded (Ewing-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0007 BAR 10 LLC 19000-00601-112-40 T-006 R-01 NE1/4 NW1/4 Moved-Seconded (Weisenberg-Ewing) To follow the recommendation of the Equalization Office and No change in structure value. No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value and fair and fair and equitable sales and comparables.

#0008 BAR 10 LLC 19000-00601-122-10 T-006 R-01 W1/2 NW1/4 Moved-Seconded (Flanagan-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0009 BAR 10 LLC 19000-00601-024-00 T-006 R-01 SE1/4 SW1/4 Moved-Seconded (Weisenberg-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0010 BAR 10 LLC 19000-00601-024-10 T-006 R-01 SW1/4 SE1/4 Moved-Seconded (Ewing-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0011 BAR 10 LLC 19000-00601-111-00 T-006 R-01 NE1/4 NE1/4 Moved-Seconded (Flanagan-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0012 WHITE-HEART RANCH TRUST 28400-00703-023-00 NORTH HALF - ST. ONGE S1/2 NW1/4-N1/2 SW1/4 (2-7-3) Moved-Seconded (Ewing-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks:

The assessment is supported by the State of South Dakota AG production formula to determine AG land value. Kate Crowley-Johnson was present to discuss how Ag land was assessed in Lawrence County and stated it was not consistent with South Dakota Codified Laws.

#0013 WHITE-HEART RANCH TRUST 28400-00703-020-00 NORTH HALF - ST. ONGE LOTS 1-2-3-4 (2-7-3) Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0014 WHITE-HEART RANCH TRUST 28400-00703-021-00 NORTH HALF - ST. ONGE S1/2 NE1/4 (2-7-3) Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0015 WHITE-HEART RANCH TRUST 28400-00703-012-00 NORTH HALF - ST. ONGE GOV LOTS 2-3-4, SW1/4 NW1/4 1-7-3 Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0016 WHITE-HEART RANCH TRUST 28400-00703-024-60 NORTH HALF - ST. ONGE E1/2 SE1/4 2-7-3 Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0017 WHITE-HEART RANCH TRUST 28400-00703-113-00 NORTH HALF - ST. ONGE S1/2 SW1/4 Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0018 WHITE-HEART RANCH TRUST 28400-00703-142-00 NORTH HALF - ST. ONGE W1/2 NW1/4 EX TRACT A(5AC)IN NW4NW4 Moved-Seconded (Weisenberg-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0019 WHITE-HEART RANCH TRUST 28400-00703-024-00 NORTH HALF - ST. ONGE S1/2 SW1/4-W1/2 SE1/4 (2-7-3) Moved-Seconded (Flanagan-Weisenberg) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0020 WHITE-HEART RANCH TRUST 28400-00703-111-00 NORTH HALF - ST. ONGE W1/2 NE1/4 (11-7-3) Moved-Seconded (Flanagan-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0021 WHITE-HEART RANCH TRUST 28400-00703-151-00 NORTH HALF - ST. ONGE E1/2 NE1/4 15-7-3 Moved-Seconded (Ewing-Weisenberg) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0022 WHITE-HEART RANCH TRUST 28400-00703-112-00 NORTH HALF - ST. ONGE NW1/4 Moved-Seconded (Weisenberg-Sleep) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0023 WHITE-HEART RANCH TRUST 28500-00703-221-50 SOUTH HALF - ST. ONGE NE1/4 NE1/4 & TR B OF SE1/4 NE1/4 22-7-3 Moved-Seconded (Flanagan-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0024 WHITE-HEART RANCH TRUST 28400-00703-142-50 NORTH HALF - ST. ONGE E1/2 NW1/4 14-7-3 Moved-Seconded (Flanagan-Weisenberg) To follow the recommendation of the Equalization Office and No change in structure value. No change in land value. Motion Carried: Remarks: To follow the local board value and make no additional changes as the assessment is supported by fair and equitable sales and comparables and the State of South Dakota AG production formula to determine AG land value.

#0025 TERMES, WILLIAM F 22400-00604-610-00 SPRUCE MTN #2 LOT 61 Moved-Seconded (Ewing - Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$458,740 to \$380,080 and Change additional structure value from \$62,700 to \$50,620 Motion Carried: Remarks: After review of the property the record was corrected to reflect the actual condition of the property.

#0026 BEDFORD, GARY & LAURIE 26400-01135-000-16 ANNUIT COEPTIS S/D 1135 LOT 1 BLK 3 Moved-Seconded (Ewing-Johnson) No change in land value. No change in structure value. Motion Carried: Remarks: No change to assessed value. Property must be platted before combining parcels.

#0027 BEDFORD, GARY & LAURIE 26400-01135-000-37 ANNUIT COEPTIS S/D 1135 LOT 2 BLK 5 Moved-Seconded (Ewing-Johnson) No change in land value. Motion Carried: Remarks: No change to assessed value. Property must be platted before combining parcels.

#0028 CHASE, SHAWN G & KARLA K 13600-00403-100-00 ROCHFORD RIDGE ESTATES LOT 10 Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and Change land value from \$60,750 to \$45,560 Motion Carried: Remarks: To make an adjustment for the lot size and topography problems, and equalize with lots with similar issues.

#0029 FISERV ISS & CO TRUSTEE FBO GARY L JURGENS, NS IRA 31425-00600-005-01 HEARST SUB. LOT 5 BLK 6 Moved-Seconded (Weisenberg-Johnson) To follow the recommendation of the Equalization Office and change land value from \$51,690 to \$45,000 Motion Carried: Remarks: The above parcel has been listed for an extended length of time on the open

market with a realtor for \$45,000 and this adjustment will bring the assessed value in line with the listed price.

#0030 GRG LEAD LLC 31740-00100-000-10 PLAZA WEST ADDN LOT B Moved-Seconded (Flanagan-Sleep) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$1,158,800 to \$923,840. Motion Carried: Remarks: This property has been listed on the open market for an extended length of time and this would bring the assessed value in line with the listed selling price.

#0031 HAVERBERG FAMILY LIMITED PARTNER 30300-00100-120-00 FARGO & GEIS S/D LOTS 7 THRU 11 & PT LOT 12 BLK 1 Moved-Seconded (Flanagan-Sleep) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$193,540 to \$123,960 Motion Carried: Aye-Weisenberg, Ewing, Flanagan and Sleep. Nay-Johnson. Remarks: After review of the property an adjustment was needed to reflect the actual use and square footage of the property to equalize it with similar properties in the county.

#0032 DEADWOOD DEVELOPMENT CO 30025-02900-050-00 ORIGINAL TOWN DEADWOOD TRACT A BLK 29 Moved-Seconded (Weisenberg-Sleep) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$193,600 to \$175,150 Motion Carried: Remarks: After review of the property an adjustment was needed to reflect the actual use of the property and to equalize it with similar properties in the county.

#0033 HAVERBERG FAMILY LIMITED PARTNER 30300-00100-020-00 FARGO & GEIS S/D LOTS 1,2,3,4,5,& 6 BLK 1 Moved-Seconded (Ewing-Weisenberg) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$212,820 to \$258,800 Motion Carried: Remarks: After review of the property an adjustment was needed to reflect the actual use and square footage of the property to equalize it with similar properties in the county.

#0035 ISLAND, TRACY 26999-00014-000-15 BLDGS. ON LEASED GROUND 11-2-2 USFS LOT A BLACK FOX GROUP Moved-Seconded (Ewing-Flanagan) To follow the recommendation of the Equalization Office and Change structure value from \$30,870 to \$15,000 Motion Carried: Remarks: After review of the property an adjustment was needed to equalize the property with similar properties in the county.

#0036 JOHNS, NICHOLAS 26720-01749-000-16 MINERAL 1743 THRU 1763 MH SITS ON M S 1749 8-4-4 Moved-Seconded (Johnson-Ewing) To follow the recommendation of the Equalization Office and Change structure value from \$15,030 to \$4,850 Motion Carried: Remarks: After review of the property an adjustment was needed to reflect the severe damage to the interior of the mobile home and to equalize the property with similar properties in the county.

#0037 KROON, ROGER & LYNN 26680-01741-000-35 MINERAL 1564 THRU 1742 M.S. 1741 LOT G OF UNION Moved-Seconded (Johnson-Sleep) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$2,220 to \$0 Motion Carried: Remarks: The carport was torn down in 2013.

#0038 PETERSEN, TODD J & PATRICE A 21500-00603-580-00 EAGLE CREST LOT 58 Moved-Seconded (Flanagan-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$217,060 to \$144,690 Motion Carried: Remarks: After review of the property an adjustment was needed to reflect the actual condition of the property.

#0039 PONTIUS, DONALD G & MARJORIE J 26400-01135-000-46 ANNUIT COEPTIS S/D 1135 LOT 7 BLK 7 Moved-Seconded (Johnson-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$1,870 to \$0 Motion Carried: Remarks: The old cabin on this property was torn down in 2013.

#0040 RLG ENTERPRISES LLC 30800-00200-110-10 SUNNYSIDE S/D DEADWOOD LOT 10A BLK B Moved-Seconded (Flanagan-Sleep) To follow the recommendation of the Equalization Office and Change land value from \$287,820 to \$230,250 Change structure value from \$136,280 to \$111,260 Motion Carried: Remarks: After review of the property an adjustment was needed to reflect the new use of the property and to adjust the land value to equalize the property with similar properties in the county.

#0041 RLG ENTERPRISES LLC 30800-00100-130-10 SUNNYSIDE S/D DEADWOOD PT OF LOT 12 & TRACT A-1 OF LOT 13 BLK A Moved-Seconded (Weisenberg-Sleep) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$89,600 to \$71,050 Motion Carried: Remarks: After review of the property an adjustment was needed to reflect the new use of the property and the level of depreciation to equalize the property with similar properties in the county.

#0042 SLEZAK, RONALD A C/O SLEZAK, PENNY 30025-01500-060-00 ORIGINAL TOWN DEADWOOD LOT 6 BLK 15 Moved-Seconded (Johnson-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$542,070 to \$346,250 Motion Carried: Remarks: After inspection of the property the above listed adjustment was needed to equalize the property with similar properties and reflect the water damage sustained from a frozen fire sprinkler system.

#0043 SPEARFISH ESTATES LLC 32290-00400-050-00 HERITAGE ADDN. SPEARFISH TIF #2 LOT 5 BLK 4 Moved-Seconded (Flanagan-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$2,061,310 to \$1,839,390 Motion Carried: Remarks: After review of the property an adjustment was needed to properly reflect the assessed value of the property.

#0044 CHASE, SHAWN & KARLA 26730-01755-320-00 GILDED MOUNTAIN TRACT M.S. 1755 LOT 32 Moved-Seconded (Ewing-Weisenberg) To follow the recommendation of the Equalization Office and No change in land value. No change in structure value. Motion Carried: Remarks: The assessment is supported by fair and equitable sales and comparables.

#0045 GEBHARDT, BONNIE R RUNNING, BARBARA L 32205-00000-000-05 EVANS ADDN. SPEARFISH LOT 5A NW1/4 SW1/4 & SW1/4 NW1/4 3-6-2 Moved-Seconded (Johnson-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by fair and equitable sales and comparables.

#0046 GIBBONS, JAMES R & ANNE C 18185-00504-310-00 TWO BIT RANCH ESTATES LOT 31 Moved-Seconded (Johnson-Ewing) To follow the recommendation of the Equalization Office and Change land value from \$96,350 to \$55,500 Motion Carried: Remarks: Lot has been on the open market and adjusted to be in line with listing price.

#0047 GIBBONS, JAMES R & ANNE C 18185-00504-300-00 TWO BIT RANCH ESTATES LOT 30 Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and Change land value from \$77,310 to \$55,500 Motion Carried: Remarks: Lot has been on the open market and adjusted to bring in line with listed price.

#0048 GIBBONS, JAMES R & ANNE C 18185-00504-290-00 TWO BIT RANCH ESTATES LOT 29 Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and Change land value from \$105,620 to \$62,500 Motion Carried: Remarks: Lot has been on the open market and an adjustment was made to bring in line with listed price.

#0049 JORGENSON, LISA CARLSTON 30025-01600-250-00 ORIGINAL TOWN DEADWOOD LOT 25 & TR IN REAR OF LOT 25 BLK 16 Moved by Johnson for No Change. Motion died due to lack of second. Moved-Seconded (Weisenberg-Flanagan) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$314,940 to \$254,520 Motion Carried: Aye-Weisenberg, Ewing, Flanagan and Sleep. Nay Johnson. Remarks: After review of the property an adjustment was needed to reflect the actual use and depreciation to equalize it with similar properties in the county. Johnson stated the property should be valued at its highest and best use.

#0050 JORGENSEN, RONALD & LISA 30025-01600-270-00 ORIGINAL TOWN DEADWOOD LOT 27 & TRACT IN REAR OF LOT 27 BLK 16 Moved by Johnson for No Change. Motion died due to lack of second. Moved-Seconded (Flanagan-Weisenberg)) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$324,520 to \$285,840 Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect the actual use and depreciation to equalize it with similar properties in the county. Johnson stated the property should be valued at its highest and best use.

#0051 LAFLEUR, ROBERT 26999-00010-000-05 BLDGS. ON LEASED GROUND 11-2-2 USFS LAND LOT E BLACK FOX GROUP Moved-Seconded (Ewing-Johnson) To follow the recommendation of the Equalization Office and No change in structure value. Motion Carried: Remarks: The assessment is supported by fair and equitable sales and comparables.

#0052 SANDINE, DALE H & LINNETTE M 26600-01399-000-48 STRAWBERRY HILL S/D LOT 25 Moved-Seconded (Johnson-Weisenberg) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by fair and equitable sales and comparables.

#0053 SD HOUSING DEV AUTHORITY 31090-01800-030-00 ORIGINAL TOWN LEAD LOT 3 BLK 18 (MITCHELL MAP) Moved-Seconded (Johnson-Ewing) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$62,170 to \$41,360 Motion Carried: Remarks: After review of the property an adjustment was needed to reflect the damage to the roof from the snow storm and the current depreciation to equalize the property with similar properties in the county.

#0054 SIECK, ROGER & DEBRAH 13200-00200-110-00 IRONWOOD ESTATES LOT 11 BLK 2 Moved-Seconded (Ewing-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by fair and equitable sales and comparables.

#0055 SIECK, ROGER & DEBRAH 13200-00200-130-00 IRONWOOD ESTATES LOT 13 BLK 2 Moved-Seconded (Flanagan-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by fair and equitable sales and comparables.

#0056 SIECK, ROGER & DEBRAH 13200-00200-120-00 IRONWOOD ESTATES LOT 12 BLK 2 Moved-Seconded (Johnson-Weisenberg) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by fair and equitable sales and comparables.

#0057 SOUTHVIEW LIMITED PARTNERSHIP II 32210-19090-040-20 GREEN ACRES ADDN. SPEARFISH LOT 4B BLK 9 Moved-Seconded (Johnson-Flanagan) Change land value from \$344,140 to \$290,000 Motion Carried: Remarks: Adjust valuation to bring in line with comparable properties.

#0058 THRIFTY MONKEY INC 31090-03500-120-00 ORIGINAL TOWN LEAD LOT 12 BLK 35 Moved-Seconded (Ewing-Sleep) To follow the recommendation of the Equalization Office and No change in land value. Change structure value from \$41,940 to 30,170 Motion Carried: Remarks: After review of the property and adjustment was needed to reflect the current listing price and water damage.

#0059 TINTON LAND LLC C/O BEATTY, JOHN T 26460-01180-000-20 MINERAL 1159 THRU 1206 M.S. 1180 GRUB #2 Moved-Seconded (Flanagan-Weisenberg) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0060 TINTON LAND LLC C/O BEATTY, JOHN T 26460-01182-000-00 MINERAL 1159 THRU 1206 M.S. 1182 MACE Moved-Seconded (Flanagan-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0061 TINTON LAND LLC C/O BEATTY, JOHN T 26460-01181-000-20 MINERAL 1159 THRU 1206 M.S. 1181 BLACKER Moved-Seconded (Flanagan-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0062 TINTON LAND LLC C/O BEATTY, JOHN T 26540-01282-000-00 MINERAL 1217 THRU 1298 M.S. 1282 TWIN PINE Moved-Seconded (Flanagan-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks:

The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0063 TINTON LAND LLC C/O BEATTY, JOHN T 26280-00502-000-00 MINERAL 108 THRU 758 M.S. 502 SPEARFISH Moved-Seconded (Weisenberg-Johnson)) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0064 TINTON LAND LLC C/O BEATTY, JOHN T 26280-00501-000-00 MINERAL 108 THRU 758 M.S. 501 VAN Moved-Seconded (Ewing-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0065 TINTON LAND LLC C/O BEATTY, JOHN T 26280-00503-000-00 MINERAL 108 THRU 758 M.S. 503 POORMAN Moved-Seconded (Ewing-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0066 TINTON LAND LLC C/O BEATTY, JOHN T 26760-01777-000-00 MINERAL 1765 THRU 1887 M.S. 1777 HAMBURG Moved-Seconded (Flanagan-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0067 TINTON LAND LLC C/O BEATTY, JOHN T 26760-01877-000-20 MINERAL 1765 THRU 1887 M.S. 1877 IRON, LANDER & WASHINGTON ETAL EX (2.45A OF TEMPEST IN WYO.), & EX MONUMENT TRACT(12.33) Moved-Seconded (Ewing-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0068 TINTON LAND LLC C/O BEATTY, JOHN T 26760-01776-000-20 MINERAL 1765 THRU 1887 M.S. 1776 BATH-UNION & BATH #1 ETAL Moved-Seconded (Weisenberg-Johnson) To follow the recommendation of the Equalization Office and No change in structure value. No change in land value. Motion Carried: Remarks: The assessment is supported by fair and equitable sales and comparables and the State of South Dakota AG production formula to determine AG land value.

#0069 TINTON PARTNERS C/O BEATTY, JOHN T 15000-00501-190-10 T-005 R-01 GOV. LOTS 3 (2.23 AC) & 10 (6.92 AC) Moved-Seconded (Weisenberg-Johnson) To follow the recommendation of the Equalization Office and No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0070 ZUERCHER, LOIS JEAN 24000-00702-353-80 T-007 R-02 E1/2 SW1/4 EX TRACT A Moved-Seconded (Ewing-Johnson) To follow the recommendation of the Equalization Office and

No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0071 ZUERCHER, LOIS JEAN 24000-00702-354-60 T-007 R-02 SE1/4 EXCEPT TRACT A Moved-Seconded (Ewing-Sleep) To follow the recommendation of the Equalization Office and No change in structure value. No change in land value. Motion Carried: Remarks: The assessment is supported by the State of South Dakota AG production formula to determine AG land value.

#0072 BURNS, VIRGIL B & BARBARA C 29970-00165-004-02 WHITEWOOD MH COURTS MH SITS ON LOT 4 WHITEWOOD MH ESTATES Moved-Seconded (Johnson-Flanagan) To follow the recommendation of the Equalization Office and Change structure value from \$14,350 to \$5,460 Motion Carried: Remarks: After review of the interior structure and adjustment was made because of significant damage to unit.

#0073 HIGH PLAINS PLAZA LMTD PTNSHP C/O NODDLES COMPANIES 32460-00000-000-63 MILLER ADDN. SPEARFISH LOT 3 BLK 1 PT SW1/4 SE1/4 & PT E1/2 SE1/4 SW1/4 13-6-2 (K-MART) Moved-Seconded (Ewing-Johnson) To follow the recommendation of the Equalization Office and No change in land value. No change in structure value. Motion Carried: Remarks: The assessment is supported by fair and equitable sales and comparables.

Moved-Seconded (Weisenberg-Ewing) to recess the County Board of Equalization at 3:09 p.m the 8th day of April 2014. Motion Carried.

8:45 a.m. April 22nd, 2014 the County Board of Equalization reconvened with Bob Ewing, Daryl Johnson, Terry Weisenberg, Richard Sleep and Brandon Flanagan present.

#0002 ROCKY BLUFF APARTMENTS LP 32465-00400-020-00: MCGUIGAN RANCH ADDN TIF #3 LOT 2 BLK 4 Moved-Seconded (Flanagan-Weisenberg) to follow State Statue and the recommendation from the Director of Equalization and no change in land value. Change structure value from \$1,600,410 to \$1,083,080 Change additional structure value from \$491,690 to \$332,730 Motion Carried: Aye: Johnson, Weisenberg, Flanagan and Sleep. Nay: Ewing. Remarks: After reviewing the specific characteristics associated with this particular property an adjustment was necessary to represent those encumbrances. Discussion followed on using sales in other states for like properties and the income approach.

#0034 HOFFMAN, LYNDA & SCOTT 19080-00601-020-00: WELBIG S/D LOT 2 Moved-Seconded (Flanagan-Ewing) No change in land value. Change structure value from \$31,320 to \$1,710 Motion Carried: Remarks: After review of the property a correction was necessary to reflect a garden shed instead of cabin.

ADJOURN: Being no further appeals to be heard Moved-Seconded (Johnson-Ewing) to adjourn the 2014 Board of Equalization at 9:00 a.m. the 22nd day of April 2014. Motion Carried.

DATE

ATTEST: _____

BRANDON FLANAGAN, Chairperson

CONNIE ATKINSON, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – April 22, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on April 22, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Bob Ewing, Brandon Flanagan and Terry Weisenberg present.

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

AGENDA: Moved-Seconded (Johnson-Sleep) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Ewing) to approve the minutes of April 8, 2014 County Commission meeting and Board of Adjustment Meeting. Motion Carried.

PERSONNEL:

HIGHWAY & PHYSICAL PLANT APPOINTMENT: Moved-Seconded (Ewing-Weisenberg) to appoint Allan Bonnema as the Highway & Physical Plant Superintendent for a two year term to expire 5-2016. Motion Carried.

TRAVEL REQUEST:

SHERIFF: Moved-Seconded (Ewing-Flanagan) to approve the travel request for Patrick Johnson to attend the Interviewing and Interrogation Training in Rapid City, SD upon signing the Travel and Training Agreement. Motion Carried.

CENTRAL CITY BOND: Moved-Seconded (Johnson-Weisenberg) to approve the Central City Towns and Township Bond for \$150,000. Motion Carried.

AUTOMATIC SUPPLEMENTS:

SHERIFF: Moved-Seconded (Johnson-Flanagan) to approve the automatic supplement of \$15,767.00 for the Sheriff Equipment for grant funds received. Motion Carried

RECESS: 8:48 a.m. Moved-Seconded (Weisenberg-Ewing) to recess the County Commission Meeting. Motion Carried. 9:00 a.m. The Chairman called the meeting back to order.

SUPPLEMENTAL BUDGETS: A public hearing was held for a supplemental budget for Invasive Species Management / Mountain Pine Beetle - \$100,000. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Weisenberg) to approve and authorize the Chairman to sign the following Resolution #2014-11. Motion Carried.

RESOLUTION #14-11 TO ADOPT A SUPPLEMENTAL BUDGET WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2014, 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 2014, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: **GENERAL FUND** Invasive Species Management / Mountain Pine Beetle - \$100,000 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 April, 2014 at the hour of 10:45 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 April, 2014. **FOR THE BOARD OF COUNTY COMMISSIONERS** Richard Sleep, Chairman. ATTEST: CONNIE ATKINSON LAWRENCE COUNTY AUDITOR

AIRPORT ENGINEERING FIRM: Bruce Outka stated only one engineering firm submitted for the Airport Engineer proposal. Moved-Seconded (Flanagan-Johnson) to approve Kadrmass Lee & Jackson (KLJ) as the Airport Engineering Firm for Lawrence County for 2014 through 2018. Motion Carried.

RAPID CITY CRISIS CENTER: Brian Dean, Sheriff updated the Board on the process for mental health commitments and recommended a change in the current process. Moved-Seconded (Ewing-Flanagan) to approve and authorize the Chairman to sign the Memorandum of Understanding with the Rapid City Crisis Center. Motion Carried.

HIGHWAY BUSINESS:

BID OPENING CROOK CITY ROAD: The Board reviewed the following bids received for the Crook City Road Project: Hills Material - \$843,618.84 and Bituminous Paving - \$853,228.60. Moved-Seconded (Ewing-Weisenberg) to follow the recommendation of the Highway Superintendent and accept the low bid from Hills Material - \$843,618.84 and to waive any irregularities and authorize the Chairman to sign the contracts and agreements. Motion Carried. Moved-Seconded (Johnson-Ewing) to allow Bonnema to authorize a change order eliminating the MC-70 Prime Coat and Sand for the Prime Coat if he feels it will not jeopardize the integrity of the Road at the time of construction. Motion Carried.

ELWOOD APPROACH PERMITS: Moved-Seconded (Weisenberg-Sleep) to follow the recommendation of the Highway Superintendent and approve and authorize the Chairman to sign the Approach Permit for Royal Elwood located on the west side of Rainbow Road approximately 500 ft south of Airport Road. Motion Carried.

VENDING MACHINES: The Board reviewed a request from Crystal Adams and Clint Millard to install coin operated vending machines in the County Annex Building. Moved-Seconded (Ewing-Johnson) to deny the request from Adams and Millard to put additional vending machines in the County Buildings. Motion Carried.

PLANNING & ZONING:

CONDITIONAL USE PERMIT #426 / ELSOM: A public hearing was held on an application for CUP #426, to allow Dog Boarding and Daycare at the Current Crematory Property, NE 1/4 SE 1/4 SW 1/4 SE 1/4 Section 17, T6N, R2E, Location; Tinton Road (David Elsom, Applicant). No public input was voiced and the hearing was closed. Discussion followed on the proposed hours of operation for the dog runs of 7:00 a.m. to 10:00 p.m. (maximum of 30 dogs in 4x8 rooms) Discussion followed on the hours of operation and the maximum amount of dogs allowed.

Moved-Seconded (Weisenberg-Flanagan) to follow the recommendation of approval contained in the Planning and Zoning staff report for the reasons set forth therein and approve with conditions as on file in the Planning and Zoning Office, Conditional Use Permit #426, to Allow Dog Boarding and Daycare at the Current Crematory Property (David Elsom, Applicant) with the additional conditions that the hours the dogs are allowed in the outside run is from 7:00 a.m. to 6:00 p.m. and a maximum of 30 dogs allowed at any one time. Motion Carried. Aye-Johnson, Ewing, Flanagan and Sleep. Nay-Ewing

CONDITIONAL USE PERMIT #427 / ATCHISON: A public hearing was held on an application for CUP #427, to allow Trail Rides on Property Owned by Jean Lee Bell, Location: Tract B in Section 26, T3N, R3E (Hwy 385 and Rocky Johnson Road) Blacktail Guest Ranch/Barbara Jean Atchison, Applicant. No public input was voiced and the hearing was closed.

Moved-Seconded (Ewing-Weisenberg) to follow the recommendation of approval contained in the Planning and Zoning staff report for the reasons set forth therein and approve with conditions as on file in the Planning and Zoning Office, Conditional Use Permit #427, to allow Trail Rides on Property Owned by Jean Lee Bell, Location: Tract B in Section 26, T3N, R3E (Hwy 385 and Rocky Johnson Road) Blacktail Guest Ranch/Barbara Jean Atchison, Applicants. Motion Carried.

CONDITIONAL USE PERMIT #428 / WILLIAMSON & GRIESS: A public hearing was held on an application for Conditional Use Permit#428, to allow Manufacture of Small Homes, Location: Near Exit 2 (Property Currently Zoned General Commercial), Linda Williamson/Lyle Griess, Applicants. No public input was voiced and the hearing was closed.

Moved-Seconded (Flanagan-Weisenberg) to follow the recommendation of approval contained in the Planning and Zoning staff report for the reasons set forth therein and approve with conditions as on file in the Planning and Zoning Office, Conditional Use Permit #428, to Allow Manufacture of Small Homes, Location: Near Exit 2 (Property Currently Zoned General Commercial), Linda Williamson/Lyle Griess, Applicants with the change to condition #11 that the only access will be off the existing designated shared approach and driveway off of Red Hill Road. Motion Carried.

ORDINANCE #14-01 – LAWRENCE COUNTY ZONING ORDINANCE

UPDATE/AMENDMENT: A First Reading and Public Hearing were held on the proposed ORDINANCE #14-01 - Lawrence County Zoning Ordinance Update/Amendment (Format Changes Only - No Substantive Changes). No public input was voiced and the hearing was closed.

ANNUAL REVIEWS:

CONDITIONAL USE PERMIT #238-13 / NIEHAUS: An annual review was conducted on C.U.P. # 238-13, Manufacturing (Niehaus). No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #298-10 / MYSTIC HILLS CAMPGROUND: An annual review was conducted on C.U.P. #298-10, Mystic Hills Campground (New Campsites) Mike Herrick, Owner. Jeff Schroeder, Deputy Code Enforcement Officer stated he did a review of the property and stated the fire plan has not been completed and may or may not be completed by the May 1, 2014 deadline. The Board reviewed a letter from Rob Mattox outlining the progress of the Fire Plan. Moved-Seconded (Johnson-Ewing) to allow a one year extension to have the fire plan work completed and the Board will review again next year.

CONDITIONAL USE PERMIT #418 / HEAVY CONSTRUCTORS: An annual review was conducted on C.U.P.#418, Batch Plant (Heavy Constructors/McGuigan). Moved-Seconded (Ewing-Flanagan) to cancel CUP #418 because the project is complete. Motion Carried.

CONDITIONAL USE PERMIT #419 / BOULLION/SAYE: An annual review was conducted on C.U.P. #419 ATV Rentals (Mad Mountain) for Boullion/Saye. Moved-Seconded (Flanagan-Ewing) to follow Planning and Zoning recommendation and change the review date to June so the Conditional Use Permit can be evaluated during the business season. Motion Carried.

BILLS:

Moved-Seconded (Ewing-Flanagan) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,509.39; Treas-\$10,706.99; Comp-\$8,336.53; States Atty-\$12,263.21; Pub Def-\$10,917.80; Gen Govt Bldg-\$8,256.32; Equal-\$13,364.30; Rod-\$7,832.48; Vso-\$1,276.41; Disp-\$12,248.27; Sher-\$37,052.81; Jail-\$20,144.72; Coroner-\$657.85; 24/7-\$155.88; Emerg Mgnt-\$3,854.08; E911-\$1,762.40; Highway-\$40,634.67; Air-\$1,086.60; Mh Serv-\$168.00; Weed-\$2,038.79; Pz-\$5,291.89; County Mpb-\$1,997.85; **Bills:** Dias,Gregory-\$7.41; Wisser,Ricky-\$255.44; A&B Business,Inc Solutions-\$649.80; Abc Business Supply-\$216.68; Active Data Systems-\$3,024.15; Albanese,Jerry-\$400.00; At&T-\$5.27; Audra Malcomb Consulting-\$361.98; BH Chemical Company-\$329.84; BH Federal Credit Union-\$8,384.00; BH Power-\$10,440.14; Bickle's Truck&Diesel-\$149.82; Brule County Sheriff Office-\$69.72; Butler Machinery Co-\$757.50; Butte County-\$465.00; Century Business Products-\$260.28; Centurylink-\$2,265.65; City/County Alcohol & Drug-\$280.00; Csd-\$251.25; Credit Collections Bureau-\$56.44; Dept Of The Treasury-\$52,174.98; Diversified Collections-\$100.00; Eb Communications-\$205.00; Ellingson,Joseph-\$277.72; Fastenal-\$105.29; Fidler-Isburg Funeral Chapel-\$610.00; Fish, Veronica-\$23.80; Great Western Bank-\$110.00; Hamann,Chris-\$250.00; Heartland Paper Co-

\$167.72; Hewlett-Packard Company-\$2,398.89; Hills Material Comp-\$2,790.20; Kadrmas, Lee And Jackson-\$7,340.10; Karl's-\$759.00; Lead-Deadwood Regional Hospital-\$611.60; Lee, James-\$15.00; Lewno, Lucy-\$45.50; Lexisnexis Risk Data Mgnt-\$75.00; Lockup Usa Productions-\$108.50; Marco-\$37.35; Matthew Bender & Company-\$154.87; Microfilm Imaging Systems-\$1,910.00; Midcontinent Communications-\$34.08; Middlemas, Lori-\$500.00; Montana Dakota Utilities-\$599.06; Ms Mail-\$50.00; Nartec-\$110.25; Nelson, Tonya-\$150.00; Newman Traffic Signs-\$1,470.76; Nicholson, Tschetter, Adams-\$487.65; Novus-\$288.00; Office Of Child Support-\$815.08; Office Technology/Supply-\$32.13; Overhead Door Company Of Rapid-\$358.02; Pacific Coast Contracting-\$160,635.00; Pennington County Sheriff-\$1,619.40; Phoenix Investigations-\$729.85; Priority Dispatch-\$300.00; RC Finance Office-\$980.00; RC Police Dept-\$5.11; RC Regional Hospital-\$1,073.10; Radio Shack/Kazco-\$29.99; Radiology Associates-\$306.71; Rasmussen Mechanical Serv-\$4,824.00; Reausaw, Brent-\$400.00; Redwood Toxicology Lab-\$92.78; Regional Health-\$812.00; Regional Health Physicians-\$403.28; Rocket Lube-\$71.49; SD Dept Of Public Safety-\$150.00; SD Police Chief's Association-\$150.00; Sdrs Supplemental Retirement-\$1,154.00; Semerad, Sandra-\$10.20; Servall Towel & Linen-\$399.73; Sirchie Finger Print Lab-\$74.69; Spearfish Police Dept-\$10,137.93; Spearfish Regional Hospital-\$157.80; Sturdevant's Auto Parts-\$4.79; Subway-\$71.50; Superior Lamp And Supply-\$203.34; Swisher Hygiene/Css-\$150.80; Thomson Reuters-West-\$171.44; Tigerdirect-\$572.23; Triple K Tire & Repair-\$399.49; Truenorth Steel-\$27,940.00; Turnkey Corrections-\$13.92; Twin City Hardware & Lumber-\$524.21; United Parcel Service-\$12.97; Verizon Wireless-\$105.07; Washington State Support Reg-\$75.00; Wells Fargo Business Card-\$7,764.42; West River International-\$257.47; Wex Bank-\$882.73; White Drug-\$1,055.21; Wilde & Hunt, Prof Llc-\$2,883.21; Wimactel-\$60.00; Wow!-\$299.75; **Witness & Jurors:** Black, D-\$61.10; Chapeau, C-\$64.80; Cook, B-\$64.80; Cowen, C-\$52.22; Holien, G-\$69.24; Lavoie, R-\$59.62; Law, J-\$52.22; Mitcheltree, R-\$50.74; Startz, Z-\$57.40; Davidson, M-\$242.00; Leszcynski, M-\$31.10; Norris, E-\$242.00; Pacheco, E-\$160.60; Adams, M-\$33.32; Colson, L-\$33.32; Flaten, B-\$127.30; Fuke, J-\$31.10; Hall, K-\$33.32; Harris, K-\$20.00; Laprade, S-\$33.32; Longden, G-\$22.22; Schmidt, L-\$20.00; Schulzbach, C-\$20.00; Sumners, J-\$34.06; Williams, D-\$20.00; Williams, J-\$29.62

ADJOURN: 10:47 a.m. There being no further business the Chairman adjourned the meeting. Motion Carried.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – May 13, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on May 13, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Bob Ewing, Brandon Flanagan and Terry Weisenberg present.

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

AGENDA: Moved-Seconded (Weisenberg-Johnson) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Flanagan) to approve the minutes of April 22, 2014 County Commission meeting and 2014 Board of Equalization Meeting. Motion Carried.

PERSONNEL:

SHERIFF:

Moved-Seconded (Johnson-Ewing) to approve Neil Schlepp as a Half-Time Temporary Fill-In Deputy II G1 at the base rate of \$22.55 an hour, effective May 4, 2014. Motion Carried.

Moved-Seconded (Ewing-Flanagan) to approve Matt Harden as a Full-Time Permanent Corrections Officer I at the base rate of \$15.19 an hour, effective May 18, 2014. Motion Carried.

STATES ATTORNEY: Moved-Seconded (Johnson-Weisenberg) to approve Brianna Baumann as a Full-Time Temporary-Seasonal Secretary at the base rate of \$9.00 an hour, effective May 19, 2014. Motion Carried.

INVASIVE SPECIES MANAGEMENT: Moved-Seconded (Flanagan-Weisenberg) to approve Ryan Palmer as a Full-Time Permanent Deputy Coordinator at the base rate of \$15.24 an hour, effective May 5, 2014. Motion Carried.

Moved-Seconded (Johnson-Sleep) to approve Darick Eisenbraun as a Full-Time Seasonal Sprayer/GPS G1 at the base rate of \$12.21 an hour, effective May 5, 2014. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to approve Chase Tyson, and Steve Soderstrom as Full-Time Seasonal Sprayer/GPS G2 at the base rate of \$13.73 an hour, effective May 5, 2014. Motion Carried.

Moved-Seconded (Weisenberg-Johnson) to approve Ruth Gordon-Sartain as a Part-Time Seasonal Custodian I G3 at the base rate of \$12.61 an hour, effective May 5, 2014. Motion Carried.

EQUALIZATION: Moved-Seconded (Ewing-Flanagan) to approve a cell phone allowance for Louise Hohn at \$50.00 per month, effective May 18, 2014. Motion Carried.

HIGHWAY:

Moved-Seconded (Flanagan-Ewing) to accept with regret the Retirement of Bonnie Dittes, Highway Administrative Assistant and Edwin Grenstiner, Heavy Equipment Operator and to allow for the advertisement of a Secretary and Heavy Equipment Operator. Motion Carried.

VOLUNTEER FIRE FIGHTER / SEARCH & RESCUE MEMBERS: Moved-Seconded (Weisenberg-Johnson) to approve Jeremy Sargent and Bethany Boyd as Volunteer Search & Rescue Members for insurance purposes and thank members for their service. Motion Carried.

LEAD FIRE PROTECTION DISTRICT: Moved-Seconded (Johnson-Weisenberg) to follow the recommendation of the Lead Fire Protection Board and appoint Oz Enderby to fill the term of Steve Fairbairn on the Lead Fire Protection Board for a term to expire in March 2015. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Johnson-Ewing) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of April 30, 2014 showed the following: Total amount of actual cash-\$1,350.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$2,013,453.16; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$32,443.32; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,150,000; Bank Balance \$8,382,474.56, Money Market \$3,915,098.58; Savings-\$12,144,245.60; Total \$29,640,925.22.

TRAVEL REQUEST:

AIRPORT: Moved-Seconded (Flanagan-Weisenberg) To authorize the Airport Representatives to fly to North Dakota to discuss Grant opportunities with the Airport District Office if necessary. Motion Carried.

B.H. BAPTIST CHURCH RAFFLE: Moved-Seconded (Johnson-Ewing) to not object to the request from the Black Hills Baptist Church to have a Raffle. Motion Carried.

GROW 66/125: The Board discussed the request received from Grow 66/125 to collect soil from all 66 Counties in the State, mix the soil together, plant a Bur Oak Tree in 66 buckets and then replant in the designated spot within the Counties in South Dakota. Moved-Seconded (Weisenberg-Sleep) to approve the request for the Grow 66/125 project. Motion Carried.

SHERIFF:

BOARD OF PRISONERS: Brian Dean, Sheriff was present to update the Board on the new Jail Board of Prisoners procedures and stated he is currently researching the anklet bracelet program for work release inmates to see if cost savings could be realized.

AIRPORT:

HAY CONTRACT: The following bids were received for the contract to hay the Airport Property: Troy Johnson - \$4,150; Doug Bechen - \$3,717 and Joe Harmon - \$5,601.95. Moved-Seconded (Ewing-Flanagan) to accept the highest bid from Joe Harmon for \$5,601.95 to contract for haying the Airport Property with the conditions that the Certificate of Liability Policy of \$1 million dollars, full payment, and a signed agreement is received by June 1, 2014. Motion Carried.

ROCK & MILLINGS / B.H. AIRPORT: No bids were received for the Rock & Millings at the Airport.

HIGHWAY BUSINESS:

APPROACH PERMIT: Moved-Seconded (Flanagan-Weisenberg) to follow the recommendation of the Highway Superintendent and approve the Approach Permit for the Ward Development located east (future Russell St.) of the Old Belle Road, located approximately 650' S. of Reserve St. Entrance to serve as a development access. Motion Carried.

BRIDGE INSPECTIONS: Moved-Seconded (Ewing-Flanagan) to approve and allow the Highway Superintendent to sign the Lawrence County 2014 Bridge Inspections Project BR NBIS(29), PCN 02DZ for a total of \$39,582.47. Motion Carried.

ROAD TOUR: The Board rescheduled the County Road Tour for Tuesday May 20th for the County Commissioners.

FUEL QUOTES: The following fuel quotes were submitted as of May 1, 2014: Deadwood Diesel 4800: (prices per gallon) CBH Cooperative - \$3.399, Southside - \$3.39*; Deadwood Unleaded 2900 gallons: (prices per gallon) CBH Cooperative - \$3.266*, Southside - \$3.32; Spearfish Diesel 2500 gallons: (prices per gallon) CBH Cooperative - \$3.419*, Southside - \$3.44; Spearfish Unleaded 750 gallons: (prices per gallon) CBH Cooperative - \$3.286*, Southside - \$3.41; Whitewood Diesel 750 gallons: (prices per gallon) CBH Cooperative - \$3.419, Southside - \$3.41*. *Represents lowest quote awarded. No bid was received from MG Oil or Harms Oil.

USGS: Dan Driscoll, USGS and Denise Livingston were present to discuss proposed 2015 USGS Hydrologic Project Simulation of groundwater flow in the Madison and Minnelusa aquifers in the Black Hills. This is projected to be a 4-5 year funding project. Driscoll questioned if the County would be interested in participating in the project. Moved-Seconded (Ewing-Flanagan) to offer a motion of interest in the project and the Board will review at budget time. Motion Carried.

INVASIVE SPECIES MANAGEMENT:

STATE & LOCAL AGREEMENT: Dave Heck Invasive Species Management updated the Board on the Mountain Pine Beetle Project. Heck recommended the County contract for the cutting and marking of the trees and only hire a few administrators for all remaining funds. Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to sign the State/County

Agreement MPB Mitigation Program Grant #2013-MPB-003 to roll-over Mountain Pine Beetle Funds Fall 2014 Mountain Pine Beetle Program. Motion Carried.

DEPARTMENT OF TRANSPORTATION AGREEMENT: Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the Department of Transportation Weed Spraying Agreement. Motion Carried.

ROAD SIGNAGE: Kathy Amos was present to express concerns on road signage for safety and tourism affects. Amos also expressed concerns on the “Think” signs and speed limits.

SEARCH & RESCUE: Paul Thomson, Emergency Management Director updated the Board on Search & Rescue history and recent activities. Thomson questioned if the Board would consider a County policy for County Employees who are Search and Rescue members to cover the question of employee wages and to ensure all employees are treated fairly. Moved-Seconded (Flanagan-Ewing) In support of the employees who volunteer for Search & Rescue: At the approval and discretion of the employee’s department head, the county employee will be allowed to report for a call out and if it is during their normal work hours the employee will be compensated at their normal rate of pay, however no overtime hours would be allowed. Motion Carried.

SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION: Terry Patterson, Steve Palmer and Mike Young, SD Department of Transportation were present to request a temporary construction easement for the Highway 85 project. Moved-Seconded (Johnson-Ewing) to approve and authorize the Chairman to sign the temporary construction easement for the Highway 85 project and to waive the \$1 per sq. ft fee for parcel #A12. Motion Carried.

PLANNING & ZONING:

APPLE SPRINGS: Bruce Outka updated the Board on the progress of the Apple Springs sewer system.

ORDINANCE #14-01 – LAWRENCE COUNTY ZONING ORDINANCE

UPDATE/AMENDMENT: Second Reading was held on the proposed ORDINANCE #14-01 - Lawrence County Zoning Ordinance Update/Amendment (Format Changes Only - No Substantive Changes). Moved-Seconded (Flanagan-Ewing) to approve ORDINANCE #14-01 - Lawrence County Zoning Ordinance Update/Amendment (Format Changes Only - No Substantive Changes). Motion Carried.

ANNUAL REVIEWS:

CONDITIONAL USE PERMIT #307 / RAMSEY: An annual review was conducted on C.U.P. #307 Second Residence Ramsey. No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #373 / JOHNER & SONS: An annual review was conducted on C.U.P. #373, Earth Moving (Johner & Sons). No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #406 / CITY OF SPEARFISH: An annual review was conducted on C.U.P. #406, Water Tank (City of Spearfish). No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #407 / EXECUTIVE LODGING: An annual review was conducted on C.U.P. #407, Storage Facility (Executive Lodging). Moved-Seconded (Flanagan-Johnson) CUP #407 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

CONDITIONAL USE PERMIT #420 / ANDY'S TRAIL RIDES: An annual review was conducted on C.U.P. #420, Trail Rides (Andy's Trail Rides). Moved-Seconded (Flanagan-Weisenberg) to move the annual review to June when the business is in operation. Motion Carried.

CONDITIONAL USE PERMIT #421 / BITUMINOUS PAVING: An annual review was conducted on C.U.P. #421, Batch Plant (Bituminous Paving). Moved-Seconded (Johnson-Flanagan) to cancel CUP#421 because the project is completed.

BILLS:

Moved-Seconded (Ewing-Weisenberg) to approve payment of the following payroll and 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-\$11,920.96; Aud-\$17,021.62; Treas-\$23,030.34; Comp-\$16,673.06; States Atty-\$24,530.09; Pub Def-\$21,890.37; Gen Govt Bldg-\$16,538.02; Equal-\$28,974.73; Rod-\$15,664.96; Vso-\$2,552.82; Disp-\$23,831.19; Sher-\$70,217.43; Jail-\$40,595.36; Coroner-\$1,215.70; 24/7-\$311.76; Emerg Mgnt-\$7,532.56; E911-\$3,524.81; Highway-\$85,048.95; Air-\$2,548.80; Mh Serv-\$336.00; Weed-\$8,604.93; Pz-\$10,223.78; **Bills:** American Family Life-\$3,449.92; BH Federal Credit Union-\$7,284.00; BH Power-\$47.95; Credit Collections Bureau-\$56.44; Deadwood Recreation Center-\$635.00; Delta Dental Of South Dakota-\$6,766.08; Dept Of The Treasury-\$52,583.53; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,685.72; Northern Hills Rec Center-\$124.00; Office Of Child Support-\$815.08; SD Retirement System-\$53,663.59; Sdrs Supplemental Retirement-\$1,154.00; Washington State Support Reg-\$75.00; Wellmark Blue Cross-\$77,061.19; Wow!-\$1,421.97; A&B Business,Inc Solutions-\$1,318.63; A&B Welding Supply-\$61.50; A&I Distributors-\$2,669.20; A To Z Shredding-\$10.05; Abc Business Supply-\$275.81; Air Connection-\$1,457.33; Alco Store-\$12.99; At&T Mobility-\$849.31; BH Chemical Company-\$203.04; BH Federal Credit Union-\$7,284.00; BH Land Analysis-\$1,202.50; BH Pest Control-\$190.00; BH Pioneer-\$1,127.23; BH Power-\$1,052.51; Barnaud Law Firm-\$4,683.96; Bickle's Truck&Diesel-\$77.72; Biegler,Greg-\$150.00; Black Hills Pure-\$52.50; Butler Machinery Co-\$688.44; Butte Electric Coop-\$755.78; Campbell Co Sheriffs Off-\$50.00; Cbh Cooperative-\$20,373.99; Cdw Government-\$1,646.28; Century Business Products-\$235.29; Centurylink-\$222.47; Chadams-\$300.00; Chris Supply Co-\$191.93; Clinical Lab Of BH-\$5,923.40; Community Health Services-\$20.00; Credit Collections Bureau-\$218.95; Dakota Equipment Rental-\$4,729.42; Dakota Fluid Power-\$1,382.37; Deadwood Development Company-\$97.75; Deadwood,City Of-

\$719.41; Dept Of The Treasury-\$52,872.58; Diversified Collections-\$100.00; Ds Solutions-\$175.00; Eb Communications-\$97.00; Election Sys&Software-\$2,228.80; Ellingson,Joseph-\$3,354.90; Evident Crime Scene Products-\$219.00; Fastenal-\$7.65; Fish, Veronica-\$28.40; Great Western Tire-\$19.95; Grimm's Pump Service-\$331.96; Havemeier,Leslie-\$20.40; Heartland Paper Co-\$389.09; High Plains Business Forms-\$482.55; Hills Material Comp-\$1,675.01; Inside The Tape-\$550.00; JG Service-\$847.34; Jacobs Precision Welding-\$12.27; Jenner Equipment Co-\$514.16; John E Reid&Associates-\$550.00; Kimbell's Auto Repair-\$125.67; Kinney,Matthew-\$1,489.51; Koala Electric-\$602.38; Kosel,Joseph-\$5,016.12; Law Enforcement Systems-\$67.00; Lawson Products-\$310.63; Lead, City Of-\$76.55; Lead-Deadwood Regional Hospital-\$440.59; Lead-Deadwood Sanitary-\$352.46; Lee,James-\$15.00; Lewis&Clark Bhs-\$160.00; M&M Sanitation-\$150.00; McClure,Susan-\$200.00; Megas Propane-\$567.57; Mcpherson Propane-\$69.00; Midcontinent Communications-\$34.22; Midwest Alarm-\$88.20; Montana Dakota Utilities-\$5,932.20; Moore Medical-\$161.33; Moss,William Psy-\$2,410.00; Ncraao-\$1,400.00; Nelson,Christy-\$150.00; Nelson,Tonya-\$250.00; Neve's Uniforms-\$960.55; Office Of Child Support-\$815.08; Office Technology/Supply-\$49.95; Pennington Co Auditor-\$61.00; Pennington County Sheriff-\$1,113.30; Pennington County Sts Attny-\$430.00; Performance One-\$369.67; Phaze Electric-\$255.92; Pictometry International Corp-\$6,072.94; Pitney Bowes-\$276.98; Pmb 0112-\$1,773.39; Postmaster,Deadwood-\$140.00; Priority Dispatch-\$78.00; Quill Corporation-\$212.04; Rabe Elevator-\$925.97; Radiology Associates-\$443.56; Rapid Transcript-\$663.00; Regional Health-\$1,218.00; Regional Health Physicians-\$75.47; Rena M Hymans, PC-\$224.66; Rensch, Timothy J Atty At Law-\$4,599.49; Reserve Account-\$5,000.00; Rocket Lube-\$433.39; SD State Treasurer-\$1,074.20; Sada Systems-\$145.85; Sdrs Supplemental Retirement-\$1,154.00; Securus Technologies T-Netix-\$2,420.80; Servall Towel&Linen-\$547.82; Spearfish Auto Supply-\$3,243.51; Steinley Real Estate Appraisal-\$100.00; Sterna,Laura-\$250.00; Subway-\$84.00; Swisher Hygiene/Css-\$80.08; Sysco Montana-\$3,805.25; Thomson Reuters-West-\$298.44; Tigerdirect-\$586.02; Triple K Tire&Repair-\$915.74; Turnkey Corrections-\$7.01; Twin City Hardware&Lumber-\$236.22; United Parcel Service-\$10.18; Victims Of Violence-\$745.00; Washington State Support Reg-\$75.00; Waste Connections-\$678.15; Watertree-\$37.95; Wells Fargo Business Card-\$3,209.84; West River International-\$1,130.57; Western Communication-\$58.00; Western Sd Juvenile Serv-\$5,417.55; Wex Bank-\$808.67; White's Canyon Motors-\$17.37; White's Queen City Motors-\$128.81; Wilde&Hunt, Prof-\$666.47; Williams&Associates-\$3,176.25; Wolff Law Office-\$608.94; Wolff's Plumbing&Heating-\$67.77; Z&S Dust Control-\$42,424.22; Ziggy's Building Center-\$49.00; **Witness & Jurors:** Black,D-\$61.10; Sleep,R-\$69.24; Chapeau,C-\$64.80; Cook,B-\$64.80; Cowen,C-\$52.22; Holien,G-\$69.24; Hopewell,C-\$63.32; Jones,B-\$19.24; Law,J-\$52.22; Mitcheltree,R-\$50.74; Rhodes,B-\$60.36; Rohla,R-\$61.10; Sargent,D-\$52.22; Startz,Z-\$57.40; Syman,A-\$61.10; Trevino,B-\$55.92; Arzy,J-\$33.32; Clites,S-\$32.58; Lehto,L-\$33.32; Lueders,J-\$33.32; Noren,J-\$32.58; Ugland,M-\$33.32

ADJOURN: 10:28 a.m. There being no further business the Chairman adjourned the meeting. Motion Carried.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – June 5, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on June 5, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Bob Ewing, and Terry Weisenberg present. Brandon Flanagan was absent and Daryl Johnson left at 8:15 a.m.

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

AGENDA: Moved-Seconded (Weisenberg-Sleep) to approve the agenda as amended. Motion Carried. Flanagan Absent.

MINUTES: Moved-Seconded (Weisenberg-Johnson) to approve the minutes of May 27, 2014 County Commission meeting. Motion Carried. Flanagan Absent.

2014 PRIMARY ELECTION: Moved-Seconded (Weisenberg-Ewing) to canvass the 2014 Primary Election Results for Lawrence County. Motion Carried. Flanagan Absent.

AIRPORT:

AIRPORT AGREEMENT: Moved-Seconded (Ewing-Johnson) to approve and authorize the Chairman to sign the Airport Acquisition Agreement, Nonrecourse Loan Agreement, and FAA Grant Validation Form. Motion Carried. Flanagan Absent.

Tom Brady was present to update the Board on the Airport Acquisition and discussions with the FAA in regards to the transfer of property and grants. Rod Senn, KLJ was also present to discuss engineering fees, studies and grant applications.

PERSONNEL:

SHERIFF: Moved-Seconded (Weisenberg-Ewing) to approve Samantha J. Rosenau as a Part-Time (under 20) Fill-In Correctional Officer I G1 at the base rate of \$15.19 an hour, upon completion of 80 hrs of training at \$10.38 an hour, effective June 5, 2014. Motion Carried. Flanagan & Johnson Absent.

HIGHWAY: Moved-Seconded (Weisenberg-Ewing) to approve the hiring of Krista Rear as a permanent full-time Secretary G1 at the base rate of \$14.70 an hour, effective June 23, 2014. Motion Carried. Flanagan & Johnson Absent.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Ewing-Sleep) to accept the Auditor's Account with the County Treasurer. Motion Carried. Flanagan & Johnson Absent. As of May 31, 2014 showed the following: Total amount of actual cash-\$1,350.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days (check deposit in

transit)-\$62,267.41; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$5,669.19; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$5,297,636.40, Money Market \$3,966,400.46; Savings-\$7,644,834.19; Total \$20,080,017.65.

AUTOMATIC SUPPLEMENTS:

DIRECTOR OF EQUALIZATION: Moved-Seconded (Weisenberg-Ewing) to approve the automatic supplement for Director of Equalization Mapping for \$6,072.95 for funds received from the City of Deadwood. Motion Carried. Flanagan & Johnson Absent.

SUPPLEMENTAL BUDGET: A public hearing was held for a supplemental budget for Director of Equalization / Mapping - \$6,073. No public input was voiced and the hearing was closed. Moved-Seconded (Weisenberg-Ewing) to approve and authorize the Chairman to sign the following Resolution #2014-12. Motion Carried. Flanagan & Johnson Absent.

RESOLUTION #14-12 TO ADOPT A SUPPLEMENTAL BUDGET WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2014, 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 2014, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: **GENERAL FUND** Director of Equalization / Mapping - \$6,073. 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 5th day of June, 2014 at the hour of 8:15 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 5th day of June, 2014. **FOR THE BOARD OF COUNTY COMMISSIONERS** Richard Sleep, Chairman. **ATTEST:** CONNIE ATKINSON
LAWRENCE COUNTY AUDITOR

ALCOHOLIC BEVERAGE LICENSES: A public hearing was held on the renewal of the applications for 2014-2015 Malt Beverage licenses. No public input was voiced and the hearing was closed. Moved-Seconded (Ewing-Weisenberg) to approve the following 2014-2015 Malt Beverage Licenses. Motion Carried. Flanagan & Johnson Absent.

CLASS - PACKAGE (OFF-SALE) MALT BEVERAGE & SD FARM WINE
PLACER 601 INC., (DEADWOOD KOA) M.S. #601, Sec. 28, T5N, R3E, and lot 1A of M.S. #108.

CLASS - PACKAGE (OFF-SALE) MALT BEVERAGE

TOMAHAWK LAKE COUNTRY CLUB, Part HES 57 more fully described in Book 222, Page 476 & 477, Office of Lawrence County Register Deeds.

CLASS - RETAIL (ON-OFF SALE) MALT BEVERAGE

WICHTERMAN & SONS INC: HIDDEN VALLEY CAMPGROUND, Lot G-1-A, HES 297, Sections 18 & 19, T4N, R4E.

JANELL F. ANDIS, (CUSTER CROSSING) Pt Tract B-1 of HES 246, Section 21, T3, R4.

SPEARFISH CANYON RESORTS LLC. (LATCHSTRING VILLAGE) 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..

FRESH START CONVENIENCE STORE INC. (THE VALLEY CORNER) Lot 1 & Pt Lot 2, NW1/4NW1/4, Subdivision of Section 3, T6N, R2E., B.H.M.

TRAILSHEAD LODGE, INC., Lot 4 O'Neill Pass Ranchettes S/D of HES 617, Section 20, T3, R1, B.H.M.

CHEYENNE CROSSING STORE LLC. Lot C-3 of Meadow 1-2-3 Lodes of MS 1564, NW1/4 S22, T4N, R2E.

LONNY & SUSAN SMITH (ST.ONGE BAR & GRILL) Lots 1 & 2, Block 8, St.Onge.

SEVEN DOWN, LLC Tract 7, Section 27, T6N, R3E.

WICHTERMAN & SONS INC: STEEL WHEEL CAMPGROUND Tract "D" Revised, formerly Tract "D" of HES 297, S18 & 19, T4N, R4E.

JANICE G. KABERNA, (HOM CAMPGROUND) Lot A of CRM Ex Tract 1 (10.01) and Lot 2. Sec 27-T3-R5 of Black Hills.

BLACK HILLS CHAIRLIFT CO.INC. Section 1-2-11 & 12, Township 4 north, Range 2 east, B.H.M.

CROW PEAK BREWING COMPANY, LLC: Lot Y-1, located in NE1/4NE1/4, S4, T6N, R2E.,

TRIPLE H HILLS LLC, MYSTIC HILLS HIWAY M.S.1748 Fennia #1; M.S.1748 St John Claim; M.S. 1748 St John #1 (8.78 Ac) & St John #2 (7.90 Ac); M.S. 1748 St John #3 (8.85 Ac) & St John #4 (8.83 Ac). All Located in Section 1, T3N, R3E.

NEMO GUEST RANCH BUSINESS ENTERPRISE (NEMO GUEST RANCH CONVENIENCE STORE) Lots 1, 2 and 3 of Nemo Guest Ranch Sub, a sub of tract 4-T of Nemo Placer MS1368.

REYNOLDS & LIVINGSTON LLC (COUSINS BIG CHAIR): 22493 US Hwy 385 So., Deadwood, SD: Lot 1, Boyle S/D, SW1/4, SW1/4, T2N, R5E, BHM, Lawrence County. 05000-00205-073-10

BAREFOOT COUNCIL OF CO OWNERS (BAREFOOT RESORT) 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.

WHITETAIL COURT RESORT LLC. 11295 U.S. HWY 14A, Lead, SD 57754 Tract 54 Secs 5-6-7&8 (Whitetail Court), Lawrence County.

LARRY KAISER, NEMO MERCANTILE, Tract 3 of the un-platted portion of Nemo Placer, M.S. 1368, located in the NE ¼ of Section 27, T3N, R5E, B.H.M 26580-01368-010-30

NEMO GUEST RANCH BUSINESS ENTERPRISES, (BRANDING IRON RESTAURANT) Lots 1, 2 and 3 of Nemo Guest Ranch Sub, a sub of tract 4-T of Nemo Placer MS1368.

B&S RESORT LLC./RECREATIONAL SPRINGS RESORT: M.S. 1200 Lot 3-A2 Of Tract 3-A A S/D Of Jay#1,2&3 & Fay#3, Albert Steele Fraction, Hazard, Log Cabin & Violet #3 Of Sec 24, T4N, R2E, BHM.

CLASS - RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE

BOONDOCKS LLC: PT HES 54 Tract C Section 25 T4N, R3E,

WILD BILL'S CAMPGROUND & RESORT PARTNERSHIP: Lot E & Lot E-2 of HES 137 located in S17 & 18, T4N, R4E, BHM, except Lot E-1 & E-3 of Subd Lot E & except Lots H1 & H2 in Lot E, Tract No. 0091A in S18 & Tract 0091B S17, T4N, R4E.

STEVEN W. OR MARCIA SHARP, (KOA SPEARFISH) 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..

BLACK HILLS JOURNEY'S INC (FISH 'N FRY CAMPGROUND) Lots 1 & 2, subdivision of a portion of H.E.S. 297, in Section 18 & 19, T4N, R4E, BHM, Lawrence County, SD according to Plat Book 1, page 317, except Lot A of Lot 2 of the Subdivision of HES 297, according to Plat Doc #78-1596.

JOHN D. BELL (BOARS NEST ROADHOUSE LLC) Tract 59 Section 7, T2N, R3E, BHM.

AKELA SPA OF DEADWOOD LLC; LOT 3 BLK 1 EX H1 (.68 AC) OAK MT. COUNTRY EST. 18-005-04 B.H.M. LAWRENCE COUNTY SD.

HIGHWAY BUSINESS:

UTILITY PERMIT: Moved-Seconded (Ewing-Weisenberg) to follow the recommendation of the Highway Superintendent and approve the Utility Permit for Black Hills Electric Coop to install a 7200 volt overhead power line from the David Hall's Residence in section 28, T4N, R3E on the Mark Rizzi Property. Motion Carried. Flanagan & Johnson Absent.

SECONDARY ROAD DISCUSSION / REMOVAL CRITERIA & PROCESS: The Board discussed the process to adjust the Secondary Road System. The Board discussed if additional roads need to be reviewed and/or added to the list before the board starts the process. Rex Gudith, Rim Gudith and Zaki Abu-Ghazaleh expressed concerns on the change to the county maintenance of the Frosty Meadows Road. Stating this property was purchased with the understanding that it was a county maintained road. Safety, cost and property value issues were also expressed. Allan Bonnema, Highway Superintendent asked if the county was spending tax payers money wisely if they are taking money away from the primary county roads that service 100's of vehicles a day to maintain a road that serves only one, two or three families. Ewing commented that currently the county is maintaining some secondary roads that service only a few residences but not all of them and this becomes a fairness issue.

8:53 a.m. Moved-Seconded (Weisenberg-Ewing) to go into Executive Session to discuss legal issues pursuant to SDCL 1-25-2(3). Motion Carried. Flanagan & Johnson Absent. 9:02 a.m. the Board opened for regular business with no-action taken.

PLANNING & ZONING:

CONDITIONAL USE PERMIT #192-13 / STRAWBERRY BED & BREAKFAST: Moved-Seconded (Ewing-Weisenberg) to follow staff recommendation and approve the transfer of C.U.P. #192-13 Strawberry Bed & Breakfast to Russ Ficek Conditional Use Permit #192-14 Specialty Resort B&B contingent upon the purchase of the property. Motion Carried. Flanagan & Johnson Absent.

BILLS:

Moved-Seconded (Weisenberg-Sleep) to approve payment of the following payroll and 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. Flanagan & Johnson Absent.

Payroll: Comm-\$5,960.48; Elections-\$1,279.25; Aud-\$8,510.80; Treas-\$10,344.57; Comp-\$8,336.54; Sa-\$12,871.82; Pub Def-\$10,846.64; Gen Govt Bldg-\$8,387.90; Equal-\$13,832.28; Rod-\$7,832.48; Vso-\$1,276.41; Disp-\$12,919.66; Sher-\$35,481.59; Jail-\$21,569.79; Coroner-\$257.85; 24/7-\$155.88; Emerg Mgnt-\$3,874.42; E911-\$1,762.40; Highway-\$41,513.13; Air-\$1,086.60; Weed-\$5,590.85; Pz-\$5,052.11; **Bills:** Green,Sheree-\$34.00; Palmer,Ryan-\$8.98; Kampa,Kerry-\$2.10; A&B Business,Inc Solutions-\$1,005.59; A&J Supply-\$11.28; A To Z Shredding-\$18.15; Abc Business Supply-\$670.53; Amick Sound-\$745.80; At&T Mobility-\$809.31; Audra Malcomb Consulting-\$941.70; BH Chemical Company-\$188.53; BH Federal Credit Union-\$6,873.00; BH Pioneer-\$699.90; BH Power-\$787.34; Barnaud Law Firm-\$1,319.34; Biegler,Greg-\$37.50; Bomgaars Supply-\$89.96; Butte Electric Coop-\$211.57; Campbell Co Sheriffs Off-\$50.00; Carlson,Richard-\$6.50; Century Business Products-\$44.85; City/County Alcohol&Drug-\$5,803.00; Clinical Lab Of BH-\$1,972.00; Commercial Kitchen Products-\$2,319.00; Credit Collections Bureau-\$222.77; Crop Production Services-\$3,980.00; Csd-\$231.48; Dash Medical Gloves-\$67.90; Deadwood,City Of-\$3,492.74; Dept Of Hlth Lab Services-\$170.00; Dept Of The Treasury-\$53,425.55; Diversified Collections-\$100.00; Doc's Repair Service-\$240.00; Fidler-Isburg Funeral Chapel-\$1,170.00; Frederickson,John-\$2,199.02; Heartland Paper Co-\$315.84; Janke,Wendy-\$2,380.00; Kosel,Joseph-\$482.62; L&S Restoration-\$35.82; Lead-Deadwood Regional Hospital-\$325.00; Lead-Deadwood Sanitary-\$286.70; Lewno,Lucy-\$150.49; Mobile Electronic Service-\$356.70; Montana Dakota Utilities-\$3,364.83; Moore Medical-\$149.63; Ms Mail-\$480.00; Nelson,Christy-\$250.00; Nelson,Tonya-\$250.00; Northern Hills Casa-\$7,500.00; Northwest Pipe Fitt-\$138.34; Office Of Child Support-\$815.08; Pennington Co Auditor-\$130.00; Pictometry International Corp-\$6,072.95; Postmaster,Deadwood-\$140.00; RC Finance Office-\$910.00; Rabe Elevator-\$925.97; Radiology Associates-\$19.88; Regional Health Physicians-\$356.43; Reh fuss,Cathryn-\$15.00; SD Dept Of Public Safety-\$75.00; SD State Treasurer-\$1,133.52; Sand Creek Printing-\$249.00; Sdrs Supplemental Retirement-\$1,154.00; Spearfish Auto Supply-\$835.01; Swanda,Karen-\$15.00; Swisher Hygiene/Css-\$137.72; Sysco Montana-\$4,893.95; Toddy Boy's-\$176.87; Turbiville Industrial Electric-\$1,728.60; Twin City Hardware&Lumber-\$69.70; Waste Connections-\$406.01; Western Communication-\$12.00; Wex Bank-\$842.36; White's Canyon Motors-\$45,434.00; White's Queen City Motors-\$57.55; Zeeb's Greenhouse-\$78.00; **Witness & Jurors:** Crisp,D-\$30.36; Allen,K-\$12.96; Baker,M-\$12.22; Bentley,R-\$21.10; Bond-Cromes,M-\$21.10; Borsch,C-\$12.22; Brooks,G-\$21.84; Burke,J-\$21.84; Compton,M-\$66.28; Detweiler,N-\$21.84; Fierro,M-\$50.74; Glenney,T-\$21.10; Howe,M-\$21.84; Jensen,L-\$24.80; Keene,J-\$14.44; Kennedy,S-\$68.50; Klapperich,C-\$32.20; Langley,F-\$28.50; Maisto,N-\$52.22; Maser,P-\$58.14; Meeker,S-\$24.80; Mertesdorf,G-\$12.22; Meyers,Z-\$21.10; Morrison,M-\$52.22; Mortenson,J-\$21.10; Nordhagen,D-\$21.10; Olsen,M-\$10.74; Ott,S-\$23.32; Pearson,S-\$21.10; Pleinis,H-\$52.22; Randolph,J-\$61.10; Sailor,S-\$21.10; Sargent,S-\$22.58; Shinabarger,C-\$23.32; Smith,C-\$61.10; Tennis,R-\$68.50; Trevino,R-\$11.48; Tripp,D-\$21.10; Troyer,Z-\$19.62; Tysdal,J-\$22.58; Walno,W-\$61.84; Williamson,N-\$13.70; Willuweit,D-\$10.74; Young,T-\$21.10

ADJOURN: 9:07 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – June 24, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on June 24, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Brandon Flanagan, and Terry Weisenberg present. Daryl Johnson was absent.

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

AGENDA: Moved-Seconded (Ewing-Flanagan) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Sleep) to approve the minutes of June 5, 2014 County Commission meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Ewing-Weisenberg) to approve Daleen Torgerson as a Permanent Full-Time Dispatcher II G3 at the base rate of \$18.18 an hour, effective May 18, 2014. Motion Carried. Absent.

Moved-Seconded (Weisenberg-Ewing) to allow employees to donate leave to Mary Abell upon the exhaustion of the employee's accumulated vacation time, "comp. time" and sick leave. Motion Carried.

Moved-Seconded (Ewing-Flanagan) to approve moving the open lieutenant position from the Jail to the Sheriff's Office to allow for an additional patrol deputy, and to authorize the advertising of the open position. Motion Carried.

STATES ATTORNEY: Moved-Seconded (Flanagan-Weisenberg) to approve Sara Little as a Temporary Part-time (20hrs a week) summer help at the base rate of \$9.00 an hour, effective June 25, 2014. Motion Carried.

Moved-Seconded (Weisenberg-Ewing) to approve Brianna Baumann as a permanent three quarter time (over 30 hrs a week) Secretary G1 at the base rate of \$14.70 an hour, effective June 24, 2014. Motion Carried.

Moved-Seconded (Ewing-Flanagan) to allow a thirty day extension for Trevor Thielen to come into compliance with the County Residency Policy. Motion Carried.

HIGHWAY: Moved-Seconded (Ewing-Weisenberg) to approve the hiring of Josh Herman as a permanent full-time Heavy Equipment Operator at the base rate of \$21.16 an hour, effective June 10th, 2014; to approve the hiring of Paul Nelson as a permanent full-time Heavy Equipment Operator at the base rate of \$21.16 an hour, effective June 23, 2014; and to approve Maria Diane Vandenberg as a permanent full-time Highway Admin Assistant G1 at the base rate of \$18.49 an hour, effective June 16, 2014. Motion Carried.

TRAVEL REQUESTS:

SHERIFF: Moved-Seconded (Flanagan-Ewing) to approve the travel request for Julie Rakow to attend the Northwest Shuttle Conference in Deerlodge, MT on September 7-11, 2014. Motion Carried.

ST. ONGE BOND: Moved-Seconded (Ewing-Weisenberg) to approve the St. Onge Towns and Township Bond for \$50,000. Motion Carried.

STATE & LOCAL AGREEMENT: Moved-Seconded (Flanagan-Weisenberg) to approve and authorize the Chairman to sign the State & Local Agreement Addendum (Emergency Management). Motion Carried.

PILT FUNDS: The Board discussed the Payment in Lieu of Taxes (PILT) funds received on June 18, 2014. Moved-Seconded (Ewing-Flanagan) to receipt the PILT funds of \$495,387.00 into the Road and Bridge Fund for 2014. Motion Carried.

SHERIFF:

MEDICAL CONTRACTS: Moved-Seconded (Ewing-Flanagan) to approve and authorize the Chairman to sign the Lead/Deadwood Regional Hospital / County Contract for Medical Services Agreement. Motion Carried.

911: Moved-Seconded (Ewing-Weisenberg) to support Sheriff Dean in his efforts to work with the City of Spearfish in a more productive and efficient 911 service to the citizens of the County and Cities.

ALCOHOLIC BEVERAGE LICENSES: A public hearing was held on the application for 2014-2015 Malt Beverage license. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Ewing) to approve the following 2014-2015 Malt Beverage License. Motion Carried. **CLASS-PACKAGE (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE:** CUSTER CAMP 1874 LLC DBA THE PASTA CORRAL; Lot 1 of HES 286 located in SEC 4, T3N, R5E, BHM, Lawrence County, SD.

HIGHWAY BUSINESS:

APPROACH PERMIT: Moved-Seconded (Ewing-Sleep) to follow the recommendation of the Highway Superintendent and approve the Approach Permit for Larry Langenfeld on the north to northeast side of Lookout Mountain road located approximately 500 ft E of Kerwin Ln. Motion Carried.

ROAD MAINTENANCE: The Board discussed the needed funding for County Roads to be maintained. Ewing stated the State is currently researching and securing some future funding for the County Roads to maintain them in the current condition as the federal funding for roads is being

reduced or will be ending. Discussion followed that the majority of the taxes collected go to the Schools and not the County and the County does not have a secondary road levy.

SECONDARY ROAD DISCUSSION / REMOVAL CRITERIA & PROCESS: Allan Bonnema, Highway Superintendent presented an additional 10 roads for consideration to be included on the deletion list from the Secondary Road System. The Board will do an onsite of the Roads before any further action is taken.

FUEL QUOTES: The following fuel quotes were submitted as of June 11, 2014: Deadwood Diesel 500: (prices per gallon) CBH Cooperative - \$3.32, Southside - \$3.29*, MG Oil 3.39254; Deadwood Unleaded 3600 gallons: (prices per gallon) CBH Cooperative - \$3.314, Southside - \$3.31*, MG Oil \$3.3178; Spearfish Diesel 3900 gallons: (prices per gallon) CBH Cooperative - \$3.32*, Southside - \$3.34, MG Oil 3.39254; Spearfish Unleaded 600 gallons: (prices per gallon) CBH Cooperative - \$3.349*, Southside - \$3.36, MG Oil 3.3178. *Represents lowest quote awarded. No bid was received from Harms Oil.

COURT APPOINTED ATTORNEY BILL / HUGGINS: The Board reviewed a request from John Huggins for relief from the obligation to re-pay court appointed attorney fees for \$288.45. Matt Pike and Amber Richey representing the Public Defender's Office were present. Pike stated in reviewing the bill he found the bill to be fair and reasonable. Moved-Seconded (Ewing-Sleep) to deny the request from Huggins to waive the court appointed attorney bill. Motion Carried.

EQUALIZATION:

SPEARFISH T.I.F.D. #4: The Board discussed the proposed Spearfish T.I.F.D. #4. Sleep expressed concerns that Tax Increment Finance Districts are taking money away from the County and yet the County does not get a vote on the issue. Discussion followed on the reason for the proposed T.I.F.D.

ABATEMENT / KOSTERS: Moved-Seconded (Ewing-Flanagan) to approve the abatement for Timothy & Becky Kusters on parcel #18600-00504-150-16 because the home was burned down on April 12, 2014. Motion Carried.

INVASIVE SPECIES MANAGEMENT: Dave Heck, Invasive Species Management was present to discuss invasive species management enforcements. Heck stated \$500,000-\$750,000 of treatment is needed. Moved-Seconded (Ewing-Sleep) to recommend to the Invasive Species Management Board that they start enforcements of weed infestations on property owners. Motion Carried.

PLANNING & ZONING:

CHANGE OF ZONING # 306 / MCGUIGAN: First Reading and a Public Hearing was held on an application for COZ #306, A1 to A2. Location: Westview Drive (McGuigan Inc./Applicant) for possible creation of large lots off of Westview Drive. Randy Diebert reviewed the proposed Change of Zoning. Guy Ferris spoke in favor of the request. Sleep expressed concerns on scattered

development and access. Sleep stated he would support cluster development instead because you could still use the remaining land. The public hearing was closed and second reading will be July 8th.

CHANGE OF ZONING # 307 / DIERS: First Reading and a Public Hearing was held on an application for COZ #307, SRD to GC (Kenneth Diers, Applicant). Location: Nemo, SD for vendors, restaurant & bar. The Board reviewed letters and emails concerned with the Change of Zoning. Landowners in the area expressed concerns that this would be a permanent change of zoning and asked if a conditional use permit could be issued instead. Discussion followed why Amber Vogt, Planning and Zoning Director recommended that they apply for a Change of Zoning instead of a Conditional Use Permit. Ewing stated that if the Change of Zoning is approved the community would still have a voice in what happens on the property. The public hearing was closed and second reading will be July 8th.

ANNUAL REVIEW WHARF / GOLDEN REWARD MINING COMPANY: Ron Waterland, Environmental/Governmental Affairs presented the Annual Review for Wharf Resources and Golden Reward Mining Company.

PLATS:

HALE: Moved-Seconded (Ewing-Flanagan) to declare the Plat for Jeff Hale for Lot 6A & 9A-1 for a change in lot line in Eddy-Simons Subdivision in Boulder Canyon as an exempt plat. Motion Carried.

Moved-Seconded (Ewing-Weisenberg) to approve the Preliminary and Final Plat for Jeff Hale for Lot 6A & 9A-1 for a change in lot line in Eddy-Simons Subdivision in Boulder Canyon. Motion Carried.

SCHWANER / BESSKEN: Moved-Seconded (Flanagan-Weisenberg) to declare Plat for Marilyn Schwaner /Bessken for Lot 1-A, Blk 6 of Galena Town Lots, combining 3 lots into 1 as an exempt plat. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to approve the final plat for Marilyn Schwaner /Bessken for Lot 1-A, Blk 6 of Galena Town Lots, combining 3 lots into 1. Motion Carried.

CARLISLE / MILLER:

Moved-Seconded (Ewing-Flanagan) to declare the plat for Carlisle/Miller for Tract 1-4, a replat of remainders and defining the Commercial vs. SRD zoning districts along Boulder Canyon Road off of Mattson Lane as an exempt plat. Motion Carried.

Moved-Seconded (Ewing-Flanagan) to approve the preliminary and final plat for Carlisle/Miller for Tract 1-4, a replat of remainders and defining the Commercial vs. SRD zoning districts along Boulder Canyon Road off of Mattson Lane. Motion Carried.

PLANNING & ZONING UPDATE: The Board expressed their support for Amber Vogt to participate as a member of the Transportation Planning Committee. The Board acknowledged

waiving the building permit fee for Timothy & Becky Kosters whose home was burned in a recent fire.

POWDER HOUSE PASS BUILDING PERMIT: The Board discussed building permits at Powder House Pass in the interim time until the sewage treatment system is installed and operational. Discussion followed that the Developers will be responsible to pump the Sewage Treatment Tanks until the treatment system is operational.

Moved-Seconded (Weisenberg-Ewing) to following Planning and Zoning recommendation and approve two building permits for Powder House Pass with the additional note that occupancy certificate will not be issued until the sewage treatment tanks are operational. Motion Carried. Aye-Weisenberg, Ewing and Flanagan. Nay-Sleep. Absent-Johnson.

ANNUAL REVIEWS:

CUP #205 BENCHMARK ENTERPRISES: An annual review was held for CUP #205 for Benchmark Enterprises Mining. CUP #205 was found to be in compliance and another review will be completed in 12 months.

CUP #307 RAMSEY: An annual review was held for CUP #307 Ramsey 2nd Residence. Moved-Seconded (Weisenberg-Flanagan) to follow the recommendation of Planning and Zoning staff and allow one of the mobile homes to be removed to allow for a stick built residence with the understanding that as soon as the need for the temporary residence is not needed the remaining mobile home will be removed with-in 6 months. Motion Carried.

CUP #388 BILL SWENSON / SPECIALTY RESORT: An annual review was held for CUP #388 Bill Swenson / Specialty Resort. CUP #388 was found to be in compliance and another review will be completed in 12 months.

CUP #400 JOHNER & SON'S GRAVEL PIT: An annual review was held for CUP #400 Johner & Son's / Gravel Pit. CUP #400 was found to be in compliance and another review will be completed in 12 months.

CUP #408 LICENSED PROFESSIONAL SERVICES / RUPP: An annual review was held for CUP #408 for Licensed Professional Services Spa. CUP #408 was found to be in compliance and another review will be completed in 12 months.

CUP #409 CABINET - COUNTERTOP / RUPP: An annual review was held for CUP #409 for a Cabinet/Countertop Showroom for Rupp. Moved-Seconded (Flanagan-Ewing) CUP # 409 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.

CUP #410 RUPP: Moved-Seconded (Flanagan-Weisenberg) to grant the request from the Applicant Rupp and cancel CUP#410 for a child care facility. Motion Carried.

CUP #419 MAD MOUNTAIN RENTALS: An annual review was held for CUP #419 for Wayne & Melissa Boullion-ATV Rentals at Nemo Guest Ranch. CUP #419 was found to be in compliance and another review will be completed in 12 months.

CUP #420 ANDY'S TRAIL RIDES: An annual review was held for CUP #420 for Andy's Trail Rides. CUP #420 was found to be in compliance and another review will be completed in 12 months.

CUP #406 CITY OF SPEARFISH WATER TANK: An annual review was held for CUP#406 for the City of Spearfish Water Tank. Moved-Seconded (Flanagan-Sleep) to approve the water tank color Sand . Motion Carried. Aye-Weisenberg, Flanagan and Sleep. Nay-Ewing. Absent-Johnson. Motion Carried.

ITEMS FROM COMMISSIONERS:

JOB SATISFACTION: Brandon Flanagan suggested sending a job satisfaction survey to employees asking for their input on how issues are handled within the County and suggested maybe the Commissioners could go around to the Departments and talk to the employees.

BILLS:

Moved-Seconded (Weisenberg-Flanagan) to approve payment of the following payroll and 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-\$5,960.48; Elections-\$204.49; Aud-\$8,698.69; Treas-\$10,345.36; Comp-\$8,336.53; States Atty-\$13,075.99; Pub Def-\$10,990.56; Gen Govt Bldg-\$8,472.96; Equal-\$13,601.34; Rod-\$7,832.48; Vso-\$1,276.41; Disp-\$11,692.51; Sher-36,029.96; Jail-\$19,854.42; Coroner-\$557.85; 24/7-\$173.20; Emerg Mgnt-\$3,696.04; E911-\$1,762.40; Highway-\$42,421.29; Air-\$1,524.64; Mh Serv-\$84.00; Weed-\$6,904.14; P&Z-\$5,252.69; **Bills:** Baumann,Michelle-\$40.70; Green,Sheree-\$70.31; A&B Business,Inc Solutions-\$386.30; A&B Welding Supply-\$20.40; A To Z Shredding-\$12.75; Abc Business Supply-\$284.87; Alco Store-\$12.99; Aman, Barbara-\$170.00; American Family Life-\$3,094.06; Ammons,Sue-\$170.00; Asmussen,Patricia-\$197.22; At&T-\$1.76; Audra Malcomb Consulting-\$876.03; BH Chemical Company-\$441.29; BH Federal Credit Union-\$6,873.00; BH Pest Control-\$190.00; BH Pioneer-\$299.00; BH Power-\$11,203.30; Barnaud Law Firm-\$3,951.18; Barrett,Marlene-\$175.00; Baseco-\$2,046.23; Benning,Elizabeth-\$184.62; Black Hills Disposal-\$87.00; Black Hills Pure-\$46.50; Boelter,Kristie-\$17.50; Bomgaars Supply-\$66.39; Brady Pluimer-\$2,057.75; Bruce,Alice-\$170.00; Burleson, Anna-\$170.00; Butler Machinery Co-\$662.88; Butte Electric Coop-\$555.92; Caserio,Beverly-\$176.25; Caserio,Clifford-\$176.25; Century Business Products-\$349.35; Centurylink-\$2,526.99; Chickering,Carol-\$170.00; Christensen,Linda-\$170.00; City/County Alcohol&Drug-\$921.75; Clark Printing-\$47.00; Clinical Lab Of BH-\$1,955.00; Community Health Services-\$20.00; Cook,Sue-\$161.10; Credit Collections Bureau-\$222.77; Crop Production Services-\$114.00; Dakota Equipment Rental-\$125.00; Deadwood Development Company-\$147.78; Deadwood Recreation Center-\$629.00; Delta Dental Of South Dakota-\$6,737.34; Dept Of The Treasury-\$53,271.07; Diversified Collections-\$100.00; Eagle Aviation-\$1,428.19; Eddie's Truck Sales/Serv-\$757.91; Eke-\$153,229.09; Election Sys&Software-\$845.51; Ewing,Sherry-\$170.00; Fastenal-\$78.14; Federal Express Corp-\$143.05; Fidler-Isburg Funeral Chapel-\$2,340.00; Geigle,Elsie Jane-\$207.58;

Gene's Lock Shop-\$28.00; Glanzer,Cheryl-\$170.00; Great Western Tire-\$19.95; Grimm's Pump Service-\$1,270.10; Gustafson,Arlene-\$170.00; Hamilton Excavation-\$50.00; Hartford-Priority Accounts-\$1,684.94; Heartland Paper Co-\$212.14; Heisler Hardware-\$22.63; High Plains Business Forms-\$290.91; Hughes,Linda-\$159.62; Interstate Batteries-\$359.90; Jacobs Precision Welding-\$62.41; Jorgensen,Kay-\$195.00; Kadrmas,Lee And Jackson-\$10,298.86; Kellogg,Druse-\$195.00; Ken's Camper Sales-\$20.70; Keough,Marilyn-\$187.76; Kinney,Matthew-\$553.12; Kosel,Joseph-\$428.89; LC Treasurer-\$20.00; Language Line Services-\$50.00; Lawson Products-\$461.78; Lead,City Of-\$77.95; Lead-Deadwood Regional Hospital-\$194.91; Lead-Deadwood Sanitary-\$69.00; Lee,James-\$15.00; Lewis&Clark Bhs-\$160.00; Lexisnexis Risk Data Mgmt-\$75.00; Littleton,Donna-\$170.00; Lungren,Berniece-\$204.62; McClure,Susan-\$200.00; Microfilm Imaging Systems-\$2,475.00; Midcontinent Communications-\$34.26; Mikelson,Gary-\$197.01; Montana Dakota Utilities-\$646.56; Mundhenke,Bonnie-\$170.00; Neve's Uniforms-\$6.95; Nichols,Helen Rd Ln Cde-\$255.00; Northern Hills Rec Center-\$124.00; Office Of Child Support-\$815.08; Pennington County Sheriff-\$1,684.80; Phoenix Investigations-\$454.41; Pitney Bowes-\$1,078.65; Postmaster,Deadwood-\$224.00; Pump House Coffee&Deli-\$90.28; Quaschnick,Elma-\$195.00; Quill Corporation-\$224.14; RC Finance Office-\$1,365.00; Radiology Associates-\$147.21; Rapid Delivery-\$25.20; Rapid Transcript-\$696.00; Rasmussen Mechanical Serv-\$405.00; Rear, Kay-\$195.00; Regional Health-\$8.63; Reliable-\$426.30; Robinson,Patricia-\$150.00; Rocket Lube-\$140.47; SD Dept Of Public Safety-\$75.00; SD Retirement System-\$53,496.11; Schenk,Doris-\$170.00; Scott Peterson Motors-\$1,936.59; Sdrs Supplemental Retirement-\$1,154.00; Securus Technologies T-Netix-\$1,197.90; Semerad,Sandra-\$74.20; Servall Towel&Linen-\$799.46; Shepherd Reporting-\$30.00; Silvernail,Georgeann-\$195.00; Southside Oil Co-\$28,379.22; Spearfish Auto Supply-\$520.56; Spearfish Building Supply-\$14.37; Spearfish Police Dept-\$10,228.41; Sterna,Laura-\$350.00; Sturdevant's Auto Parts-\$852.44; Taylor,Jeannette-\$205.36; Tetrault,Rose Emma-\$150.00; Tetrault,Roxie-\$170.00; Thomson Reuters-West-\$171.44; Triple K Tire&Repair-\$366.46; Turnkey Corrections-\$11.41; Twin City Hardware&Lumber-\$1,145.63; Verizon Wireless-\$105.09; Victims Of Violence-\$1,185.00; Waisanen,Ardath-\$170.00; Waste Connections-\$272.14; Watertree-\$31.30; Wellmark Blue Cross-\$77,574.96; Wells Fargo Business Card-\$2,957.65; Wells Plumbing&Farm-\$216.45; Western Communication-\$12.00; White Drug-\$1,095.63; White's Canyon Motors-\$1,566.73; White's Queen City Motors-\$478.00; Wilde & Hunt-\$177.49; Wimactel-\$60.00; Wow!-\$1,405.23; Wuitschick,Carol-\$150.00; Yankton Co Sheriff-\$25.00; Yankton County-\$110.00; Zep Manufacturing-\$149.02; Zuercher Technologies-\$3,885.00;

Witness & Jurors: Black,D-\$61.10; Chapeau,C-\$64.80; Cook,B-\$64.80; Cowen,C-\$52.22; Hopewell,C-\$63.32; Jones,B-\$19.24; Keim,R-\$62.58; Lavoie,R-\$59.62; Law,J-\$52.22; Mason,L-\$52.22; Conn,C-\$22.22; Mitcheltree,R-\$50.74; Rhodes,B-\$60.36; Saye,W-\$61.10; Sleep,R-\$69.24; Startz,Z-\$57.40; Syman,A-\$61.10; Trevino,B-\$55.92; Lueders,J-\$33.32; Greenwood,S-\$25.18; Albright,S-\$29.98; Boateng,A-\$20.36; Brockway,J-\$28.50; Burr,C-\$129.60; Carlstrom,R-\$15.92; Chaney-Moodie,J-\$12.22; Colgrove,R-\$21.10; Cook,J-\$20.36; Couch,C-\$23.32; Dahl,L-\$129.60; Doyle,P-\$20.36; Ellsworth,A-\$129.60; Evans,M-\$21.10; Fiorello,L-\$122.20; Floyd,T-\$10.74; Frasier,D-\$125.16; Glanzer,M-\$107.40; Goetz,L-\$129.60; Griffith,T-\$12.22; Hehn,J-\$22.58; Henwood,J-\$21.84; Larsen,D-\$20.36; Ledford,D-\$126.64; Lensegrav,R-\$19.62; Madsen,L-\$15.92; Marmon,R-\$18.88; Marsing,T-\$101.48; Mason,S-\$12.22; Mclemore,J-\$23.32; Morrison,C-\$129.60; Musgrove,E-\$21.10; Newton,J-\$24.80; Odea,S-\$22.58; Paulson,C-\$28.50; Plaggemeyer,T-\$129.60; Roselles,J-\$21.10; Shannon,J-\$12.22; Shockey,K-\$23.32; St James,A-\$117.76; Umberger,D-\$21.10; Ellendorf,Z-\$31.10; Blakney,D-\$33.32; Bockwoldt,D-\$31.10; Bockwoldt,K-\$34.06; Bush,L-\$61.44; Carlson,L-\$40.72; Maynard,R-\$22.22; Reid,A-\$40.72; Slowbear,E-\$33.32; Meverden,J-\$22.22; Rivera,M-\$22.22; Sherman,W-\$22.22

ADJOURN: 11:26 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – July 8, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on July 8, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Brandon Flanagan, Daryl Johnson, and Terry Weisenberg present.

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

AGENDA: Moved-Seconded (Ewing-Flanagan) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Flanagan) to approve the minutes of June 24, 2014 County Commission meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Ewing-Weisenberg) to approve Megan Merwin as a full-time permanent Deputy II G2 at the base rate of \$22.89 an hour, effective July 13, 2014. Motion Carried.

EQUALIZATION: Moved-Seconded (Flanagan-Johnson) to approve Mike Meehan as a full-time permanent Appraiser III G1 at the base rate of \$17.84 an hour, effective July 14, 2014. Motion Carried.

TRAVEL REQUEST:

PLANNING & ZONING: Moved-Seconded (Weisenberg-Flanagan) to allow the Travel Advance for Amber Vogt in the amount of \$46.00 to attend the FEMA-E284 Advanced Floodplain Management Concepts III conference in Maryland. Motion Carried

Moved-Seconded (Weisenberg-Flanagan) to allow the Travel Advance for Jeff Schroeder in the amount of \$52.00 to attend the South Dakota Building Officials Conference in Brookings SD. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Weisenberg-Flanagan) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of June 30, 2014 showed the following: Total amount of actual cash-\$1,350.00; Total amount of Checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$50,772.12; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$6,754.52; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$5,726,913.31, Money Market \$3,967,851.55; Savings-\$6,145,857.50; Total \$19,001,359.00.

SLA QUARTERLY REPORT: Moved-Seconded (Ewing-Flanagan) to approve and authorize the Chairman to sign the 3rd Quarter State and Local Agreement Activity Report for 2014. Motion Carried.

FFA GRANT APPLICATION: Moved-Seconded (Ewing-Flanagan) to allow the Chairman to sign the Application for Federal Assistance for Airport Grant AIP-3-46-0065-022-2014. Motion Carried.

SUPPLEMENTAL BUDGET: A public hearing was held for a supplemental budget for Modernization & Preservation Fund / Services & Fees - \$14,400. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the following Resolution #2014-13. Motion Carried.

RESOLUTION #14-13 TO ADOPT A SUPPLEMENTAL BUDGET WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2014, 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 2014, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: Modernization & Preservation Fund / Services & Fees - \$14,400. 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 July, 2014 at the hour of 8:25 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 July, 2014. **FOR THE BOARD OF COUNTY COMMISSIONERS** Richard Sleep, Chairman. **ATTEST:** CONNIE ATKINSON
LAWRENCE COUNTY AUDITOR

INVASIVE SPECIES ENFORCEMENTS: Dave Heck was present to discuss the Invasive Species Board enforcements. Landowners have been contacted by letter and given until July 16, 2014 to spray their property. If the work is not completed by the deadline, the County will spray the property and a lien will be placed on the respective properties. Moved-Seconded (Flanagan-Ewing) to advertise for bids for the work required for the enforcements. Motion Carried.

HOMESTAKE / RICHMOND HILL ANNUAL REVIEW: Todd Duex was present for the Annual Review of Homestake and Richmond Hill Mines.

DAKOTA RISING: Melissa Barth was present to discuss the 2015 funding request for Dakota Rising. Bryan Lessly, Dustin Floyd, Monte Amende and Ron Waldner Dakota Rising Fellows spoke in favor of the program.

ALCOHOLIC BEVERAGE LICENSES: A public hearing was held on the application for 2014-2015 Malt Beverage license. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Johnson) to approve the following 2014-2015 Malt Beverage License. Motion Carried. CLASS-PACKAGE (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE: **TROUT HAVEN PROPERTIES LLC**; Tract 1 & 2 S/D of SW1/4 SW1/4, T2, R5, Section 7, BHM, Lawrence County, SD.

HIGHWAY BUSINESS:

Allan Bonnema, Highway Superintendent was present to discuss various highway issues. Moved-Seconded (Weisenberg-Johnson) to allow the Chairman to sign the Urban Boundary Map for the City of Spearfish. Motion Carried.

CHRISTENSEN DRIVE: Ivan Goetz was present to express concerns regarding culvert issues on Christensen Drive near his property.

PLANNING & ZONING:

CHANGE OF ZONING # 306 / MCGUIGAN: Second Reading was held on an application for COZ #306, A1 to A2. Location: Westview Drive (McGuigan Inc./Applicant) for possible creation of large lots off of Westview Drive. Moved by Flanagan to approve COZ #306 with the condition that a road agreement is in place prior to platting approval. Motion died due to lack of second. Decision was continued until July 22, 2014 at 9:30 a.m.

CHANGE OF ZONING # 307 / DIERS: Second Reading was held on an application for COZ #307, SRD to GC (Kenneth Diers, Applicant). Location: Nemo, SD. Moved-Seconded (Flanagan-Johnson) to accept the withdrawal of COZ #307 at the request of the applicant, and further to authorize the Planning & Zoning Administrator to issue a Temporary Use Permit for vendors during the Sturgis Rally – to include the sale of beer/wine upon the condition that the On/Off Sale Malt Beverage and South Dakota Farm Wines License is approved on July 22, 2014. Motion Carried.

BUDGET: The board reviewed the 2015 Preliminary budget.

BILLS:

Moved-Seconded (Weisenberg-Sleep) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,510.80; Treas-\$10,352.56; Comp-\$8,336.54; States Atty-\$13,280.00; Pub Def-\$10,990.56; Gen Govt Bldg-\$8,552.70; Equal-\$13,840.60; Rod-\$7,832.48; Vso-\$1,276.41; Disp-\$10,921.70; Sher-\$34,714.12; Jail-\$21,314.68; Coroner-\$457.85; 24/7-\$155.88; Emerg Mgnt-\$3,851.08; E911-\$1,762.40; Highway-\$38,170.29; Air-\$1,086.60; Mh Serv-

\$168.00; Weed-\$6,933.82; Pz-\$5,052.69; **Bills:** Agena,Timothy-\$205.33; Weisenberg,Terry-\$138.83; 3d Specialties-\$84.31; A&B Business,Inc Solutions-\$1,765.00; A To Z Shredding-\$30.75; Abc Business Supply-\$1,939.85; Aberdeen Llc-\$7,509.00; All Around Auto-\$78.22; At&T Mobility-\$845.13; BH Chemical Company-\$345.41; BH Federal Credit Union-\$6,873.00; BH Land Analysis-\$2,307.50; BH Pest Control-\$190.00; BH Pioneer-\$418.95; BH Power-\$679.99; Ball,Megan-\$200.00; Behavior Mngt Systems-\$478.00; Black Hills Pure-\$70.50; Bomgaars Supply-\$132.95; Butler Machinery Co-\$2,482.61; Butte Electric Coop-\$356.71; Century Business Products-\$177.76; Centurylink-\$107.02; Chris Supply Co-\$183.20; Credit Collections Bureau-\$222.77; Dakota Equipment Rental-\$33.60; Deadwood,City Of-\$934.18; Dept Of The Treasury-\$56,614.10; Dirigo Software-\$114.00; Diversified Collections-\$100.00; Election Sys&Software-\$1,538.51; Ellingson,Joseph-\$292.79; Fastenal-\$3.72; Fish,Veronica-\$125.40; Harkins,Carolyn Rpr-\$139.05; Heartland Paper Co-\$268.66; Heisler Hardware-\$23.94; Hills Material Comp-\$710,240.91; Holt,Connie-\$400.00; Knecht Home Center Of Spf-\$27.99; Kosel,Joseph-\$3,360.72; LC Assessor-\$30.13; LC Conservation Dist-\$5,000.00; LC Emerg Mngt-\$37.35; L-3 Communications-\$4,685.00; Lawson Products-\$92.58; Lead,City Of-\$45.75; Lead-Deadwood Sanitary-\$401.86; Light&Siren-\$55.00; Marco-\$37.35; Mcclure,Susan-\$150.00; Mid-Continent Testing-\$975.00; Montana Dakota Utilities-\$2,606.50; Montana Dept Of Corrections-\$260.00; Office Of Child Support-\$582.93; Pennington County Sts Attny-\$215.00; Pictometry International Corp-\$1,440.00; Queen City Tire-\$16.00; Quik Signs-\$180.00; Quill Corporation-\$146.94; Rabe Elevator-\$925.97; Regional Health Physicians-\$97.21; Rocket Lube-\$142.98; Ru2 Systems-\$8,488.00; SD Dept Of Labor Unemployment-\$3,675.99; SD Human Services Center-\$44.20; SD State Treasurer-\$14,105.13; Semerad,Sandra-\$315.40; Servall Towel&Linen-\$399.73; Spearfish Auto Supply-\$111.62; Sterna,Laura-\$500.00; Triple K Tire&Repair-\$488.96; Trugreen Chemlawn-\$56.75; Twin City Hardware&Lumber-\$144.38; Victims Of Violence-\$1,825.00; Waste Connections-\$678.15; Waytek-\$306.24; Western Communication-\$377.87; Western Sd Juvenile-\$12,672.15; White's Canyon Motors-\$63.13; White's Queen City Motors-\$107.92; Wilde&Hunt, Prof-\$74.73; Wow!-\$300.76; **Witness & Jurors:** Carr,M-\$12.22; Aaker,D-\$21.10; Wheeler,C-\$13.70; Laney,D-\$24.80; Geist,J-\$64.80; Mowell,R-\$24.80; Sumners,J-\$61.10; Allgier,L-\$24.80; Baird,C-\$24.80; Bettelyoun,K-\$24.80; Bull,M-\$12.22; Buth,K-\$21.10; Christiansen,J-\$24.80; Cisneros,A-\$13.70; Craiger,E-\$61.10; Davies,M-\$22.58; Demars,A-\$10.74; Ford,M-\$27.02; Geuke,C-\$35.90; Graham,W-\$61.10; Grout,B-\$20.36; Hartl,S-\$64.80; Hubbard,L-\$62.58; Hunt,J-\$21.10; Hushin,G-\$20.36; Johnson,M-\$10.74; Jones,B-\$21.10; Kaiser,L-\$26.28; Keough,C-\$28.50; Kirk,L-\$28.50; Kliewer,M-\$55.92; Kortuem,B-\$21.10; Kracht,V-\$15.18; Madrid,P-\$20.36; Marzolf,J-\$12.96; Mutchler,B-\$21.10; Noteboom,T-\$64.80; Phillips,J-\$14.44; Plaggemeyer,J-\$61.10; Rauterkus,B-\$24.80; Swartout,W-\$21.10; Thompson,E-\$14.44; Wessel,D-\$21.10; Young,T-\$64.06

ADJOURN: 5:00 p.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – July 22, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on July 22, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Brandon Flanagan, and Terry Weisenberg present. Daryl Johnson was absent.

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

AGENDA: Moved-Seconded (Weisenberg-Sleep) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Flanagan) to approve the minutes of July 8, 2014 County Commission meeting. Motion Carried.

PERSONNEL:

EQUALIZATION: Moved-Seconded (Flanagan-Ewing) to approve the step raise for Nicolle Geuke as a full-time permanent Administrative Secretary G2 at the base rate of \$15.77 an hour, effective July 28, 2014. Motion Carried.

SHERIFF: Moved-Seconded (Flanagan-Ewing) to approve Dustin Schumacher as a permanent full-time Deputy II G2 at the base rate of \$22.89 an hour, effective August 10, 2014. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve Neil Schlepp as a fill-in part-time (under 20) Special Deputy II G3 at the base rate of \$17.89 an hour, effective August 10, 2014. Motion Carried.

Moved-Seconded (Ewing-Flanagan) to allow the advertising of a part-time correctional officer. Motion Carried.

STATES ATTORNEY:

EXECUTIVE SESSION: 8:51 A.M. Moved-Seconded (Flanagan-Ewing) to go into executive session with John Fitzgerald, States Attorney to discuss personnel. The Board opened at 9:05 a.m. with no action taken.

John Fitzgerald, States Attorney requested a waiver to the personnel manual in regards to Brianna Baumann and stated Marjorie Stoflet will be her direct supervisor. Moved-Seconded (Ewing-Flanagan) to approve Brianna Baumann as a permanent half-time (20-29 hours) a week Secretary G1 at the base rate of \$14.70 an hour, effective July 22nd and to grant a waiver to the Personnel Manual section 2.7. Motion Carried.

TRAVEL REQUEST:

EQUALIZATION: Moved-Seconded (Ewing-Flanagan) to approve the travel request for Tim Hodson, Brett Runge, Carmen Symonds, Jason Fisher, Michael Meehan, and Louise Hohn to attend the Annual Assessor's School in Pierre, SD on September 8-12, 2014 upon the completion of the signed travel and training agreements. Motion Carried.

AUTOMATIC SUPPLEMENTS:

SHERIFF: Moved-Seconded (Flanagan-Sleep) to approve the automatic supplement of \$1,697.60 for the Sheriff grants for funds received from another governmental agency. Motion Carried

INVASIVE SPECIES MANAGEMENT: Moved-Seconded (Weisenberg-Sleep) to approve the automatic supplement of \$5,999.40 for the Invasive Species Management Chemicals for funds received from another governmental agency. Motion Carried

AIRPORT BROWN BAG PERMIT: Moved-Seconded (Flanagan-Weisenberg) to approve the Brown Bag Permit for the Airport for the South Dakota Aviation Hall of Fame on September 6, 2014. Motion Carried

COUNTY LIEN: The Board reviewed a request for forgiveness on a county lien from Kristi Chamley for JSC services. Moved-Seconded (Ewing-Weisenberg) to deny the request for forgiveness on the county lien. Motion Carried.

HIGHWAY BUSINESS:

Allan Bonnema, Highway Superintendent was present to discuss various highway issues.

APPROACH PERMIT: Moved by Weisenberg to follow the recommendation of the Highway Superintendent and approve the approach permit for Wagon Box Development / Joe Jorgenson. Motion died due to lack of second. Discussion followed that the Board would only support one approach permit.

WEST OLIVER STREET: Moved-Seconded (Flanagan-Ewing) to approve the request from Kyle Mathis, City of Spearfish for a full closure on West Oliver Street for two days to allow for construction. Motion Carried,

SECONDARY ROADS: Allan Bonnema discussed a secondary road levy and or wheel tax with the Board as alternative options for funding County Roads. Bonnema stated he has been attempting to educate the concerned taxpayers on the amount of real property taxes and motor vehicle fees that actually fund the county road system. Flanagan stated it is not the cost of the roads but it is a fairness issue for the taxpayers in Lawrence County. Discussion followed that the money saved from changing/removing the secondary roads would be transferred to the primary roads in the County.

FUEL QUOTES: The following fuel quotes were submitted as of July 15, 2014: Deadwood Diesel 3700: (prices per gallon) CBH Cooperative - \$3.32, Southside - \$3.27*, Deadwood Unleaded 2824 gallons: (prices per gallon) CBH Cooperative - \$3.40, Southside - \$3.38*; Spearfish Diesel 3300 gallons: (prices per gallon) CBH Cooperative - \$3.32*, Southside - \$no bid; Spearfish Unleaded 780 gallons: (prices per gallon) CBH Cooperative - \$3.40*, Southside - \$no bid; Whitewood Diesel 750: (prices per gallon) CBH Cooperative - \$3.32*, Southside - \$3.39, *Represents lowest quote awarded. No bid was received from Harms Oil or MG Oil.

ALCOHOLIC BEVERAGE LICENSES: A public hearing was held on the application for 2014-2015 Malt Beverage license. No public input was voiced and the hearing was closed. Moved-Seconded (Ewing-Flanagan) to approve the following 2014-2015 Malt Beverage License. Motion Carried. **CLASS-PACKAGE (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE: ZETA DIERS; Z's GEMS:** Tract 1A Revised, Tract 8 Revised, MS 1368, T3N, R5E, Section 27, BHM, Lawrence County, SD.

FOREST-WIDE UPDATE: Rhonda O'Byrne, District Ranger BHNF, was present to give the board an update on Forest-Wide issues. O'Byrne stated they received the County application for the Upper Two Bit Road and the road is currently closed and will remain closed until they have worked through the application process. An update was presented on the Mountain Pine Beetle projects and Dave Plummer discussed the forest service roads and intergovernmental agreements with the County. The condition of the forest service roads and the future direction of the road maintenance were also discussed.

REPORT ON INVESTMENTS: Deb Tridle, Treasurer presented a report on the County Investments.

PUBLIC SAFETY BUILDING ROOF PROJECT: Steve Williams, Williams and Associates was present to discuss the Public Safety Roof Project. Moved-Seconded (Flanagan-Ewing) to advertise for Bids for the Public Safety Roof Project and set the bid opening for August 12, 2014 at 9:30 a.m. Motion Carried.

PLANNING & ZONING:

CHANGE OF ZONING #308/FERRIS: A Public Hearing and First Reading was held on COZ #308, A-1 General Ag to RR Rural Residential. Location: Adjacent to Westview Drive, Spearfish (Guy Ferris, Applicant). Randy Diebert and Mike McGuigan spoke in favor of the Change of Zoning. Janet Briggs, Secretary of the Westview Road District questioned the access and if it would be utilizing the road district. Neighboring landowners questioned if there is no intention of building on the South lot than why is a change of zoning being applied for. The public hearing was closed.

CHANGE OF ZONING # 306 / MCGUIGAN: Second/Continued Reading was held on an application for COZ #306, A1 to A2. Location: Westview Drive (McGuigan Inc./Applicant) for possible creation of large lots off of Westview Drive.

Moved-Seconded (Flanagan-Ewing) to approve COZ #306 upon the condition the change of zoning shall not be effective until such time as a written access agreement is in place between the property owner and one or more of the following: the Westview Road District, Vern Bakens, or Guy Ferris. Such access agreement is subject to review and approval by county staff as a condition precedent for the change of zoning to become effective. Motion Carried.

POWDER HOUSE PASS: Powder House Pass - Building Permits Request for Powder House (Waste Water Treatment Plant & Water Treatment Plant) Moved-Seconded (Flanagan-Weisenberg) to approve the building permit request for the waste water building structure and/or drinking water structure when the application is received. Motion Carried.

ANNUAL REVIEW:

CUP#172-09 GREG DITTMAN / 2nd RESIDENCE: An annual review was conducted on CUP#172-09 for Greg Dittman for a 2ND Residence. No complaints have been received in the past 12 months.

CUP#376 BARB MOORE/SPECIALTY RESORT: An annual review was conducted on CUP#376 Barb Moore/Specialty Resort. No complaints have been received and will be reviewed in 12 months.

ITEMS FROM COMMISSIONERS:

AIRPORT HAY CONTRACT: Moved-Seconded (Weisenberg-Sleep) to approve and authorize the Chairman to sign the Mowing Waiver by abutting landowner form with Joe Harmon / Hay Removal From State Highway Right of Way Deadline and submit to the South Dakota Department of Transportation. Motion Carried.

BILLS:

Moved-Seconded (Ewing-Weisenberg) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,510.82; Treas-\$10,285.68; Comp-\$8,336.53; States Atty-\$13,572.80; Pub Def-\$10,990.56; Gen Govt Bldg-\$8,411.45; Equal-\$13,832.28; Rod-\$7,837.13; Vso-\$1,276.41; Disp-\$12,914.35; Sher-\$35,613.64; Jail-\$22,777.91; Coroner-\$557.85; 24/7-\$155.88; Emerg Mgnt-\$3,745.72; E911-\$1,762.41; Highway-\$39,473.85; Air-\$1,791.52; Weed-\$6,797.56; Pz-\$5,212.69; **Bills:** Agena, Timothy-\$5.00; Thomson, Paul-\$6.00; Vogt, Amber-\$46.00; Drago, Shelley-\$41.00; Schroeder, Jeffery-\$52.00; A&B Business, Inc Solutions-\$9,519.49; A&B Welding Supply-\$21.08; A&I Distributors-\$1,852.95; Abc Business Supply-\$207.92; Active Data Systems-\$1,846.90; Alco Store-\$26.29; American Bar Association-\$210.00; Apex Software-\$433.00; Armstrong Extinguish-\$180.00; At&T-\$13.95; BH Chemical Company-\$124.17; BH

Federal Credit Union-\$6,873.00; BH Pioneer-\$120.27; BH Power-\$12,239.98; BH Window Cleaning-\$3,325.00; Black Hills Urgent Care-\$115.00; Brownsville Fire Dept-\$4,491.00; Butler Machinery Co-\$10.72; Cbh Cooperative-\$15,014.28; Cdw Government-\$718.60; Century Business Products-\$260.28; Centurylink-\$2,265.53; City/County Alcohol&Drug-\$280.00; Clinical Lab Of BH-\$1,972.00; Community Health Services-\$50.00; Credit Collections Bureau-\$222.77; Dakota 911 Conference-\$396.00; Dale's Tire&Retread-\$2,060.00; Deadwood Vol Fire Dept-\$4,546.00; Dept Of The Treasury-\$53,360.76; Diversified Collections-\$100.00; Federal Express Corp-\$17.06; Fidler-Isburg Funeral Chapel-\$1,170.00; Fillmore,John-\$440.00; Fish,Veronica-\$41.80; Glaxosmithkline Pharmaceutical-\$372.40; Hamann,Chris-\$100.00; Heartland Paper Co-\$782.12; Hills Material Comp-\$16,429.46; Ironhorse Inn-\$470.17; Jacobs Precision Welding-\$135.15; Kadrmas, Lee And Jackson-\$2,880.04; Kinney,Matthew-\$1,320.45; Knecht Home Center Of Spf-\$19.80; Kosel,Joseph-\$511.48; L-3 Communications-\$119.00; Lead Fire Protection District-\$8,254.00; Lead-Deadwood Regional Hospital-\$111.57; Lead-Deadwood Sanitary-\$46.00; Lee,James-\$15.00; Lexisnexis Risk Data Mgmt-\$75.00; Lindstad Alignment-\$557.46; Lueders-\$18.73; Mack's Auto Body-\$3,928.69; Mcpherson Propane-\$45.00; Microfilm Imaging Systems-\$2,280.00; Midcontinent Communications-\$34.25; Montana Dakota Utilities-\$45.36; Nelson,Tonya-\$400.00; Nemo Volunteer Fire Dept-\$1,066.00; Newman Traffic Signs-\$786.23; Northern Truck Equip-\$41,266.00; Office Of Child Support-\$582.93 ; Office Technology/Supply-\$26.50; Pennington County Sheriff-\$282.60; Pheasantland Industries-\$3,587.61; Plumbmaster-\$590.69; Pmb 0112-\$1,986.56; Quill Corporation-\$317.30; RC Finance Office-\$1,050.00; Rabe Elevator-\$925.97; Rapid Transcript-\$690.00; Regional Health-\$410.83; Regional Health Physicians-\$163.86; Reliable-\$75.36; Rochford Fire Protection Dist-\$482.00; Rocket Lube-\$115.97; Root Spring Scraper-\$21,660.50; SD Sheriff's Association-\$173.70; SD Counties-\$165.00; Sdrs Supplemental Retirement-\$1,279.00; Servall Towel&Linen-\$547.82; Sheehan Mack Sales&Equip-\$324.18; Sign Express-\$420.93; Silverado-\$819.00; Spearfish Auto Supply-\$658.72; Spearfish Canyon Fire-\$3,139.00; Spearfish Fire Dept-\$17,185.00; Spearfish Police Dept-\$10,332.94; St Onge Fire Protection Dist-\$709.00; Sturdevant's Auto Parts-\$554.99; Sturgis Fire Department-\$3,284.00; Subway-\$12.00; Summit Signs&Supply-\$1,021.00; Sysco Montana-\$3,813.49; Teen Court-\$7,500.00; Thomson Reuters-West-\$623.44; Tigerdirect-\$70.33; Triple K Tire&Repair-\$659.11; Truenorth Steel-\$903.50; Twin City Hardware&Lumber-\$404.09; US Geological Survey-Doi-\$17,116.00; Verizon Wireless-\$105.05; Warne Chemical-\$1,917.52; Watertree-\$77.85; Wells Fargo Business Card-\$4,351.85; Wells Plumbing&Farm Supp-\$83.16; West River International-\$150.85; Westcoast Sales&Marketing-\$68.27; Western Sd Juvenile Serv-\$7,096.50; Wex Bank-\$151.87; White Drug-\$284.63; Whitewood Fire Prot District-\$3,559.00; Wilde&Hunt,Prof-\$1,750.00; Wimactel-\$60.00; Wow!-\$1,350.84; Z&S Dust Control-\$134,634.72; **Witness & Juror:** Atyeo,T-\$34.80

ADJOURN: 10:28 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – August 12, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on August 12, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Brandon Flanagan, and Terry Weisenberg present. Daryl Johnson was absent.

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

AGENDA: Moved-Seconded (Ewing-Flanagan) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Sleep) to approve the minutes of July 22, 2014 County Commission meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Ewing-Flanagan) to approve Ross Johnson as a permanent full-time Dispatcher II G2 at the base rate of \$17.83 an hour, effective August 11, 2014. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to approve Daleen Torgerson as a fill-in part-time (under 20) Dispatcher II G3 at the base rate of \$18.18 an hour, effective August 11, 2014. Motion Carried.

Moved-Seconded (Ewing-Flanagan) to approve Samantha Rosenau as a fill-in part-time (under 20) Dispatcher I G1 at the base rate of \$15.19 an hour, effective August 24, 2014. Motion Carried.

TRAVEL REQUEST:

EMERGENCY MANAGEMENT: Moved-Seconded (Ewing-Flanagan) to approve the travel request for Paul Thomson to attend the FireShowsReno Conference and Expo in Reno NV, October 20-23, 2014. The cost of the conference will be paid for by LEPC. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Weisenberg-Flanagan) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of July 31, 2014 showed the following: Total amount of actual cash-\$1,350.00; total amount of checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$49,607.16; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$7,900.79; petty cash-\$1,860.00; total amount of deposits in bank include: CD's-\$3,100,000; bank balance \$4,512,304.21, money market \$3,969,361.86; savings-\$6,146,407.87; total \$17,788,791.89.

RESOLUTION #14-14 LIQUOR LICENSES: Moved-Seconded (Ewing-Flanagan) to approve the following Resolution #14-14 Liquor Licenses for 2014. Motion Carried

RESOLUTION #14-14 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 2014, whichever is less for the ensuing year, and Retail On-Off Sale Wine License, and **BE IT FURTHER RESOLVED** that the Board of County Commissioners list the following fee schedule as a matter of record and current license holders. **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, Spearfish Chophouse & Whiskey Bar. 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./Dark Horse Saloon, Spearfish Canyon Resorts LLC/Latchstring Village, Mystic Miner F&B / Mine Shaft Tavern, HomeSlice Management LLC/Boulder Grille, Tomahawk Lake Country Club Inc. **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: Nemo Mercantile/Larry Kaiser, St. Onge Bar & Grill. **C)** Retail On-Off Sale Wine - Fee - \$500.00: Spearfish Canyon Resorts LLC/Latchstring Village, Seven Down LLC, Triple H Hills LLC / Mystic Hills Hideaway, Cheyenne Crossing Store, Wichterman and Sons Inc/Steel Wheel Campground, Barefoot Council of Co Owners / Barefoot Resort, Crow Peak Brewing Company LLC, Fresh Start Convenience Store Inc. / The Valley Corner Store, Johnson Family Restaurant LLC/The Pub N Grub, Reynolds & Livingston LLC/Cousins Big Chair, B&S Resort LLC / Recreational Springs Resort, **DATED** at Deadwood, South Dakota, this 12th day of August, 2014., **FOR LAWRENCE COUNTY COMMISSIONERS:** Richard Sleep, Chairperson. **ATTEST:** Connie Atkinson, Auditor.

SURPLUS PROPERTY: Moved-Seconded (Weisenberg-Flanagan) to declare the Cannon ImageRunner 3300 Copier/Printer serial number MPH40175 as surplus and give to Butte County for use by the Butte/Lawrence County 4-H. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted as of August 11, 2014: Deadwood Diesel 2850: (prices per gallon) CBH Cooperative - \$3.45*, MG Oil - no bid, Deadwood Unleaded 2850 gallons: (prices per gallon) CBH Cooperative - \$3.49*, MG Oil - no bid; Spearfish Diesel 2900 gallons: (prices per gallon) CBH Cooperative - \$3.45*, MG Oil - no bid; Spearfish Unleaded 700 gallons: (prices per gallon) CBH Cooperative - \$3.49, MG Oil - \$3.48*; Whitewood Diesel 0 gallons: (prices per gallon) CBH Cooperative - no bid, MG Oil - no bid, *Represents lowest quote awarded. No bid was received from Southside Harms Oil or Harms Oil Co.

HIGHWAY BUSINESS:

Allan Bonnema, Highway Superintendent was present to discuss various highway issues.

APPROACH PERMIT: Moved-Seconded (Weisenberg-Ewing) to follow the recommendation of the Highway Superintendent and approve the approach permit for Wagon Box Development / Joe Jorgenson in-between Lots 1 & 2 and Lots 3 & 4 (2 total approaches). Motion Carried.

UTILITY PERMIT: Moved-Seconded (Flanagan-Sleep) to follow the recommendation of the Highway Superintendent and approve the Utility Permit for Black Hills Power on Two Bit Road/Winner Lane Section 25, Township 5N, Range 3E. Motion Carried.

PACKHORSE MONITORING WELLS: Bruce Outka, Deputy State's Attorney, was present to discuss monitoring wells at the Packhorse Liquor and Convenience. Moved-Seconded (Ewing-Flanagan) to approve and authorize the Chairman to sign the Right of Entry Agreement with Pack Horse Liquor and Convenience. The Board further directed that work undertaken shall be completed after business hours to the extent possible or otherwise at a time and in a manner so as to minimize interference with customer access. Motion Carried.

SPEARFISH VALLEY SANITARY DISTRICT: Scott Odenbach, Spearfish Valley Sanitary District was present to discuss a proposed Resolution of Intent to Exclude Territory. Moved-Seconded (Flanagan-Weisenberg) to approve the proposed Spearfish Valley Sanitary District Resolution of Intent to Exclude Territory (Pursuant to SDCL 34A-5-42 and 34A-5-43). Motion Carried.

PUBLIC SAFETY BUILDING ROOF PROJECT: Steve Williams, Williams and Associates, was present to discuss the Public Safety Building roof project. No bids were received. Moved-Seconded (Flanagan-Sleep) to cancel the invitation for bid letting pursuant to SDCL 5-18A-12 for the Public Safety Building roof project as it is in the best interest of the county to do so as additional planning work is required. Motion Carried.

SOUTH DAKOTA DEPARTMENT OF AG: Ty Littau, Development Representative SD Dept of Ag, was present to update the Board on agriculture development opportunities.

INVASIVE SPECIES MANAGEMENT: Dave Heck, Invasive Species Management Director was present to discuss Weed Enforcements and the 2014 Fall MPB Program.

Moved-Seconded (Ewing-Flanagan) to authorize the Chairman to sign the USFS/County Participating Agreement #14-PA-11020308-043 (R.A.C. approved front-range Invasive Species Dept. project). Motion Carried.

PLANNING & ZONING:

CHANGE OF ZONING #308/FERRIS: Second Reading was held on COZ #308, A-1 General Ag to RR Rural Residential. Location: Adjacent to Westview Drive, Spearfish (Guy Ferris, Applicant). Moved-Seconded (Weisenberg-Ewing) to follow the recommendation of Planning & Zoning and approve the Change of Zoning #308. Motion Carried.

RECESS: 10:30 a.m. Moved-Seconded (Flanagan-Ewing) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 10:40 a.m. The Chairman called the meeting back to order.

ANNUAL REVIEWS:

CUP # 329-12 / CINDY GILLIS: An annual review was held on CUP #329-12 2nd Residence (Cindy Gillis). No complaints were received.

CUP # 391 / 7TH DAY ADVENTIST CHURCH: An annual review was held on CUP #391, 7th Day Adventist Church. No complaints were received

BILLS:

Moved-Seconded (Weisenberg-Flanagan) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,512.40; Treas-\$10,359.76; Comp-\$8,336.53; States Atty-\$13,690.32; Pub Def-\$10,990.56; Gen Govt Bldg-\$8,299.63; Equal-\$13,935.82; Rod-\$7,833.03; Vso-\$1,276.41; Disp-\$10,846.55; Sher-\$34,830.21; Jail-\$19,701.61; Coroner-\$457.85; 24/7-\$173.20; Emerg Mgnt-\$3,836.52; E911-\$1,762.40; Highway-\$39,070.49; Air-\$1,104.16; Mh Serv-\$924.00; Weed-\$6,780.02; Pz-\$5,052.69; **Bills:** Baumann,Michelle-\$24.68; Larson,R-\$26.00; Thomson,Paul-\$13.86; Lopez,Amber-\$409.09; A&B Business, Inc Solutions-\$1,931.61; A&B Welding Supply-\$20.40; A&I Distributors-\$3,459.52; A&J Supply-\$29.74; A To Z Shredding-\$25.05; Abc Business Supply-\$523.80; Alco Store-\$31.98; Alpine Impressions-\$272.00; Amick Sound-\$3,715.00; Andersen,Norma-\$15.00; At&T Mobility-\$875.12; Audra Malcomb Consulting-\$1,223.50; BH Chemical Company-\$425.39; BH Counseling Service-\$600.00; BH Land Analysis-\$1,235.00; BH Pioneer-\$423.63; BH Power-\$861.59; Barnaud Law Firm-\$750.00; Bickle's Truck&Diesel-\$95.06; Black Hills Pure-\$64.50; Bob Barker Company-\$261.64; Brownsville Fire Dept-\$3,701.33; Butler Machinery Co-\$196.46; Butte Electric Coop-\$339.97; Cbh Cooperative-\$16,140.69; Century Business Products-\$169.51; Centurylink-\$230.91; Circuit Court Goshen County-\$1.50; City/County Alcohol&Drug-\$560.00; Clinical Lab Of BH-\$1,629.00; Cody,Denise-\$15.00; Culligan-\$104.00; Dakota Security Systems-\$16,643.52; Datec-\$1,780.43; Deadwood Vol. Fire Dept-\$9,975.20; Deadwood, City Of-\$959.86; Eke-\$86,760.00; Ellingson,Joseph-\$559.87; Ertz, Dewey J-\$1,800.00; Fastenal-\$91.61; Federal Express Corp-\$20.56; First Gold Hotel-\$104.00; Gene's Lock Shop-\$136.00; Grabar Voice And Data-\$14,299.00; Great Western Tire-\$34.90; Grimm's Pump Service-\$2,445.46; Havemeier,Leslie-\$30.60; Heartland Paper Co-\$479.63; Hills Material Comp-\$126,383.87; Janke,Wendy-\$1,856.00; Janz, Donald A Ph.D-\$425.00; Kimball-Midwest Co-\$187.23; Kinney,Matthew-\$247.20; Koala Electric-\$1,332.67; Koletzky Law Office Prof Llc-\$201.20; Kosel,Joseph-\$309.98; Lawson Products-\$228.12; Lead Fire Protection District-\$11,856.45; Lead, City Of-\$69.55; Lead-Deadwood Regional Hospital-\$520.00; Lead-Deadwood Sanitary-\$477.72; Lee,James-\$15.00; Lewis & Clark Bhs-\$160.00; Lewno,Lucy-\$148.99; Light&Siren-\$39.70; Lueders-\$8.31; Lyle Signs-\$631.71; McClure,Susan-\$250.00; Microfilm Imaging Systems-\$2,120.00; Mid-Continent Testing-\$20.00; Midcontinent Communications-\$34.18; Mobile Electronic Service-\$20.00; Montana Dakota Utilities-\$2,339.55; Moore Medical-\$249.65; Ms Mail-\$400.00; NH Alcohol & Drug Services-\$10,000.00; Nemo Volunteer Fire Dept-\$1,250.15; Neve's Uniforms-\$610.08; New World Systems-\$54,720.00; Northern Truck Equip-\$85,782.00; Novus-\$50.00; Office Depot-\$2,664.69; Overhead Door Company Of Rapid-\$540.44; Pennington Co Auditor-\$78.00; Pennington Co Highway Dept-\$3,252.48; Prairie Hills Transit-\$7,500.00; Quill Corporation-\$111.68; RC Police Dept-\$12.76; RC Regional Hospital-\$618.06;

Rasmussen Mechanical Serv-\$9,270.00; Reausaw Construction-\$2,219.96; Regional Health Physicians-\$16.72; Rochford Fire Protection Dist-\$611.03; Rocket Lube-\$248.96; Rooks Funeral Chapel-\$1,170.00; Royal Electric-\$3,018.33; SD Dept Of Public Safety-\$375.00; SD Dept Of Transportation-\$19,192.37; SD Federal Property Agency-\$320.00; SD Public Assur Alliance-\$35,042.65; SD State Treasurer-\$120.00; Safety Restraint Chair-\$19.50; Sd Department Of Public Safety-\$5,400.00; Semerad,Sandra-\$13.60; Servall Towel&Linen-\$871.83; Southside Oil-\$21,573.14; Spearfish Auto Supply-\$867.99; Spearfish Canyon Fire-\$1,943.82; Spearfish City Of-\$6,474.55; Spearfish Fire Dept-\$41,495.11; St Onge Fire Protection Dist-\$1,176.27; Sterna,Laura-\$200.00; Sturdevant's Auto Parts-\$1,263.65; Sturgis Fire Department-\$2,734.99; Subway-\$71.05; Sysco Montana-\$5,250.60; Thomson Reuters-West-\$1,503.89; Tigerdirect-\$1,092.09; Top Quality Glove-\$130.00; Trane U.S-\$3,810.00; Triple K Tire&Repair-\$625.44; Trugreen Chemlawn-\$56.75; Turnkey Corrections-\$23.53; Twilight First Aid&Safety-\$118.20; Twin City Hardware&Lumber-\$517.47; United Parcel Service-\$10.79; Warne Chemical-\$413.40; Waste Connections-\$678.15; Watertree-\$37.95; Wells Fargo Business Card-\$6,574.66; Wells Plumbing & Farm Supp-\$7.60; West River International-\$50.62; Western Communication-\$2,960.10; Western SD Juvenile Serv-\$5,440.65; Wex Bank-\$461.77; White Drug-\$705.18; White's Queen City Motors-\$95.65; Whitewood Fire Prot District-\$5,171.00; Wilde & Hunt, Prof Llc-\$7,313.02; Williams&Associates-\$8,730.00; Wolff Law Office-\$1,121.80; Yankton Co Sheriff-\$25.00; Z&S Dust Control-\$163,722.26; **Witness & Jurors:** Johnson,M-\$18.88; Aaker,D-\$61.10; Wheeler,C-\$53.70; Geist,J-\$64.80; Sumners,J-\$122.20; Bettelyoun,K-\$64.80; Craiger,E-\$122.20; Graham,W-\$122.20; Hartl,S-\$129.60; Hunt,J-\$61.10; Hushin,G-\$60.36; Johnson,M-\$50.74; Kirk,L-\$68.50; Kliewer,M-\$111.84; Kortuem,B-\$61.10; Noteboom,T-\$64.80; Plaggemeyer,J-\$122.20; Thompson,E-\$54.44; Wessel,D-\$61.10; Young,T-\$128.12; Adams,S-\$21.10; Anderson,T-\$24.80; Arpan,R-\$24.06; Baker,G-\$12.96; Blakney,V-\$10.74; Bucholz,K-\$13.70; Chipman,J-\$21.10; Collins,L-\$15.18; Covell,H-\$21.10; Cutts,R-\$14.44; Dawes,C-\$21.84; Dias,P-\$21.10; Donnell,O-\$24.80; Ericks,A-\$194.40; Evans,S-\$29.24; Finn,C-\$183.30; Finn,J-\$21.10; Fiorello,J-\$15.18; Foos,D-\$21.10; Gammon,D-\$18.14; Goodrich,T-\$24.80; Hansen,C-\$24.80; Hasson,P-\$32.20; Hayes,R-\$185.52; Heinen,E-\$21.10; Heintz,H-\$22.58; Jensen,M-\$22.58; Katrail,J-\$19.62; Kennedy,G-\$12.22; Kessel,L-\$21.10; Kokinos,K-\$201.06; Krog,K-\$194.40; Labau,K-\$23.32; Lerew,D-\$21.10; Lester,K-\$20.36; Lester,P-\$23.32; Linafelter,S-\$194.40; Livengood,J-\$15.92; Maltaverne,R-\$183.30; Manfull,C-\$27.76; Marcus,U-\$18.88; Martin,G-\$156.66; Merchen,J-\$18.14; Miller,L-\$21.10; Montgomery,W-\$21.84; Murray,R-\$21.10; Nero,P-\$35.90; Nordwick,J-\$21.10; Norris,K-\$12.22; Olson,C-\$183.30; Ordahl,C-\$12.96; Oviatt,D-\$20.36; Reede,N-\$21.10; Roggenbuck,J-\$22.58; Ruppert,B-\$21.10; Salzsieder,S-\$21.10; Schaeffer,J-\$22.58; Schneider,S-\$21.10; Simpson,S-\$24.80; Sprague,R-\$33.30; Storm,S-\$24.80; Thompson,K-\$185.52; Triscori,T-\$21.10; Walton,W-\$21.10; Weaver,R-\$194.40; Eaves,L-\$32.58; Tordsen,J-\$33.32

ADJOURN: 10:41 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – August 12, 2014

Chairperson Richard Sleep called the Lawrence County Board of Adjustment meeting to order at 10:30 a.m. on August 12, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Terry Weisenberg and Brandon Flanagan present. Daryl Johnson was absent.

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

VARIANCE #142 / GREG & SARAH DITTMAN: A public hearing was held on an application for a variance #142 for Gregg & Sarah Dittman for A 2' variance to the 10' side setback to replace a residence on an existing foundation due to a fire located off of Brookview Road, North of Spearfish on Lot 10 of Brookview Acres in Section 28, T7N, R2E. No public input was voiced and the hearing was closed.

Moved-Seconded (Ewing-Weisenberg) to approve Variance #142 for Gregg & Sarah Dittman for A 2' variance to the 10' side setback because of special circumstances on the property as described in the Ordinance and strict adherence to the Ordinance may deprive the applicant of reasonable use of their land. The \$250.00 Variance fee will be waved. Motion Carried.

ADJOURN: 10:40 a.m. There being no further business it was Moved-Seconded (Flanagan-Ewing) to adjourn from the Board of Adjustment. Motion Carried.

Date Approved

Richard Sleep, Chairperson

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – September 2, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on September 2, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Brandon Flanagan, Daryl Johnson and Terry Weisenberg present.

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

AGENDA: Moved-Seconded (Weisenberg-Flanagan) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Johnson) to approve the minutes of August 12th County Commission meeting and Board of Adjustment Meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Ewing-Johnson) to approve Mary Abell and Stacey Sherer as a permanent full-time Corrections II G3 at the base rate of \$18.18 an hour, effective 9/7/2014. Motion Carried.

TREASURER: Moved-Seconded (Flanagan-Ewing) to approve Gail Derby as a permanent full-time Accounting Clerk G2 at the base rate of \$14.24 an hour, effective 9/22/2014. Motion Carried.

Moved-Seconded (Weisenberg-Ewing) to approve Linda Quenzer as a permanent full-time Secretary G3 at the base rate of \$17.00 an hour, effective 9/22/2014. Motion Carried.

SPEARFISH CANYON FIRE PROTECTION: Moved-Seconded (Johnson-Sleep) to appoint Gary Lillehaug to replace Arlendo “Casey” Lillehaug and Steven Butsko to replace Jim McGinnis to the Spearfish Canyon Fire Protection District Board. Motion Carried.

AUTOMATIC SUPPLEMENTS:

SHERIFF: Moved-Seconded (Johnson-Flanagan) to approve the automatic supplement of \$6,790.40 for Sheriff Grants, for grant funds received. Motion Carried.

WILD LIFE SANCTUARY RAFFLE: Moved-Seconded (Flanagan-Weisenberg) to not object to the request from the Spirit of the Hills Wild Life Sanctuary to conduct a Community Fun Day raffle. Motion Carried.

AIRPORT:

Moved-Seconded (Johnson-Ewing) to approve and authorize the Chairman to sign the Agreement for Professional Services for Airport Project Number AIP 3-46-0065-022-2014. Motion Carried.

Moved-Seconded (Johnson-Flanagan) to approve and authorize the Chairman to sign the Airport Layout Plan AIP 3-46-0065-022-2014 for the Cross Wind Runway Grant Agreement when it is received. Motion Carried.

The Board discussed a request from the Airport Board to hire a claims adjuster to examine the airport hangar roofs for hail damage. The Board was in agreement to not hire a claims adjuster.

SHERIFF: Brian Dean, Sheriff was present to update the Board on future expenses and sheriff related business.

TREASURER TRUST AGREEMENT: Moved-Seconded (Weisenberg-Johnson) to approve and authorize the Chairman to sign the Treasurer Trust Agreement with Desiree Clark. Motion Carried.

HIGHWAY BUSINESS:

Allan Bonnema, Highway Superintendent was present to discuss various highway issues.

WBI ENERGY: Moved-Seconded (Weisenberg-Johnson) to follow the recommendation of the Highway Superintendent and approve the application for permit to occupy the County Highway Right-of-Way for WBI Energy to install approximately 16.7 miles of 12” diameter natural gas pipeline from Belle Fourche to Whitewood. Motion Carried.

MDU: Moved-Seconded (Ewing-Johnson) to follow the recommendation of the Highway Superintendent and approve the application for permit to occupy the County Highway Right-of-Way for MDU located 6N R3E S21 along the Centennial Rd. Motion Carried.

GRAVEL CRUSHING: Moved-Seconded (Ewing-Sleep) to advertise for bids for crushing of gravel with a completion date of June 1st, 2015. Motion Carried.

SECONDARY ROADS: Allan Bonnema, Highway Superintendent questioned Lawrence County’s Policy graveling secondary roads. Discussion followed on contracts with individuals for service on secondary roads and SDCL 31-12-27.1.

2015 BUDGET: A public hearing was held on the proposed 2015 Budget. Dan Driscoll was present to request funding for the USGS in the 2015 budget. Discussion followed on the past studies and future studies planned. Jim Nelson was also present to express support for the USGS studies. Bill Coburn was in support of continued funding for the USGS. No further comments were voiced and the chairman closed the hearing.

RECESS: 9:11 a.m. Moved-Seconded (Weisenberg-Flanagan) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 9:30 a.m. The Chairman called the meeting back to order.

SUPPLEMENTAL BUDGET: A public hearing was held for a supplemental budget for Emergency Management Disaster Service Fund / Search & Rescue - \$1,900. Jeff Schroeder, Search & Rescue was present to speak in favor of the supplement. The public hearing was closed. Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the following Resolution #2014-15. Motion Carried.

RESOLUTION #14-15 TO ADOPT A SUPPLEMENTAL BUDGET: WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2014, 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 2014, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: **EMERGENCY MANAGEMENT DISASTER SERVICE FUND** Emergency Management Disaster Service (Search Rescue) - \$1,900 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 2nd day of September, 2014 at the hour of 9:30 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 2nd day of September, 2014. **FOR THE BOARD OF COUNTY COMMISSIONERS** Richard Sleep, Chairman. **ATTEST:** Connie Atkinson, Auditor

MOUNTAIN PINE BEETLE: Dave Heck, Invasive Species Management was present to discuss the remaining 2014 Mountain Pine Beetle funding and three options for the fall project. Heck recommended option #1 where the County would contribute \$145,556 and \$254,554 in State Grant funds for a total project cost of \$400,000. The match requirement of the state funds is \$22,000. Moved-Seconded (Weisenberg-Ewing) to approve the County project of \$400,000 for the fall 2014 Mountain Pine Beetle project for Lawrence County, approve the advertising of 15 recon employees and 20 sawyers, and to set a supplemental budget for September 23, 2014 for the Invasive Species Management – Mountain Pine Beetle Budget for \$370,000. Motion Carried.

PLANNING & ZONING: Amber Vogt, Planning and Zoning Director discussed the proposed Fire Plan Review Committee. Bob Ewing and Daryl Johnson will represent the County Commission on the Committee.

PLATS:

MATTOX: Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning recommendation and declare the plat exempt and approve the Preliminary Plat for Rob Mattox for Lots M1-A and M2-A formerly M1 & M2 of MS 1135, Claire #1 & #2. Motion Carried. This

property is off Elk Creek Road on Coyote Ridge Road. This plat moves the lot line between the two lots to meet setback of fall zone of the wind turbine.

Moved-Seconded (Ewing-Johnson) to follow Planning and Zoning recommendation and approve the Final Plat for Rob Mattox for Lots M1-A and M2-A formerly M1 & M2 of MS 1135, Claire #1 & #2. Motion Carried.

CLARK: Moved-Seconded (Weisenberg-Johnson) to follow Planning and Zoning recommendation and declare the plat exempt and approve the Preliminary Plat for Randall Clark for Lots 1 & 2 of Clark Subdivision. Motion Carried. The property is along Hanna Road. The plat is a lot line change.

Moved-Seconded (Johnson-Weisenberg) to follow Planning and Zoning recommendation and approve the final Plat for Randall Clark for Lots 1 & 2 of Clark Subdivision. Motion Carried.

BROWN: Moved-Seconded (Weisenberg-Ewing) to follow Planning and Zoning recommendation and declare the plat exempt and approve the Preliminary Plat for Charles Brown for Tract B1 & C. Motion Carried. The acreage is off Crook City Road on Timber Ridge Lane. This plat moves an adjoining lot line.

Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning recommendation and declare the plat exempt and approve the Preliminary Plat for Charles Brown for Tract B1 & C. Motion Carried.

BREND/HOMESTAKE MINING CO LOTS: Moved-Seconded (Flanagan-Ewing) to follow Planning and Zoning recommendation and declare the plat exempt and approve the Preliminary Plat for Shirley Brend/Homestake Mining Co Lots 133A and HMC Lot 2A. Motion Carried. The plat cuts a small portion from HMC lot 2 to add to the Brend property. This also moves an adjoining lot line.

Moved-Seconded (Weisenberg-Johnson) to follow Planning and Zoning recommendation and approve the final Plat for Shirley Brend/Homestake Mining Co Lots 133A and HMC Lot 2A. Motion Carried.

PILLAR PEAK PLATS: Moved-Seconded (Weisenberg-Flanagan) to approve the Preliminary Plat for Phase 2 of Estates at Pillar Peak, property is in Boulder Canyon, South of Hwy 14A. Motion Carried.

Moved-Seconded (Flanagan-Ewing) to approve the final plat of Final Plat for Lot 27 of The estates at Pillar Peak. Motion Carried. The property is in Boulder Canyon, South of Hwy 14A on Big Piney Road.

ANNUAL REVIEWS:

CUP #363 / REHORST: An annual review was held for CUP #363 for Dennis Rehorst second Residence. No complaints were received.

CUP #380 / WENNBURG: An annual review was held for CUP #383 Charles Wennberg second Residence. No complaints were received.

CUP #392 / TERRY & COLLEEN SCHMITZ: An annual review was held for CUP #392 Terry & Colleen Schmitz second Residence. No complaints were received.

CUP #412 / RANDY SACHAU: An annual review was held for CUP #412, Personal Use Airstrip (Randy Sachau). No complaints were received. The Board directed Planning and Zoning to review the CUP to see if it is still active or should be canceled.

BILLS:

Moved-Seconded (Ewing-Weisenberg) to approve payment of the following payroll and 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-\$11,920.96; Aud-\$17,028.03; Treas-\$20,719.53; Comp-\$16,498.42; States Atty-\$26,844.48; Pub Def-\$21,986.40; Gen Govt Bldg-\$16,815.20; Equal-\$28,028.05; Rod-\$15,695.82; Vso-\$2,552.82; Disp-\$23,151.67; Sher-\$84,827.24; Jail-\$42,990.57; Coroner-\$1,816.50; 24/7-\$346.40; Emerg Mgnt-\$7,573.24; E911-\$3,524.80; Highway-\$81,753.08; Air-\$2,096.56; Mh Serv-\$672.00; Weed-\$11,922.89; Pz-\$10,265.38; **Bills:** American Family Life-\$3,264.45; At&T-\$17.24; BH Federal Credit Union-\$13,946.00; BH Power-\$12,997.06; Centurylink-\$2,155.79; Credit Collections Bureau-\$445.54; Deadwood Recreation Center-\$640.00; Delta Dental Of South Dakota-\$6,806.68; Dept Of The Treasury-\$110,991.17; Diversified Collections-\$200.00; Hartford-Priority Accounts-\$1,699.94; LC Treasurer-\$10.00; Montana Dakota Utilities-\$36.43; Northern Hills Rec Center-\$144.00; Office Of Child Support-\$1,165.86; SD Retirement System-\$56,273.33; Sdrs Supplemental Retirement-\$2,798.00; Verizon Wireless-\$105.02; Victims Of Violence-\$1,630.00; Wellmark Blue Cross-\$75,450.00; Wimactel-\$60.00; Dragoo,Shelley-\$56.00; Ruffatto,Robert-\$45.01; Pedneau,Darin-\$18.50; Thielen,Trevor-\$32.56; A&B Business,Inc Solutions-\$883.07; A&I Distributors-\$135.40; A&M Transport Service-\$165.00; A To Z Shredding-\$25.05; Abc Business Supply Corp-\$747.25; Addiction Family Resources-\$150.00; Allen, Ricky D-\$27.00; At&T Mobility-\$763.99; BH Chemical Company Inc-\$387.24; BH Pest Control-\$190.00; BH Power-\$1,025.19; Behrens-Wilson Funeral Home-\$1,170.00; Binder,Tracy-\$51.00; Bob Barker Company-\$120.25; Bomgaars Supply-\$73.60; Butler Machinery Co-\$370.30; Cbh Cooperative-\$29,828.19; Cdw Government Inc-\$77.07; Century Business Products-\$542.83; City/County Alcohol&Drug-\$252.00; Clinical Lab Of BH-\$1,972.00; Cooks Correctional-\$270.74; Csd-\$258.84; Deadwood,City Of-\$1,148.82; Dept Of Hlth Lab Services-\$35.00; Eddie's Truck Sales/Serv Inc-\$1,036.92; Esri-\$4,500.00; Fidler-Isburg Funeral Chapel-\$610.00; Frontier Glass Inc-\$30.00; Geigle,Jd-\$27.00; Graybar-\$693.08; Grimm's Pump Service-\$161.81; Groll,Larry-\$27.00; Hamann,Chris-\$50.00; Heartland Paper Co-\$315.13; Heisler Hardware-\$39.96; Janke,Wendy-\$850.00; Kadmas, Lee And Jackson-\$5,197.49; Kosel,Joseph M-\$2,448.51; Lead,City Of-\$96.15; Lead-Deadwood Sanitary-\$518.68; Lexisnexis Risk Data Mgnt Inc-\$75.00; Lyle Signs-\$107.52; Marco-\$76.99; Mattox,Rob-\$27.00; Mg Oil Company-\$2,488.36; Midwest Alarm Co-\$88.20; Montana Dakota Utilities-\$1,512.15; Morphotrak-\$198.00; Ms Mail-\$60.00; Nelson,Christy M-\$250.00; Nelson,Tonya-\$1,100.00; Neve's Uniforms-\$80.12; Northern Hills Dental-\$104.00;

Novus-\$55.00; Pennington County Sheriff-\$835.80; Pitney Bowes-\$283.98; Plumbmaster-\$279.96; Quill Corporation-\$95.12; RC Finance Office-\$945.00; RC Police Dept-\$45.00; RC Regional Hospital-\$169.25; Rapid Transcript Co-\$414.00; Regional Health-\$812.00; Regional Health Physicians-\$146.65; Reliable-\$65.67; Rena M. Hymans, PC-\$1,298.75; Rocket Lube-\$123.47; SD Counties-\$495.00; Securus Technologies T-Netix-\$1,197.90; Servall Towel&Linen-\$361.87; Spearfish Auto Supply-\$10.50; Spearfish Building Supply-\$4.71; Spearfish Police Dept-\$10,283.17; Spearfish Seamless Rain Gutter-\$2,901.02; Sterna,Laura-\$1,000.00; Sturdevant's Auto Parts-\$61.85; Sysco Montana-\$2,542.63; Thomson Reuters-West-\$1,589.00; Tigerdirect-\$551.45; Triple K Tire&Repair-\$143.98; Turbiville Industrial Electric-\$221.38; Turnkey Corrections-\$40.00; Twin City Hardware&Lumber-\$262.57; West River International-\$611.75; Western Communication-\$1,609.30; Wheeler Lumber Llc-\$150.00; Wilde&Hunt, Prof. Llc-\$165.49; Winter Equipment Company-\$1,500.00; Wow!-\$1,679.34; Yankton Co Sheriff-\$25.00; Yellowrobe,Luke-\$1,500.00; Z&S Dust Control-\$21,201.00; **Witness & Jurors:** Aaker,D-\$61.10; Geist,J-\$64.80; Sumners,J-\$61.10; Greenwood,S-\$29.62; Bettelyoun,K-\$64.80; Graham,W-\$61.10; Hartl,S-\$64.80; Hubbard,L-\$62.58; Hunt,J-\$61.10; Hushin,G-\$60.36; Johnson,M-\$50.74; Kirk,L-\$68.50; Kliewer,M-\$55.92; Kortuem,B-\$61.10; Noteboom,T-\$64.80; Plaggemeyer,J-\$61.10; Thompson,E-\$54.44; Young,T-\$64.06; Erdahl,D-\$31.10; Sherwood,J-\$57.00; Verhulst,M-\$31.10; Durham,A-\$20.74; Gollither,L-\$21.10; Harmon,C-\$29.62; Jost,B-\$20.00; Morris,L-\$29.62; Nadvornik,L-\$42.20; Roberts,R-\$202.04; Roberts,R-\$102.88; Rojas,J-\$33.32; Smits,T-\$52.19; Thomas,M-\$42.20; Johnson,T-\$35.54; Wheeler,C-\$53.70;

ADJOURN: 10:30 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – September 2, 2014

Chairperson Richard Sleep called the Lawrence County Board of Adjustment meeting to order at 9:11 a.m. on September 2, 2014 in the Administrative Annex Building of the Lawrence County courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Terry Weisenberg, Daryl Johnson and Brandon Flanagan present.

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

VARIANCE #141 / MARV WAITMAN: A public hearing was held on an application for a variance #141 Marv Waitman for a 25' Variance to the 25' setback for a detached garage due to the floodplain location, located along Maitland Road on Lot 4 of Creek Run Subdivision in Section 13 & 18 of T5N, R2E. David Gibbins neighboring landowner voiced support for the variance. Jim Riggs landowner in the area spoke in support of the variance. The public hearing was closed.

Moved-Seconded (Johnson-Weisenberg) to follow Planning and Zoning staff recommendation and approve Variance #141 Marv Waitman for a 25' Variance to the 25' setback for a detached garage due to the floodplain location, located along Maitland Road on Lot 4 of Creek Run Subdivision in Section 13 & 18 of T5N, R2E because of special circumstances on the property as described in the Ordinance and strict adherence to the Ordinance may deprive the applicant of reasonable use of their land. Motion Carried.

ADJOURN: 9:23 a.m. There being no further business it was Moved-Seconded (Weisenberg-Sleep) to adjourn from the Board of Adjustment. Motion Carried.

Date Approved

Richard Sleep, Chairperson

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – September 23, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on September 23, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Brandon Flanagan, and Terry Weisenberg present. Daryl Johnson was absent.

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

AGENDA: Moved-Seconded (Flanagan-Ewing) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Sleep) to approve the minutes of September 2nd, County Commission meeting and Board of Adjustment Meeting. Motion Carried.

PERSONNEL:

MOUNTAIN PINE BEETLE: Moved-Seconded (Weisenberg-Flanagan) to approve the hiring of the following temporary seasonal recon/tree marker employees at the rate of \$13.73 an hour, effective September 15, 2014: Danny W. Smith, James R. Pontius, Chase D. Tyson; effective September 22, 2014: Andrew P. Mosher and Tyson L. Hazledine; to approve the hiring of the following temporary seasonal recon/tree marker employees at the rate of \$13.05 an hour, effective September 15, 2014: Jesse W. Evans, Justin T. Bellizzi, Chance J. Bueno, Cody J. Wheeler, and Lucas A. Anderson; to approve the hiring of the following temporary seasonal recon/tree marker employees at the rate of \$12.00 an hour, effective September 22, 2014: Austin C Parson, Amanda R. Aigner, Tyrel G. Sandford, and Richard F. Prentice. Motion Carried.

SHERIFF: Moved-Seconded (Ewing-Flanagan) to approve the hiring of David Riley as a Full-Time Permanent Deputy 2 at the base rate of \$22.55 an hour, effective October 19, 2014. Motion Carried.

EQUALIZATION: Moved-Seconded (Weisenberg-Ewing) to accept the retirement of Linda Carrico, effective December 12, 2014, to thank her for her service, and allow for the advertising for the open position. Motion Carried.

VOLUNTEER FIRE FIGHTER / SEARCH & RESCUE MEMBERS: Moved-Seconded (Weisenberg-Flanagan) to approve William E. Weber as Volunteer Search & Rescue Members for insurance purposes and thank members for their service. Motion Carried.

EMERGENCY MANAGEMENT / SAFETY: The Board recognized Rene Larson as the recipient of the Leona Blote and Pam Buck Award for professional excellence in Emergency Management for 2014.

The Board recognized the County Employees for the Platinum Level for Exceptional Workplace Safety Performance Award.

TRAVEL REQUEST:

PLANNING & ZONING: Moved-Seconded (Ewing-Weisenberg) to approve the travel request for Amber Vogt to attend the Western Planners conference in Salt Lake City, UT on September 30 thru October 4, 2014. Motion Carried.

AICP CERTIFIED PLANNER: Moved-Seconded (Weisenberg-Flanagan) to approve the costs associated with the AICP exam for Amber Vogt to become a certified planner. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Weisenberg-Ewing) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of August 31, 2014 showed the following: Total amount of actual cash-\$1,350.00; total amount of checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$46,703.48; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$4,998.02; petty cash-\$1,860.00; total amount of deposits in bank include: CD's-\$3,100,000; bank balance \$3,433,564.83, money market \$3,970,862.60; savings-\$6,146,929.91; total \$16,706,268.84.

MOUNTAIN PINE BEETLE DONATION: The Board acknowledged and thanked the Spearfish Canyon Owners Association for their donation of \$15,916.85 to fight the Mountain Pine Beetle infestation in Spearfish Canyon.

DUCKS UNLIMITED RAFFLE: Moved-Seconded (Ewing-Flanagan) to not object to the request from the Spearfish Ducks Unlimited raffle for 2014. Motion Carried.

SHERIFF:

Moved-Seconded (Flanagan-Ewing) to start the process of promoting within the Office to fill the position of Katherine Tkach. Motion Carried.

SUPPLEMENTAL BUDGET: A public hearing was held for a supplemental budget for **GENERAL FUND INVASIVE SPECIES MANAGEMENT - MOUNTAIN PINE BEETLE** \$370,000 and **COMMISSIONERS – PROFESSIONAL SERVICES** \$125,000. No public input was voiced and the hearing was closed. Moved-Seconded (Ewing-Flanagan) to approve and authorize the Chairman to sign the following Resolution #2014-17. Motion Carried.

RESOLUTION #14-17 TO ADOPT A SUPPLEMENTAL BUDGET: WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2014, 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 2014, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: **GENERAL FUND: INVASIVE SPECIES MANAGEMENT - MOUNTAIN PINE BEETLE \$370,000, COMMISSIONERS – PROFESSIONAL SERVICES \$125,000.** 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 September, 2014 at the hour of 9:30 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 September, 2014. **FOR THE BOARD OF COUNTY COMMISSIONERS** Richard Sleep, Chairman. **ATTEST:** Connie Atkinson, Auditor

HIGHWAY BUSINESS:

Allan Bonnema, Highway Superintendent was present to discuss various highway issues.

CENTURY LINK UTILITY PERMIT: Moved-Seconded (Flanagan-Weisenberg) To follow the recommendation of Highway Superintendent and approve and authorize the Chairman to sign the Application for Permit to Occupy County Highway Right of Way for Century Link located from Hwy 385 Junction on Custer Peak Road to the new cell site (approx 2500'). Motion Carried.

HIGHWAY 473: Representatives from the State of South Dakota, Department of Transportation, FMG Engineering, and Wharf Resources were present to discuss the intersection of Highway 473 and Stewart Slope Road. The request is being made that the land the turnaround is located on becomes County property. Issues of snow plowing and general maintenance of the turnaround were discussed. Bonnema expressed concerns of the County taking on this property and the additional costs to maintain as the turnaround deteriorates and liability issues. Bonnema stated he did not think it was in the best interest of the County to accept the property as the State built it and it should be their responsibility. Steve Palmer, DOT commented that the State was approached by Wharf to build it and should not be the State's responsibility. The Board was presented with documents of a meeting held on May 17, 2012 where representatives from FMG, Wharf, SD DOT, and Lawrence County were present and the issue was discussed previously. Ron Island was in attendance and questioned why the County would take on this responsibility when they are trying to remove some secondary roads. Moved-Seconded (Ewing-Sleep) to table until October 14, 2014 to allow time for the Board to research the issue further. Motion Carried.

NORTH ROCHFORD ROAD: Allan Bonnema discussed the North Rochford Road Project and how the proposed project has changed since the original discussions. Moved-Seconded (Ewing-Weisenberg) to follow the recommendation of the Highway Superintendent and approve and authorize the Chairman to send a letter to the Federal Highway Association requesting removal of the proposed project within the limits of Lawrence County on the SD PFH 17-1 (8) Hill City to Lead (North Rochford Road) project from the Federal Lands Access Program. Motion Carried.

SECONDARY ROAD DISCUSSION: Ron Island expressed concerns on the County secondary roads that are in discussions to be dropped. Island stated some of the roads are forest service roads and historical farm to market roads. He asked what the cost savings would be from dropping employees and selling equipment. Island stated action to drop or change maintenance on the County secondary roads would cause hardship on citizens within the County. Ewing stated it is a fairness issue and the Forest Service has eliminated paying the County for certain roads to maintain and it is not the County's responsibility to do the Forest Service Roads. Bonnema stated the money and savings will be directed to other County Roads to maintain at a higher level. The Board discussed criteria and what the intent would be of the County, would these roads be declared vacated or low maintenance roads. Clarification in State Law may be required to declare no maintenance county secondary roads. Flanagan stated preserving access is necessary and could not support vacating the roads in question.

GRAVEL & MAINTENANCE: Allan Bonnema asked the Board what the policy is for putting gravel and grading secondary roads when someone offers to pay for the service. The Board stated the County must abide by state law SDCL 31-12-27-1 and the work would need to be done when it does not interfere with regular maintenance of County roads.

FUEL QUOTES: The following fuel quotes were submitted as of September 10, 2014: Deadwood Diesel 4300: (prices per gallon) CBH Cooperative - \$3.21*, Southside - \$3.39, MG Oil - 3.262, Deadwood Unleaded 2500 gallons: (prices per gallon) CBH Cooperative - \$3.153, Southside - \$3.29, MG Oil - \$3.023*; Spearfish Diesel 2700 gallons: (prices per gallon) CBH Cooperative - \$3.25*, Southside - \$3.49, MG Oil - \$3.262; Spearfish Unleaded 550 gallons: (prices per gallon) CBH Cooperative - \$3.193, Southside - \$3.39, MG Oil - \$3.023*; Whitewood Diesel 600 gallons: (prices per gallon) CBH Cooperative - \$3.25*, Southside \$3.49, MG Oil - \$3.262, *Represents lowest quote awarded. No bid was received from Harms Oil Co.

2015 BUDGET:

ADOPTION OF 2015 BUDGET RESOLUTION #2014-16: Moved-Seconded (Ewing-Flanagan) to adopt the 2015 Annual Budget and approve the following Resolution #2014-16. Motion Carried.
RESOLUTION #14-16: 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, 2015 and ending December 31, 2015 and the same is hereby approved and adopted by the Board of County commissioners of Lawrence County, South Dakota, this 23rd day of September, 2014 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 payable year January 1, 2015 through December 31, 2015.

FUND	TAX LEVY IN DOLLARS	\$/s/thousand (levy)
GENERAL	9,634,314	4.563
FIRE PROTECTION	82,129	.076
TOTALS	9,716,443	4.639

DATED at Deadwood, South Dakota, this 23rd day of September 2014. LAWRENCE COUNTY COMMISSIONERS: Richard Sleep, Chairman, Daryl Johnson, Terry Weisenberg, Robert Ewing, and Brandon Flanagan. ATTEST: Connie Atkinson, Auditor.

RECESS: 9:00 a.m. Moved-Seconded (Weisenberg-Ewing) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 9:10 a.m. The Chairman called the meeting back to order.

AG CLASSIFICATION: Wayne Lindstad was present to discuss the AG Classification and requested the County deed him part of the road right-of-way so he can meet the 41 acre requirement for AG Classification. Discussion followed on the requirement of SDCL 10-6-31.3. Chairman Sleep stated the Board can not help him with this issue.

PLANNING & ZONING:

C.A.V. REVIEW: Amber Vogt, Planning and Zoning Director reviewed the C.A.V. (F.E.M.A.) flood plain issues. All of the 2012 to the present files have all been reviewed and the elevation certificates have also been reviewed and in the process of being updated if needed.

ANNUAL REVIEWS:

CUP #255-09: An annual review was held for CUP #255-09 Spirit of the Hills Wildlife Sanctuary located on Tinton Road. Jeff Schroeder stated they did an on-site of the facility and all of the conditions are being complied with.

CUP #352: Moved-Seconded (Weisenberg-Flanagan) to approve the transfer request for CUP #352 / David Wickstrom / Windmill to CUP #352-14 Jeremy & Trish Smith and will be reviewed on an as needed basis, if complaints should arise, or at the desire of the Board to review. Motion Carried.

CUP #390: An annual review was held for CUP #390 Saddle Mountain Church. Brian Hall was present to ask the Board for 12 month extension. Moved-Seconded (Ewing-Flanagan) to approve extension on CUP #390. Motion Carried.

C.U.P. #412 / RANDY SACHAU: The Board discussed CUP #412, Personal Use Airstrip (Randy Sachau) and reviewed the letter received from Randy Sachau. Moved-Seconded (Weisenberg-Sleep) To put the C.U.P. #412 on a yearly review.

BILLS:

Moved-Seconded (Weisenberg-Flanagan) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,514.01; Treas-\$10,252.00; Comp-\$8,521.17; States Atty-\$13,305.90; Pub Def-\$10,993.77; Gen Govt Bldg-\$8,394.44; Equal-\$13,669.07; Rod-\$7,833.27; Vso-\$1,276.41; Disp-\$12,337.54; Sher-\$37,992.36; Jail-\$20,603.00; Coroner-\$258.65; 24/7-155.88; Emerg Mgnt-\$3,863.08; E911-\$1,762.88; Highway-\$39,258.98; Air-\$1,086.60; Mh Serv-\$420.00; Weed-\$3,966.57; Pz-\$5,292.69; **Bills:** Tridle,Debora-\$239.57; Atkinson,Connie-\$48.00; Locken,William-\$634.85; Runge,Brett-\$121.00; Vogt,Amber-\$69.00; Symonds,Carmen-\$121.00; Hodson,Timothy-\$121.00; Fisher,Jason-\$121.00; Waisanen,Jimmy-\$86.50; Meehan,Michael-\$121.00; Wheeler,Cody-\$53.70; Hohn,Louise-\$121.00; A&B Business,Inc Solutions-\$1,193.71; A&B Welding Supply-\$21.08; Abc Business Supply-\$95.26; Aberdeen Llc-\$268.00; Active Data Systems-\$1,083.62; Al's Metal Work-\$128.33; All Around Auto-\$10.80; At&T Mobility-\$166.46; Audra Malcomb Consulting-\$920.83; BH Chemical Company-\$433.20; BH Federal Credit Union-\$6,973.00; BH Land Analysis-\$682.50; BH Pest Control-\$190.00; BH Pioneer-\$569.45; BH Power-\$12,031.67; Barnaud Law Firm-\$1,042.16; Best Western Ramkota Hotel-\$2,828.97; Best Western Ramkota/Watertown-\$680.00; Biegler,Greg-\$150.00; Birmingham&Cwach Law Office-\$145.04; Black Hills Disposal-\$87.00; Black Hills Pure-\$64.50; Bob Barker Company-\$48.53; Bomgaars Supply-\$36.59; Brevik Law Office Prof-\$210.03; Butler Machinery Co-\$339.24; Butte Electric Coop-\$418.57; Cbh Cooperative-\$24,531.21; Century Business Products-\$260.28; Centurylink-\$2,375.84; City/County Alcohol&Drug-\$899.50; Claggett&Dill, Prof-\$1,363.54; Clinical Lab Of BH-\$5,264.00; Clubhouse Hotel&Suites Pierr-\$464.00; Cody,Denise-\$60.00; Community Health Services-\$20.00; Credit Collections Bureau-\$222.77; D Ware-\$100.00; Dakota Equipment Rental-\$794.99; Dakota Security Systems-\$38.51; Dataspec-\$399.00; Dean Schaefer Court Reporting-\$75.00; Dept Of The Treasury-\$52,873.45; Diversified Collections-\$100.00; Durfey,Shanai-\$398.78; Ecolab-\$139.73; Eke-\$167,414.40; Ellingson,Joseph-\$1,086.04; Fastenal-\$234.93; Federal Express Corp-\$19.93; Great Western Tire-\$119.50; Greentree Psychological-\$472.50; Grimm's Pump Service-\$580.56; Hamann,Chris-\$200.00; Heartland Paper Co-\$351.77; Hills Material Comp-\$54,486.18; Jacobs Precision Welding-\$126.60; Kadrmass, Lee And Jackson-\$5,119.09; Kinkade Funeral Chapel-\$945.00; Kinney,Matthew-\$795.18; Knecht Home Center Of Spf-\$55.31; Kosel,Joseph-\$2,255.87; Language Line Services-\$110.94; Lead-Deadwood Regional Hospital-\$556.39; Lead-Deadwood Sanitary-\$82.00; Lee,James-\$15.00; Lewis&Clark Bhs-\$160.00; Lewno,Lucy-\$428.97; Lexisnexis Risk Data Mgnt-\$75.00; Lr Auto Detailers-\$40.00; Manlove Psychiatric Group-\$2,700.00; Matthew Bender&Company-\$327.18; McClure,Susan-\$100.00; Mcpherson Propane-\$69.00; Mg Oil Company-\$9,069.00; Microfilm Imaging Systems-\$1,450.00; Midcontinent Communications-\$34.22; Mikelson,Gary-\$67.50; Montana Dakota Utilities-\$37.42; Ms Mail-\$20.00; Neve's Uniforms-\$793.40; Northern Hills Dental-\$197.94; Northwest Pipe Fitt-\$355.92; Office Of Child Support-\$582.93; One Call Now-\$309.47; Oswald Law PC-\$195.20; Pennington County Sheriff-\$731.40; Pennington County Sts Attny-\$430.00; Pitney Bowes-\$1,078.65; Pollard&Larson Llp-\$201.75; Powerplan-\$136.50; Quill-\$298.55; RC Journal-\$193.75; RC Police Dept-\$7.59; RC Regional Hospital-\$887.18; Rabe Elevator-\$611.68; Rapid Transcript-\$444.00; Redwood Toxicology Lab-\$174.39; Regional Health-\$812.00; Rensch,Timothy J Atty-\$3,334.19; Rocket Lube-\$71.49; Rsinet/Thomas W Nichols-\$180.00; SD Dept Of Transportation-\$19,736.88; SD Drug Control Fund-\$125,000.00; SD State Treasurer-\$720.00; Sanford Health Pathology Clinic-\$20.00; Sd Ltap/Sdsu-\$85.00; Sdrs Supplemental Retirement-\$1,419.00; Servall

Towel&Linen-\$860.49; Spearfish Auto Supply-\$716.14; Spearfish Police Dept-\$10,267.11; Stan Houston Equip Co-\$775.00; Sturdevant's Auto Parts-\$556.92; Subway-\$12.00; Swanda,Karen-\$60.00; Sysco Montana-\$3,250.54; The Vest Man-\$270.00; Thomson Reuters-West-\$171.44; Tigerdirect-\$339.76; Top Quality Glove-\$195.00; Triple K Tire&Repair-\$1,604.47; Trugreen Chemlawn-\$56.75; Turnkey Corrections-\$9.88; Twin City Hardware&Lumber-\$632.71; US Indentification Manual-\$82.50; Verizon Wireless-\$105.02; Victims Of Violence-\$1,350.00; Waste Connections-\$678.15; Watertree-\$57.90; Wells Fargo Business Card-\$1,364.98; West River International-\$20.26; Western Communication-\$100.00; Western Sd Juvenile Serv-\$1,287.75; Wex Bank-\$415.77; Wheeler Lumber-\$1,568.00; Wimactel-\$60.00; Wolff Law Office-\$104.40; Wow!-\$1,365.68; Yankton Co Sheriff-\$50.00; Yankton County-\$241.75; **Witness & Jurors:** Sumners,J-\$61.10; Bettelyoun,K-\$64.80; Craiger,E-\$61.10; Graham,W-\$61.10; Hartl,S-\$64.80; Hubbard,L-\$62.58; Hunt,J-\$61.10; Hushin,G-\$60.36; Johnson,M-\$50.74; Kirk,L-\$68.50; Kliever,M-\$55.92; Kortuem,B-\$61.10; Noteboom,T-\$64.80; Plaggemeyer,J-\$61.10; Thompson,E-\$54.44; Wessel,D-\$61.10; Young,T-\$64.06; Bizzell,A-\$20.00; Bindert,G-\$20.00; Butts,W-\$53.30; Dejong,J-\$31.10; Harris,M-\$42.20; Mcpherson,C-\$31.10; Aldrich,B-\$13.70; Baker,P-\$15.18; Bender,A-\$129.60; Bergum,G-\$24.80; Blakeley,W-\$21.10; Boe,G-\$24.80; Boeschen,E-\$21.10; Braun,T-\$24.80; Campanella,M-\$10.74; Clark,R-\$19.62; Collins,G-\$122.20; Denton,E-\$22.58; Deserly,R-\$17.40; Donat,D-\$19.62; Eggers,T-\$12.22; Foote,M-\$21.84; Hovdenes,J-\$122.20; Hunter,R-\$10.74; Jay,C-\$122.20; Joachim,D-\$128.12; Kennedy,R-\$122.20; Knight,M-\$114.80; Kremer,T-\$24.80; Kundert,K-\$12.96; Mcelroy,C-\$28.50; Mullaney,P-\$28.50; Nelson,R-\$129.60; Newman,D-\$13.70; Omdahl,W-\$111.10; Paul,K-\$12.96; Phillips,J-\$101.48; Pleinis,W-\$12.22; Ploog,B-\$21.10; Rohla,K-\$21.84; Schmeltzer,J-\$18.14; Schneider,P-\$21.10; Schumacher,R-\$21.84; Simon,S-\$23.32; Strawn,R-\$129.60; Sundsted,M-\$119.24; Vissia,T-\$21.84; Waldner,R-\$17.40; Wells,A-\$18.14; Wetz,J-\$29.98; Whittington,D-\$12.22; Willuweit,L-\$27.76; Zimmmer,A-\$105.92

ADJOURN: 10:15 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – September 23, 2014

Chairperson Richard Sleep called the Lawrence County Board of Adjustment meeting to order at 9:00 a.m. on September 23, 2014 in the Administrative Annex Building of the Lawrence County courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Terry Weisenberg, and Brandon Flanagan present. Daryl Johnson was absent.

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

VARIANCE #143 / FENTON: A public hearing was held on an application for a variance #143 Rob & Lorelle Fenton. A variance is requested for a 9' variance to the 25' front setback from the road right-of-way for bay window addition on Lot 2, Blk 4 of Lost Camp Valley, located on Terry Peak. The public hearing was closed.

Moved-Seconded (Ewing-Flanagan) to approve Variance #143 Rob & Lorelle Fenton. A variance is requested for a 9' variance to the 25' front setback from the road right-of-way for bay window addition on Lot 2, Blk 4 of Lost Camp Valley, located on Terry Peak because of special circumstances on the property as described in the Ordinance and strict adherence to the Ordinance may deprive the applicant of reasonable use of their land. Motion Carried.

ADJOURN: 9:10 a.m. There being no further business it was Moved-Seconded (-) to adjourn from the Board of Adjustment. Motion Carried.

Date Approved

Richard Sleep, Chairperson

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – October 14, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on October 14, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Daryl Johnson, Brandon Flanagan, and Terry Weisenberg present.

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

AGENDA: Moved-Seconded (Flanagan-Sleep) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Johnson) to approve the minutes of September 23rd, County Commission meeting and Board of Adjustment Meeting. Motion Carried.

PERSONNEL:

MOUNTAIN PINE BEETLE: Moved-Seconded (Weisenberg-Flanagan) to approve the hiring of the following temporary seasonal recon/tree marker employees at the rate of \$12.00 an hour, effective October 6, 2014: Mathew Kirkegaard and Karmen Barrett. Motion Carried.

SHERIFF: Moved-Seconded (Ewing-Flanagan) to approve the step raise for Matthew McGroden as a permanent full-time Deputy 2 G3 at the base rate of \$23.24 an hour, effective October 19, 2014 and Thomas Derby as a permanent full-time Sergeant G3 at the base rate of \$23.92 an hour, effective October 19, 2014. Motion Carried.

EQUALIZATION: Moved-Seconded (Weisenberg-Ewing) to approve Desiree Phinney as a full time Permanent Administrative Secretary G1 at the base rate of \$14.82 an hour, effective October 28th, 2014. Motion Carried.

TRAVEL REQUEST:

EMERGENCY MANAGEMENT: Moved-Seconded (Flanagan-Ewing) to approve the travel request for JD Geigle, Lawrence County Emergency alternate to attend the G386 Mass Fatality Incident Response training in Pierre December 17th and 18th, 2014 and to reimburse him for room and meals. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Weisenberg-Johnson) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of September 30, 2014 showed the following: Total amount of actual cash-\$1,350.00; total amount of checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$88,091.17; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$4,442.92; petty cash-\$1,860.00; total amount of deposits in bank include: CD's-\$3,100,000; bank balance \$3,472,957.61, money market \$3,972,269.72; savings-\$6,147,452.00; total \$16,788,423.42.

GENERAL FUND SURPLUS ANALYSIS: The General Fund Surplus Analysis for Lawrence County as of September 30, 2014 is \$4,215,360.31 or 34.71%.

AUTOMATIC SUPPLEMENTS:

EQUALIZATION: Moved-Seconded (Johnson-Flanagan) to approve the automatic supplement of \$500.00 for the Equalization mapping for funds received from another government agency. Motion Carried.

AIRPORT: Moved-Seconded (Johnson-Ewing) to approve the automatic supplement of \$141,778.73 for the Airport Capitol Projects for grant funds received. Motion Carried.

USFS/COUNTY MODIFICATION AGREEMENT: Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to sign the USFS/County Modification Agreement No. 12-PA-11020308-007 (MPB). Motion Carried.

2015 USGS/COUNTY STREAM FLOW GAGE AGREEMENT: Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to sign the 2015 USGS/County Stream Flow Gage Agreement. Motion Carried.

AMBULANCE AGREEMENT: Moved-Seconded (Ewing-Flanagan) to approve and authorize the Chairman to sign the Lead/Deadwood Ambulance Agreement. Motion Carried.

HOMELAND SECURITY GRANT: Moved-Seconded (Johnson-Ewing) to approve and authorize the Chairman to sign the State Homeland Security Program Grant Award in the amount of \$33,412 for UTV with tracks. Motion Carried.

SHERIFF:

8:20 a.m. EXECUTIVE SESSION: Moved-Seconded (Johnson-Sleep) to go into executive session pursuant to (SDCL 1-25-2(3) Consultation with Legal Counsel about Contractual Matter). Motion Carried. 8:31 p.m. the Board opened for regular business with no action taken.

ANKLE MONITORING AGREEMENT: Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the Electric Monitoring Service Agreement with BI Incorporated. Motion Carried.

SURPLUS PROPERTY: Moved-Seconded (Ewing-Flanagan) to declare the eight Arbitrator MK 1.5 VPU Vehicle Camera's SN#G8TA10019, G8TA10209, G8TA10038, G8TA10039, G8TA10249, G8TA10089, G8TA100598 and G8TA10238 surplus and give to the South Dakota State Highway Patrol. Motion Carried.

SUPPLEMENTAL BUDGET: A public hearing was held for a supplemental budget for GENERAL FUND - Coroner - \$10,000 No public input was voiced and the hearing was closed. Moved-Seconded (Ewing-Flanagan) to approve and authorize the Chairman to sign the following Resolution #2014-18. Motion Carried.

RESOLUTION #14-18 TO ADOPT A SUPPLEMENTAL BUDGET: WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2014, 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 2014, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND Coroner - \$10,000 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 14th day of October, 2014 at the hour of 8:25 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 14th day of October, 2014. FOR THE BOARD OF COUNTY COMMISSIONERS Richard Sleep, Chairman. ATTEST: Connie Atkinson, Auditor

HIGHWAY BUSINESS:

GRAVEL SURFACING AGGREGATE BID: The following bids were received for crushing of a minimum of 35,000 ton of gravel surfacing aggregate: Hills Material-\$6.29 per ton or \$222,425 minimum and Western Construction-\$5.75 per ton or \$202,650 minimum. Moved-Seconded (Weisenberg-Ewing) to accept the low bid from Western Construction for crushing of gravel surfacing aggregate for \$5.75 per ton or \$202,650 minimum. Motion Carried.

HIGHWAY 473 / HIGHWAY USE DEED/PLAT: Moved-Seconded (Ewing-Sleep) to table action on the Highway 473 Use Deed/Plat. Motion Carried.

RED HILL PLACE: The Board discussed a petition received from Darrell and Joanne Nicholas pursuant to SDCL 31-12-27.1 to gravel Red Hill Place Road #0092 with the agreement to pay for the gravel. Moved-Seconded (Ewing-Sleep) because it is in the best interest of the petitioner and in the public interest to approve and authorize the chairman to sign the agreement with Darrell and Joanne Nicholas on Red Hill Place Road #0092. Motion Carried. Aye-Weisenberg, Ewing, Flanagan and Sleep. Nay-Johnson. Johnson expressed concerns on the County bearing any cost in graveling a road that is a private drive that they do not allow anyone else to drive on.

SECONDARY ROAD DISCUSSION: The Board discussed possible legislation for County Roads so they can be on the County Road System with a no maintenance option. The Board will discuss again in the Spring of 2015.

FUEL QUOTES: The following fuel quotes were submitted as of September 10, 2014: Deadwood Diesel 4300: (prices per gallon) CBH Cooperative - \$3.21*, Southside - \$3.39, MG Oil - 3.262, Deadwood Unleaded 2500 gallons: (prices per gallon) CBH Cooperative - \$3.153, Southside - \$3.29, MG Oil - \$3.023*; Spearfish Diesel 2700 gallons: (prices per gallon) CBH Cooperative - \$3.25*, Southside - \$3.49, MG Oil - \$3.262; Spearfish Unleaded 550 gallons: (prices per gallon) CBH Cooperative - \$3.193, Southside - \$3.39, MG Oil - \$3.023*; Whitewood Diesel 600 gallons: (prices per gallon) CBH Cooperative - \$3.25*, Southside \$3.49, MG Oil - \$3.262, *Represents lowest quote awarded. No bid was received from Harms Oil Co.

COUNTY BUILDINGS: The Board discussed the need to replace the boilers for the County Buildings. Moved-Seconded (Flanagan-Johnson) to contract with John W. Hey and Company for professional services to provide Study Services for the Boiler Replacement Project. Motion Carried.

HEALTH NURSE REPORT: Wade Huntington Regional Manager was present to review the quarterly community health report.

PLANNING & ZONING:

BOARD DISCUSSION/ACTION: Amber Vogt updated the Board on Planning and Zoning issues. The Board discussed the proposed Spearfish 3-Mile Jurisdiction Ordinance Committee. Richard Sleep expressed interest in serving on the Committee and possibly Randy Deibert.

FIRE PLAN REVIEW COMMITTEE: The Board discussed the Fire Plan Review Committee upcoming meeting. Randall Roseneau, Commissioner Elect will replace Bob Ewing on the Committee along with Daryl Johnson representing the County Commission.

LAC MINERALS: The Board discussed and reviewed the LAC Minerals Technical Revision No. 67 to Richmond Hill Permit #'s 445 and 460. Moved-Seconded (Flanagan-Weisenberg) to direct Amber Vogt to send a letter to SD DENR stating the County and Office of Planning of Zoning find this technical revision to be in compliance with LAC Minerals Conditional Use Permit. Motion Carried.

PRELIMINARY PLAT / ABERLE – CHANDLER DEV: Moved-Seconded (Flanagan-Weisenberg) to approve the Preliminary Plat for Aberle/Chandler Dev. for Sugarloaf Village located off of Hwy 14 with the contingency that they add the structures on the preliminary plat. Motion Carried.

PRELIMINARY PLAT / ABERLE – CHANDLER DEV: Moved-Seconded (Weisenberg-Flanagan) to approve the Final Plat for Aberle/Chandler Dev. for Sugarloaf Village for Lots 29A and 30A of Sugarloaf Village located off of Hwy 14. Motion Carried.

ITEMS FROM COMMISSIONERS:

WATERS OF THE U.S.: Moved-Seconded (Ewing-Sleep) To send an official comment letter opposing the “Waters of the U.S.” rule. Motion Carried.

BILLS:

Moved-Seconded (Flanagan-Weisenberg) to approve payment of the following payroll and 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-\$11,920.96; Aud-\$17,027.51; Treas-\$20,902.16; Comp-\$16,681.06; States Atty-\$25,817.62; Pub Def-\$21,987.52; Gen Govt Bldg-\$19,737.36; Equal-\$27,433.31; Rod-\$15,666.56; Vso-\$2,552.82; Disp-\$23,325.51; Jail-\$73,123.34; Jail-\$38,822.26; Coroner-\$1,117.30; 24/7-\$259.80; Emerg Mgnt-\$7,866.20; E911-\$3,529.60; Highway-\$78,960.61; Air-\$2,508.90; Mh Serv-\$168.00; Weed-\$21,398.19; Pz-\$10,009.68; Bills: Green,Sheree-\$203.57; Goetsch,Martin-\$30.00; Hamilton,Marian-\$30.00; Black,Sue-\$30.00; Larson,Rene'-\$74.00; Thomson,Paul-\$74.00; Vogt,Amber-\$45.00; Dragoo,Shelley-\$149.00; Gould,Gary-\$336.90; Rakow,Julie-\$137.00; Abernathy,Emily-\$30.00; Thielen,Trevor-\$32.56; Peterson, Virginia-\$7.50; American Family Life-\$3,264.45; BH Federal Credit Union-\$6,973.00; Credit Collections Bureau-\$222.77; Deadwood Recreation Center-\$631.00; Delta Dental Of South Dakota-\$6,957.22; Dept Of The Treasury-\$54,472.16; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,733.28; Northern Hills Rec Center-\$144.00; Office Of Child Support-\$582.93; SD Retirement System-\$55,290.01; Sdrs Supplemental Retirement-\$1,419.00; Washington State Support Reg-\$75.00; Wellmark Blue Cross-\$74,723.75; Wow!-\$303.09; A&B Business,Inc Solutions-\$1,147.84; A&B Welding Supply-\$61.53; A&I Distributors-\$135.40; A To Z Shredding-\$48.75; Abc Business Supply-\$2,216.63; Aberdeen Llc-\$1,155.00; Air Connection-\$67.42; Alpine Impressions-\$182.00; American Stamp& Marking-\$115.17; Apex Software-\$1,080.00; At&T Mobility-\$920.12; BH Chemical Company-\$143.66; BH Federal Credit Union-\$6,999.55; BH Land Analysis-\$1,592.50; BH Pioneer-\$263.97; BH Power-\$878.88; BH Resource Conservation-\$4,000.00; Ball,Megan-\$150.00; Big Sky Communications-\$79.00; Black Hills Pure-\$46.50; Bob Barker Company-\$141.00; Broward County Sheriff-\$50.00; Butler Machinery Co-\$532.70; Butte County-\$37,300.00; Butte Electric Coop-\$449.30; Capital Reporting Services-\$345.00; Century Business Products-\$259.02; Centurylink-\$160.16; City/County Alcohol&Drug-\$2,093.50; Clinical Lab Of BH-\$1,972.00; Cooks Correctional-\$34.82; Credit Collections Bureau-\$427.57; Dakota Equipment Rental-\$2,153.62; Dakota Security Systems-\$2,822.55; Deadwood Development Company-\$147.20; Deadwood,City Of-\$865.99; Deepnet Security Ltd-\$3,151.00; Dept Of The Treasury-\$52,900.50; Diversified Collections-\$100.00; Eke-\$59,237.41; Election Sys&Software-\$5,411.25; Fastenal-\$3.72; Federal Express Corp-\$19.86; First Gold Hotel-\$104.00; First Western Ins Deadwood-\$50.00; Fisher Sand&Gravel-\$2,275.80; Frontier Glass-\$250.00; Great Plains Chemical-\$180.00; Grimm's Pump Service-\$244.88; Heartland Paper Co-\$176.30; Heisler Hardware-\$96.88; Hills Material Comp-\$62,863.31; Id Zone South-\$456.00; Kinney,Matthew-\$2,105.46; Koala Electric-\$204.82; Kosel,Joseph-\$482.65; LC Conservation Dist-\$5,000.00; L-3 Communications-\$153.00; Lawson Products-\$433.33; Lead,City Of-\$66.75; Lead-Deadwood Sanitary-\$431.50; Lee,James-

\$15.00; Lexisnexis Risk Data Mgmt-\$75.00; Lizard Tech-\$855.00; Lynn's Dakotamart Pharmacy-\$9.45; McClure,Susan-\$100.00; Midcontinent Communications-\$34.26; Montana Dakota Utilities-\$2,393.24; National Assoc Of Counties-\$482.00; National Emergency-\$274.00; Nebraska Salt&Grain Co-\$28,532.12; Nelson,Tonya-\$250.00; Neve's Uniforms-\$149.30; Northern Hills Dental-\$599.06; Northern Truck Equip-\$13,920.50; Novus-\$112.00; Office Of Child Support-\$582.93; Pennington Co Auditor-\$174.00; Pennington County Sts Attny-\$645.00; Pictometry International Corp-\$420.00; Plumbmaster-\$409.55; Powerplan-\$1,406.31; Quill-\$47.59; RC Finance Office-\$2,450.00; RC Regional Hospital-\$167.21; Rabe Elevator-\$925.97; Rapid Transcript-\$366.00; Regional Health Physicians-\$277.86; Rocket Lube-\$275.45; SD Dept Of Labor Unemployment-\$1,374.02; SD State Treasurer-\$14,102.31; Sdrs Supplemental Retirement-\$1,419.00; Secretary Of State-\$30.00; Securus Technologies T-Netix-\$1,197.90; Servall Towel&Linen-\$358.09; Spearfish Auto Supply-\$2,000.42; Sterna,Laura-\$250.00; Sturdevant's Auto Parts-\$1,208.33; Swisher Hygiene/Css-\$67.00; Swsh Mount Hood Mfg-\$18.40; Sysco Montana-\$3,803.25; Tigerdirect-\$122.02; Top Quality Glove-\$130.00; Triple K Tire&Repair-\$531.93; Twilight First Aid&Safety-\$46.80; Twin City Hardware&Lumber-\$513.29; Washington State Support Reg-\$75.00; Waste Connections-\$678.15; Watertree-\$31.30; Wells Fargo Business Card-\$3,849.94; Wells Plumbing&Farm Supp-\$8.40; Westcoast Sales&Marketing-\$947.73; Western Communication-\$75.00; Western Sd Juvenile Serv-\$791.55; White Drug-\$1,711.26; White's Queen City Motors-\$156.04; Wilde&Hunt, Prof Llc-\$2,718.71; Z&S Dust Control-\$5,273.89; Witness & Jurors: Geist,J-\$64.80; Sumners,J-\$61.10; Craiger,E-\$61.10; Graham,W-\$61.10; Hartl,S-\$64.80; Hubbard,L-\$62.58; Kliewer,M-\$55.92; Noteboom,T-\$64.80; Plaggemeyer, J-\$61.10; Young,T-\$64.06; Eggers,T-\$22.22; Aigner,A-\$31.10; Beardon,A-\$33.32; Gillenwater,Z-\$31.10; Ladson,T-\$33.32; Mcconaughey,M-\$22.22; Molina,B-\$20.00; Olmstead,D-\$44.05; Skroch,K-\$33.32; Weaver,B-\$20.74;

ADJOURN: 9:45 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – October 28, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on October 28, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Bob Ewing, Daryl Johnson, Brandon Flanagan, and Terry Weisenberg present.

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

AGENDA: Moved-Seconded (Weisenberg-Flanagan) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Ewing) to approve the minutes of October 14th, County Commission meeting with the correction that Richard Sleep voted against the Homeland Security Grant. Motion Carried.

PERSONNEL:

Moved-Seconded (Ewing-Sleep) to allow employees to donate leave to Matt McCroden upon the exhaustion of the employee's accumulated vacation time, "comp. time" and sick leave. Motion Carried.

EQUALIZATION: Moved-Seconded (Ewing-Flanagan) to approve Jason Fisher as a Full-Time Permanent Appraiser III G2 at the base rate of \$18.19 an hour, effective October 19, 2014. Motion Carried.

SHERIFF: Moved-Seconded (Weisenberg-Ewing) to approve Matt Hardin as a Full-Time Permanent Corrections I G3 at the base rate of \$15.88 an hour, effective November 16, 2014. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to approve Megan Merwin as a Full-Time Permanent Deputy II G3 at the base rate of \$23.24 an hour, effective November 16, 2014. Motion Carried.

Moved-Seconded (Ewing-Flanagan) to approve Lance Palmer as a Full-Time Permanent Corrections I G3 at the base rate of \$15.88 an hour, effective October 19, 2014. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve Jolene Wetz as a part-Time (under 20) Permanent Corrections I G3 at the base rate of \$15.88 an hour, effective October 19, 2014. Motion Carried.

Moved-Seconded (Flanagan-Ewing) to approve Michael Johnson as a Full-Time Permanent Corrections Sergeant G3 at the base rate of \$18.88 an hour, effective November 02, 2014. Motion Carried.

Moved-Seconded (Johnson-Flanagan) to approve the advertising of a full-time corrections officer and part-time corrections officer. Motion Carried.

STATES ATTORNEY: Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to approve the appointment of Deputy States Attorney for Kevin J. Krull and Sarah Morrison. Motion Carried.

FAIR BOARD: Moved-Seconded (Johnson-Ewing) to appoint Doug Pavil to the Fair Board to fill the term of Susan Pisani. Motion Carried.

CANCELED CHECK RESOLUTION #2014-22: Moved-Seconded (Weisenberg-Ewing) to approve and authorize the Chairman to sign Resolution #2014-22. Motion Carried. LAWRENCE COUNTY RESOLUTION # 2014-22 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 one (1) year of the date upon which the check was issued, and WHEREAS, there are 49 checks totaling \$1,173.33 that are outstanding, 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 28th day of October, 2014. FOR THE BOARD: Richard Sleep, Chairman. ATTEST: Connie Atkinson, Auditor

AUTOMATIC SUPPLEMENTS:

AIRPORT: Moved-Seconded (Weisenberg-Johnson) to approve the automatic supplement of \$181,102.96 for the Airport Capitol Projects for grant funds received. Motion Carried.

EMPLOYEE INSURANCE 2015: Bruce Outka spoke on behalf of the Insurance Committee. Outka discussed the health insurance quotes received for 2015 and stated the Insurance Committee recommended the County remain with Wellmark, which offered a 2.09% increase for insurance premiums in 2015. Moved-Seconded (Weisenberg-Johnson) to approve and authorize the Chairman to sign the contract with Wellmark for 2015. Motion Carried.

AMENDMENT #11 TO THE LAWRENCE COUNTY PERSONNEL POLICY LONGEVITY PAY: Moved-Seconded (Flanagan-Weisenberg) to approve, adopt and authorize the Chairman to sign the following Resolution #2014-19 Amendment #10 A Resolution Amending the Lawrence County Personnel Policy Handbook Longevity Pay. Motion Carried. Resolution #2014-19 Amendment #10 A Resolution Amending the Lawrence County Personnel Manual: WHEREAS, the Lawrence County Commissioners have adopted the Lawrence County Personnel Manual to establish a fair system of personnel administration; and WHEREAS, updates need to be made to the manual to ensure the fair and equitable system is updated; THEREFORE BE IT RESOLVED, that effective December 28th, 2014 and upon favorable passage of this Resolution and until otherwise revised, the following revision is hereby adopted for:

3.5) LONGEVITY PAY: Longevity pay will be awarded to permanent employees who have been employed for a minimum of five (5) years. Eligibility takes place on anniversary date of 5th year of employment, with increases on the 10th year of employment, 15th year of employment, and 20th year of employment.

Longevity pay schedule is as follows:

- 5 Years - 2 cent per hour for each year of employment.
- 10 Years- 4 cents per hour for each year of employment.
- 15 Years- 6 cents per hour for each year of employment.
- 20 Years- 8 cents per hour for each year of employment.

Elected Officials are eligible for longevity pay. Elected County Commissioners are not eligible for longevity pay. Seasonal employees working consecutive years are eligible for longevity pay. Dated this 28th day of October, 2014. For the Board: Richard Sleep, Chairman. Attest: Connie Atkinson, Auditor.

AMENDMENT #11 TO THE LAWRENCE COUNTY PERSONNEL POLICY ACA SAFE HARBORS: Moved-Seconded (Johnson-Weisenberg) to follow the Insurance Committee's recommendation and approve, adopt and authorize the Chairman to sign the following Resolution #2014-20 Amendment #11 A Resolution Amending the Lawrence County Personnel Policy Handbook ACA Safe Harbors. Motion Carried.

LAWRENCE COUNTY RESOLUTION NO. 2014-20 AMENDMENT #11 A RESOLUTION AMENDING THE LAWRENCE COUNTY PERSONNEL POLICY HANDBOOK MAKING CERTAIN DECLARATIONS CONCERNING COMPLAINTS WITH EMPLOYER SHARED RESPONSIBILITY UNDER THE AFFORDABLE CARE ACT (ACA) WHEREAS, Lawrence County ("County") is required to meet certain provisions of the ACA WHEREAS, under the Shared Employer Responsibility provisions of the ACA, employers with 50 (100, in 2015) or more full-time and full-time equivalent employees may pay penalties if any full-time employee receives a premium tax credit or cost-sharing reduction when purchasing health care coverage on the Marketplace: WHEREAS, for purposes of the ACA, a full-time employee is one who averages at least 30 hours of service per week or 130 hours per month. This definition of "full-time" is used to determine applicable large employer status and which employees to offer coverage. For purposes of the ACA, the number of full-time equivalent employee (FTE) is the equivalent of the total number of service hours in a month (up to 120 per employee) by all non-full-time, divided by 120; WHEREAS, in order to avoid potential penalties, employers, such as Lawrence County with over 50 full-time employees shall: 1. Offer health coverage to full-time employees and their dependents (children up to age 26). 2. Offer health coverage that meets the minimum value requirement of 60 percent. 3. Offer health coverage that is affordable relative to an employee's household income. WHEREAS, for purposes of the ACA, "affordability", coverage is considered affordable to an employee if the annual employee contribution for the lowest cost self-only coverage providing minimum value does not exceed 9.5% of the employee's household income for the taxable year. Annual household income is the modified adjusted gross income of the employee and any members of the family living in the household who are required to file a federal income tax return. Cost of coverage refers to the amount the employee contributes to the premium. It does not include out-of-pocket costs, wellness, discounts (other than tobacco cessation programs) or other costs; WHEREAS, in most cases an employer will not know an employee's annual household income. This fact has prompted the IRS to develop three optional safe harbors to determine affordability. An employer may use one or more of the safe harbors within the same time period. however, the

employer must consistently and uniformly apply the safe harbor to a reasonable category of employees as long as the method is uniform and consistent for all employee categories; WHEREAS, one of the allowable safe harbors is the Federal Poverty Level (FPL) for a single individual. This safe harbor offers a simple approach that employers can use prospectively to determine quickly if a coverage option is affordable for all employees, or to design a coverage option that will be affordable for all employees. If the employee contribution for self-only coverage does not exceed 9.5% of the FPL, the employer coverage would be affordable for all employees. This affordability safe harbor is determined without regard to what the applicable large employer actually pays the full-time employee. WHEREAS, a measurement period is required to determine ongoing employees' "full-time" status. This measurement period can be a 3-12 month period as selected by the employer. The employer also chooses the start date of the look back period. This look-back safe harbor provides flexibility, workability and predictability. Without this safe harbor, penalties are determined on a month-to-month basis. NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, for purposes of the ACA, elects to use the Federal Poverty Line safe harbor for determining affordability; NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, for purposes of the ACA, elects to use a 12 month, calendar year, safe harbor period as the measurement period to determine ongoing employees "full-time" status with such period commencing initially on October 1, 2013 through September 30, 2014, with a like period to be used for this purpose thereafter until otherwise amended. NOW THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners hereby creates Section _____ as Appendix #17 of the Lawrence County Personnel Policy Handbook. Dated this 28th day of October, 2014. FOR THE BOARD: Richard Sleep, Chairman. ATTEST: Connie Atkinson, Auditor.

MOUNTAIN PINE BEETLE DONATION: The Board acknowledged and thanked the Spearfish Canyon Owners Association for their donation of \$5,000.00 to fight the Mountain Pine Beetle infestation in Spearfish Canyon.

AIRPORT:

AIRPORT REPAIRS: Moved-Seconded (Johnson-Weisenberg) to authorize Bruce Outka to advertise for Request for Proposals (RFP) for the Airport Repairs from the 2013 hail storm. Motion Carried.

AIRPORT PROJECT: Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to sign the 3-46-0065-22-2014 State Financial Assistance Agreement for the Airport to update the Airport Layout Plan and Associated Narrative Report, Including AGIS. Motion Carried.

HIGHWAY BUSINESS: Allan Bonnema updated the Board on the service road by Exit 2 and issues they are incurring. The Board discussed the culvert by the Rizzi / Hall property and stated no further action is anticipated except to keep the culvert cleaned out.

UTILITY PERMIT

BLACK HILLS POWER: Moved-Seconded (Ewing-Sleep) to follow the recommendation of Allan Bonnema Highway Superintendent and approve and authorize the Chairman to sign the Application for Utility Permit for Black Hills Power and Light on Galena Rd. Motion Carried.

DRIVEWAY APPLICATION: Moved-Seconded (Ewing-Johnson) to follow the recommendation of Allan Bonnema Highway Superintendent and approve and authorize the Chairman to sign the Private Approach Permit for the City of Spearfish on the North side of Hill Street located approximately 570'-0" west of Harvard Ave. Motion Carried.

CROW CREEK ROAD: The Board discussed a petition received from property owners who live along Crow Creek Road pursuant to SDCL 31-12-27.1 to gravel approximately 1.25 miles. Moved-Seconded (Flanagan-Weisenberg) because it is in the best interest of the petitioner and in the public interest to approve and authorize the chairman to sign the agreement with the property owners who live along Crow Creek Road with the agreement that they pay for the gravel. Motion Carried.

JENSEN ROAD: The Board discussed a petition received from Clifford A. Jensen pursuant to SDCL 31-12-27.1 to gravel Jensen Road located in sec 32-7-4 with the agreement to pay for the gravel. Moved-Seconded (Weisenberg-Sleep) because it is in the best interest of the petitioner and in the public interest to approve and authorize the chairman to sign the agreement with Clifford A. Jensen pursuant to SDCL 31-12-27.1 to gravel Jensen Road located in sec 32-7-4 with the agreement they pay for the gravel. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted as of October 20, 2014: Deadwood Diesel 5700: (prices per gallon) CBH Cooperative - \$3.129, Southside - \$3.13, MG Oil - \$3.0839*, Deadwood Unleaded 3600 gallons: (prices per gallon) CBH Cooperative - \$2.889, Southside - \$2.81*, MG Oil - \$2.8977; Spearfish Diesel 3500 gallons: (prices per gallon) CBH Cooperative - \$3.129, Southside - \$3.19, MG Oil - \$3.0839*; Spearfish Unleaded 650 gallons: (prices per gallon) CBH Cooperative - \$2.889, Southside - \$2.87*, MG Oil - \$2.9077; Whitewood Diesel 300 gallons: (prices per gallon) CBH Cooperative - \$3.159*, Southside \$3.19, MG Oil - \$no-bid, *Represents lowest quote awarded. No bid was received from Harms Oil Co.

PLANNING & ZONING:

TEMPORARY USE PERMIT #14-04 / FLANDREAU SANTEE SIOUX TRIBE: A public hearing was held on an application for a TUP 14-04 Flandreau Santee Sioux Tribe. A request to allow a Native American Bearing Witness Retreat on property described as HES 44 in Section 13, T3N, R1E located along Hwy 85. Bennett "Tuffy" Sierra was present to speak on behalf of the request. The public hearing was closed. Moved-Seconded (Ewing-Flanagan) to approve TUP #14-04 Flandreau Santee Sioux Tribe. Motion Carried.

SPEARFISH JOINT POWERS:

Moved-Seconded (Weisenberg-Flanagan) to approve, adopt and authorize the Chairman to sign the following Resolution #21 A Resolution To Enter Into A Joint Powers Agreement Between The City Of Spearfish And Lawrence County Covering That Designated Area Identified As The Joint Powers Territory To The City Limits Of The City Of Spearfish and to sign the Joint Powers Agreement with the City of Spearfish Motion Carried.

RESOLUTION NO.21 A RESOLUTION TO ENTER INTO A JOINT POWERS AGREEMENT BETWEEN THE CITY OF SPEARFISH AND LAWRENCE COUNTY COVERING THAT DESIGNATED AREA IDENTIFIED AS THE JOINT POWERS TERRITORY TO THE CITY LIMITS OF THE CITY OF SPEARFISH. WHEREAS, the Common Council of the City of Spearfish and the Lawrence County Board of Commissioners believe it to be in the best interests of their citizens to enter into a Joint Powers Agreement governing International Codes, contractor licensing, flood plain administration, and variance coordination/review in an area adopted by Lawrence County and the City of Spearfish, NOW THEREFORE BE IT RESOLVED by Lawrence County as follows: Lawrence County is hereby authorized to enter into and execute the Joint Powers Agreement, a true and correct copy of which is attached to this resolution as Exhibit "A", and the Chair and Auditor are directed to sign the Joint Powers Agreement in the name of Lawrence County as of the date of this Resolution. Dated this 28th day of October, 2014. LAWRENCE COUNTY BY: Richard Sleep, Chairman Lawrence County Commissioners. ATTEST: Connie Atkinson, Auditor

ANNUAL REVIEWS:

CUP #328 SADDLE MOUNTAIN MINISTRIES: An annual review was held for CUP #328 Saddle Mountain Church. No complaints were received and a review will be held in 12 months.

CUP #381 TARA & ELLEN REDDICK: An annual review was held for CUP #381, Reddick second Residence. No complaints were received and a review will be held in 12 months.

CUP #402 / NICOLE DECOOK / SECOND RESIDENCE: An annual review was held on CUP #402, Nicole DeCook for a Temporary Second Residence. No complaints were received and a review will be held in 12 months.

CUP #422 / AUER: An annual review was held on CUP. #422, Mark Auer for a Welding / Mechanical Shop. No complaints were received and a review will be held in 12 months.

ITEMS FROM COMMISSIONERS:

PLANNING & ZONING: Moved-Seconded (Flanagan-Ewing) to appoint Daryl Johnson as the second alternate on the Planning and Zoning Board. Motion Carried.

MOUNTAIN PINE BEETLE: Bruce Outka updated the Board on the Mountain Pine Beetle project and future funding. The Board will review any future funding at budget time.

SECONDARY ROADS: Chairman Sleep asked what the County's goal is with the roads in question on the secondary road list up for changing maintenance and / or vacating. Flanagan stated he would not support vacating roads that may pass through or access Forest Service or BLM property. Discussion followed on a proposed change in classification for county secondary roads with no maintenance and some of the roads on the list were private driveways and should not be the responsibility of county taxpayers. Historical farm to market roads were discussed and Sleep stated if it is a county secondary road he felt some responsibility by the county for maintenance so he was in support of vacating the roads. No action or decisions were made.

BILLS:

Moved-Seconded (Ewing-Flanagan) to approve payment of the following payroll and 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-\$5,960.48; Aud-\$8,515.60; Treas-\$10,531.93; Comp-\$8,340.53; States Atty-\$13,157.22; Pub Def-\$10,993.76; Gen Govt Bldg-\$8,313.89; Equal-\$13,705.10; Rod-\$7,833.28; Vso-\$1,276.41; Disp-\$13,637.30; Sher-\$40,562.61; Jail-\$23,986.81; Coroner-\$558.65; 24/7-\$121.24; Emerg Mgnt-\$3,743.40; E911-\$1,764.80; Highway-\$40,337.90; Air-\$1,272.08; Mh Ser-\$588.00; Weed-\$17,431.06; Pz-\$5,221.49; Bills; Goetsch,Martin-\$303.88; Vandenberg,Maria-\$43.00; Rear,Krista-\$43.00; A&B Business,Inc Solutions-\$446.58; A&B Welding Supply-\$161.69; Abc Business Supply-\$125.59; American Family Life-\$3,264.45; Armstrong Extinguish-\$147.96; At&T-\$6.93; Audra Malcomb Consulting-\$949.68; BH Chemical Company-\$345.17; BH Federal Credit Union-\$6,999.55; BH Pest Control-\$190.00; BH Pioneer-\$15.37; BH Power-\$12,780.29; Biegler,Greg-\$75.00; Black Hills Urgent Care-\$265.52; Bomgaars Supply-\$99.57; Butler Machinery-\$1,372.38; Cbh Cooperative-\$947.70; Century Business Products-\$361.10; Centurylink-\$2,221.64; City/County Alcohol&Drug-\$2,348.50; Clinical Lab Of BH-\$3,219.00; Credit Collections Bureau-\$427.57; Dakota Equipment Rental-\$3,507.82; Dale's Tire&Retread-\$10,980.00; Deadwood Recreation Center-\$625.00; Dean Schaefer Court Reporting-\$75.00; Delta Dental Of South Dakota-\$6,957.22; Dept Of Hlth Lab Services-\$135.00; Dept Of The Treasury-\$58,835.20; Diversified Collections-\$100.00; Eke-\$3,866.86; Emergency Services Marketing-\$3,185.00; Esri-\$2,100.00; Fastenal-\$38.82; First Western Ins Deadwood-\$50.00; Fox & Youngberg-\$181.32; Frederickson,John-\$592.10; Hartford-Priority Accounts-\$1,733.28; Heartland Paper Co-\$548.17; High Plains Business Forms-\$1,033.75; Hills Material Comp-\$55,769.33; Jacobs Precision Welding-\$62.50; Kadrmas, Lee And Jackson-\$21,128.82; Kimball-Midwest Co-\$262.18; Kosel,Joseph-\$1,056.65; LC Treasurer-\$9.00; Lead-Deadwood Regional Hospital-\$325.00; Lewis&Clark Bhs-\$320.00; Lr Auto Detailers-\$125.00; Lyle Signs-\$226.18; Mack,Katy-\$2.40; Montana Dakota Utilities-\$55.28; Moore Medical-\$90.88; Ms Mail-\$20.00; Nebraska Salt & Grain Co-\$12,495.84; Nelson,Christy-\$50.00; Neve's Uniforms-\$74.70; Newman Traffic Signs-\$738.17; Northern Hills Rec Center-\$144.00; Office Of Child Support-\$582.93; Oregon Department Of Justice-\$234.96; Pennington County Sheriff-\$926.70; Pennington County Sts Attny-\$645.00; Plumbmaster-\$49.95; Pmb 0112-\$159.61; RC Finance Office-\$560.00; Radio Shack/Kazco-\$70.00; Ramada Worldwide-\$180.00; Rapid Transcript-\$135.00; Regional Health-\$812.00; Regional Health Physicians-\$18.25; Rocket Lube-\$284.43; Rocky Mountain Instrumental-\$105.52; Rohr,Dennis-\$97.50; SD Public Assur Alliance-\$467.00; SD Retirement System-\$54,469.96; Sada Systems-\$5,920.00; Sanford Health-\$2,519.52; Scott Peterson Motors-\$115.50; Sdrs Supplemental Retirement-\$1,419.00; Secretary Of State-\$30.00; Semerad,Sandra-\$11.60; Servall Towel&Linen-\$358.09; Silverado-\$666.00; Spearfish Auto Supply-\$318.00; Spearfish Police Dept-\$10,311.74; Swisher Hygiene/Css-\$150.80; Sysco Montana-\$4,058.80; Thomson Reuters-West-\$171.44; Top Quality Glove-\$65.00; Turnkey Corrections-\$21.50; Twin City Hardware&Lumber-\$252.09; Verizon Wireless-\$105.03; Victims Of Violence-\$1,425.00; Washington State Support Reg-\$75.00; Wellmark Blue Cross-\$75,848.71; Wex Bank-\$1,077.61; White's Canyon Motors-\$122.61; Wow!-\$1,655.69; Yankton County-\$241.75; Witness & Jurors: Crisp,D-\$336.00; Bettelyoun,K-\$64.80; Hunt,J-\$61.10; Hushin,G-\$60.36; Johnson,M-\$50.74; Kirk,L-\$68.50; Kortuem,B-\$61.10; Thompson,E-\$54.44; Wessel,D-\$61.10; Daniels,J-\$31.10;

Parsons,B-\$20.00; Sletten,D-\$20.00; Bettis,T-\$29.62; Hicks,T-\$33.32; Paris,D-\$29.62; Paris,J-\$29.62; Schramel,T-\$25.18; Wheeler,C-\$53.70; Sadler,C-\$21.11

ADJOURN: 9:55 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – November 6, 2014

Vice-Chairman Terry Weisenberg called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on November 6, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson and Brandon Flanagan present. Absent Bob Ewing and Richard Sleep.

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

AGENDA: Moved-Seconded (Flanagan-Johnson) to approve the agenda as amended-to include paying the bills. Motion Carried.

MINUTES: Moved-Seconded (Johnson-Flanagan) to approve the minutes of October 28th, 2014, County Commission meeting. Motion Carried.

CHRISTMAS LUNCHEON: Moved-Seconded (Johnson-Flanagan) to allow the County Offices to close from 12:00-1:30 p.m. on December 9, 2014 for the Christmas luncheon. Motion Carried.

HOLIDAY OFFICE CLOSING: Moved-Seconded (Flanagan-Weisenberg) to acknowledge the County Office closing for holiday's on November 27th & 28th, & December 25th & 26th, 2014. Motion Carried.

PERSONNEL:

MOUNTAIN PINE BEETLE: Moved-Seconded (Flanagan-Weisenberg) to approve the hiring of Curtis Schmuck as a temporary seasonal recon/tree marker employee at the rate of \$12.00 an hour, effective October 28, 2014 and Josh McDonald as a temporary seasonal recon/tree marker employee at the rate of \$13.05 an hour, effective November 3, 2014. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to approve the hiring of David Mack, Alan Enderson, Brian Stampe, David Gomez Terrazas, Mike Bates, Cody Weiss, Yen Lupercio, Antonio Alvarez, Eliceo Hernandez, James Pontius, Dave Pontius, Jason Johnson, Thomas O'Driscoll, Benjamin Stein, Brent Kertzman, Gerry Janis, Mike Miller and Justin Engel as temporary seasonal tree cutter employees at the rate of \$15.00 per tree effective November 3, 2014. Motion Carried.

SHERIFF: Moved-Seconded (Johnson-Flanagan) to approve the hiring of Samantha Rosenau as a Full-Time Permanent Correctional Officer I G2 at the rate of \$15.54 an hour, effective November 9, 2014. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to allow for the advertising of a Part-Time (under 20) Correctional Officer. Motion Carried.

CELL PHONE: Moved-Seconded (Johnson-Flanagan) to approve the cell phone allotment of \$50.00 per month for Ryan Palmer, effective November 3, 2014. Motion Carried.

Moved-Seconded (Johnson-Flanagan) to approve the cell phone allotment of \$104.00 per month for Dustin Schumacher and David Riley, effective November 2, 2014. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Johnson-Flanagan) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of October 31, 2014 showed the following: Total amount of actual cash-\$1,350.00; total amount of checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$2,918,493.32; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$19,815.74; petty cash-\$1,860.00; total amount of deposits in bank include: CD's-\$3,100,000; bank balance \$6,929,747.84, money market \$3,973,824.63; savings-\$11,647,957.29; total \$28,593,048.82.

2014 GENERAL ELECTION: Moved-Seconded (Flanagan-Johnson) to canvass the 2014 General Election Results. Motion Carried. Brandon Flanagan congratulated all of the officials elected.

SHERIFF: Moved-Seconded (Flanagan-Johnson) to authorize the Vice-Chairman to sign the Phlebotomist Agreement. Motion Carried.

UTILITY PERMIT

PHIL KISSACK JR.: Moved-Seconded (Johnson-Flanagan) to follow the recommendation of Allan Bonnema Highway Superintendent and approve and authorize the Vice-Chairman to sign the Application for Utility Permit for Phil Kissack Jr. approximately 5 miles from Exit 8 off I-90. Motion Carried.

ITEMS FROM COMMISSIONERS:

Commissioner Flanagan commended Matt Pike, Director of the Public Defender's Office for his work as a member of the Meade/Butte/Lawrence County Housing Board and Pike's work and recognition at the regional and national levels.

Flanagan also updated the Board on his participation as part of the group making recommendations pertaining to SB 70 – The Public Safety Improvement Act.

BILLS:

Moved-Seconded (Johnson-Weisenberg) to approve payment of the following payroll and 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-\$5,969.28; Elections-\$878.37; Aud-\$8,667.61; Treas-\$10,546.16; Comp-\$7,910.45; States Atty-\$13,265.16; Pub Def-\$10,993.76; Gen Govt Bldg-\$8,274.70; Equal-\$14,118.45; Rod-\$7,833.28; Vso-\$1,276.41; Disp-\$13,566.86; Sher-\$35,626.35; Jail-\$19,394.10; Coroner-\$285.65; 24/7-\$155.88; Emerg Mgnt-\$3,405.99; E911-\$1,764.80; Highway-\$39,623.89; Air-\$1,086.60; Pz-\$5,061.49; Cty Mpb-16,931.84; Bills: Dragoo, Shelley-\$25.00; A&B Business, Inc Solutions-

\$928.16; A&B Welding Supply-\$221.47; A To Z Shredding-\$17.25; Abc Business Supply-\$320.69; Alco Store-\$20.88; Apco International-\$184.00; At&T Mobility-\$845.12; BH Chemical Company-\$230.14; BH Federal Credit Union-\$6,999.55; BH Land Analysis-\$682.50; BH Pioneer-\$1,535.16; BH Power-\$80.98; Bickle's Truck& Diesel-\$8,567.59; Black Hills Funeral Home-\$1,170.00; Bomgaars Supply-\$37.66; Butte Electric Coop-\$247.76; Century Business Products-\$59.15; Centurylink-\$107.72; Clauser Machine Works-\$30.00; Credit Collections Bureau-\$427.57; Dakota Equipment Rental-\$130.00; Deadwood Development Company-\$147.20; Deadwood, City Of-\$906.92; Dept Of The Treasury-\$54,738.21; Diversified Collections-\$100.00; Ellingson,Joseph-\$1,250.17; Epco-\$297.00; Fastenal-\$3.88; First Gold Hotel-\$52.00; Goodie's Uniforms-\$164.75; Grabar Voice And Data-\$4,018.00; Heartland Paper Co-\$1,176.12; Hills Material Comp-\$2,210.51; Inland Truck Parts Corp-\$66.65; Jacobs Precision Welding-\$161.45; Janke,Wendy-\$2,590.00; Kinney,Matthew-\$292.70; Kosel,Joseph-\$8,040.48; LC Plan&Zone-\$26.00; Lawson Products-\$153.89; Lead,City Of-\$45.75; Lead-Deadwood Sanitary-\$388.56; Mack's Auto Body Llc-\$250.00; McClure,Susan-\$150.00; Mcgas Propane-\$268.86; Mcpherson Propane-\$119.00; Mg Oil Company-\$27,893.88; Microfilm Imaging Systems-\$2,135.00; Montana Dakota Utilities-\$2,850.76; Moore Medical-\$103.43; Morgan,Chantel-\$150.96; Neighbors,Judith Phd-\$583.20; Nelson,Christy-\$300.00; Neve's Uniforms-\$1,142.15; Northern Hills Dental-\$225.00; Office Of Child Support-\$582.93; Oregon Department Of Justice-\$234.96; Overhead Door Company Of Rapid-\$1,470.00; Pennington County Sts Attny-\$215.00; Queen City Tire-\$164.13; Quill Corporation-\$162.72; Redwood Toxicology Lab-\$174.39; Regional Health Physicians-\$8.61; Rocket Lube-\$39.99; Rsinet/Thomas W Nichols-\$180.00; SD Assoc Code Enforcement-\$40.00; SD Building Officials Assoc-\$50.00; SD Continuing Legal Education-\$950.00; SD Sheriff's Association-\$1,072.91; SD State Treasurer-\$1,871.63; Safety Benefits-\$130.00; Sand Creek Printing-\$373.00; Sdrs Supplemental Retirement-\$1,419.00; Securus Technologies T-Netix-\$1,202.90; Servall Towel&Linen-\$506.18; Southside Oil Co-\$11,975.76; Spearfish Auto Supply-\$2,424.52; Stadler Ind Service-\$148.50; Sterna,Laura-\$300.00; Sysco Montana-\$2,150.42; Titan Machinery Construct Div-\$196.47; Toddy Boy's-\$304.62; Top Quality Glove-\$65.00; Triple K Tire&Repair-\$1,235.30; Truenorth Steel-\$736.02; Twin City Hardware Lumber-\$159.87; Washington State Support Reg-\$75.00; Waste Connections-\$406.01; West River International-\$126.10; Wex Bank-\$603.67; Wimactel-\$60.00; Witness & Jurors: Sumners,J-\$61.10; Craiger,E-\$61.10; Graham,W-\$61.10; Hartl,S-\$64.80; Kliewer,M-\$55.92; Noteboom,T-\$64.80; Plaggemeyer,J-\$61.10; Young,T-\$64.06; Christopher,E-\$33.32; Greenwood,T-\$22.22; Palmater,D-\$34.80; Steensma,M-\$33.32

ADJOURN: 8:45 a.m. There being no further business the Vice-Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – November 18, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on November 18, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Brandon Flanagan, and Terry Weisenberg present. Bob Ewing was absent.

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

AGENDA: Moved-Seconded (Johnson-Weisenberg) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Flanagan) to approve the minutes of November 6th, 2014, County Commission meeting. Motion Carried.

PERSONNEL:

MOUNTAIN PINE BEETLE: Moved-Seconded (Flanagan-Weisenberg) to approve the hiring of Tracey Sandidge and Seth Redinger, Effective November 12, 2014 and Miquel Soto, effective November 18, 2014 as temporary seasonal tree cutter employees at the rate of \$15.00 per tree and to approve Wyatt Myers as a temporary seasonal recon/tree marker employee at the rate of \$13.05 an hour, effective November 18, 2014. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to approve the hiring of Jose Soto, Antonio Albares and Jorge Garduno, Effective November 18, 2014 as temporary seasonal tree cutter employees at the rate of \$15.00 per tree. Motion Carried.

HIGHWAY: Moved-Seconded (Weisenberg-Flanagan) to advertise for a new employee to fill an open position in the Highway Department. Motion Carried.

AIRPORT: Moved-Seconded (Johnson-Flanagan) to approve and authorize the Chairman to sign the Airport Hangar Lease Amendment with William James Hopewell III and Charlotte Abbey Hopewell Revocable Trust to recognize the ownership of the property. Motion Carried.

SHERIFF: Sheriff Brian Dean and Chief Deputy Paul Hansen were present to update the Board on Sheriff's Office business.

SEARCH & RESCUE: Jeff Schroeder was present to discuss the 2015 4-wheeler purchase for Search and Rescue. Schroeder reviewed two proposals for a 2-up ATV. Moved-Seconded (Flanagan-Weisenberg) to approve the purchase of the 2015 Polaris Touring 850 SP 2-up ATV from E.T. Sports for \$14,963 to be purchased and paid for in January of 2015. Motion Carried.

Schroeder invited the County Commissioners to the annual Christmas Party on December 13th and requested on behalf of the Lawrence County Search Rescue to purchase meat for the Party. The Board was in support of the County purchasing the meat for the annual Search & Rescue Christmas Party.

The Board recognized and thanked Bill McFarling for his 34 years of service to Search and Rescue.

HIGHWAY BUSINESS:

APPROACH PERMIT: The Board discussed an application for approach permit on proposed Lots A, B, C, D, E, and F and Hillsvie Road Right-of-Way for Lueders Subdivision. The Board stated they could not support the application for approach permits as submitted. Moved-Seconded (Flanagan-Weisenberg) to deny the approach permit as submitted as the Board strongly supports and recommends that for good planning you make your access points across from existing accesses roads. Motion Carried. The Board also referenced the Planning and Zoning Staff recommendation at the time of the change of zoning that stated "Shared Access Point". The Board stated that the access points for all lots need to be made initially as future additional access points will not be granted.

SECONDARY ROAD DISCUSSION: The Board discussed and reviewed the Secondary Roads criteria and possible legislation. No decisions were made and will be discussed again at a future meeting.

ISOLATED TRACT / WILLCUT: The Board received an application for Isolated Tract (Roger Willcut, Owner) parcel #26680-01741-000-40 & 26680-01741-000-60. The Board discussed the application and reviewed the requirements of SDCL 31-22-1 of minimum acreage of 5 acres. Moved-Seconded (Flanagan-Johnson) to follow the recommendation of Bruce Outka, County Attorney and deny the petition for an isolated tract because it does not meet the requirements of SDCL 31-22-1 of at least 5 acres. Motion Carried.

PLANNING & ZONING:

ORD #14-02 / SNOW LOAD TABLE: First Reading and a Public Hearing was held for proposed ORD 14-02 IRC Snow Load Table & Requirements: A request to add specific elevations to the existing snow load requirements. No public input was voiced and the public hearing was closed. Second reading will be December 9th.

ORD #14-03 / CEMETERIES: First Reading and a Public Hearing was held for proposed ORD 14-03 Addition of Cemeteries to A-1 General Agriculture District: A request to add cemeteries as an allowed use in the A-1 General Agriculture District. No public input was voiced and the public hearing was closed. Second reading will be December 9th.

BILLS:

Moved-Seconded (Weisenberg-Sleep) to approve payment of the following payroll and 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: A&B Business,Inc Solutions-\$239.91; A&I Distributors-\$2,737.45; Abc Business Supply-\$60.66; Allied Oil&Tire Company-\$17,998.00; At&T-\$8.59; BH Chemical Company-\$68.97; BH Pest Control-\$355.00; BH Pioneer-\$402.00; BH Power-\$12,473.57; Barnaud Law Firm-\$1,098.97;

Black Hills Pure-\$64.50; Butler Machinery Co-\$11.84; Butte Electric Coop-\$198.93; Century Business Products-\$260.28; Centurylink-\$2,394.73; Chris Supply Co-\$111.96; City/County Alcohol&Drug-\$136.00; Clauser Machine Works-\$30.00; Clinical Lab Of BH-\$425.00; Coulls Informatics Corp-\$112.50; Cretex Concrete Prod West-\$1,658.81; Dakota Equipment Rental-\$440.00; Dakota Fluid Power-\$45.62; Dean Schaefer Court Reporting-\$12.00; Dept Of Hlth Lab Services-\$135.00; Eb Communications-\$681.40; Ellingson,Joseph-\$965.18; First Gold Hotel-\$52.00; First Interstate Bank-\$65.50; Hamann,Chris-\$100.00; Heartland Paper Co-\$368.81; Hills Material Comp-\$1,266.33; Jacobs Precision Welding-\$114.00; Jenner Equipment-\$69.98; Jorgensen,K-\$206.10; Kadrmas,Lee And Jackson-\$9,330.15; Kinney,Matthew-\$551.50; Knecht Home Center Of Spf-\$7.96; Kosel,Joseph-\$1,579.73; Labcorp Of America Holdings-\$25.00; Language Line Services-\$50.59; Lawson Products-\$234.73; Lead-Deadwood Regional Hospital-\$373.67; Lead-Deadwood Sanitary-\$46.00; Lexisnexis Risk Data Mgnt-\$75.00; Microfilm Imaging Systems-\$1,550.00; Midcontinent Communications-\$34.87; Midwest Alarm Co-\$88.20; Montana Dakota Utilities-\$198.23; Nelson,Tonya-\$250.00; Neve's Uniforms-\$737.00; Paul Miller Trust-\$400.00; Pennington County Sheriff-\$1,438.50; Pennington County Sts Attny-\$215.00; Rabe Elevator-\$925.97; Radio Shack/Kazco-\$2.99; Rapid Delivery-\$12.60; Rapid Transcript-\$540.00; Regional Health-\$812.00; SD Continuing Legal Education-\$200.00; Servall Towel&Linen-\$506.18; Spearfish Auto Supply-\$1,140.97; Spearfish City Of-\$194.08; Spearfish Police Dept-\$10,107.89; Sturdevant's Auto Parts-\$826.74; Sysaid Technologies-\$110.00; Thomson Reuters-West-\$201.25; Triple K Tire&Repair-\$270.49; Trugreen Chemlawn-\$56.75; Turnkey Corrections-\$5.30; Twin City Hardware&Lumber-\$34.97; Vanway Trophy And Award-\$259.00; Verizon Wireless-\$105.05; Victims Of Violence-\$930.00; Waste Connections-\$272.14; Watertree-\$91.15; Wells Fargo Business Card-\$12,268.20; Western Sd Juvenile Serv-\$585.00; Wimactel-\$60.00; Yankton Co Sheriff-\$50.00; **Witness, Jurors & Elect Workers:** Krueger,S-\$18.88; Adams,T-\$30.00; Aman,B-\$170.00; Asmussen,P-\$197.22 Homsey-Pray,T-\$170.00; Hughes,L-\$170.00; Lungren,B-\$206.10; Benning,E-\$170.00; Bruce,A-\$170.00; Burleson,S-\$150.00; Geist,J-\$64.80; Calabro,P-\$170.00; Caserio,B-\$172.50; Caserio,C-\$197.50 Chickering,C-\$170.00; Frederickson,J-\$30.00; Sumners,J-\$61.10 Christensen,L-\$170.00; Kellogg,D-\$195.00; Keough,M-\$179.25; Garlick,D-\$170.00; Geigle,E-\$207.50; Glanzer,C-\$170.00; Goss,D-\$150.00; Langlois,B-\$40.00; Cook,S-\$181.10; Gustafson,A-\$170.00; Littleton,D-\$170.00; Ommen,C-\$150.00; Polk,A-\$1,483.00; Quaschnick,E-\$195.00; Rear,K-\$195.00; Robinson,P-\$170.00; Roselles,L-\$170.00; Seymour,C-\$206.10; Silvernail,G-\$195.00; Taylor,J-\$206.10; Tetrault,R-\$150.00; Tetrault,R-\$170.00; Waisanen,A-\$170.00; Wuitschick,C-\$170.00; Langlois,G-\$40.00; Thomason,D-\$40.00; Craiger,E-\$61.10; Graham,W-\$61.10; Hartl,S-\$64.80; Hubbard,L-\$62.58; Plaggemeyer,J-\$61.10; Young,T-\$64.06; Eaves,L-\$21.10; Agan,J-\$13.70; Allison,D-\$15.18; Anderson,H-\$24.80; Anderson,J-\$12.96; Asheim,S-\$23.32; Auer,L-\$17.40; Baier,S-\$137.00; Bertolotto,M-\$29.24; Breland,P-\$17.40; Burnham,K-\$23.32; Burns,R-\$104.44; Byrne,J-\$14.44; Cermak,J-\$129.60; Charles,C-\$129.60; Darland,R-\$21.10; Delange,L-\$28.50; Fox,E-\$20.36; Fredericksen,T-\$104.44; Gill,T-\$24.06; Ginter,M-\$23.32; Gould,D-\$15.92; Grone,J-\$117.76; Grove,D-\$126.64; Hallberg,B-\$39.60; Hankel,E-\$22.58; Hayworth,L-\$25.54; Herren,J-\$21.10; Hicks,R-\$22.58; Hill,S-\$24.80; Hogan,S-\$12.96; Iverson,E-\$19.62; Jasper,K-\$24.80; Karlson,B-\$21.10; Kegler,H-\$129.60; Keifert,D-\$28.50; Krantz,C-\$11.48; Lang,B-\$21.10; Leonard,L-\$116.28; Leone,J-\$24.80; Luecke,P-\$14.44; Madsen,T-\$13.70; Morrison,K-\$21.10; Murray,J-\$122.20; Nesson-Merriman,H-\$19.62; Owen,A-\$24.80; Reddick,S-\$12.22; Roberts,B-\$21.10; Roozen,C-\$21.10; Schwartz,J-\$110.36; Simpson,D-\$20.36; Sneesby,D-\$122.20; Sorenson,D-\$101.48; Steinmeyer,M-\$24.80; Sternhagen,J-\$12.96; Stone,V-\$19.62; Thomson,G-\$21.10; Whirlwind Horse,J-\$24.80; Wortman,D-\$13.70; Yentsch,S-\$32.20; Young,I-\$24.80; Ziegler,D-\$21.84; Billion,J-\$327.86; Looper,J-\$31.10

ADJOURN: 9:55 a.m. There being no further business the meeting was adjourned.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – December 9, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on December 9, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Terry Weisenberg, Bob Ewing and Brandon Flanagan present.

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

AGENDA: Moved-Seconded (Flanagan-Sleep) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Flanagan) to approve the minutes of November 18th, 2014, County Commission meeting. Motion Carried.

PERSONNEL:

MOUNTAIN PINE BEETLE:

Moved-Seconded (Johnson-Ewing) to approve Chase Tyson as a temporary seasonal recon/tree marker employee at the rate of \$13.73 an hour, effective September 22, 2014. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to approve Dylan Laney as a temporary seasonal recon/tree marker employee at the rate of \$13.05 an hour, effective December 1, 2014. Motion Carried

Moved-Seconded (Weisenberg-Johnson) to approve the hiring of Lucas Dean Anderson as a temporary seasonal tree cutter at the rate of \$15.00 per tree effective November 25, 2014. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to approve the hiring of John T. Link as a temporary seasonal tree cutter at the rate of \$15.00 per tree effective December 8, 2014. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve the hiring of Clayton Pourier as a temporary seasonal tree cutter at the rate of \$15.00 per tree effective December 15, 2014. Motion Carried.

8:06 a.m. EXECUTIVE SESSION: Moved-Seconded (Flanagan-Johnson) to go into executive session pursuant to (SDCL 1-25-2(1) for personnel with John Fitzgerald, States Attorney. Motion Carried. 8:14 a.m. the Board opened for regular business with no-action taken.

STATES ATTORNEY: Moved-Seconded (Ewing-Flanagan) to allow the re-structuring of the States Attorney's Office with three and one half Deputy States Attorney's and three support staff effective January 1, 2015 and allow the hiring of a permanent part-time (20 hrs a week) Deputy States Attorney at the base rate of \$25.00 an hour, effective January 1, 2015. Motion Carried.

SHERIFF:

Moved-Seconded (Ewing-Flanagan) to approve the hiring of Nathan S. Lechner as a Fill-in Part-Time (under 20) Correctional Officer I G1 at the rate of \$15.19 with the first 40 hours of training at wage of \$10.38 effective December 14, 2014. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to approve the hiring of Jolene Wetz as a Temporary Full-Time Correctional Officer I G3 at the rate of \$15.88 effective December 28, 2014. Motion Carried.

Moved-Seconded (Weisenberg-Ewing) to approve the hiring of Matt Hardin as a Temporary Full-Time Deputy I G1 at the rate of \$20.73 effective December 28, 2014. Motion Carried.

Moved-Seconded (Ewing-Johnson) to allow employees to donate leave to Wendy Berndt upon the exhaustion of the employee's accumulated vacation time, "comp. time" and sick leave. Motion Carried.

TRAVEL REQUESTS:

INVASIVE SPECIES MANAGEMENT: Moved-Seconded (Ewing-Flanagan) to approve the travel request for David Heck to attend the 2015 NDWCA Annual Meeting and Conference in Bismarck ND on January 5th – 8th, 2015, upon signing a travel and training agreement. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Flanagan-Weisenberg) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of November 30, 2014 showed the following: Total amount of actual cash-\$1,350.00; total amount of checks and drafts in Treasurer's possession not exceeding three days (check deposit in transit)-\$105,411.54; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$5,837.41; petty cash-\$1,860.00; total amount of deposits in bank include: CD's-\$3,100,000; bank balance \$3,944,614.49; money market \$3,975,331.59; savings-\$9,648,554.80; total \$20,782,959.83.

AMBULANCE AGREEMENTS 2015: Moved-Seconded (Johnson-Ewing) to approve and authorize the Chairman to sign the Spearfish Ambulance Service Ambulance Agreement for 2015. Motion Carried

HOMELAND SECURITY: Moved-Seconded (Flanagan-Ewing) to approve and authorize the purchase off of Custer County's Bid of a 2015 4 seat UTV with track kit installed and a 2015 dual axle trailer w/ramps – fully enclosed from Rice Suzuki Honda for a total of \$32,297.35, and allow the Chairman to sign the contracts. Motion Carried.

SHERIFF:

2015 VEHICLE BID OPENING: Moved-Seconded (Ewing-Flanagan) to set the bid opening for three vehicles consisting of a combination of Utility SUV 4 door, all wheel drive and 4 door sedan, all wheel drive for January 20, 2015 at 8:15 a.m and to declare the 2011 Chevy Silverado Pickup VIN#3GCPKSE30BG254877, 2011 Chevy Tahoe VIN#1GNSK2E00BR265742, and 2011 Chevy Tahoe VIN#1GNUKAE01AR169331 surplus and allow them to be traded in. Motion Carried.

DRUG SEIZURE FUNDS: Moved-Seconded (Flanagan-Weisenberg) to allow the Sheriff's Office to submit for Drug Seizure funds to purchase an additional vehicle with a cap amount of \$30,000. Motion Carried.

2015 LIQUOR LICENSE RENEWALS: A public hearing was held on an application for renewal of liquor licenses for 2015. No public input was voiced and the hearing was closed. Moved-Seconded (Weisenberg-Flanagan) to renew the following liquor licenses for 2015. Motion Carried.

PACKAGE LIQUOR - OFF SALE LICENSE:

LARRY KAISER, Nemo Mercantile, Tract 3 of the un-platted portion of Nemo Placer Mineral Survey 1368, located in the NE1/4 of Section 27, T3N, R5E.

LONNY & SUSAN SMITH (ST.ONGE BAR & GRILL), Lots 1 & 2, Block 8, Section 23, T7N, R3E, St.Onge

RETAIL AND SUNDAY ON-SALE LICENSE:

CHOPHOUSE INC., SPEARFISH CHOPHOUSE & WHISKEY BAR: Lot 3B of tract A of the SW1/4SW1/4 S14 T6N R2E BHM.

LEAD COUNTRY CLUB, INC., Lead, SD, Block 5 Ironwood Estates Section 31, T4, R3.

VEZARO INC., GUADALAJARA MEXICAN RESTAURANT, Spearfish, SD, Lot 3 Northwest of City on Hwy. 14, Subdivision of NW1/4NW1/4, S3, T6N, R 2E, B.H.M.

SPEARFISH CANYON RESORTS LLC, Spearfish Canyon, SD, A Portion of the Little Spearfish Placer, M.S. 953 Located in the NE1/4 OF S36, T5N, R1E, B.H.M.

MYSTIC MINER F&B LLC, MINE SHAFT TAVERN, Lead, SD, Mineral 1208 thru 1216; M.S. 1210 Connecting, Havana Lodes #1-10..

BLACK HILLS CHAIRLIFT CO.INC., (Dark Horse Saloon) Lead, SD, Section 1-2-11 & 12, T4N, R2E, B.H.M.

TOMAHAWK LAKE COUNTRY CLUB, Deadwood, SD, Part HES 57 more fully described in Book 222, Page 476 & 477, Office of Lawrence County Register Deeds.

HOMESLICE MANAGEMENT LLC (BOULDER GRILLE), Sturgis, SD, Lot D, SW1/4NW1/4, S11, T5, R4E.

RETAIL ON-OFF SALE WINE:

SPEARFISH CANYON RESORTS LLC, (Latchstring Village) Spearfish Canyon, LOTS Ab-1 and Ab-2, a subdivision of Latchstring Village Lot Ab of the Cascade Placer, M.S. in the W1/2 of S31, T5N, R2E, and the E1/2 of Section 36, T5N, R1E, B.H.M.

SEVEN DOWN LLC, (Travis Lantis) 6623 Centennial Rd: W1/2 NW1/4 (Seven Downs Arena) T6N, R3E, BHM.

CHEYENNE CROSSING STORE, LLC) 21415 US HWY 14A, Lead, SD 57754. Lot C-3 of Meadow 1-2-3 Lodes of M.S. 1564, NW1/4 Section 22, T4N, R2E.

TRIPLE H HILLS LLC (MYSTIC HILLS HIDEAWAY): 21766 Custer Peak Road, Deadwood, SD 57732. M.S.1748 St John Claim. Located in Section 1, T3N, R3E.

WICHTERMAN AND SONS INC (STEEL WHEEL CAMPGROUND): 21399 US Hwy 385, Deadwood, SD 57732. Legal description: Tract "D", Rally Park Addition, Sec's 18 & 19, T4N, R4E, BHM.

BAREFOOT RESORT ASSOCIATION INC. (BAREFOOT RESORT) 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.

CROW PEAK BREWING COMPANY, LLC: a consolidation of Lot Y-1 and Z-1, of Lot Y and Z of lot 8, located in NE1/4NE1/4, S4, T6N, R2E.

FRESH START CONVENIENCE STORES INC: The Valley Corner Store: : Lot 1 & W 20' Lot 2 of Lot A of Lot 1, NW1/4NW1/4 Subdivision of Section 3, T6N, R2E, B.H.M.

REYNOLDS & LIVINGSTON LLC (Cousins Big Chair): 22493 US Hwy 385 So., Deadwood, SD: Lot L Sec 7., T2N, R5E, BHM, Lawrence County.

B&S RESORT LLC, Recreational Springs Resort: M.S. 1200 Lot 3-A2 Of Tract 3-A A S/D Of Jay#1,2&3 & Fay#3, Albert Steele Fraction, Hazard, Log Cabin & Violet #3 Of Sec 24, T4N, R2E, BHM.

HIGHWAY:

HIGHWAY BIDS / WALK'N ROLL PACKER: Moved-Seconded (Ewing-Johnson) to set the bid opening for two WR90 Series 3 Walk'n'Roll Packer/roller for January 20th at 8:30 a.m. Motion Carried.

HIGHWAY BIDS / VEHICLES: Moved-Seconded (Flanagan-Ewing) to set the bid opening for two ¾ ton pickups and one ½ ton pickup for January 20th at 8:30 a.m for the Highway Department. Motion Carried.

BRIDGES: Allan Bonnema updated the Board on the 152 ft Bridge on the Whitewood Service Road that will require a load limit of 17 ton posted as the result of the latest engineers report. The Board discussed the Bridge Replacement Program and the waiting list and process. The Board asked Bonnema to contact Wheeler Lumber and inform them so they can adjust accordingly.

FUEL QUOTES: The following fuel quotes were submitted as of November 20, 2014: Spearfish Diesel 2600 gallons: (prices per gallon) CBH Cooperative - \$3.159*, Southside - \$3.25, MG Oil - \$3.1889; Spearfish Unleaded 1000 gallons: (prices per gallon) CBH Cooperative - \$2.581, Southside - \$2.94, MG Oil - \$2.5546*. *Represents lowest quote awarded. No bid was received from Harms Oil Co.

AIRPORT REPAIRS: The Board discussed the 2014 Airport Building Repair RFP. Bruce Outka reported that two proposals were received and will be reviewed at the next meeting.

AIRPORT GRANT / PROJECT: Rodd Senn, KLJ Engineering was present to discuss the Grant Pre-Application for Federal Assistance – Runway 5-23 and Land Acquisition Environmental Assessment (Capital Improvements). Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the Grant Pre-Application for Federal Assistance – Runway 5-23 and Land Acquisition Environmental Assessment (Capital Improvements). Motion Carried.

2014 MOUNTAIN PINE BEETLE: Dave Heck and Dave Thom were present to update the Board on the 2014 Mountain Pine Beetle Project. Black Hills Regional Mountain Pine Beetle Strategy Briefing including what has been accomplished and goals for the future.

SPEARFISH VOLUNTEER FIRE DEPARTMENT / BROWNSVILLE VOLUNTEER FIRE DEPARTMENT / FIRE PROTECTION TAX DISTRICT:

Members of the Spearfish Volunteer Fire Department and Brownsville Volunteer Fire Department were present to request pursuant to SDCL 34-31A-2 for the County Commission to pass a Resolution to Initiate the Formation of the Spearfish Fire Protection Tax District and Brownsville Fire Protection Tax District.

Moved-Seconded (Weisenberg-Johnson) pursuant to SDCL 34-31A-2 to initiate the formation of the Spearfish Fire Protection Tax District and Brownsville Fire Protection Tax District with the Boundaries adopted as the Response Boundaries and Map on file in the Lawrence County Auditors Office and set the public hearing for Spearfish Fire Protection Tax District for January 20th 2015 at 9:00 a.m and the Brownsville Fire Protection Tax District for January 20th 2015 at 9:15 a.m. The boundaries of the **Spearfish Fire Protection Tax District are as follows:** Lawrence County: Sections 1 through 12 inclusive in Township 5 North, Range 1 East of the B.H.M.; Sections 1 through 36 inclusive in Township 6 North, Range 1 East of the B.H.M.; Those portions of Sections 7 through 36 inclusive within Lawrence County in Township 7 North, Range 1 East of the B.H.M.; Sections 2 through 11, and Sections 14 through 16 inclusive in Township 5 North, Range 2 East of the B.H.M.; Sections 1 through 36, inclusive in Township 6 North, Range 2 East of the B.H.M., Sections 1 through 36 inclusive within Lawrence County in Township 7 North, Range 2 East of the B.H.M.; Sections 5 through 11, and Sections 14 through 23 inclusive, and Sections 26 through 35 inclusive in Township 6 North, Range 3 East of the B.H.M. all in Lawrence County, South Dakota. The boundaries of the **Brownsville Fire Protection Tax District are as follows:** Lawrence County: Sections 1 through 3 inclusive, the NW ¼, NE ¼, SE ¼, of Section 4, Sections 10 through 15 inclusive, Sections 23 through 26 inclusive; and the NW ¼, NE ¼ and SE ¼ of Section 35, and all of Section 36, in Township 3 North, Range 3 East of the B.H.M.; The South ½ of the SW ¼ and the South ½ of the SE ¼ of Section 1, the East ½ of the SE ¼ of Section 11, Section 12 and Section 13, the East ½ of the NE ¼ and the South ½ of Section 14, the South ½ of Section 15, the South ½ of the SE ¼, of Section 16, Section 21 through 28 inclusive, and Sections 33 through 36 inclusive in Township 4 North, Range 3 East of the B.H.M.; The portions of Section 1, and the portions of Section 12 that are west of US Highway 385, and Section 2, and Section 11 in Township 2 North, Range 4 East of the B.H.M.; The portion of Section 7 that is West of US Highway 385 in Township 2 North, Range 5 East of the B.H.M.; Sections 2 through 11 inclusive, Sections 14 through 23 inclusive, and Sections 26 through 35 inclusive in Township 3 North, Range 4 East of the B.H.M.; Sections 1 through 35 inclusive in Township 4 North, Range 4 East of the B.H.M. all in Lawrence County, South Dakota. Motion Carried.

SOUTH DAKOTA GAME FISH & PARKS: Paul Coughlin, South Dakota Game Fish and Parks and Matt Swartz, Environmental Contaminate Specialist presented a proposal to acquire 32.251 acres of game production area in Spearfish Canyon. Coughlin stated the public would still be able to access the creek and that they intend to secure the Hydro #2 building so it doesn't pose a safety hazard and they have no intent to do anything but maintain the building. Moved-Seconded (Johnson-Ewing) to concur with the South Dakota Game Fish & Parks and approve and authorize Bruce Outka to send a letter of Lawrence County Commission Support of the proposal to acquire 32.251 acres of game production area in Spearfish Canyon. Motion Carried.

ABATEMENTS:

MUNRO / CITY OF SPEARFISH: Moved-Seconded (Ewing-Flanagan) to approve the abatement on Parcel #32090-05000-060-10 Scott & Kathy Munro / City of Spearfish because the property is exempt from tax. Motion Carried.

ALMANZA / CITY OF SPEARFISH: Moved-Seconded (Flanagan-Ewing) to approve the abatement on Parcel #32090-05000-030-00 Ronald & Tori Almanza / City of Spearfish because the property is exempt from tax. Motion Carried.

WAGONBOX DEVELOPMENT / CITY OF SPEARFISH: Moved-Seconded (Flanagan-Sleep) to approve the abatement on Parcel #32465-00700-000-01 Wagonbox Development / City of Spearfish because the property is exempt from tax. Motion Carried.

COMMONWEALTH MINING COMPANY / STATE OF SOUTH DAKOTA: Moved-Seconded (Flanagan-Weisenberg) to approve the abatement on Parcel #26340-00926-000-10 Commonwealth Mining Company / State of South Dakota because the property is exempt from tax. Motion Carried.

LONG-EARED BAT: The Board discussed the U.S. Fish and Wildlife Proposed Listing of the northern long-eared bat as endangered under the Endangered Species Act. Moved-Seconded (Ewing-Weisenberg) approve and authorize the Chairman to sign the letter to the U.S. Fish and Wildlife Service opposing the listing of the Northern Long Eared Bat (NLEB) on the endangered status. Motion Carried.

PLANNING & ZONING:

ORD #14-02 / SNOW LOAD TABLE: Second Reading was held for proposed ORD 14-02 IRC Snow Load Table & Requirements: A request to add specific elevations to the existing snow load requirements. Moved-Seconded (Flanagan-Weisenberg) to approve ORDINANCE #14-02 IRC Snow Load Table & Requirements. Motion Carried.

ORD #14-03 / CEMETERIES: Second Reading was held for proposed ORD 14-03 Addition of Cemeteries to A-1 General Agriculture District: A request to add cemeteries as an allowed use in the A-1 General Agriculture District. Moved-Seconded (Flanagan-Ewing) to approve ORDINANCE #14-03 Addition of Cemeteries to A-1 General Agriculture District. Motion Carried.

CHANGE OF ZONING #308 / GUY FERRIS: A public hearing and 1st READING was held for COZ #308 for Guy Ferris. A COZ for possible creation of 5 lots off of Westview Drive. Change from A-1 General Ag to RR Rural Residential. No public input was voiced and the hearing was closed. (Second Reading: December 30, 2014 at 9:00 a.m.)

PLATS:

PRELIMINARY PLAT CROWLEY / GEFFRE: Moved-Seconded (Ewing-Johnson) to approve and declare the Preliminary Plat Exempt for Carl Crowley & Cammi Jo Geffre for Tracts C1 & C2 located on St. Onge Road near St. Onge. Motion Carried.

FINAL PLAT CROWLEY / GEFFRE: Moved-Seconded (Ewing-Flanagan) to approve and declare the Final Plat Exempt for Carl Crowley & Cammi Jo Geffre for Tracts C1 & C2 located on St. Onge Road near St. Onge. Motion Carried. The Plat will move lot lines on larger tracts due to floodplain and location of existing homes.

FINAL PLAT CROWLEY / GEFFRE: Moved-Seconded (Johnson-Sleep) to table the Final Plat for Carl Crowley & Cammi Jo Geffre/WBI Utility for WBO Utility Trac located on St. Onge Road near St. Onge. To create a utility lot for gas services. Motion Carried. To allow WBI to correct the Final Plat.

PRELIMINARY PLAT GORANS/O'NEILL COTTAGE LLC: Moved-Seconded (Weisenberg-Johnson) to approve the Preliminary Plat for Marc Gorans/O'Neill Cottage LLC for Lots 28A & 29A of Shirtail Gulch Sub, Section 13, T5N, R3E. Located off of Boulder Canyon Rd. Motion Carried.

FINAL PLAT GORANS/O'NEILL COTTAGE LLC: Moved-Seconded (Ewing-Sleep) to approve the Final Plat for Marc Gorans/O'Neill Cottage LLC for Lots 28A & 29A of Shirtail Gulch Sub, Section 13, T5N, R3E. Located off of Boulder Canyon Rd. Motion Carried.

PRELIMINARY PLAT PEARSON / SLOTHOUBER / D&M TRANSFER LLC: Moved by Flanagan to table the Preliminary Plat for William Pearson, Wayne & Marlene Slothouber and D & M Transfer LLC for Lot 3A and 4A of Estates at Pillar Peak, Section 20 & 21, T5N, R4E. Located off of Boulder Canyon Rd. to allow the addition of the vicinity map on plat. Motion Died due to lack of second.

Moved-Seconded (Johnson-Ewing) to follow P&Z recommendation and to approve the Preliminary Plat for William Pearson, Wayne & Marlene Slothouber and D & M Transfer LLC for Lot 3A and 4A of Estates at Pillar Peak, Section 20 & 21, T5N, R4E. Located off of Boulder Canyon Rd. Motion Carried. Aye-Johnson, Weisenberg, Ewing and Sleep. Nay-Flanagan as it does not follow Ordinance.

Moved-Seconded (Johnson-Ewing) to rescind the prior motion on Preliminary Plat for William Pearson, Wayne & Marlene Slothouber and D & M Transfer LLC for Lot 3A and 4A of Estates at Pillar Peak, Section 20 & 21, T5N, R4E. Located off of Boulder Canyon Rd. Motion Carried

Moved-Seconded (Johnson-Ewing) to follow P&Z recommendation and to approve the Preliminary Plat for William Pearson, Wayne & Marlene Slothouber and D & M Transfer LLC for Lot 3A and 4A of Estates at Pillar Peak, Section 20 & 21, T5N, R4E. Located off of Boulder Canyon Rd., contingent upon the addition of the vicinity map. Motion Carried.

FINAL PLAT PEARSON / SLOTHOUBER / D&M TRANSFER LLC: Moved-Seconded (Johnson-Flanagan) to approve the Final Plat for William Pearson, Wayne & Marlene Slothouber and D & M Transfer LLC for Lot 3A and 4A of Estates at Pillar Peak, Section 20 & 21, T5N, R4E. Located off of Boulder Canyon Rd. Motion Carried.

FINAL PLAT STADEL: Moved-Seconded (Johnson-Ewing) to approve the Final Plat for Alvin Stadel for Lot 1 Revised in Blk 8 of Apple Springs Sub, Section 14, T5N, R4E. Located off of Boulder Canyon Rd. Motion Carried.

PRELIMINARY PLAT / ASPENS AT ALLIKAT CORNER LLC / HALL: Moved-Seconded (Flanagan-Weisenberg) to approve the Preliminary Plat for Aspens at Allikat Corner LLC/Allison

Hall for lots 1-4 of Diamond Estates, Section 13 & 14, T3N, R4E. Located off of Benchmark Rd off of Nemo Rd. Motion Carried. Aye-Johnson, Weisenberg, Ewing and Flanagan. Nay-Sleep

ITEMS FROM COMMISSIONERS:

PROPOSED LEGISLATION: The Commission discussed proposed legislation for this session.

4H EVALUATION: Moved-Seconded (Johnson-Weisenberg) To authorize Chairman Sleep to fill out the 4H Evaluation Form on behalf of Lawrence County. Motion Carried.

2015 MEETINGS: Moved-Seconded (Weisenberg-Sleep) to change the June 2015 meetings to the 16th and 30th. Motion Carried.

CITY OF LEAD: The Board acknowledged a letter received from Jerry Apa, City of Lead Mayor in regards to the County considering an Ordinance requiring homeowners outside the city limits, who rent their properties, be required to contract with a garbage service for regular garbage service. No action was taken.

BILLS:

Moved-Seconded (Ewing-Sleep) to approve payment of the following payroll and 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-\$11,938.56; Election-\$1,208.02; Aud-\$17,584.79; Treas-\$21,070.97; Comp-\$16,684.26; States Atty-\$26,530.32; Pub Def-\$21,987.52; Gen Govt Bldg-\$16,434.30; Equal-\$29,823.82; Rod-\$15,666.56; Vso-\$2,552.82; Disp-\$28,975.05; Sher-\$73,587.67; Jail-\$48,354.57; Coroner-\$917.30; 24/7-\$277.12; Emerg Mgnt-\$7,540.92; E911-\$3,529.60; Highway-\$84,810.45; Air-\$2,608.86; Mh Serv-\$1,764.00; Pz-\$10,195.98; Cty Mpb-\$119,425.70; **Bills:** Dean,Brian-\$45.00; Weisenberg,Terry-\$95.23; Larson,Rene-\$60.00; Tysdal,Richard-\$130.24; Brady,Thomas-\$94.72; Coburn,William-\$118.40; Mickelson,Craig-\$118.40; Hansen,Paul-\$45.00; Cortez,Frank-\$54.00; Schenk,Travis-\$118.40; Johnson,Michael-\$54.00; Stone,Julie-\$40.70; American Family Life-\$3,264.45; BH Federal Credit Union-\$6,999.55; Credit Collections Bureau-\$427.57; Deadwood Recreation Center-\$600.00; Delta Dental Of South Dakota-\$7,026.56; Dept Of The Treasury-\$72,494.51; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,744.75; Montana Dakota Utilities-\$3,929.93; Northern Hills Rec Center-\$144.00; Office Of Child Support-\$582.93; SD Retirement System-\$55,875.90; Sdrs Supplemental Retirement-\$1,419.00; Washington State Support Reg-\$75.00; Wellmark Blue Cross-\$76,438.19; Wow!-\$1,369.64; A&B Business,Inc Solutions-\$911.31; A&J Supply-\$73.37; A To Z Shredding-\$38.40; Abc Business Supply-\$415.27; Aberdeen Llc-\$3,707.00; At&T Mobility-\$953.41; Audra Malcomb Consulting-\$2,069.13; BH Chemical Company-\$317.18; BH Federal Credit Union-\$7,019.13; BH Land Analysis-\$617.50; BH Pioneer-\$630.54; BH Power-\$1,404.25; Best Western Ramkota Hotel-\$195.98; Bickle's Truck&Diesel-\$270.00; Black Hills Pure-\$58.50; Bob Barker Company-\$1,813.65; Bomgaars Supply-\$79.99; Butler Machinery Co-\$949.98; Butte Electric Coop-\$681.10; Cbh Cooperative-\$8,213.40; Century Business Products-\$209.34; Centurylink-\$2,142.46; Chris Supply Co-\$17.59; Clauser Machine Works-\$30.00; Clinical Lab Of BH-\$4,627.40; Cody,Denise-\$21.00; Community Health Services-\$1,250.00; Credit Collections Bureau-\$427.57; Cvd Construction-\$6,133.07; Dakota Equipment Rental-\$205.06; Dale's Tire&Retread-\$240.00;

Deadwood, City Of-\$855.96; Dept Of Hlth Lab Services-\$170.00; Dept Of The Treasury-\$70,710.10; Diversified Collections-\$100.00; Drug Screening Services-\$25.00; Ds Solutions-\$175.00; Eagle Aviation-\$586.16; Ecolab-\$139.73; Eke-\$1,129.86; Ellingson, Joseph-\$443.23; Fidler-Isburg Funeral Chapel-\$1,515.00; Fisher Sand&Gravel-\$1,030.85; Flores, Dina-\$500.00; Goodie's Uniforms-\$40.95; Great Western Tire-\$90.20; Heartland Paper Co-\$723.12; Heisler Hardware-\$23.12; Hills Material Comp-\$5,519.97; John Deere Financial-\$267.16; Kimball-Midwest Co-\$278.04; Kosel, Joseph-\$3,521.28; Lawson Products-\$556.38; Lead, City Of-\$69.55; Lead-Deadwood Regional Hospital-\$62.28; Lead-Deadwood Sanitary-\$419.24; Lee County Clerk Of Courts-\$11.00; Lee, James-\$15.00; Lewis&Clark Bhs-\$160.00; Lewno, Lucy-\$241.99; Liewer Enterprises-\$109.84; McClure, Susan-\$200.00; Mcleod's Office Supply-\$104.41; Mg Oil Company-\$2,554.60; Microfilm Imaging Systems-\$1,880.00; Midcontinent Communications-\$34.84; Mikelson, Gary-\$236.16; Montana Dakota Utilities-\$504.37; Ms Mail-\$625.00; Neighbors, Judith Phd-\$1,184.54; Nelson, Christy-\$100.00; Neve's Uniforms-\$935.73; Office Of Child Support-\$582.93; Ohio Child Support-\$136.43; Pennington Co Auditor-\$270.00; Pennington County Sheriff-\$835.88; Pennington County Sts Attny-\$645.00; Pheasantland Industries-\$171.91; Pump House Coffee&Deli-\$132.25; Quill Corporation-\$249.14; RC Finance Office-\$630.00; RC Regional Hospital-\$738.45; Rabe Elevator-\$925.97; Radiology Associates-\$190.00; Rapid Transcript Co-\$960.00; Redwood Toxicology Lab-\$80.00; Regional Health-\$1,404.09; Regional Health Physicians-\$225.76; Regional Medical Clinic-\$23.53; Reliance Telephone-\$595.00; Reserve Account-\$5,000.00; Rocket Lube-\$48.99; Rosenberger, Denise-\$34.95; Rushmore Safety Supplies-\$191.84; SD Aao-\$330.00; SD Dept Of Transportation-\$1,086.64; SD Law Review-\$33.02; SD State Treasurer-\$513.79; Sander, Duane-\$400.00; SD States Attorney Assoc-\$1,373.00; Sdrs Supplemental Retirement-\$1,469.00; Servall Towel&Linen-\$520.49; Sign Express-\$58.51; Skorczewski, Jena-\$173.40; Spearfish Auto Supply-\$2,260.68; Spearfish City Of-\$205.40; State Bar Of South Dakota-\$2,490.00; Sturdevant's Auto Parts-\$603.03; Superior Lamp And Supply-\$630.96; Swanda, Karen-\$21.00; Sysco Montana-\$4,341.21; System Design Advantage-\$165.00; Thompson Information Services-\$858.00; Thomson Reuters-West-\$163.50; Tigerdirect-\$2,971.75; Top Quality Glove-\$65.00; Triple K Tire&Repair-\$53.93; Truenorth Steel-\$409.08; Twin City Hardware&Lumber-\$777.25; Washington State Support Reg-\$75.00; Waste Connections-\$678.15; Watertree-\$44.60; Wells Fargo Bank-\$15.79; Western Communication-\$25,242.00; Western Hills Humane Society-\$3,000.00; Wex Bank-\$710.64; White Drug-\$1,539.31; White's Queen City Motors-\$2,118.86; Williams&Associates-\$1,511.30; Wimactel-\$60.00; Wolff Law Office, Pllc-\$209.60; Wow!-\$302.45; **Witness & Jurors:** Aaker, Donald-\$-\$61.10; Wheeler, Cody-\$53.70; Bettelyoun, K-\$64.80; Hunt, J-\$61.10; Hushin, G-\$60.36; Johnson, M-\$50.74; Kirk, L-\$68.50; Kortuem, B-\$61.10; Thompson, E-\$54.44; Wessel, D-\$61.10; Adams, S-\$21.10; Anderson, T-\$24.80; Arpan, R-\$24.06; Baker, G-\$12.96; Blakney, V-\$12.96; Chipman, J-\$21.10; Collins, L-\$15.18; Covell, H-\$21.10; Cutts, R-\$14.44; Dawes, C-\$185.52; Dias, P-\$21.10; Donnell, O-\$24.80; Ericks, A-\$194.40; Evans, S-\$207.72; Fiorello, J-\$15.18; Foos, D-\$21.10; Gammon, D-\$18.14; Goodrich, T-\$194.40; Hansen, C-\$24.80; Hasson, P-\$216.60; Hayes, R-\$21.84; Heinen, E-\$21.10; Heintz, H-\$22.58; Jensen, M-\$22.58; Kennedy, G-\$156.66; Kokinos, K-\$27.02; Krog, K-\$24.80; Labau, K-\$23.32; Lerew, D-\$21.10; Lester, K-\$20.36; Lester, P-\$23.32; Linafelter, S-\$24.80; Livengood, J-\$15.92; Maltaverne, R-\$183.30; Manfull, C-\$27.76; Martin, G-\$12.22; Miller, L-\$21.10; Montgomery, W-\$21.84; Nero, P-\$35.90; Nordwick, J-\$183.30; Norris, K-\$12.22; Olson, C-\$21.10; Ordahl, C-\$12.96; Oviatt, D-\$20.36; Reede, N-\$21.10; Roggenbuck, J-\$187.74; Salzsieder, S-\$183.30; Schaeffer, J-\$22.58; Sprague, R-\$183.30; Storm, S-\$24.80; Triscori, T-\$183.30; Walton, W-\$183.30; Weaver, R-\$24.80; Brandt, K-\$158.88; Dunwoody, T-\$24.80; Hagman, S-\$17.40; Johnson, J-\$18.88; Marchant, A-\$22.58; Moore, A-\$24.80; Schuurmans, C-\$21.10; Steinher, M-\$22.58; Ugland, T-

\$22.58; Hansen,J-\$31.10; Hall-Mcinerney,P-\$23.70; Kellem,R-\$33.60; Moss,G-\$22.22;
Williams,K-\$33.32

ADJOURN: 11:47 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Richard Sleep, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – December 30, 2014

Chairman Richard Sleep called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on December 30, 2014 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Terry Weisenberg, Bob Ewing and Brandon Flanagan present.

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

AGENDA: Moved-Seconded (Weisenberg-Johnson) to approve the agenda as amended. Motion Carried.

MINUTES: Moved-Seconded (Weisenberg-Ewing) to approve the minutes of December 9th, 2014, County Commission meeting. Motion Carried.

PERSONNEL:

PUBLIC DEFENDER: Moved-Seconded (Weisenberg-Flanagan) to approve the step raise for G. Matthew Pike as a full-time permanent Public Defender Director G9 at the base rate of \$3,004.99 per pay period, effective December 14, 2014. Motion Carried.

Moved-Seconded (Ewing-Johnson) to approve the step raise for Kirk Albertson as a full-time permanent Public Defender Deputy G6 at the base rate of \$2,289.51 per pay period, effective December 14, 2014. Motion Carried.

HIGHWAY: Moved-Seconded (Flanagan-Weisenberg) to approve the step raise for Diane Vandenberg as a full-time permanent Highway Administrative Assistant G2 at the base rate of \$19.22 an hour, effective December 29, 2014. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve the step raise for Krista Rear as a full-time permanent Highway Administrative Secretary G3 at the base rate of \$17.00 an hour, effective December 29, 2014. Motion Carried.

EQUALIZATION: Moved-Seconded (Flanagan-Johnson) to approve the step raise for Louise Hohn as a full-time permanent Appraiser III G2 at the base rate of \$18.19 an hour, effective December 28, 2014. Motion Carried.

Moved-Seconded (Johnson-Flanagan) to approve the step raise for Michael Meehan as a full-time permanent Appraiser III G2 at the base rate of \$18.19 an hour, effective January 16, 2015. Motion Carried.

Moved-Seconded (Ewing-Johnson) to approve the reclassification of Carmen Symonds as a full-time permanent Appraiser IV G2 at the base rate of \$19.69 an hour, effective December 14, 2014. Motion Carried.

MOUNTAIN PINE BEETLE: Moved-Seconded (Weisenberg-Sleep) to approve the hiring of Corey Swanson as a temporary seasonal tree cutter at the rate of \$15.00 per tree effective December 15, 2014; Kyle L. Wheeler as a temporary seasonal tree cutter at the rate of \$15.00 per tree effective December 17, 2014; Robert C. Lester Jr. as a temporary seasonal tree cutter at the rate of \$15.00 per tree effective December 19, 2014; and Andrew T. Jones as a temporary seasonal tree cutter at the rate of \$15.00 per tree effective December 19, 2014. Motion Carried.

Moved-Seconded (Johnson-Flanagan) to approve the hiring of Michael Miller as a temporary seasonal recon/tree marker employee at the rate of \$12.00 an hour, effective December 30, 2014. Motion Carried.

STATES ATTORNEY: Moved-Seconded (Johnson-Flanagan) to accept the resignation of Trevor Thielen, effective December 31, 2014 and thank him for his years of service. Motion Carried.

Moved-Seconded (Johnson-Ewing) to approve the hiring of Kari Nordstrom as a Permanent Half-Time (20-29) hrs a week, Deputy States Attorney at the base rate of \$25.00 an hour, effective 1-2-2015. Motion Carried.

Moved-Seconded (Weisenberg-Sleep) to approve Brenda Harvey as a Permanent Full-Time Deputy States Attorney G8 at the base rate of \$2,380.11, effective December 28, 2014. Motion Carried.

Moved-Seconded (Ewing-Weisenberg) to approve Brianna Baumann as a Temporary Part-Time (under 20) Secretary G1 at the base rate of \$14.70 an hour, effective December 28, 2014. Motion Carried.

SHERIFF: Moved-Seconded (Ewing-Weisenberg) to approve the step raise for Samantha Rosenau as a Permanent Full-Time Corrections G2 at the base rate of \$17.83 an hour, effective January 11, 2015. Motion Carried.

Moved-Seconded (Johnson-Flanagan) to approve the step raise for Lance Palmer as a Permanent Full-Time Corrections G2 at the base rate of \$17.83 an hour, effective January 11, 2015. Motion Carried.

Moved-Seconded (Flanagan-Ewing) to approve the step raise for Jolene Wetz as a Temporary Full-Time Corrections G1 at the base rate of \$17.49 an hour, effective January 11, 2015. Motion Carried.

CELL PHONE: Moved-Seconded (Ewing-Flanagan) to approve the cell phone allowance for Matt Hardin at \$104 per month, effective December, 28, 2014. Motion Carried.

HIGHWAY: Moved-Seconded (Ewing-Flanagan) to approve the hiring of Jacob Ford as a Permanent Full-Time Heavy Equipment Operator at the base rate of \$21.16 an hour, effective January 5, 2014. Motion Carried.

2015 STATE / COUNTY COMMUNITY HEALTH NURSE AGREEMENT: Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the 2015 State/County Community Health Nurse Agreement. Motion Carried.

ABATEMENTS:

PITTMAN, GREG & SARAH: Moved-Seconded (Johnson-Seward) to approve the abatement on parcel #24100-00702-280-18 for Greg & Sarah Pittman because the mobile home burned down on 2-17-2014. Motion Carried.

CITY OF DEADWOOD / TIM DAVIS: Moved-Seconded (Johnson-Weisenberg) to approve the abatement for the City of Deadwood / Tim Davis on parcel #30075-00014-00, 30075-00012-000-00 and 30725-00000-110-00 because the property was deeded to the City of Deadwood. Motion Carried.

9-1-1 GIS DATA: Moved-Seconded (Flanagan-Johnson) To Authorize release of GIS data to Geo-Comm, Inc., acting as an agent of the South Dakota 9-1-1 Coordination Board, in support of the Next Generation 9-1-1 System. The list of data to be release is a current copy of MSAG, GIS Layers (Road Centerline, PSAP Boundaries, Emergency Service Boundaries, Authoritative Boundaries, Site Structure Address Points), Road Name Alias Table, County Boundaries, Municipal Boundaries and Cell Sector Locations. Motion Carried.

COUNTY SHELTER: Moved-Seconded (Weisenberg-Johnson) to approve and authorize the Chairman to sign the County Shelter Document. Motion Carried.

EMERGENCY MANAGEMENT: Moved-Seconded (Johnson-Ewing) to approve and authorize the Chairman to sign the State Wage Confirmation for Emergency Management Personnel. Motion Carried.

SHERIFF:

BUILDING SECURITY: Brian Dean, Sheriff discussed the security of the Public Safety Building. Dean recommended that Bill Locken, Veteran Service Officer be moved up into the Sheriff's Office and Sue Black the E911 Coordinator be moved downstairs into the public safety center. The Board was in support of the move and paperwork will be started.

SUPPLEMENTAL BUDGET: A public hearing was held for a supplemental budget for **GENERAL FUND / COURTHOUSE & JAIL FUND** – Transfer of Funds \$600,000 No public input was voiced and the hearing was closed. Moved-Seconded (Johnson-Ewing) to approve and authorize the Chairman to sign the following Resolution #2014-23. Motion Carried

RESOLUTION #14-23 TO ADOPT A SUPPLEMENTAL BUDGET: WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2014, 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 2014, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: **GENERAL**

FUND / COURTHOUSE JAIL FUND: TRANSFER OF FUNDS \$600,000: 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 30th day of December, 2014 at the hour of 8:25 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, 2014. **FOR THE BOARD OF COUNTY COMMISSIONERS** Richard Sleep, Chairman. **ATTEST:** CONNIE ATKINSON
LAWRENCE COUNTY AUDITOR

TRANSFER OF FUNDS: Moved-Seconded (Johnson-Ewing) to transfer \$600,000 from General Fund to the Courthouse and Jail Fund. Motion Carried.

HIGHWAY:

FUEL QUOTES: The following fuel quotes were submitted as of December 16, 2014: Deadwood Blended Diesel 6000 gallons: (prices per gallon) CBH Cooperative - \$2.63*, MG Oil - \$2.8769, Deadwood Unleaded 4500 gallons: (prices per gallon) CBH Cooperative - \$1.963, MG Oil - \$1.9267*; Spearfish Diesel#2 1300 gallons: (prices per gallon) CBH Cooperative - \$2.398*; Spearfish Unleaded 700 gallons: (prices per gallon) CBH Cooperative - \$1.963*; Whitewood Blended Diesel: (prices per gallon) CBH Cooperative - \$2.63* *Represents lowest quote awarded.

DEPARTMENT OF TRANSPORTATION STP FUNDING: Moved-Seconded (Ewing-Flanagan) to elect to participate in the State of South Dakota Department of Transportation Funding Exchange Agreement (SWAP) for 2014. Motion Carried.

SECONDARY ROAD DISCUSSION: The Board discussed the proposed law changes to SDCL 31-13-1.4, 31-13-1.5, 31-12-26, and 31-3-6 in reference to County Roads. Concerned citizens were present to express their concerns and question the County's 2014 Secondary Road Review Criteria. The Board stated no decisions or changes have been made to any County Secondary Roads at this time. Discussion followed on the designation of vacated, minimum maintenance and no maintenance roads. Moved-Seconded (Flanagan-Weisenberg) to pursue legislation on the proposed law changes and or additions to SDCL 31-13-1.4, 31-13-1.5, 31-12-26, and 31-3-6. Motion Carried. Aye-Johnson, Weisenberg, Ewing and Flanagan. Nay-Sleep.

BRIDGES: Allan Bonnema updated the Board on the 152 ft Bridge on the Whitewood Service Road. Bonnema stated he wanted to make it clear that this Bridge is not guaranteed to be eligible for the Bridge Replacement Program and the County may be responsible for the entire cost to repair or replace the Bridge.

AIRPORT REPAIRS: The Board discussed the 2014 Airport Building Repair RFP. Bruce Outka reported on the two proposals received and the status with the Insurance Company. Negotiations are ongoing with the insurance company and the cost of the repairs.

TAX SALE: Deb Tridle, Treasurer was present to update the Board on the tax sale conducted on December 15, 2014.

WEED & PEST PROPOSED LEGISLATION: Dave Heck, presented the Board with possible legislation allowing for a class II misdemeanor for failure to control noxious weeds to be distributed to the County General Fund. The Board stated this will need to be researched further before presenting for possible legislation and be presented later to the County Commission Association.

MOUNTAIN PINE BEETLE UPDATE: Dave Heck was present and updated the Board on the Mountain Pine Beetle project.

PLANNING & ZONING:

CHANGE OF ZONING #308 / GUY FERRIS: 2nd Reading was held for COZ #308 for Guy Ferris. A COZ for possible creation of 5 lots off of Westview Drive. Change from A-1 General Ag to RR Rural Residential. Moved-Seconded (Weisenberg-Sleep) to approve COZ #308 for Guy Ferris. Motion Carried.

CHANGE OF ZONING #309 / MEZA: 1st Reading and a Public Hearing was held on a request for COZ #309 Jessica Meza: A request to change the zoning from A-1 to SRD. Parcel 2 Revised a replat of parcel 1 and parcel 2, being portions of parcel 1 & 2 a subdivision of the N1/2SE1/4 of Section 32, T7N, R2E. Located off of Old Belle Road and Westview Road. Approx. 11.13 acres. No public input was voiced and the hearing was closed.

PLATS:

FINAL PLAT CROWLEY / GEFFRE: Moved-Seconded (Johnson-Sleep) to remove from the table the Final Plat for Carl Crowley & Cammi Jo Geffre/WBI Utility. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to declare the Final Plat exempt from the Fire Plan for Carl Crowley & Cammi Jo Geffre/WBI Utility for WBO Utility Trac located on St. Onge Road near St. Onge. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve the Final Plat for Carl Crowley & Cammi Jo Geffre/WBI Utility for WBO Utility Trac located on St. Onge Road near St. Onge. To create a utility lot for gas services. Motion Carried.

RECESS: 9:45 a.m. Moved-Seconded (Weisenberg-Ewing) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 10:00 a.m. The Chairman called the meeting back to order.

ITEMS FROM COMMISSIONERS:

BOB EWING: The Board presented Bob Ewing with a plaque and thanked him for his outstanding service to Lawrence County Citizens and the County, and for his commitment for continued service as Senator for District 31 Lawrence County.

COUNTY OFFICIALS / DEPARTMENT HEADS: The county commission unanimously recognized the outstanding job each of the department heads and County Officials perform. The commission expressed their thanks for their effort and commitment to Lawrence County and the citizens that they serve.

BILLS:

Moved-Seconded (Flanagan-Ewing) to approve payment of the following payroll and 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-\$5,969.28; Aud-\$8,515.60; Treas-\$10,546.17; Comp-\$8,343.73; States Atty-\$12,863.20; Pub Def-\$10,993.76; Gen Govt Bldg-\$8,240.42; Equal-\$17,032.84; Rod-\$7,836.47; Vso-\$1,276.41; Disp-\$11,014.00; Sher-\$35,052.14; Jail-\$19,793.03; Coroner-\$358.65; 24/7-\$155.88; Emerg Mgnt-\$3,787.38; E911-\$1,764.80; Highway-\$40,055.70; Air-\$1,374.50; Weed-\$160.00; Pz-\$5,301.49; Cty Mpb-\$73,264.69; **Bills:** Larson,Rene-\$43.00; Gould,Gary-\$192.65; Johnson,Daryl-\$99.90; Ridley, Clint-\$48.84; Hanna,Brooks-\$88.80; Deibert,Randy-\$111.00; Whalen,Michael-\$62.90; Hauge,John-\$88.80; Vavruska,Kyle-\$26.64; Schneider,Shad-\$28.86; Seward,James-\$99.90; Aaker,Donald-\$161.00; A&B Business,Inc Solutions-\$1,494.99; A-1 Transmission Specialists-\$3,642.55; Abc Business Supply Corp-\$1,664.44; Aberdeen Llc-\$3,460.00; American Family Life-\$3,277.67; Applied Concepts-\$2,950.80; At&T-\$10.31; Audra Malcomb Consulting-\$1,942.37; BH Federal Credit Union-\$7,019.13; BH Pest Control-\$190.00; BH Pioneer-\$582.67; BH Power-\$14,194.68; BH Regional Multiple-\$100.00; Barnaud Law Firm-\$1,287.25; Best Western Ramkota Hotel-\$208.00; Bi Geo Group-\$32.46; Biegler, Greg-\$75.00; Black Hills Disposal-\$87.00; Black Hills Urgent Care-\$192.76; Bob Barker Company-\$119.94; Cbh Cooperative-\$20,521.00; Century Business Products-\$360.22; Centurylink-\$233.66; Chief Supply Corp-\$532.19; City/County Alcohol&Drug-\$1,928.50; Clauser Machine Works-\$121.09; Credit Collections Bureau-\$427.57; Dakota Equipment Rental-\$44.40; Dakota Security Systems-\$4,145.67; Datec-\$12,832.10; Deadwood Recreation Center-\$615.00; Dean Schaefer Court Reporting-\$42.00; Delta Dental Of South Dakota-\$7,136.50; Dept Of The Treasury-\$73,103.30; Diversified Collections-\$100.00; Election Sys & Software-\$2,067.80; Ellingson,Joseph-\$3,008.91; Et Sports-\$7,580.00; Fidler-Isburg Funeral Chapel-\$2,325.00; Flat Earth Art Co-\$2,320.00; Galls-\$1,730.00; Geigle,Jd-\$43.00; Gene's Lock Shop-\$1,558.92; Goodie's Uniforms-\$899.33; Hamilton Excavation-\$450.00; Hartford-Priority Accounts-\$1,761.05; Heartland Paper Co-\$1,448.14; Hewlett-Packard Company-\$8,857.82; Horn Law Office Prof Llc-\$78.30; Internal Revenue Service-\$7,800.00; Kadrmas, Lee And Jackson-\$31,375.97; Kellar,Donna-\$400.00; Kinney, Matthew-\$1,181.16; Knecht Home Center Of Spf-\$109.99; Kosel,Joseph-\$551.78; LC Emerg Mgnt-\$23.65; Lawson Products-\$71.97; Lead-Deadwood Regional Hospital-\$217.84; Lee, James-\$15.00; Lexisnexis Risk Data Mgnt-\$75.00; Light&Siren-\$467.84; Maplogic Corporation-\$250.00; Marshall&Swift/Boeckh-\$7,879.70; Mcgas Propane-\$366.37; Mcleod's Office Supply-\$85.88; Mg Oil Company-\$8,670.16; Mikelson,Gary-\$512.05; Montana Dakota Utilities-\$6,077.72; Ms Mail-\$202.50; Ndwca-\$140.00; Nelson,Christy-\$100.00; Nelson,Tonya-\$300.00; Neve's Uniforms-\$1,073.50; Northern Hills Dental-\$268.00; Northern Hills Rec Center-\$144.00; Office Of Child Support-\$592.93; Ohio Child Support-\$136.48; Pcs Mobile-\$240.00; Pennington County Sheriff-

\$1,115.70; Pitney Bowes-\$1,078.65; Pizza Lab-\$563.25; Quill Corporation-\$458.76; RC Finance Office-\$560.00; RC Journal-\$262.20; RC Regional Hospital-\$1,691.73; Rapid Transcript Co-\$231.00; Rasmussen Mechanical Serv-\$8,539.47; Regional Health-\$196.00; Regional Health Physicians-\$107.29; Regional Home Medical Equip-\$32.10; Reliance Telephone-\$1,647.70; Rocket Lube-\$149.98; SD Dept Of Labor Unemployment-\$2,923.77; SD Retirement System-\$55,262.90; Sanitation Products-\$459.45; Sdrs Supplemental Retirement-\$1,469.00; Securus Technologies T-Netix-\$1,202.90; Semerad,Sandra-\$14.80; Servall Towel&Linen-\$393.93; Sikich Llp-\$3,418.00; Spearfish Police Dept-\$8,608.42; Sterna,Laura-\$150.00; Sturdevant's Auto Parts-\$97.52; Sysco Montana- \$2,223.67; Thomson Reuters-West-\$159.50; Tigerdirect-\$1,740.65; Tom's T's-\$2,033.60; Top Quality Glove-\$195.00; Triple K Tire&Repair-\$37.18; Turnkey Corrections-\$5.59; Twin City Hardware&Lumber-\$404.80; Verizon Wireless-\$105.05; Victims Of Violence-\$315.00; Washington State Support Reg-\$75.00; Wellmark Blue Cross-\$78,551.72; Wells Fargo Business Card-\$14,089.59; West River International-\$47.68; Western Communication-\$3,527.00; Western Sd Juvenile Serv-\$1,182.75; Western Stationers-\$966.32; White Drug-\$887.83; White's Canyon Motors-\$61.65; White's Queen City Motors-\$157.18; Wow!-\$1,731.02; Xinuos-\$5,864.00; Yankton County-\$211.30; **Witness & Jurors:** Geist,J-\$64.80; Bettelyoun,K-\$64.80; Craiger,E-\$61.10; Graham,W-\$61.10; Hartl,S-\$64.80; Hubbard,L-\$62.58; Hunt,J-\$61.10; Johnson,M-\$50.74; Kirk,L-\$68.50; Kliewer,M-\$55.92; Noteboom,T-\$64.80; Plaggemeyer,J-\$61.10; Thompson,E-\$54.44; Wessel,D-\$61.10; Young,T-\$64.06; Salway,N-\$36.65; Bennett,L-\$34.80; Cook,J-\$173.55; Demarcus,B-\$23.70; Epperson,W-\$51.08; Quam,K-\$33.32

ADJOURN: 10:47 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – December 30, 2014

Chairperson Richard Sleep called the Lawrence County Board of Adjustment meeting to order at 9:45 a.m. on December 30, 2014 in the Administrative Annex Building of the Lawrence County courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Bob Ewing, Terry Weisenberg, and Brandon Flanagan present.

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

APPEAL #14-01 MCG INVESTMENTS, LLC: A Public Hearing (Appeal #14-01 MCG Investments, LLC) To appeal the Administrator’s decision regarding the administrators interpretation of Chapter 6-Article 1, A-1 General Agriculture District Section 1.5 Density, Setback(s) and Lot Requirements: Density/Minimum Lot Size is 40 acre(s)* The maximum average density shall be one (1) residence per a quarter-section of land (1/16 of 640 acres or forty (4) acres or a Government Lot.), unless it is a pre-existing lot of record. LEGAL DESCRIPTION: SE ¼ NE ¼ of Section 31, T7N, R3E and Govt Lot 3 of Section 6, T6N, R3E, BHM Lawrence County, SD. No public input was voiced and the hearing was closed. Moved-Seconded (Johnson-Weisenberg) to affirm the action by the Planning and Zoning Administrator in denying the request to allow the property to be divided into a 60 acre parcel and a 20 acre parcel. Motion Carried.

ADJOURN: 10:00 a.m. There being no further business it was Moved-Seconded (Weisenberg-Sleep) to adjourn from the Board of Adjustment. Motion Carried.

Date Approved

Chairperson

ATTEST:

Connie Atkinson, Auditor