

LAWRENCE COUNTY COMMISSIONERS MEETING – January 5, 2016

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 January 5, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Daryl Johnson, Randall Rosenau, and Richard Sleep present.

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

CHAIRMAN OF COUNTY COMMISSIONERS: Moved-Seconded (Flanagan-Rosenau) to appoint Commissioner Daryl Johnson as the Chairman of the Lawrence County Commissioners for 2016. Motion Carried.

VICE-CHAIRMAN OF COUNTY COMMISSIONERS: Moved-Seconded (Flanagan-Johnson) to appoint Commissioner Randall Rosenau as the Vice-Chairman of the Lawrence County Commissioners for 2016. Motion Carried.

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

SPECIAL RULE OF ORDER & ROBERTS RULES OF ORDER: Moved-Seconded (Flanagan-Sleep) to adopt the special rule of order requiring three members approval to pass a motion for 2016, and the Newly Revised Roberts Rules of Order for the County Commissioners and all County Boards and Committees. Motion Carried.

MINUTES: Moved-Seconded (Rosenau-Weisenberg) to approve the minutes of December 29th County Commission meeting. Motion Carried.

PERSONNEL:

PUBLIC DEFENDER: Moved-Seconded (Weisenberg-Rosenau) to approve the step increase for G. Matthew Pike as a Permanent Full-Time Director G10 at the base rate of \$3,217.36 per pay period, effective December 27, 2015. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve the step increase for Jennifer DeHueck as a Permanent Full-Time Deputy G4 at the base rate of \$2,312.55 per pay period, effective December 27, 2015. Motion Carried.

SHERIFF: Moved-Seconded (Rosenau-Johnson) to approve the step increase for Ross Johnson as a Permanent Full-Time Dispatch II G3 at the base rate of \$19.09 an hour, effective January 10, 2016. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve the step increase for David Riley as a Permanent Full-Time Deputy II G3 at the base rate of \$24.40 an hour, effective January 10, 2016. Motion Carried.

Moved-Seconded (Flanagan-Rosenau) to approve the step increase for Dustin Schumacher as a Permanent Full-Time Deputy II G3 at the base rate of \$24.40 an hour, effective January 10, 2016. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve the step increase for Nathan Lechner as a Permanent Full-Time Corrections II G1 at the base rate of \$18.36 an hour, effective January 10, 2016. Motion Carried.

Moved-Seconded (Rosenau-Sleep) to approve the step increase for Melody Paklin as a Fill-in Part-Time (under 20) Corrections I G3 at the base rate of \$16.67 an hour, effective January 10, 2016. Motion Carried.

Moved-Seconded (Rosenau-Weisenberg) to approve the step increase for Clayton Schleusner as a Fill-in Part-Time (under 20) Corrections I G3 at the base rate of \$16.67 an hour, effective January 10, 2016. Motion Carried.

EQUALIZATION:

Moved-Seconded (Flanagan-Rosenau) to approve Brett Runge to work with the City of Spearfish in a GIS project with the City reimbursing the County. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Flanagan) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of December 31, 2015 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)-\$33,017.30; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$2,806.34; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$4,258,619.99, Money Market \$5,745,353.25; Savings-\$7,408,703.26; Total \$20,551,710.14.

COUNTY BOARDS AND COMMITTEES:

AIRPORT BOARD: Moved-Seconded (Flanagan-Johnson) to appoint Commissioner Rosenau as representative to the Airport Board for 2016, Commissioner Sleep as alternate to the Airport Board for 2016, to appoint Brooks Hanna for a five-year term to end 1-2021, and to approve Dan Hodgs at the City of Spearfish Representative for 2016. Motion Carried.

ENVIRONMENTAL REVIEW / AG COMMITTEE: Moved-Seconded (Sleep-Weisenberg) to appoint Doug Pavel to the AG Committee for a three year term to expire 1-2019. Motion Carried.

ENVIRONMENTAL REVIEW / TIMBER COMMITTEE: Moved-Seconded (Rosenau-Weisenberg) To appoint Mike Whalen, and Bill Coburn to the Timber Committee for a three year term to expire 12-2018. Motion Carried

ENVIRONMENTAL REVIEW / WILDLIFE, RECREATION & TOURISM COMMITTEE: Moved-Seconded (Sleep-Rosenau) To appoint Eric Hunt, Terry Weisenberg, and Jeff Schroeder to the Wildlife, Recreation & Tourism Committee for a three year term to expire 12-2018. Motion Carried.

FAIR BOARD: Moved-Seconded (Weisenberg-Flanagan) To appoint Commissioner Sleep to the Fair Board for 2016, and to appoint Doug Pavel for a (3) year term to expire 1-2019. Motion Carried.

HOUSING & REDEVELOPMENT COMMISSION: Moved-Seconded (Rosenau-Sleep) to appoint Brandon Flanagan for 2016 and Matt Pike to the Housing and Redevelopment Commission for a (5) year term to expire 12-31-2020. Motion Carried.

INSURANCE COMMITTEE: Moved-Seconded (Flanagan-Sleep) to appoint Commissioner Weisenberg for 2016. Motion Carried.

INVASIVE SPECIES MANAGEMENT: Moved-Seconded (Rosenau-Flanagan) To appoint Commissioner Sleep for 2016, to appoint Gerry Bennett to the Invasive Species Management Board District #3, and to appoint John Hauge District #5, to the Invasive Species Management Board District Spearfish for a 3 year term to expire 12-2018. Motion Carried.

MENTAL ILLNESS: Moved-Seconded (Rosenau-Weisenberg) to appoint Sue Black to the Lawrence County Mental Illness Board and Paul Thomson as the alternate for a three year term to expire 01-2019. Motion Carried.

MOUNTAIN PINE BEETLE PLAN ADVISORY COMMITTEE: Moved-Seconded (Sleep-Johnson) To table the appointments to the Mountain Pine Beetle Plan Advisory Committee until the committee is needed. Motion Carried.

PLANNING & ZONING BOARD: Moved-Seconded (Weisenberg-Flanagan) to appoint Commissioner Johnson to the Planning and Zoning Board for 2016, to appoint Commissioner Sleep as the alternate, and to appoint Rick Tysdal to the Planning and Zoning Board for a 5 year term to expire 12-31-2020. Motion Carried.

PUBLIC DEFENDER: Moved-Seconded (Sleep-Rosenau) To appoint Commissioner Flanagan, and Commissioner Weisenberg for 2016; and to appoint Jaci Pearson to the Public Defender Board for 2016. Motion Carried.

LAWRENCE COUNTY REVOLVING LOAN FUND: Moved-Seconded (Rosenau-Sleep) to appoint Commissioner Flanagan, Commissioner Weisenberg, Ron Rosenbloom, Kevin Whitlock, and Blaise Emerson to the Lawrence County Revolving Loan Fund Board for 2016. Motion Carried.

B.H. COUNCIL OF LOCAL GOVERNMENTS: Moved-Seconded (Weisenberg-Flanagan) to appoint Commissioner Flanagan as Representative and Commissioner Sleep as Alternate for 2016. Motion Carried.

LEPC: Moved-Seconded (Flanagan-Johnson) to appoint Commissioner Rosenau for 2016. Motion Carried.

CUSTOM, CULTURE COMMITTEE: Moved-Seconded (Rosenau-Johnson) To appoint Commissioner Sleep for 2016. Motion Carried

WESTERN SD JUVENILE SERVICES CENTER COMPACT: Moved-Seconded (Weisenberg-Johnson) to appoint Commissioner Sleep and Brian Dean, Sheriff to the Western SD Juvenile Services Center Compact for 2016. Motion Carried.

LIBRARY BOARD: Moved-Seconded (Flanagan-Weisenberg) to appoint Commissioner Rosenau for 2016. Motion Carried.

SPEARFISH ECONOMIC DEVELOPMENT BOARD: Moved-Seconded (Weisenberg-Johnson) to appoint Commissioner Johnson to the Spearfish Economic Development Board for 2016 and Commissioner Sleep as the alternate for 2016. Motion Carried.

MULTIPLE USE COMMITTEE: Moved-Seconded (Flanagan-Johnson) to appoint Commissioner Sleep to the Multiple Use Committee for 2016. Motion Carried.

LEAD OPERA HOUSE: Moved-Seconded (Flanagan-Johnson) to appoint Commissioner Weisenberg to the Historic Lead Opera House Board for 2016. Motion Carried.

STATE DIVISION OF FORESTRY CONTACT PERSON / RANGE LAND FIRES: Moved-Seconded (Flanagan-Weisenberg) to appoint Chairman Johnson, and Emergency Management Director, Paul Thomson for 2016. Motion Carried.

WESTERN SD COMMUNITY ACTION: Moved-Seconded (Flanagan-Sleep) to appoint Ida Marie Snorteland for 2016. Motion Carried.

SDPAA: Moved-Seconded (Flanagan-Sleep) to appoint Commissioner Weisenberg to the SDPAA for 2016. Motion Carried.

HAZARDOUS MATERIALS COORDINATOR: Moved-Seconded (Rosenau-Johnson) to appoint Paul Thomson as the Hazardous Materials Coordinator for 2016. Motion Carried.

RESOLUTION #16-01 / ELECTION OFFICIALS COMPENSATION: Moved-Seconded (Weisenberg-Flanagan) to approve the following Resolution #2016-01 Election Officials Compensation. Motion Carried. **RESOLUTION #2016-01 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 5th day of January 2016. For the Board, Daryl Johnson, Chairperson. ATTEST: Connie Atkinson, Auditor.

RESOLUTION #16-02 POLLING PLACES & PRECINCTS: Moved-Seconded (Rosenau-Flanagan) to approve the following resolution setting the polling places and precincts in 2016. Motion Carried. . **RESOLUTION #2016-02 POLLING PLACES & PRECINCTS**
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 5th day of January 2016. For the Board, Daryl Johnson, Chairperson. ATTEST: Connie Atkinson, Auditor.

RESOLUTION #16-03 TO ESTABLISH OFFICIAL DEPOSITORIES: Moved-Seconded (Sleep-Flanagan) to follow the recommendation of Deb Tridle, Treasurer and approve the following Resolution #16-03 to Establish Official Depositories in Lawrence County. Motion Carried. **RESOLUTION 16-03 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 2016: Wells Fargo-South Dakota 721 Main St. Deadwood, SD; First Interstate Bank 152 Sherman St., Deadwood, SD; First National Bank 197 Glendale Dr., Lead, SD; Pioneer Bank 140 E Jackson Blvd Spearfish, SD, Great Western Bank 526 Main St. Spearfish, SD and Black Hills Community Bank of Spearfish, P.O. Box 249, 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 2015. Dated this 5th day of January 2016. For the Board of County Commissioners: Daryl Johnson, Chairperson Attest: Connie Atkinson, Auditor

INDIGENT FUNERAL EXPENSE: Moved-Seconded (Rosenau-Sleep) to approve and set the 2016 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.

LEGAL NEWSPAPERS: Moved-Seconded (Weisenberg-Sleep) to designate the B.H. Pioneer as the legal newspapers for 2016. Motion Carried.

SHERIFF'S OFFICE POSITIONS: Moved-Seconded (Weisenberg-Flanagan) To restate the full time positions in the Lawrence County Sheriff's office for 2016 as follows: (1) Chief

Deputy (1) Captain, (2) Sergeant I, (2) Sergeant II, (7) Deputies, (1) Process Servers, (4) Office Personnel (11) Jailers, (1) E911 Coordinator, and (7) Dispatchers. Motion Carried.

BOARD OF ADJUSTMENTS: Moved-Seconded (Weisenberg-Rosenau) to appoint Daryl Johnson, Randall Rosenau, Brandon Flanagan, Richard Sleep, and Terry W. Weisenberg as the Board of Adjustment for 2016. Motion Carried.

BUILDING CODE: Moved-Seconded (Flanagan-Weisenberg) to appoint Daryl Johnson, Randall Rosenau, Brandon Flanagan, Richard Sleep, and Terry W. Weisenberg as the Building Code Board of Resolution for 2016. Motion Carried.

VOLUNTEER FIRE FIGHTER / SEARCH & RESCUE MEMBERS: Moved-Seconded (Weisenberg-Rosenau) to approve the following list of 2016 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, Shane Croft, Shannon Croft, Loren Dobyons, Jimmy Jordan, Robert Mattox, Paul Thomson, Bryce Quaschnick, Jared Quaschnick, Lynette Quaschnick, Don Quaschnick, Tim Quaschnick, Scott Reif, Frank Stamp, Loren Vrem, Jason Wichterman. **Search & Rescue:** Baumberger, Ashana; Boyd, Bethany; Bradley, Hunter; Bradley, Jesse; Carlson, Richard; Cook, Tommy; Davis, Lynn; Hover, Paul; Hover, William; Huhnerkoch, Chris; Leonard, Rob; Lillehaug, Gary D; Mattox, Rob L; Millard, Raymond L; Radliff, Megan; Radliff, Rick; Raubach, Fred L; Rear, Kay L; Regan, Daniel J; Schroeder, Jeff; Siedschlaw, Robert W; Smith, Molly; Stahl, Mike J; Tollefson, Jamey L; Tollefson, Melanie L; Weber, Bill; Wilczynski, Joy; Wissner, Rick; Sargent, Danielle; Quaschnick, Lynette;. **Nemo:** Randy Albright, Janna Bechard, Jeff Bechard, Kelsey Chaloupka, Virginia Clark, Megan Eggers, Melissa Eggers, Jeane Henrichsen, Justin Henrichsen, Jerry Hood, Patrica Hood, Larry Marquette, Greg Nepstad, Vince Pfeifle, Larry Rhodes, Rae Rowell, Chad Solaas, Cindy Solaas, and Kathy Stygles.

2016 WAGES & SCALES: Moved-Seconded (Weisenberg-Rosenau) to accept the following 2016 longevity pay policy, Per Diem, Cell Phone Per Diem, Wage Scales, and Wages for the salaried personnel, per pay period (biweekly) for the salaried personnel and per hour for hourly personnel, unless stated otherwise, effective December 27, 2015. 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 -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.

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

2016 CELL PHONE PER DIEM:

Bruce Outka-75.00; Greg Dias-75.00; Randy McGruder-75.00; Steven Kline-75.00; Allan Bonnema-75.00; Steve Ryan-50.00; Bob McCormick-50.00; Norm Burleson-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; Michelle Baumann-\$45.00; 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; Louise Hohn-\$50.00; Brian Dean-104.00; Paul Hansen-104.00; Marty Goetsch-104.00; Tavis Little-104.00; Nathaniel Davis-\$104.00; Joe Leveque-104.00; Rob Ruffato-104.00; Larry Gabriel-104.00; Seth Brennen-104.00; Tom Derby-104.00; Pat Johnson-104.00; Megan Merwin-\$104.00; Matthew McCroden-\$104.00; David Riley-\$104.00; Dustin Schumacher-\$104.00; Dave Heck-50.00; Ryan Palmer-\$50.00; and Gary Gould-50.00.

2016 WAGES (per SDCL 6-1-10): Commissioners: Flanagan,Brandon-503.54;

Rosenau,Randall-503.54; Sleep, Richard -503.54; Johnson,Daryl-503.54; Weisenberg,Terry-503.54; Outka,Bruce-3,732.10. Auditor: Atkinson, Connie-2,790.24; McGruder, Brenda-23.35; Lucero, Robin-17.99; Nelson, Melody-19.79; Sargent, Debbie-18.75. Treasurer: Tridle,Debra-2,609.32; Adams, Julia-17.99; Atkinson,Sally-20.73; Brownlow,Carleen-18.01; Derby, Gail-16.26; Marshall, Laurie-17.99; Quenzer, Linda-17.85; Haupt, Janice-17.85. Information System & Technology: Dias, Gregory-3,192.58; Kline, Steven-22.80; Leatherman, Debra-19.85; McGruder, Randall-26.77;. States Attorney: Fitzgerald, John-3,377.36; Baumann,Michelle-25.14; Silvernail,Janice-19.45; Stoflet,Margie-21.71; Harvey,Brenda-2,511.92; Nordstrom, Kari-26.25; Fitzgerald, Sara-21.00;. Public Defender: Pike, Matthew-\$3,231.76; Lopez, Amber-2,739.45; Smith, Molly-23.46; Caserio, Beverly-18.89; De Hueck, Jennifer-2,312.55;. Maintenance: Frerichs,Richard-28.74; Carr,Zoe-16.66; Agena, Timothy-24.06; Lee,Laura-14.20; Latuseck, Kelby-14.14; Mattson,Robert-13.42. Director of Equalization: Hodson, Timothy-2,143.53; Fisher, Jason-20.32; Geuke, Nicole-18.49; Hohn, Louise-20.32; Meehan, Michael-19.48; Phinney, Desiree-18.19; Runge,Brett-24.01; Symonds,Carmen-20.85. Register of Deeds: Green Sheree-2,453.98; Carr, Marie-16.68; Feterl,Florence-18.71; Hansen,David-19.93; Podoll, Keri-18.03. Veterans Service Officer: Locken, William-1,367.73. Sheriff: Dean,Brian-3021.46; E-911-Black,Sue-23.74; Dispatch: Abernathy, Emily-19.09; Greeley,Laurie-19.53; Hamilton,Marian-20.93; Iverson, Andrew-19.09; Johnson, Ross-18.72; Pesicka, Jamie-18.72; Steffen,Peggy-19.27; Torgerson, Daleen-19.09; White,Richard-19.99; Sheriff: Davis, Nathaniel-24.40; Derby, Tommie II-25.12; Dragoo, Shelley-20.31; Gabriel,Larry-22.61; Goetsch, Martin-28.77; Gould, Gary-18.92; Hansen, Paul-2,542.79; Hardin, Matt-21.77; Johnson, Patrick-25.12; Kellogg, Susan-18.37; Leveque,Victor-25.54; Little,Tavis-26.44; Mccroden, Matthew-24.40; Merwin, Megan-24.40; Nelson,Kesha-20.23; Rakow, Julie-18.31; Riley, David-23.68; Ruffatto,Robert-24.58; Schumacher, Dustin-24.03; Symonds, Matthew-18.78; Wainman, John Jr-18.78; Walker,John-18.78; Jail: Abell, Mary-19.09; Brennan, Seth-25.30; Cortez, Frank-19.94; Culver,Kim-19.99; Dittman, Baylee-16.32; Hardin, Matt-19.09; Johnson, Michael-19.82; Kampa, Kerry-19.19; Kellogg,Susan-19.61; Kotak,Joe-18.36; Lechner, Nathan-16.67; Moraga, Virginia-18.36; Nash, Christina-19.19; Paklin, Melody-15.95; Palmer, Lance-19.09; Rakow, Julie-18.48; Schleep, Neil-18.78; Schleusner, Clayton-16.32; Sherer, Stacey-19.09; Wainman, John Sr.-14.23; Wetz, Jolene-18.36; Coroner: Gould, Gary- \$253.51 ppd &100.00 call;

Isburg, Damon-200.00 call; Pedneau, Darin-200.00 call. Emergency Management: Thomson, Paul-2,466.02; Larson, Rene-\$18.75. Highway: Bonnema, Allan-2,919.45; Bey, John-28.98; Bracha, Maria-21.14; Burlison, Norman-23.82; Burnitt, James-22.22; Cooper, John-22.22; Eide, Curtis-24.70; Ford, Jacob-22.22; Harley, Toby-22.22; Harper, Jeffrey-22.66; Herman, Joshua-22.22; Heying, Bradley-23.98; Holen, Gerald-22.22; Larimore, Mark-22.40; McCormick, Robert-29.70; Nelson, Paul-22.22; Patino, Mark-23.18; Rear, Krista-17.85; Ryan, Steve-29.38; Sheeler, Daniel-22.22; Silvernail, Dennis-24.62; Skavang, Robert-22.36;. Airport: Harmon, James-19.30; 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-\$92.00; Baczwaski, Brian-92.00; Barnaud, Timothy-92.00; Pike, Francy-92.00;. Invasive Species Management: Heck, David-2153.61; Palmer, Ryan-16.10; Hauge, John-40.00 meeting; Ridley, Clint-40.00 meeting; Kyle Vavruska-40.00 meeting; Whalen, Michael-40.00 meeting; Seasonal Invasive Species Employees-Tyson, Chase-14.42; Tuten, Jeremy-12.82; Planning&Zoning: Vogt, Amber-2,129.65; Schulz, Sherryl-18.59; Schroeder, Jeffery-21.18; 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;

<i>NEWLY ELECTED BASE</i>	<i>2016 BASE</i>	<i>SDCL #</i>
AUDITOR	\$ 35,952.00	SDCL 7-7-9.1
TREASURER	\$ 35,952.00	SDCL 7-7-9.1
REGISTER DEEDS	\$ 35,952.00	SDCL 7-7-9.1
STATES ATTORNEY	\$ 71,534.00	SDCL 7-7-12
SHERIFF	\$ 50,721.00	SDCL 7-12-15

AIRPORT:

RESOLUTION 2016-4 - 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 (Rosenau-Weisenberg) to approve and authorize the Chairman to sign the following Resolution 2016-4 - Notice Of Intent To Enter Into Leases For County Owned Airport Hangers, Bare Land Sites For Private Hangar Construction And Haying. Motion Carried.

LAWRENCE COUNTY RESOLUTION NO. 2016-4: 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 5, 2016, 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 5th day of January, 2016. FOR THE BOARD: Daryl Johnson, CHAIRMAN. ATTEST: Connie Atkinson, Auditor.

PLANNING & ZONING:

RESOLUTION #16-05 – LAWRENCE COUNTY PLANNING & ZONING FEE

SCHEDULE: Moved-Seconded (Weisenberg-Rosenau) to approve and authorize the Chairman to sign Resolution #2016-05 to set the following fees charged by the Lawrence County Planning and Zoning Department. Motion Carried.

WHEREAS, pursuant to SDCL Ch. 11-2 and Lawrence County Zoning Ordinance Chapter 21. The Lawrence County Commission has authorized the Planning and Zoning Department to charge fees for services; NOW THEREFORE, Be it resolved by the County Commissioners of Lawrence County, South Dakota, that the following fees shall be charged by the Lawrence County Planning and Zoning Department

TYPE OF FEE	AMOUNT	FEE DESCRIPTION
Agricultural Tourism Permit	\$250.00	1 time fee if approved uses remain the same
Appeals/Variances Public Notice Signage Deposit	\$250.00 (non-refundable) \$100.00 (refundable upon return of sign)	Board of Adjustment

Change of Zoning (COZ) Public Notice Signage Deposit	\$350.00 (non-refundable) \$100.00 (refundable upon return of sign)	
Text Change Ordinance Amendments (ORD)	\$150.00	Non-Change of Zoning
Conditional Use Permit (CUP) Public Notice Signage Deposit	\$350.00 (non-refundable) \$100.00 (refundable upon return of sign)	Fee doubled if use is commenced prior to application
Major Amendment	\$350.00	For a PUD or CUP
Minor Amendment	\$150.00	For a PUD or CUP
Temporary Use Permits	\$250.00	
Development Permits	\$100.00	On Commercial Zoned Property
Sewer Permits	\$10.00	
Building Permit-Initial \$30 for the first \$1,000 of the structure's value and \$3 for each additional \$1,000 The base valuation shall be determined by a dollar per square foot. (see fee schedule in next column) Structure's value shall be determined by the total valuation of each building permit.	\$142 finished residential space \$15 unfinished basements \$75 garages/pole buildings \$15 decks/gazebos/carports \$142 mobile homes (subtract 3% per year of age or \$30 whichever is greater) \$180 commercial	
Building Permit-Violation-	Double the Original Fee	If work is commenced prior to issuance of building permit.
Contractor Licensing-Initial	\$75	
Contractor Licensing-Violation	\$150	Double the original fee
Off Premise Signs (Billboards)	\$250	
On Premise Signs; Home Occupation; or Community Signs	\$100	

Adopted this 5th day of January, 2015, LAWRENCE COUNTY COMMISSIONERS: Daryl Johnson, Chairman. ATTEST: Connie Atkinson, Auditor

YELLOW CREEK RIFLE RANGE: Mike Kain was present to discuss the Yellow Creek Rifle Range. Kain expressed concerns on information previously presented to the County Commission. Kain asked the Board to reconsider purchasing the land from the Bureau of Land Management and leasing to the Rod and Gun Club to operate. Moved-Seconded (Flanagan-Johnson) to refer the issue to the County's Environmental Review / Wildlife, Recreation & Tourism Committee. Motion Carried. Outka reminded the Board that The Range Source Book recommends hiring an expert to go forward.

PLANNING & ZONING:

CHANGE OF ZONING #311 / WIKA & HUSE-WIKA: 2nd Reading was held on COZ # 311 Kathy Wika and Courtney Huse-Wika To allow these existing non-conforming lots to be brought into compliance with a re-zone. This will allow any additions to be made without asking for a variance, located at the base of Spearfish Canyon. Moved-Seconded (Weisenberg-Johnson) to follow Planning and Zoning and Staff report, and approve COZ # 311 Kathy Wika and Courtney Huse-Wika To allow these existing non-conforming lots to be brought into compliance with a re-zone. Motion Carried. Sleep expressed concerns on spot zoning. Vogt reviewed the zoning in the area.

ITEMS FROM COMMISSIONERS:

CONTRACTUAL/LEGAL ISSUES: EXECUTIVE SESSION: 9:23 a.m. Moved-Seconded (Rosenau-Johnson) to go into executive session pursuant SDCL 1-25-2(3)(4). Motion Carried. 9:57 a.m. The Board opened for regular business with no action taken.

FIRE PROTECTION: Richard Sleep questioned any action the County needs to take in the future to address rural fire protection in the Spearfish rural areas. The Board was in agreement that time needs to be allowed with the recent contract with the City of Spearfish and to allow time for the Fire Department to get accustomed to the new agreement.

BILLS:

Moved-Seconded (Sleep-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-\$5,988.48; Aud-\$8,826.81; Treas-\$10,828.56; Comp-\$8,442.14; States Atty-\$13,702.44; Pub Def-\$11,019.19; Gen Govt Bldg-\$8,433.77; Equal-\$12,844.21, Rod-\$7,976.43; Vso-\$1,305.21; Disp-\$13,623.92; Sher-\$40,409.31; Jail-\$23,507.84; Coroner-\$165.49; Emerg Mgnt-\$3,812.82; E911-\$1,812.80; Highway-\$41,381.37; Air-\$1,412.16; Weed-\$3,814.15; Pz-\$5,095.09; **Bills:** American Family Life-\$3,078.73; BH Federal Credit Union-\$6,823.76; Credit

Collections Bureau-\$50.00; Deadwood Recreation Center-\$724.00; Deadwood, City Of-\$767.49; Delta Dental Of South Dakota-\$6,957.22; Dept Of The Treasury-\$56,129.67; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,876.00; Northern Hills Rec Center-\$164.00; Office Of Child Support-\$398.31; SD Retirement System-\$84,298.33; Sdrs Supplemental Retirement-\$2,481.50; Vast Broadband-\$1,295.11; Wellmark Blue Cross-\$73,547.64; Rosenau, Randall-\$79.20; A&B Business,Inc Solutions-\$89.33; AT&T Mobility-\$914.56; Heisler Hardware-\$44.26; Hp Inc-\$34.00; LC Conservation Dist-\$5,000.00; Lead-Deadwood Sanitary-\$306.14; Motorola Solutions-\$2,684.50; Phoenix Investigations-\$748.40; Rabe Elevator-\$972.27; SD Assn Of Co Comm-\$3,873.58; Sdaco-\$2,211.79; Servall Towel&Linen-\$418.42; Sturdevant's Auto Parts-\$55.85; Twin City Hardware&Lumber-\$90.95; Wolff,John-\$450.00

ADJOURN: 10:10 a.m. Moved-Seconded (Flanagan-Johnson) There being no further business the meeting was adjourned. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – January 19, 2016

Chairman Daryl Johnson 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 19, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Randall Rosenau, Richard Sleep and Terry Weisenberg present. Brandon Flanagan was available by video.

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

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

MINUTES: Moved-Seconded (Weisenberg-Rosenau) to approve the minutes of January 5th County Commission meeting. Motion Carried.

PERSONNEL:

STATES ATTORNEY: Moved-Seconded (Rosenau-Weisenberg) to approve Kari Nordstrom as a full-time permanent Deputy at the base rate of \$2,182.02 per pay period, effective January 24, 2016. Motion Carried.

EQUALIZATION: Moved-Seconded (Weisenberg-Rosenau) to approve the step raise for Mike Meehan as a permanent full-time Appraiser IV G1 at the base rate of \$20.32 an hour, effective January 10, 2016. Motion Carried.

AUDITOR: Moved-Seconded (Weisenberg-Rosenau) to approve the advertising for a permanent half-time (20-29hrs) Accounting Clerk in the Auditor's Office. Motion Carried.

ABATEMENT/CRAWFORD: Moved-Seconded (Sleep-Rosenau) to approve the abatement for David & Trudy Crawford on parcel #32465-00200-100-00 because of a fire to the structure in August, 2015. Motion Carried.

CORONER: Moved-Seconded (Rosenau-Weisenberg) To thank Gary Gould for his years of service as Coroner, and accept with regrets, his resignation effective March 1, 2016. Motion Carried.

DELINQUENT TAXES REPORT: Per SDCL 7-21-35 the total 2014 taxes levied for in 2015 was \$37,956,766.34 and the total unpaid as of 12-31-15 was \$119,497.737 which represents a .31% delinquency.

SHERIFF: Brian Dean, Sheriff was present to update the Board on an additional hiring policy change to require a physical and urinalysis test for some positions in their office. The Board was in support of the Change.

Moved-Seconded (Sleep-Rosenau) to allow for the appointment of a Captain in the Sheriff's Office to replace Captain Goetsch as he is retiring the first week of March. Motion Carried.

SHERIFF VEHICLE BIDS:

The following bids were received for three Sheriff vehicles: Juneks – (3) 2016 Dodge Durango-\$97,500 (\$22,500 trade-ins) = \$75,000. Whites Queen City Motors - (3) 2016 Chevy Tahoe-\$108,936 (\$29,000 trade-ins) = \$79,936. Whites Canyon Motors – (3) 2016 Explorer Interceptor -\$97,541.22 (\$21,000 trade-ins) = \$76,541.22.

Moved-Seconded (Rosenau-Sleep) to accept the lowest responsible bidder from Juneks Dodge of Spearfish and waive any irregularities and to declare the 2011 Chevy Tahoe VIN#1GNSK2E7BR264409, 2010 Chevy Tahoe VIN#1GNUKAE02AR169340, and 2009 Ford F150 VIN#1FTPW14V09FA11695 surplus and allow them to be traded in. Motion Carried.

MALT BEVERAGE / WINE LICENSE:

NEMO GUEST RANCH BUSINESS ENT, (BRANDING IRON RESTAURANT): A public hearing was held on Transfer of Retail (On-Off Sale) Malt Beverage License PREVIOUS LICENSE: SAWMILL RESTAURANT SALOON: M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D. *TRANSFER TO:* NEMO GUEST RANCH BUSINESS ENT, (BRANDING IRON RESTAURANT) M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D. No public input was voiced and the hearing was closed. Moved-Seconded (Weisenberg-Flanagan) to approve the Transfer of Retail (On-Off Sale) Malt Beverage License PREVIOUS LICENSE: SAWMILL RESTAURANT SALOON: M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D. *TRANSFER TO:* NEMO GUEST RANCH BUSINESS ENT, (BRANDING IRON RESTAURANT) M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D. Motion Carried.

A public hearing was held on an application for a Retail On-Off Sale Wine License for **NEMO GUEST RANCH BUSINESS ENT, (BRANDING IRON RESTAURANT)** M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D. No public input was voiced and the hearing was closed. Moved-Seconded (Rosenau-Sleep) to approve the Retail On-Off Sale Wine license for **NEMO GUEST RANCH BUSINESS ENT, (BRANDING IRON RESTAURANT)** M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D. Motion Carried.

HIGHWAY:

SEMI-TRUCK BID OPENING: The Board received one conforming bid from Butler Machine Company for \$295,508. Allstate Peter Built bid did not include a Bid Bond and Sheehan Mack

Sales & Equipment only included a copy of the Brown County Bid. Moved-Seconded (Weisenberg-Sleep) to continue until the next meeting. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted as of January 12, 2016: Spearfish Diesel#2 3000 gallons: (prices per gallon) CBH Cooperative - \$1.089*, South Side - \$1.32, MG Oil-\$1.109; Spearfish Unleaded 850 gallons: (prices per gallon) CBH Cooperative - \$1.751, South Side - \$1.89, MG Oil – \$1.6719*; Whitewood Diesel#1 450 gallons: (prices per gallon) CBH Cooperative - \$1.47*, South Side - \$1.69, MG Oil-\$no bid*; *Represents lowest quote awarded. No bids received from Harms Oil Co.

AIRPORT PLOWING: Moved-Seconded (Rosenau-Johnson) to allow the County to plow a short section of road at the Airport on a temporary basis. Motion Carried. Aye-Rosenau. Nay-Weisenberg, Flanagan, Sleep and Johnson. Motion Failed.

RECESS: 9:04 a.m. Moved-Seconded (Weisenberg-Rosenau) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 9:23 a.m. The Chairman called the meeting back to order.

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

2016 STATE AND LOCAL AGREEMENT WORK PLAN REVIEW AND ELECTED OFFICIALS BRIEFING: Paul Thomson, Emergency Management Director presented the 2016 State and Local Agreement Work Plan Review and Elected Officials Briefing.

Moved-Seconded (Rosenau-Sleep) to approve and authorize the Chairman to sign the Memorandum of Understanding for Mutual Aid Concerning Lawrence County Fire Protection and Emergency Services and allow other County Departments to sign. Motion Carried.

ISOLATED TRACT / ORMISTON: The Board reviewed a Petition for Isolated Tract Pursuant to SDCL Ch. 31-22 OWNERS: Fred and Natali Ormiston LEGAL: Ballard,, Fremont Fraction, Steward, Cora May and Eagle Lode Mining Claims of Mineral Survey No. 968, Location in Section 30, Township 5 North, Range 3 East, B.H.M., Lawrence County, South Dakota, EXCEPT any portion of Conflict with North Star Lode of MS 535 LOCATION: Adjacent to Cutting Mine Road/Iverson Field.

No action was taken and will be discussed further in March to allow all parties a chance to resolve the issue.

PLANNING & ZONING:

FINAL PLAT / MATTSON INC: Moved-Seconded (Weisenberg-Johnson) to follow Planning and Zoning and Staff recommendation and approve the Final Plat for Mattson Inc Lots 8A and Tract B-1 of Brighter Day Sub # 2, Section 25, 36 of T5N, R3E and Section 30, T5N, R4E. This plat is to allow a portion to be added to the original Lot 8 to be sold and to re-do the lot line to follow the existing fence on Tract B-1. Motion Carried.

PRELIMINARY & FINAL PLAT FOR JAMES DITTES: Moved-Seconded (Rosenau-Sleep) to follow Planning and Zoning and Staff recommendation and approve the Preliminary & Final Plat for James Dittes Tracts DC-1A1 & DC- 1A2 of Pee Dee Sub. located off Two Bit Road. Motion Carried.

PRELIMINARY & FINAL PLAT FOR STUEFFEN/SCHALLENKAMP: Moved-Seconded (Flanagan-Rosenau) to follow Planning and Zoning and Staff recommendation and declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Rosenau-Sleep) to follow Planning and Zoning and Staff recommendation and approve the Preliminary & Final Plat for Stueffen/Schallenkamp Lot 1A & 3A of Block B of Bowman S/D, Section 34, T5N, R3E. Motion Carried.

PRELIMINARY & FINAL PLAT FOR GRANDVIEW RANCH: Moved-Seconded (Weisenberg-Johnson) to follow Planning and Zoning and Staff recommendation and declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Weisenberg-Rosenau) to follow Planning and Zoning and Staff recommendation and approve the Preliminary and Final Plat for Grandview Ranch Cadillac Ranch Tract A, Section 1, T7N, R2E. Located off Widdoss-Helmer Road. Motion Carried.

BILLS:

Moved-Seconded (Weisenberg-Rosenau) 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-\$6,284.42; Aud-\$9,238.35; Treas-\$12,492.74; States Atty-\$14,474.00; Pub Def-\$11,671.76; Gen Govt Bldg-\$9,014.68; Equal-\$13,518.78; Rod-\$8,355.80; Vso-\$1,367.73; Ist-\$8,850.04; Disp-\$13,713.65; Sher-\$42,976.36; Jail-\$22,606.70; Coroner-\$476.59; 24/7-\$120.29; Emerg Mgnt-\$4,056.43; E911-\$1,899.20; Highway-\$44,600.96; Air-\$1,174.83; Weed-\$4,000.57; Pz-\$5,554.99; **Bills:** Little, Tavis-\$15.88; 3d Specialties-\$79.86; A&B Business,Inc Solutions-866.24; A&B Welding Supply-\$20.70; A&J Supply-\$29.99; Abc Business Supply- \$88.10; American Red Cross-\$1,000.00; Armstrong Extinguisher-\$2,979.00; BH Chemical Company-\$353.41; BH Federal Credit Union-\$6,933.73; BH Land Analysis-\$65.00; BH Pest Control-\$190.00; BH Pioneer-\$362.79; BH Power-\$11,068.96; BH Resource Conservation-\$100.00; B&B Auto Salvage-\$479.25; Baczwaski Law Office, P.C-\$1,343.60; Bi

Geo Group Co-\$161.00; Black Hills Pure-\$11.50; Bob Barker Company-\$218.51; Bomgaars Supply-\$944.39; Bruemmer,Lynnel-\$14.00; Butte Electric Coop-\$721.32; Century Business Products-\$405.84; Centurylink-\$163.06; City/County Alcohol&Drug-\$332.00; Clinical Lab Of BH-\$11.30; Cody,Denise-\$22.50; Credit Collections Bureau-\$127.72; D Ware-\$1,900.00; Dakota Equipment Rental-\$1,797.78; Dept Of Hlth Lab Services-\$203.00; Dept Of The Treasury-\$59,776.86; Diversified Collections-\$100.00; Eagle Aviation-\$24.38; Eb Communications-\$98.00; Ellingson,Joseph-\$979.14; Esri-\$400.00; Fassbender Photographic-\$5,000.00; Fastenal-\$12.18; Fidler-Isburg Funeral Chapel-\$1,170.00; Fred Pryor Seminars-\$534.00; Frederickson,John R-\$3,076.50; G&H Distributing Of Rc-\$71.03; Gene's Lock Shop-\$288.48; Glenney,Tracy-\$150.00; Grey Law Office Prof-\$4,093.90; Hamilton Excavation-\$150.00; Heartland Paper Co-\$1,965.30; Hp-\$36.00; Ibm Corporation-\$2,027.00; Interstate Engineering-\$14,394.73; Jacobs Precision Welding-\$37.25; Janke,Wendy-\$1,618.00; Kinkade Funeral Chapel-\$945.00; Lead-Deadwood Regional Hospital-\$682.15; Lead-Deadwood Sanitary-\$57.00; Lee,James-\$15.00; Lewis&Clark Bhs-\$160.00; Lewno,Lucy-\$172.99; Lexisnexis Risk Data Mgnt-\$75.00; Lueders-\$11.93; Matthew Bender&Company-\$112.43; McClure,Susan-\$150.00; Mid States Organized-\$150.00; Midcontinent Communications-\$35.74; Montana Dakota Utilities-\$152.12; Moore Medical-\$248.17; Nelson,Christy-\$50.00; Nelson,Tonya-\$350.00; North Central-\$2,900.00; Northern Hills Dental-\$715.00; Northern Truck Equip Corp-\$782.00; Office Of Child Support-\$398.32; Overhead Door Company Of Rapid-\$177.74; Pennington Co Jail-\$1,052.15; Petersen,Matthew-\$64.00; Pizza Lab-\$51.05; Pump House Coffee& Deli-\$122.42; Quill Corporation-\$96.36; RC Finance Office-\$1,190.00; RC Regional Hospital-\$2,089.58; Radiology Associates-\$83.91; Regional Health-\$1,106.93; Reliance Telephone-\$2,000.00; Rensch,Timothy J Atty At Law-\$1,712.21; Reserve Account-\$6,000.00; Rocket Lube-\$161.97; SD Assoc Of Criminal Defense-\$50.00; SD Dept Of Labor Unemployment-\$454.99; SD State Treasurer-\$1,871.63; Sacrison Paving-\$7,290.00; Sd Department Of Public Safety-\$5,400.00; Sdrs Supplemental Retirement-\$2,481.50; Semerad, Sandra-\$34.00; Servall Towel&Linen-\$584.67; Silverado-\$189.00; Spearfish Auto Supply-\$824.02; Spearfish City Of-\$5,150.00; Stahl,Mike-\$31.76; Sterna, Laura-\$200.00; Sturdevant's Auto Parts-\$1,449.73; Swanda,Karen-\$22.50; Sysco Montana-\$3,157.82; Teen Court-\$7,500.00; Thomson Reuters-West-\$167.48; Trugreen Chemlawn-\$283.75; Turnkey Corrections-\$15.34; Twilight First Aid&Safety-\$149.40; Twin City Hardware&Lumber-\$479.80; Ultramax-\$2,097.05; Victims Of Violence-\$795.00; Waste Connections-\$712.06; Watertree-\$45.80; Waytek-\$1,649.99; Wells Fargo Business Card-\$3,254.82; West River International-\$801.12; Western Communication-\$149.00; Wex Bank-\$389.00; White Drug-\$1,842.28; White's Canyon Motors-\$34.37; Wilde&Hunt, Prof-\$1,452.50; Yankton Co Sheriff-\$25.00; **Witness & Jurors:** Bruns,B-\$62.60; Eastman,J-\$59.24; Erion,M\$60.08; Ludens, D-\$62.60; Norris,J-\$52.52; Peterson,F-50.84; Stephens,J-\$75.20; Weiler,A-\$63.44; Jones,J-\$35.96; Thurman,A-\$35.96; Addington,R-\$25.96; Alan,E-\$22.60; Bergstrom,M-\$20.08; Brosnahan,F-\$62.60; Cavallero,N-\$60.08; Chipman,A-\$12.52; Clauser,C-\$62.60; Clauser,M-\$26.80; Damuth,M-\$62.60; Deibert,L-\$68.48; Delahoyde,K-\$22.60; Dobesh,C-\$22.60; Eckhart,L-\$15.04; Erickson,K-\$22.60; Erz,M-\$22.60; Feyereisen,A-\$22.60; Hanson,K-\$12.52; Harbert,S-\$20.92; Heairet,T-\$25.96; Hiermeier,M-\$22.60; Higgins,J-\$22.60; Hinz,S-\$31.00; Holden,P-\$22.60; Hulm,D-\$58.40; Iverson,M-\$28.48; Johnson,G-\$22.60; Klein,D-\$66.80; Laderer,P-\$22.60; Lofland,J-\$25.12; Marske,A-\$10.84; Metz,S-\$22.60; Mulhair,D-\$24.28; Peterson,J-\$66.80; Pruett,T-\$22.60; Rardon,R-\$20.08; Rath, B-\$16.72; Richards,L-\$20.92; Richter,D-\$13.36; Schneider,L-\$22.60; Shirey,M-\$10.84; Snow,J-\$10.84; Tschetter,R-\$26.80;

Vandavelde,A-\$12.52; Verhelst,D-\$30.16; Walker,P-\$58.40; Wefso,J-\$13.36; Westberg,G-\$22.60; Williams,A-\$21.76; Zacarias,S-\$66.80

ADJOURN: 10:31 a.m. Moved-Seconded (Sleep-Johnson) There being no further business the meeting was adjourned. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – January 19, 2016

Chairman Daryl Johnson called the Lawrence County Board of Adjustment meeting to order at 9:00 a.m. on January 19, 2016 in the Administrative Annex Building of the Lawrence County courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Terry Weisenberg, Richard Sleep, and Randall Rosenau. Brandon Flanagan was present by video.

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

VARIANCE #148 / SARGENT: A Public Hearing was held on Variance #148 OWNERS: Don and Phyllis Sargent, LEGAL: Lot 10 Brookview Acres ZONING: SRD SUMMARY: 1 Foot and 5 Foot Variance to the 25 Foot Front Setback to Allow for a Garage. Randy Deibert was present to review the setbacks for the landowner and stated this would meet the City setback requirements. The Chairman closed the hearing. Moved-Seconded (Weisenberg-Sleep) to follow Planning and Zoning and Staff report and deny Variance #148 for Don and Phyllis Sargent. Aye-Weisenberg, Flanagan and Johnson. Nay- Rosenau and Sleep. Motion Failed.

Moved-Seconded (Johnson-Rosenau) to allow the Variance #148 for Don and Phyllis Sargent for the 10ft to 8ft setback on the North side setback due to the hardship from the flood plain and recent changes in the setback requirements. Motion Carried. Aye-Rosenberg, Flanagan, Sleep and Johnson, Nay-Weisenberg

ADJOURN: 9:25 a.m. There being no further business it was Moved-Seconded (Rosenau-Sleep) to adjourn from the Board of Adjustment. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – February 9, 2016

Chairman Daryl Johnson 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 9, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Randall Rosenau, Brandon Flanagan, Richard Sleep, and Terry Weisenberg present.

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

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

MINUTES: Moved-Seconded (Weisenberg-Rosenau) to approve the minutes of January 19th County Commission meeting and Board of Adjustment meeting. Motion Carried.

PERSONNEL:

STATES ATTORNEY: Moved-Seconded (Weisenberg-Rosenau) to approve the step raise for Janice Silvernail as a permanent full-time Legal Assistant G1 at the base rate of \$19.50 an hour, effective 2-7-2016. Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve the step raise for Margie Stoflet as a permanent full-time Legal Assistant G2 at the base rate of \$20.55 an hour, effective 2-7-2016. Motion Carried.

Moved-Seconded (Weisenberg-Rosenau) to approve the step raise for Brenda Harvey as a permanent full-time Deputy States Attorney G9 at the base rate of \$2,548.11 a pay period, effective 2-7-2016. Motion Carried.

PLANNING & ZONING: Moved-Seconded (Weisenberg-Flanagan) to approve the new hire of Janette Sprenger as a full-time permanent Administrative Assistant G1 at the base rate of \$15.87 an hour, effective February 10, 2016. Motion Carried.

The Board acknowledged the retirement of Sherryl Schulz, effective February 20th and thanked her for the dedicated years of service to the County.

SHERIFF: Moved-Seconded (Weisenberg-Sleep) to approve the classification change for Clayton Schleusner as a full-time permanent Corrections II G1 at the base rate of \$18.36 an hour, effective February 7, 2016. Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve the advertising for a full-time and part-time Corrections Officer. Motion Carried.

SHERIFF OFFICE POSITIONS: Moved-Seconded (Weisenberg-Flanagan) to approve the appointment of Tavis Little as Captain and Pat Johnson as Detective. Motion Carried.

HIGHWAY: Moved-Seconded (Weisenberg-Rosenau) to approve the advertising for a permanent full-time equipment operator to fill the opening created from a retiring employee. Motion Carried.

CORONER: Moved-Seconded (Flanagan-Rosenau) To appoint Marty Goetsch as Coroner to fill the term of Gary Gould, effective March 1, 2016. Motion Carried.

TRAVEL REQUESTS:

PLANNING & ZONING: Moved-Seconded (Rosenau-Johnson) to approve the Travel Request for Amber Vogt to attend the 2016 Western Planners in Great Falls, MT on August 9-12, 2016 and to approve the travel advance. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Rosenau-Flanagan) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of January 31, 2015 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)-\$238,491.85; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$3,970.35; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$4,761,526.08, Money Market \$5,747,225.11; Savings-\$7,409,430.47; Total \$21,263,853.86.

TRANSFER OF FUNDS: Moved-Seconded (Sleep-Rosenau) to approve the annual budgeted transfer of \$2,400,000 from General Fund to Road & Bridge Fund, to transfer \$182,887 from General Fund to Emergency & Disaster Fund, and to transfer \$16,878 from General Fund to E911Fund. Motion Carried.

BOARD APPOINTMENTS:

FAIR BOARD: Moved-Seconded (Sleep-Flanagan) to appoint Clair Donavon to the Fair Board for a term to expire 12-2018. Motion Carried.

ABATEMENTS / ADD-ON:

CITY OF SPEARFISH: Moved-Seconded (Rosenau-Flanagan) to approve the abatement for the City of Spearfish on the corrected parcel #21000-00603-174-20 because it is now tax exempt. Motion Carried.

NEWTON: Moved-Seconded (Sleep-Flanagan) to approve the abatement for Warren & Sandra Newton on parcel #31510-00200-010-10 because the house burned in a fire in April 2015. Motion Carried.

WHARF: Moved-Seconded (Sleep-Rosenau) to approve the abatement for Wharf Resources on parcel #26340-00997-000-05 because the parcel does not exist. Motion Carried.

DIEDE: Moved-Seconded (Sleep-Flanagan) To approve the abatement for Kelly Diede on parcel #18060-00504-152-74 because the parcel qualifies for the Elderly tax freeze and was missed. Motion Carried.

ADD-ON

NEVIN: Moved-Seconded (Flanagan-Weisenberg) To approve the Add-On for Michael T & Suzanne L Nevin on parcel #31270-00200-010-00 because the exemption was doubled. Motion Carried.

RAFFLE REQUEST / ANDERSON FUND RAISER: Moved-Seconded (Flanagan-Sleep) to not object to the request for the Rifle Raffle as a benefit fund raiser for Mike Anderson. Motion Carried.

HIGHWAY:

SEMI-TRUCK BID OPENING: The Board reviewed the one conforming bid from Butler Machinery Company for \$295,508. Allstate Peter Built bid did not include a Bid Bond and Sheehan Mack Sales & Equipment only included a copy of the Brown County Bid.

Moved-Seconded (Sleep-Weisenberg) to follow the recommendation of the Highway Superintendent and accept the only lowest responsible bid received from Butler Machinery Company \$295,508 for two new semi-truck tractors and to waive any irregularities. Motion Carried.

DEPARTMENT OF TRANSPORTATION STRIPING AGREEMENT: Moved-Seconded (Flanagan-Rosenau) 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 2016. Motion Carried.

APPROACH PERMIT / NELSON: Moved-Seconded (Weisenberg-Flanagan) to follow the recommendation of the Highway Superintendent and approve the Approach Permit for Terry Nelson located on the South side of the Brownsville Rd located approximately 400 ft west of the fire hall. Motion Carried.

DEPARTMENT OF TRANSPORTATION ROAD MASTER PLAN: The Board stated they were not interested in participating in the State planning & research program / transportation plan at this time.

SPRING LOAD LIMIT RESOLUTION #16-06: Moved-Seconded (Flanagan-Johnson) to approve the following LAWRENCE COUNTY SPRING LOAD LIMIT RESOLUTION #2016-06, to become effective when the road conditions warrant, and send a letter to the District 4 Commander requesting assistance for enforcement. Motion Carried. Lawrence County Spring Load Limit Resolution #2016-06: 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 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 seven (7) tons per axle on the Nemo Road, North Rochford Road, Vanocker Canyon Road, Old Belle Road, Hillsvieview Road, Mineral Place Road, West Oliver Road and Crook City Road during the spring thaw period. Other County Roads may be posted if conditions warrant. Load limits become effective when the signs are installed and displayed. 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 SDCL 32-22-55. Vote of Lawrence County Commission: AYE-5, NAY-0. Dated this 9th day of February, 2016 at Deadwood, South Dakota. Lawrence County Board of Commissioners: Daryl Johnson, Chairman. ATTEST: Connie Atkinson, Lawrence County Auditor.

HIGHWAY – CULVERT BIDS: Moved-Seconded (Sleep-Rosenau) to follow the recommendation of the Highway Superintendent and approve and authorize the purchase of metal culverts and other bridge material off the Beadle County Bid from TrueNorth Steel for 2016. Motion Carried. (Bid on file in the Lawrence County Auditor's Office)

HIGHWAY SUPPLIES BID OPENING: Moved-Seconded (Flanagan-Rosenau) to advertise and set the bid opening for March 22nd at 8:30 a.m. for Magnesium Chloride, asphalt hot mix, asphalt cold mix, gravel aggregates, de-icing sand, Hot Mix Asphalt Paver Patching, Precast Concrete Culverts, Box Culverts, Precast Concrete Bridge Beams. Motion Carried.

BROOKVIEW ROAD / HILLSVIEW ROAD BID: Moved-Seconded (Rosenau-Johnson) to advertise and set the bid opening for March 8th at 8:30 a.m. for Paving Project Bids for Brookview Road/Hillsvieview Road. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted as of January 28, 2016: Deadwood Diesel Blended 50/50 6300 gallons: (prices per gallon) CBH Cooperative - \$1.185*, South Side - \$1.10*, MG Oil-\$no bid; Deadwood Unleaded 4800 gallons: (prices per gallon) CBH Cooperative - \$1.661, South Side - \$1.48*, MG Oil – \$1.499; *Represents lowest quote awarded.

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

TREASURER: Moved-Seconded (Rosenau-Sleep) to allow employees to donate leave to Linda Quenzer upon the exhaustion of the employee's accumulated vacation time, "comp. time" and sick leave. Motion Carried.

PLANNING & ZONING:

PRELIMINARY & FINAL PLAT / SHONLEY: APPLICANT: Doug Shonley LEGAL: Plat of Lots 68 & 69, Blk 1 of Boulder Canyon Subdivision LOCATION: Boulder Canyon.

Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and Staff recommendation and declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning and Staff recommendation and approve the Preliminary & Final Plat for APPLICANT: Doug Shonley LEGAL: Plat of Lots 68 & 69, Blk 1 of Boulder Canyon Subdivision LOCATION: Boulder Canyon. Motion Carried.

PRELIMINARY & FINAL PLAT / BUTTE ELECTRIC / DARLING: APPLICANTS: Butte Electric and Shawn & Kelsie Darling LEGAL: Plat of Lot 1 Revised and Lot 58 Revised of Spruce Mt Estates #2 LOCATION: North of Whitewood/I-90 near Jackson Road and Frontier Loop.

Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and Staff recommendation and declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to follow Planning and Zoning and Staff recommendation and approve the Preliminary & Final Plat for APPLICANTS: Butte Electric and Shawn & Kelsie Darling LEGAL: Plat of Lot 1 Revised and Lot 58 Revised of Spruce Mt Estates #2 LOCATION: North of Whitewood/I-90 near Jackson Road and Frontier Loop. Motion Carried.

PRELIMINARY & FINAL PLAT / HOMESTAKE MINING COMPANY: APPLICANT: Homestake Mining Co LEGAL: Plat of Tracts 1, 2 and 4 of Montana Placer M.S. 991 and 40' Public Access and Utility Easement. LOCATION: Near Latchstring Inn, Spearfish Canyon.

Moved-Seconded (Flanagan-Rosenau) to follow Planning and Zoning and Staff recommendation and declare that this plat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and Staff recommendation and approve the Preliminary Plat for APPLICANT: Homestake Mining Co LEGAL: Plat of Tracts 1, 2 and 3 of Montana Placer M.S. 991 and 40' Public Access and Utility Easement. LOCATION: Near Latchstring Inn, Spearfish Canyon. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning and Staff recommendation and approve the Final Plat for APPLICANT: Homestake Mining Co LEGAL: Plat of Tracts 1 and 2 of Montana Placer M.S. 991 and 40' Public Access and Utility Easement. LOCATION: Near Latchstring Inn, Spearfish Canyon. Motion Carried.

PRELIMINARY & FINAL PLAT / DEGAN: The Board reviewed and discussed the Preliminary & Final Plat for APPLICANT: Dawn Degen LEGAL: Plat of Lot 1A1 and 1A2 of Lot 1A of Tract 1 of HES 501, Located in the SW 1/4 of Sec 27 and the NW 1/4 of Sec 34, T3N, R1E. LOCATION: Adjacent to South Rapid Creek Road. The Board discussed SDCL 11-3-12 (No governing body shall be required to open, improve, or maintain any such dedicated streets, alleys, ways, commons, or other public ground solely by virtue of having approved a plat or having partially accepted any such dedication, donation or grant). Moved by Sleep to table the Preliminary & Final Plat for Degan because of pending litigation impacts and possible Planning and Zoning Ordinance changes. Motion died due to a lack of a second.

Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning and Staff recommendation and approve the Preliminary & Final Plat for APPLICANT: Dawn Degen LEGAL: Plat of Lot 1A1 and 1A2 of Lot 1A of Tract 1 of HES 501, Located in the SW 1/4 of Sec 27 and the NW 1/4 of Sec 34, T3N, R1E. LOCATION: Adjacent to South Rapid Creek Road because the lots meet the requirements as set by Planning & Zoning Ordinance with the note to be added on the plat as Forest Service Road #231 and referencing SDCL 11-3-12, and stated pursuant to SDCL 11-3-12 (No governing body shall be required to open, improve, or maintain any such dedicated streets, alleys, ways, commons, or other public ground solely by virtue of having approved a plat or having partially accepted any such dedication, donation or grant), and therefore the County will not assume ownership of the road and it will not be maintained by the County. Motion Carried. Aye-Weisenberg, Flanagan, Rosenau and Johnson. Nay-Sleep.

Moved-Seconded (Flanagan-Weisenberg) to direct the Highway Superintendent to sign the plat once the additional language and road name is included. Motion Carried. Aye-Weisenberg, Flanagan, Rosenau and Johnson. Nay-Sleep

VACATION OF SECTION LINE R.O.W. / TATANKA: The Board reviewed the proposed Vacation of Section Line R.O.W. Located on Dunbar Tract A of Tatanka subdivision; Formerly the Dunbar Tract of Tatanka Subdivision, Tract 1 and Tract 4 of M.S. 848 and Tract 1 of M.S. 849, All Located in the NW1/4 of Section 13 and the NE1/4 of Section 14, T5N,R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

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-\$6,284.42; Aud-\$9,238.35; Treas-\$11,823.39; States Atty-\$14,462.40; Pub Def-\$11,671.76; Gen Govt Bldg-\$8,929.84; Equal-\$13,682.01; Rod-\$8,356.76; Vso-\$1,367.73; Pz-\$8,804.45; Disp-\$13,089.04; Sher-\$42,448.26; Jail-\$24,047.11; Coroner-\$1,096.59; 24/7-\$164.79; Emerg Mgnt-\$3,993.43; E911-\$1,899.20; Highway-\$46,026.52; Air-\$1,585.45; Weed-\$4,995.29; Pz-\$4,618.43; **Bills:** Tridle,Debora-\$189.80; Mcgruder, Brenda-\$43.00; Dias,Gregory-\$37.80; Larson,Rene-\$21.42; Runge,Brett-\$66.00; 2-1-1 Helpline Center-\$1,000.00; American Family Life-\$3,078.73; BH Federal Credit Union-\$6,933.74; BH Power-\$378.95; Centurylink-\$2,206.41; Credit Collections Bureau-\$127.72; Deadwood Recreation Center-\$723.00; Delta Dental Of South Dakota-\$7,026.56; Dept Of The Treasury-\$60,672.51; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,885.57; Montana Dakota Utilities-\$387.03; Northern Hills Rec Center-\$164.00; Office Of Child Support-\$398.31; SD Retirement System-\$59,620.86; Sdrs Supplemental Retirement-\$2,493.50; Vast Broadband-\$324.99; Verizon Wireless-\$105.25; Wellmark Blue Cross-\$74,129.73; A To Z Shredding-\$86.55; A&B Business,Inc Solutions-\$1,980.29; A&B Welding Supply-\$21.39; A&I Distributors-\$126.45; Abc Business Supply-\$752.17; American Bar Association-\$257.00; At&T Mobility-\$914.56; Audra Malcomb Consulting-\$555.09; BH Council Of Local Govt-\$6,265.00; BH Pioneer-\$916.75; BH Power-\$1,598.93; BH Regional Multiple-\$100.00; Baczwaski Law Office,PC-\$5,044.20; Bank Of Buffalo-\$107.15; Barnaud Law Firm-\$865.50; Behavior Mngt Systems-\$24,097.00; Black Hills Pure-\$23.50; Butler Machinery Co-\$107,089.90; Butte Electric Coop-\$847.35; Butte-Lawrence Co Fair-\$10,000.00; Cbh Cooperative-\$3,928.50; Century Business Products-\$481.30; Centurylink-\$105.86; City/County Alcohol&Drug-\$1,073.00; Clinical Lab Of BH-\$3,601.00; Dakota Equipment Rental-\$145.46; Days Inn-\$57.00; Deadwood Carnegie Library-\$91,801.00; Deadwood Mountain Grand-\$382.31; Deadwood, City Of-\$913.29; Dean Schaefer Court Reporting-\$72.00; Eagle Aviation-\$23.28; Eb Communications-\$37.00; Ellingson,Joseph- \$2,103.40; Fastenal-\$7.65; Fidler-Isburg Funeral Chapel-\$1,400.00; Fulfab-\$124.42; Gene's Lock Shop-\$16.98; Grace Balloch Mem Library-\$230,421.00; Harmelink,Fox&Ravnsborg-\$127.70; Heartland Paper Co-\$882.47; Heisler Hardware-\$62.39; Hilpert&Hale Prof-\$2,185.68; Hp-\$5,367.54; Interstate Engineering-\$40,728.41; Kadrmas, Lee And Jackson-\$13,717.26; Kimball-Midwest Co-\$394.86; Kimbell's Auto Repair-\$453.56; Kinney,Matthew-\$2,742.07; Lawson Products-\$551.47; Lead,City Of-\$108,789.95; Lead-Deadwood Reg Hospital-\$5,225.00; Lead-Deadwood Regional Hospital-\$843.60; Lead-Deadwood Sanitary-\$409.74; Lee,James-\$15.00; Lincoln County-\$289.00; McClure,Susan-\$150.00; Mcgas Propane-\$414.82; Mg Oil Company-\$1,421.12; Midcontinent Communications-\$35.85; Mikelson,Gary-\$230.96; Montana Dakota Utilities-\$4,894.79; NH Training Center-\$2,500.00; National Sheriff's Assoc-\$112.00; Nelson,Tonya-\$200.00; Neve's Uniforms-\$944.91; Newman Signs-\$2,763.84; Northern Hills Business Center-\$140.97; Northern Truck Equip-\$315.00; Office Depot-\$234.96; Patino,Dora-\$141.90; Pcm Sales-\$965.91; Pennington County Sts Attny-\$215.00; Plumbmaster-\$167.03; Program Works-\$864.96; Quik Signs-\$60.67; Quill Corporation-\$921.16; RC Regional Hospital-\$458.90; Rabe Elevator-\$1,020.88; Rapid City Emergency Services-\$94.10; Redwood Toxicology Lab-\$70.00; Regional Health-\$177.66; Reserve Account-\$6,000.00; Rhomar Industries-\$1,316.61; Rocket Lube-\$194.97; Rsinet-

\$180.00; SD Assoc Of Criminal Defense-\$100.00; SD Association Of County-\$355.00; SD Dept Of Transportation-\$914.43; SD Law Review-\$33.02; SD State Treasurer-\$13,611.88; Secretary Of State-\$30.00; Servall Towel&Linen-\$1,003.09; Sheehan Mack Sales&Equip-\$1,392.87; Southside Oil Co-\$14,034.00; Southside Service-\$320.00; Spearfish Ambulance Service-\$5,225.00; Spearfish Area Chamber Commerce-\$3,000.00; Spearfish Auto Supply-\$621.41; Spearfish Police Dept-\$10,614.60; Spearfish Senior Citizens-\$2,000.00; Sterna, Laura-\$200.00; Sturdevant's Auto Parts-\$521.84; Swisher Hygiene/Css-\$394.20; Sysco Montana-\$4,118.45; Thomson Reuters-West-\$588.50; Triple K Tire&Repair-\$34.02; Twin City Hardware&Lumber-\$1,178.51; Vanway Trophy And Award-\$43.80; Waste Connections-\$729.64; Watertree-\$52.75; Weber, Ana-\$375.00; Weed&Pest Conference-\$260.00; Western Communication-\$12.00; Western Fire&Safety-\$560.00; Western SD Juvenile Serv-\$5,705.00; Wex Bank-\$469.12; White's Canyon Motors-\$309.00; Whitewood Library-\$61,320.00; Wilde&Hunt, Prof. Llc-\$1,575.76; Wimactel-\$60.00; Yankton County-\$223.00; **Witness & Jurors:** Addington,R-\$65.96; Abernathy,E-\$14.20; Riley,D-\$26.80; Delahoyde,K-\$62.60; Feyereisen,A-\$62.60; Holden,P-\$62.60; Iverson,M-\$68.48; Johnson,G-\$62.60; Mulhair,D-\$64.28; Aslesen,R-\$28.48; Richards,L-\$60.92; Snow,J-\$50.84; Vandavelde,A-\$52.52; Andrews,H-\$14.20; Babb,J-\$22.60; Baird,M-\$22.60; Ballert,D-\$13.36; Barth,M-\$182.76; Bridgers,C-\$22.60; Brill,R-\$22.60; Brown,N-\$22.60; Brun, T-\$26.80; Burleson,B-\$157.56; Chamley,K-\$24.28; Cichosz,E-\$20.08; Cleveringa,S-\$12.52; Cole,J-\$24.28; Crotteau,B-\$182.76; Dardis,L-\$20.92; Dardis,M-\$24.28; Daugherty,R-\$26.80; Dosch,S-\$21.76; Draine,G-\$22.60; Edison,R-\$22.60; Fortier,M-\$18.40; Fowls,J-\$195.36; Gallagher,B-\$187.80; Gostola,B-\$12.52; Hall,J-\$187.80; Hardy,C-\$24.28; Herrig,T-\$22.60; Hines, C-\$22.60; Hunter,A-\$21.76; Hunter,K-\$35.20; Hurrle,J-\$22.60; Iverson,A-\$22.60; Johnson,J-\$22.60; Katsmedas,C-\$14.20; Keil,B-\$22.60; Kilber-Flesmer,M-\$22.60; Kingsbury,R-\$24.28; Kosters,T-\$15.88; Ladson,L-\$31.00; Lilyquist,D-\$26.80; Lochner,B-\$24.28; Lueders,C-\$22.60; May,S-\$22.60; Mayer,W-\$26.80; Merkel,A-\$22.60; Muxlow,P-\$22.60; Nelson,R-\$10.84; Nelson,S-\$20.92; Nida,A-\$22.60; Norton,W-\$10.84; Pechous,B-\$160.08; Pfefferle,K-\$187.80; Rowe,A-\$22.60; Scholl,J-\$26.80; Seifert,A-\$10.84; Shippy,R-\$187.80; Shirley,P-\$185.28; Shupe,J-\$29.32; Sinclair,C-\$197.88; Smith,H-\$22.60; Spurrier,E-\$14.20; Steiner,C-\$22.60; Struble,A-\$10.84; Swanz,M-\$24.28; Thompson,T-\$22.60; Timm,D-\$10.84; Tucker,J-\$200.40; Vanveghel,T-\$18.40; Vasknetz,C-\$22.60; Waters,P-\$26.80; Wellford,C-\$20.92; Whitted,K-\$187.80; Badwound-Stahlecker,G-\$35.12; Carmichael,B-\$32.60; Tinnell,L-\$32.60

ADJOURN: 10:07 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – March 8, 2016

Chairman Daryl Johnson 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 8, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Randall Rosenau, Brandon Flanagan, Richard Sleep, and Terry Weisenberg present.

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

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

MINUTES: Moved-Seconded (Weisenberg-Sleep) to approve the minutes of February 9th County Commission meeting and Board of Adjustment meeting. Motion Carried.

TRAVEL REQUEST:

SHERIFF: Moved-Seconded (Weisenberg-Flanagan) to approve the Travel Request for Rob Ruffatto and Seth Brennan to attend the Safariland Impact Munitions Instructor Course in Laramie, WY on April 5-6, 2016. Motion Carried.

SHERIFF: Moved-Seconded (Rosenau-Johnson) to approve the Travel Request for Rob Ruffatto and Tavis Little to attend the Advanced ALICE training in Vermillion, SD on May 25-27, 2016. Motion Carried.

EMERGENCY MANAGEMENT: Moved-Seconded (Rosenau-Sleep) to approve the Travel Request for Rene Larson and Paul Thomson to attend the Homeland Security Conference in Sioux Falls, SD on May 2-5, 2016. Motion Carried.

PERSONNEL:

AUDITOR: Moved-Seconded (Flanagan-Rosenau) to approve the new hire of Krystal Stulken as a permanent half-time (20-29 hrs) Accounting Clerk G1 at the base rate of \$14.14 an hour, effective March 9, 2016. Motion Carried.

SHERIFF: Moved-Seconded (Weisenberg-Rosenau) to approve the reclassification of Jolene Wetz as a Part-Time (under 20) fill in Correctional Officer II G1 at the base rate of \$18.36 an hour, effective March 6, 2016. Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve the classification change for Tavis Little as a full-time permanent Captain G1 at the base rate of \$26.22 an hour, effective March 8, 2016. Motion Carried.

CORONER: Moved-Seconded (Weisenberg-Sleep) to approve Pat Fahey, Damon Isburg, and Darin Pedneau as a Deputy Coroner at \$200.00 per call, effective March 8, 2016. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Johnson) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of February 29, 2016 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)-\$102,476.32; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$5616.97; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$5,216,767.45, Money Market \$5,748,996.17; Savings-\$7,410,4059.79; Total \$21,587,126.70.

MOA RELATED NOISE COMPLAINT: Michael Rath, Airport Board discussed the increased Ellsworth traffic of the B1 holding traffic over spearfish. Rath stated the Airport Board has recommended the County Commission send a letter to Ellsworth. Moved-Seconded (Flanagan-Rosenau) to send a letter to Ellsworth Airforce Base and respectfully ask them to move the holding traffic away from Spearfish. Motion Carried. Sleep and Weisenberg expressed concerns if this is necessary as they are a National Security Defense Department. Aye-Flanagan, Rosenau and Johnson. Nay-Sleep and Weisenberg.

REGISTER OF DEEDS:

RECORD RETENTION & DESTRUCTION POLICY: Moved-Seconded (Flanagan-Sleep) to approve the adoption of the County Register of Deeds Record Retention and Destruction Schedule. Motion Carried.

ROAD DISTRICT PETITIONS: The Board acknowledged receipt of the proposed Pillar Peak Road District and Ponderosa Ridge Road District Petitions. Public examination of survey, map and petition will be posted according to SDCL 31-12A-4.

UPDATE USFS/USDoD: Paul Thomson updated the Board on the USFS/USDoD/Lawrence County Radio Tower and building negotiations.

SHERIFF:

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

RETAIL AND SUNDAY ON-SALE LICENSE TRANSFER / BOULDER CANYON COUNTRY CLUB: A public hearing was held on an application for a transfer of Retail & Sunday On-Sale License to sell intoxicating liquor from Homeslice Management to Boulder Canyon Country Club. No public input was voiced and the hearing was closed. Moved-

Seconded (Flanagan-Rosenau) to approve the following transfer: *PREVIOUS LICENSE:* HOMESLICE MANAGEMENT LLC, Lot D revised and Lot 1-D revised, SW1/4 of the NW1/4, S13; E1/2 NE1/4, except lot A and HROW section14, T5N, R4E of the Black Hills Meridian – Boulder Canyon Country Club. *TRANSFER TO:* BOULDER CANYON COUNTRY CLUB: Golf Course Tract 1, Section14, T5N, R4E of the Black Hills Meridian – Boulder Canyon Country Club. Motion Carried.

HIGHWAY:

BROOKVIEW ROAD / HILLSVIEW ROAD BID: The following bids were received for the Brookview Road / Hillsview Road Projects: Hills Material-\$684,996.61 (Hillsview Base Bid-\$408,900.75 & Brookview Base Bid \$276,095.86) and Sacrison Paving-\$724,550.00 (Hillsview Base Bid-\$429,550.00 & Brookview Base Bid \$295,000.00).

Moved-Seconded (Weisenberg-Rosenau) to follow the recommendation of the Highway Superintendent and accept the lowest responsible bid from Hills Material-\$684,996.61 (Hillsview Base Bid-\$408,900.75 & Brookview Base Bid \$276,095.86) and waive any irregularities for Paving Projects Brookview Road/Hillsview Road. Motion Carried. Aye-Weisenberg, Flanagan, Rosenau and Johnson. Nay-Sleep. Sleep stated he felt it was a duplication of projects as it was graveled last year and shouldn't need paved this year.

MCGUIGAN ROAD: Moved-Seconded (Weisenberg-Sleep) to follow the recommendation of the Highway Superintendent and approve the advertising for bids on the McGuigan Road Project for April 5th. Motion Carried.

R.O.W. PERMIT / SPEEDY MART: Moved-Seconded (Sleep-Weisenberg) to follow the recommendation of the Highway Superintendent and approve the R.O.W. permit for the Speedy Mart Inc. located in T7N, R2E, Section SE1/4 Sec32 on the McGuigan Road. Motion Carried.

LOAD LIMITS: Allan Bonnema updated the Board on the Load Limits and stated they have been implemented. Bonnema reported the State has not received the letter requesting assistance for enforcement. Another letter was signed and will be sent to the new District 4 Commander requesting assistance for enforcement.

APPROVAL OF BICYCLE RACE ON COUNTY HIGHWAY: Moved-Seconded (Weisenberg-Johnson) to approve the Bicycle Race in June on certain County Highway's upon receipt of proof of insurance as required by the County Insurance Carrier and approval of the State on the State Highways. Motion Carried. The Board recommended they contact the Highway Patrol and County Sheriff's Office to inform them of the race.

APPROACH PERMIT/DRENTLAW: Moved-Seconded (Flanagan-Weisenberg) to follow the recommendation of the Highway Superintendent and approve the approach permit for

Michael & Brooke Drentlaw located on the north side of Hillsvie Road located approximately 50 ft east of the western property line. Motion Carried.

MAITLAND ROAD PROJECT: Allan Bonnema updated the Board on the Maitland Road Project. Main Line Construction received the bid and will be starting this spring and is scheduled to be completed in November.

BRIDGE INSPECTIONS: Moved-Seconded (Weisenberg-Flanagan) to follow the recommendation of the Highway Superintendent and approve and authorize the Chairman to sign the BRIDGE REINSPECTION RESOLUTION #16-07. Motion Carried. Resolution #2016-07 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 8th day of March, 2016, at Deadwood, South Dakota. Board of County Commissioners of Lawrence County Daryl Johnson, Chairman of the Board. ATTEST: Connie Atkinson, County Auditor.

CATERPILLAR SEMI-TRUCK BID: The Board discussed the recent announcement that Caterpillar will not be making trucks in the future. Butler Machinery has communicated that they will honor the Lawrence County bid for the two semi-trucks as accepted on the February bid award. Concerns were raised on the resale value and the availability of parts. Allan Bonnema stated he plans on keeping the trucks for an extended period of time and is comfortable with Butler Machinery's service department. Bonnema recommended going forward with the purchase of the trucks. Moved-Seconded (Sleep-Flanagan) to withdraw the acceptance of the Butler Bid and rebid the trucks. Aye-Sleep. Nay-Weisenberg, Flanagan, Rosenau and Johnson. Motion Failed.

FUEL QUOTES: The following fuel quotes were submitted as of February 29, 2016: Spearfish Diesel#2 3500 gallons: (prices per gallon) CBH Cooperative - \$1.215, South Side - \$1.21, MG Oil-\$1.159*; Spearfish Unleaded 850 gallons: (prices per gallon) CBH Cooperative - \$1.80, South Side - \$1.70, MG Oil - \$1.5185*; Whitewood Diesel Blended 50/50 450 gallons: (prices per gallon) CBH Cooperative - \$1.279, South Side - \$1.24*, MG Oil-\$1.349; Deadwood Diesel Blended 50/50 3,500 gallons: (prices per gallon) CBH Cooperative - \$1.279, South Side -

\$1.24*, MG Oil-\$1.349; Deadwood Unleaded 2,700 gallons: (prices per gallon) CBH Cooperative - \$1.80, South Side - \$1.70, MG Oil – \$1.5185*. *Represents lowest quote awarded. No bids received from Harms Oil Co.

BUTTE/LAWRENCE COUNTY 4-H ADVISOR: Michelle May was introduced as the new Butte/Lawrence County 4-H Advisor. May reviewed the services they provide and updated the Board on current and future clubs and events.

BAUER AVENUE ROAD REQUEST: John Jordan was present to discuss the Bauer Avenue Road. The Board reviewed the plats and location of the Road. Jordan stated the road does not follow the road as recorded on the plat. Jordan stated he is losing a large part of his lot and is limited on his building because of the location of the Road. The road has been in operation since the early 60's and has been established in its current location. Discussion followed on a possible vacation of the old road. The Board stated the County is not interested in moving the road.

PLANNING & ZONING:

CHANGE OF ZONING #312 / TOMMY THOMPSON: A public hearing and 1st Reading was held on proposed COZ #312 for Tommy Thompson to allow property to be rezoned from HSC to I-1 in order to allow storage of equipment, impound yard vehicles and business, located along the Whitewood Service Road and I-90. Tract T5 Section 22, T6N, R4E. Collin Thompson was present to review the request. No other public input was voiced and the public hearing was closed. Discussion followed on flood plain and EPA requirements for the area. Discussion continued on the Bridge in the area that will need to be repaired in the future and the County may need to seek an easement across this property in the future.

PRELIMINARY & FINAL PLAT / 4 BEARS: Moved-Seconded (Weisenberg-Rosenau) to follow Planning and Zoning and Staff recommendation and declare that this plat for 4 Bears in the Hills meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Weisenberg-Rosenau) to follow Planning and Zoning and Staff recommendation and approve the Preliminary and Final Plat for 4 Bears in the Hills, LLC
LEGAL DESCRIPTION: Lots 22R of Blk 15 and Well Lot 1R of Apple Springs Tract, Located in Section 11, T5N, R4E LOCATION: Boulder Canyon SUMMARY: Lot Line Change. Motion Carried.

PRELIMINARY PLAT / BH DEVELOPMENT: Moved-Seconded (Weisenberg-Flanagan) to follow Planning and Zoning and Staff recommendation and approve the Preliminary Plat for BH Development LLC
LEGAL DESCRIPTION: Plat of Block A, Lots 1-6 and Common Area of Wilderness Estates 2nd Addition LOCATION: Hwy 85 SUMMARY: Creation of New Lots. Motion Carried. Aye-Weisenberg, Flanagan, Rosenau and Johnson. Nay-Sleep.

BOUNDARY PLAT / WINTER / MAJESTIC ESTATES: Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning and Staff recommendation and approve the Boundary Plat for David Winter LEGAL DESCRIPTION: Plat of Tract A of Majestic Estates; Section 13, 23, 24, 25, T5N, R3E LOCATION: Boulder Canyon Highway Near Mattson Lane SUMMARY: Creation of a New Subdivision. Motion Carried.

LAWRENCE COUNTY REVOLVING LOAN FUND / MINERAL SEVERANCE TAX FUND:

EXECUTIVE SESSION: 10:39 a.m. Moved-Seconded (Weisenberg-Sleep) to go into executive session pursuant SDCL 1-25-2. Motion Carried. 11:07 a.m. The Board opened for regular business with no action taken.

Blaise Emerson and Tim Crawford were present to discuss the Revolving Loan Fund Administration Agreement.

Moved-Seconded (Weisenberg-Johnson) to table any action as listed on the agenda for the Lawrence County Revolving Loan Fund Applications and RLF Administration Agreement. Motion Carried.

SD DEPARTMENT OF AG WEED SPRAYING AGREEMENT: Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to sign the SD Department of AG Weed Spraying Agreement with Lawrence County. Motion Carried.

REGISTER OF DEEDS / BULK DOCUMENT REPRODUCTION FEE SCHEDULE:
EXECUTIVE SESSION: 11:25 a.m. Moved-Seconded (Sleep-Rosenau) to go into executive session pursuant SDCL 1-25-2(3)(4). Motion Carried. 11:51 a.m. The Board opened for regular business with no action taken.

John Frederickson and Ron Island were present to propose a cost of \$.05 per copy for the purchase of County Records to build a second title plant to serve Lawrence County. The Board will consider the request and discuss at a future meeting.

FSR 231 LITIGATION UPDATE:

12:01 p.m. Executive Session (Weisenberg-Johnson) 12:10 opened for business.

EXECUTIVE SESSION: 12:01 p.m. Moved-Seconded (Weisenberg-Johnson) to go into executive session pursuant SDCL 1-25-2(3)(4). Motion Carried. 12:10 p.m. The Board opened for regular business with no action taken. Moved-Seconded (Weisenberg-Johnson) to continue with John Frederickson as Lawrence County's Legal Council for FSR 231. Motion Carried.

BILLS:

Moved-Seconded (Rosenau-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-\$12,568.84; Aud-\$18,493.71; Treas-\$23,392.41; States Atty-\$30,668.95; Pub Def-\$23,343.52; Gen Govt Bldg-\$17,924.68; Equal-\$27,381.65; Rod-\$16,716.40; Vso-\$2,735.46; Ist-\$17,700.08; Disp-\$26,238.12; Sher-\$83,769.24; Jail-\$44,226.50; Coroner-\$683.18; 24/7-\$329.58; Emerg Mgnt-\$8,040.11; E911-\$3,798.40; Highway-\$90,203.52; Air-\$2,607.25; Mh Serv-\$540.00; Weed-\$7,988.42; Pz-\$10,771.43; **Bills:** Ryan,Steven-\$86.50; Weisenberg,Terry-\$40.25; Heck, David-\$283.92; Harley,Toby-\$33.00; Herman,Joshua-\$48.00; Riley,David-\$47.97; Ford,Jacob-\$48.00; Sprenger,Janette-\$30.00; Eide,Curtis-\$12.50; American Family Life-\$3,078.73; BH Federal Credit Union-\$13,867.48; BH Power-\$9,270.00; Black Hills Energy-\$2,018.78; Centurylink-\$2,264.11; Credit Collections Bureau-\$255.44; Deadwood Recreation Center-\$698.00; Delta Dental Of South Dakota-\$7,067.16; Dept Of The Treasury-\$118,753.24; Diversified Collections-\$200.00; Hartford-Priority Accounts-\$1,895.14; Montana Dakota Utilities-\$500.49; Northern Hills Rec Center-\$164.00; Office Of Child Support-\$796.62; SD Retirement System-\$58,947.00; Sdrs Supplemental Retirement-\$5,112.00; Us Department Of Education-\$160.32; Vast Broadband-\$324.99; Verizon Wireless-\$105.25; Wellmark Blue Cross-\$74,129.73; Wells Fargo Business Card-\$7,253.93; A To Z Shredding-\$21.45; A&B Business,Inc Solutions-\$1,092.16; A&B Welding Supply-\$242.53; Abc Business Supply-\$404.97; At&T Mobility-\$914.56; Audra Malcomb Consulting-\$1,209.35; BH Chemical Company-\$191.52; BH Pest Control-\$190.00; BH Pioneer-\$479.19; Baczwaski Law Office, PC-\$1,740.90; Barnaud Law Firm-\$949.37; Behrens-Wilson Funeral Home-\$150.00; Best Western Ramkota Hotel-\$527.94; Bi Geo Group-\$230.00; Bickle's Truck&Diesel-\$268.25; Black Hills Energy-\$1,640.09; Bob Barker Company-\$44.62; Bruemmer,Lynnel-\$13.60; Butte Electric Coop-\$740.74; Carol Butzman Consult Serv-\$75.00; Century Business Products-\$510.31; Centurylink-\$105.86; Child's Voice-\$2,064.00; Chris Supply Co-\$2,167.55; Claggett&Dill, Prof-\$1,360.65; Clinical Lab Of BH-\$1,646.00; Cna Surety-\$50.00; Community Health Services-\$20.00; Dakota Equipment Rental-\$184.92; Deadwood,City Of-\$838.41; Eb Communications-\$281.80; Eddie's Truck Sales/Serv-\$8.17; Ekern,Marv-\$6.00; Ellingson,Joseph-\$2,380.73; Fastenal-\$191.50; Federal Express Corp-\$21.41; Fidler-Isburg Funeral Chapel-\$3,380.00; First Western Ins Deadwood-\$1,390.00; Fox&Youngberg-\$164.82; Frederickson,John-\$4,900.20; Gene's Lock Shop-\$154.00; Grafix Shoppe-\$1,014.44; Graybar-\$557.61; Hamilton Excavation-\$450.00; Harkins,Carolyn Rpr-\$39.50; Harmelink,Fox&Ravnsborg-\$143.00; Heartland Paper Co-\$922.93; Hills Material Comp-\$3,751.56; Hp-\$2,282.86; Interstate Engeering-\$7,748.50; Jacobs Precision Welding-\$79.99; Janke,Wendy-\$1,034.00; K-Log-\$5,043.04; Kadrmas, Lee And Jackson-\$13,717.26; Kimball-Midwest Co-\$229.98; Kinney, Matthew-\$2,812.59; LC Emerg Mgnt-\$36.75; LC Treasurer-\$32.40; Language Line Services-\$78.91; Lead,City Of-\$72.35; Lead-Deadwood Regional Hospital-\$124.56; Lead-Deadwood Sanitary-\$388.84; Lee,James-\$15.00; Lewno,Lucy-\$102.25; Lexisnexis Risk Data Mgnt-\$75.00; Lincoln County-\$18.00; Manlove Psychiatric Group-\$1,800.00; Marshall&Swift/Boeckh-\$1,088.40; Mcclure,Susan-\$50.00; Mcgas Propane-\$340.77; Mcleod's Office Supply-\$1,848.69; Mg Oil Company-\$9,447.18; Midcontinent Communications-\$35.74; Midwest Alarm Company-\$91.20; Montana Dakota Utilities-\$4,492.31; Moore Medical-\$220.49; Ms Mail-\$35.00; NH Alcohol Drug Services-\$10,000.00; Napd-\$60.00; Nelson,Tonya-\$400.00; Neve's Uniforms-\$332.60; Northern Hills Casa-\$7,500.00; Orion Trailers&Sleds-\$667.75; Patino,Dora-\$46.72; Pennington Co Jail-\$1,059.15; Pennington County Sts Attny-\$215.00; Pollard&Larson-\$163.00; Pour House Pizza-\$162.00; Pump House Coffee&Deli-\$127.80; Quill-\$177.70; RC Finance Office-\$770.00;

RC Police Dept-\$7.96; RC Regional Hospital-\$548.35; Rabe Elevator-\$1,020.88; Radiology Associates-\$26.60; Rapid Delivery-\$12.08; Rapid Transcript-\$105.00; Rasmussen Mechanical Serv-\$18,654.00; Redwood Toxicology Lab-\$596.23; Regional Health-\$1,243.70; Reserve Account-\$6,000.00; Rocket Lube-\$219.95; Rockmount Research & Alloys-\$1,357.31; SD Airport Conference-\$90.00; SD Building Officials Assoc-\$75.00; SD Dept Of Transportation-\$1,839.20; SD State Treasurer-\$632.17; Sd Ltap/Sdsu-\$125.00; Semerad, Sandra-\$74.80; Servall Towel Linen-\$1,003.09; Spearfish Ambulance Service-\$197.12; Spearfish Auto Supply-\$359.97; Spearfish Police Dept-\$10,742.70; Stadler Ind Service-\$80.00; Sterna,Laura-\$300.00; Studioso, James-\$282.99; Sturdevant's Auto Parts-\$888.92; Susteen-\$995.00; Swanda,Karen-\$6.00; Sysco Montana-\$3,736.75; Taser International-\$2,200.10; Thomson Reuters-West-\$167.48; Triple K Tire&Repair-\$873.18; Truenorth Steel-\$3,864.00; Turnkey Corrections-\$29.17; Twilight First Aid &Safety-\$231.35; Twin City Hardware&Lumber-\$406.36; Twin City Senior Citizens-\$2,000.00; United Parcel Service-\$46.15; Vast Broadband-\$2,367.09; Victims Of Violence-\$530.00; Waste Connections Of Sd-\$426.31; Watertree-\$52.75; Wellmark Blue Cross-\$250.00; Wells Plumbing &Farm Supp-\$167.80; West River International-\$149.07; Western Communication-\$43.00; Western Hills Humane Society-\$2,000.00; Western Planning Resources-\$210.00; Western Sd Juvenile Serv-\$8,089.95; Wex Bank-\$404.20; White Drug-\$1,419.07; White's Canyon Motors-\$575.12; Whitewood Senior Citizens-\$1,000.00; Wilde&Hunt, Prof-\$2,548.59; Wimactel-\$60.00; Yankton Co Sheriff-\$25.00; **Witness & Jurors:** Jones,J-\$33.44; Brosnahan,F-\$63.44; Cavallero,N-\$60.08; Clauser,C-\$62.60; Damuth,M-\$62.60; Deibert,L-\$68.48; Hulm,D-\$58.40; Klein,D-\$66.80; Peterson,J-\$66.80; Walker,P-\$58.40; Zacarias,S-\$66.80; Gudahl,W-\$201.44; Pederson,M-\$308.12; Aldridge,A-\$22.60; Auld,T-\$12.52; Bakeberg,T-\$22.60; Blackman,L-\$21.76; Boe,E-\$24.28; Braunesreither,J-\$22.60; Brinson,E-\$22.60; Britton,J-\$12.52; Buchholz,B-\$200.40; Butler,K-\$22.60; Buxton,J-\$200.40; Campbell,K-\$12.52; Cook,D-\$16.72; Daum,C-\$25.12; Dennison,G-\$187.80; Deppe,D-\$28.48; Dolen,R-\$200.40; Ewing,T-\$16.72; Fillingim,J-\$23.44; Gerving,B-\$12.52; Gregory,J-\$10.84; Greslin,J-\$22.60; Guthmiller,L-\$22.60; Hacker,E-\$10.84; Hill,G-\$22.60; Jackson,M-\$20.08; Jensen,A-\$18.40; Jones,B-\$26.80; Langenfeld,L-\$26.80; Larimore,D-\$22.60; Larsen,L-\$157.56; Lee,A-\$22.60; Loffer,W-\$22.60; Logan,C-\$22.60; Mattson,S-\$23.44; Mclemore,R-\$22.60; Merzweiler-Jones,C-\$20.08; Mollman,J-\$12.52; Morgan,S-\$22.60; Munro,K-\$192.84; Nelson,M-\$14.20; Olson,T-\$187.80; Otteson,D-\$21.76; Paananen,W-\$13.36; Peppmeier,J-\$12.52; Percevic,D-\$12.52; Phillips,H-\$40.24; Phillips,L-\$12.52; Pisani,B-\$22.60; Pontius,A-\$22.60; Prescott,J-\$25.12; Rantapaa,R-\$157.56; Riopel,B-\$197.88; Robeson,D-\$15.88; Rodgers,E-\$35.20; Silva,A-\$180.24; Simonyak,K-\$22.60; Smith,A-\$22.60; Smith,J-\$10.84; Sommer,A-\$15.04; Stangland,N-\$17.56; Sturdevant,A-\$30.16; Swisher,M-\$25.12; Thacker,D-\$195.36; Tschetter,C-\$26.80; Vardiman,D-\$162.60; Wagner,A-\$22.60; Waterson,B-\$22.60; Weaver,R-\$15.04; White,J-\$12.52; Wilcox,M-\$20.08; Williamson,J-\$20.08; Williamson,L-\$22.60; Young,M-\$225.44; Crowser,K-\$30.92; Ksenych,C-\$20.00; Miner,L-\$35.12; Ryan,M-\$23.78; Quinn,D-\$31.76; Waisanen,D-\$20.00

ADJOURN: 12:15 p.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – March 22, 2016

Chairman Daryl Johnson 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 22, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Randall Rosenau, Brandon Flanagan, Richard Sleep, and Terry Weisenberg present.

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

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

MINUTES: Moved-Seconded (Weisenberg-Sleep) to approve the minutes of March 8th County Commission meeting. Motion Carried.

PERSONNEL:

TREASURER: Moved-Seconded (Rosenau-Flanagan) to approve the classification change for Gail Derby as a permanent full-time Secretary G3 at the base rate of \$17.85 an hour, effective April 4, 2016. Motion Carried.

SPEARFISH VETERANS MONUMENT COMMITTEE RAFFLE: Moved-Seconded (Sleep-Rosenau) to not object to the request from the Spearfish Veterans Monument Committee Raffle. Motion Carried.

EXTENSION AGREEMENT: Moved-Seconded (Sleep-Rosenau) to authorize the Chairman to sign the MOU with the SDSU Extension and Counties of South Dakota 2016. Motion Carried.

HISTORIC MARKERS: The Board discussed the proposed historic markers on County Property. Mike Runge was present representing the City of Deadwood. Moved-Seconded (Flanagan-Rosenau) to allow the installation of two historic markers on County Property. Motion Carried.

AIRPORT SPONSORSHIP LETTER: Moved-Seconded (Sleep-Flanagan) to approve and authorize the Chairman to sign the City of Spearfish / Lawrence County Letter to the FAA regarding the Sponsorship Transfer. Motion Carried.

RETAIL ON-OFF SALE WINE & RETAIL ON-OFF MALT BEVERAGE & SD FARM WINE / RIM ROCK LODGE: A public hearing was held on an application for a Retail On-Off Sale Wine License For Eagle Tree Resorts Co LLC: DBA Rim Rock Lodge; Bldgs On

Leased Site; Spearfish Canyon Lot C-2. 26280-00479-000-30 and a Retail On-Off Malt Beverage & SD Farm Wine License for Eagle Tree Resorts Co LLC: DBA Rim Rock Lodge; Bldgs On Leased Site; Spearfish Canyon Lot C-2. 26280-00479-000-30. The Applicants were present to detail the request. The public hearing was closed. Moved-Seconded (Flanagan-Rosenau) to approve the following Retail On-Off Sale Wine and Retail On-Off Malt Beverage & SD Farm Wine for Eagle Tree Resorts Co LLC: DBA Rim Rock Lodge. Motion Carried.

HIGHWAY:

APPROACH PERMIT / ELSOM: Moved-Seconded (Rosenau-Sleep) to follow the recommendation of the Highway Superintendent and approve the Private Approach Permit for Dave Elsom on the west side of the McGuigan Rd located approximately 1 mile south of West Oliver St. and McGuigan Intersection. Motion Carried.

HIGHWAY SUPPLIES BIDS:

MAGNESIUM CHLORIDE: Moved-Seconded (Sleep-Johnson) to accept the only bid from Z&S Dust Control at \$146.50 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-\$60.00 at Exit 8 Plant. Moved-Seconded (Sleep-Rosenau) to accept the only bid received from Sacrison Paving and allow the Chairman to sign the contract. Motion Carried.

COLD MIX ASPHALT: Hills Materials - \$103.00. Moved-Seconded (Flanagan-Johnson) to accept the only bid received from Hills Material at \$103.00 and allow the Chairman to sign the contract. Motion Carried.

GRAVEL SURFACING AGGREGATE: Fisher Industries (Stateline Quarry)- $\frac{3}{4}$ " gravel surfacing-no bid; 1" gravel base-\$9.50; $\frac{1}{2}$ " clean rock-\$10.50; $\frac{3}{4}$ " clean rock-\$10.25; 1" clean rock-\$10.25, 3.8" chips -\$15.00; All prices include loading costs. Hills Material: $\frac{3}{4}$ " gravel base course \$no bid; 1" Black Base Crushed Asphalt (Hansen Pit & Centennial Quarry)-\$12.00; 1" gravel base (Kost Pit)-\$9.30 (Hansen Pit)-\$7.85 & (Centennial Pit)-\$9.00; $\frac{3}{4}$ "; clean rock(Centennial)-\$13.90; $\frac{1}{2}$ " clean rock-no bid; 1" clean rock (Hanson Pit)-\$11.20 & (Centennial Quarry)-\$13.75; $\frac{3}{8}$ " Chips (Centennial Pit) \$17.25. Loading costs included. Johner & Sons (Hurm Pit & Evans Pit): $\frac{3}{4}$ " gravel surfacing-no-bid; 1" gravel base-\$7.25; $\frac{3}{4}$ "; clean rock-no bid; $\frac{1}{2}$ " clean rock-no bid; 1" clean rock-\$9.50; and \$.50 loading costs. H&S Sand & Gravel: $\frac{3}{4}$ " gravel surfacing-\$9.60; 1" gravel base-no bid; $\frac{3}{4}$ "; clean rock-no bid; $\frac{1}{2}$ " clean rock-no bid; 1" clean rock-\$13.75; and a deduction of \$.30 per ton if it is loaded with the County loader. Moved-Seconded (Flanagan-Johnson) to accept all bids received, depending on the most advantageous price and desired location, and allow Chairman to sign the Contracts. Motion Carried.

DE-ICING SAND: Hills Material - \$14.10 per ton delivered or \$18.30 per ton if the County hauls. Pete Lien & Sons - \$25.00 per ton delivered or \$12.00 per ton if the County hauls. Allan Bonnema, Highway Superintendent discussed the clerical error in transposing the bid from

delivered to the County Hauling with the Bidder. Moved-Seconded (Flanagan-Weisenberg) to accept the low bid from Hills Material, waive the irregularities and allow the Chairman to sign the contract reflecting the bid as follows: Hills Material - \$18.30 (\$54,900) per ton delivered or \$14.10 (\$42,300) per ton if the County hauls. Motion Carried. _

HOT MIX-IN ASPHALT PAVER PATCHING: Sacrison Paving - \$150.00 per ton. Hills Material - \$160.00 per ton. Moved-Seconded (Sleep-Flanagan) to accept the low bid from Sacrison Paving at \$150.00 per ton and allow the Chairman to sign the Contract. Motion Carried.

PRECAST CONCRETE CULVERTS/BOX CULVERTS/BRIDGE BEAMS/DECK UNITS:

Moved-Seconded (Rosenau-Flanagan) to accept the only bid from Forterra Concrete Products for Precast Concrete Culverts, Box Culverts, Bridge Beams, Deck Units, as on file in the Lawrence County Auditor's Office. Motion Carried.

ISOLATED TRACT / ORMISTON: The Board discussed the Petition for Isolated Tract Pursuant to SDCL Ch. 31-22 OWNERS: Fred and Natali Ormiston LEGAL: Ballard,, Fremont Fraction, Steward, Cora May and Eagle Lode Mining Claims of Mineral Survey No. 968, Location in Section 30, Township 5 North, Range 3 East, B.H.M., Lawrence County, South Dakota, EXCEPT any portion of Conflict with North Star Lode of MS 535 LOCATION: Adjacent to Cutting Mine Road/Iverson Field Road. Ormiston stated they are currently working on the easements from BLM and Homestake and should be finalized soon. Moved-Seconded (Flanagan-Johnson) to accept the Compliance of Application Pursuant to SDCL Ch. 31-22 and to schedule an On-Site. Motion Carried.

REGISTER OF DEEDS / BULK DOCUMENT REPRODUCTION FEE SCHEDULE:

EXECUTIVE SESSION: 9:26 a.m. Moved-Seconded (Sleep-Johnson) to go into executive session pursuant SDCL 1-25-2(3)(4). Motion Carried. 10:25 a.m. The Board opened for regular business with no action taken.

LAWRENCE COUNTY REVOLVING LOAN FUND / MINERAL SEVERANCE TAX

FUND: Blaise Emerson was present to answer any questions. The Board did not take the issue from the table.

PLANNING & ZONING:

CHANGE OF ZONING #312 / TOMMY THOMPSON: 2ND Reading was held on proposed COZ #312 for Tommy Thompson to allow property to be rezoned from HSC to I-1 in order to allow storage of equipment, impound yard vehicles and business, located along the Whitewood Service Road and I-90. Tract T5 Section 22, T6N, R4E.

Moved-Seconded (Sleep-Flanagan) to follow Planning and Zoning and Staff report, and approve COZ #312 for Tommy Thompson to allow property to be rezoned from HSC to I-1 in order to

allow storage of equipment, impound yard vehicles and business, located along the Whitewood Service Road and I-90. Tract T5 Section 22, T6N, R4E. Motion Carried.

BILLS:

Moved-Seconded (Flanagan-Rosenau) 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-\$6,284.42; Aud-\$9,238.35; Treas-\$12,742.65; States Atty-\$15,199.07; Pub Def-\$11,671.76; Gen Govt Bldg-\$8,910.00; Equal-\$13,699.61; Rod-\$8,358.21; Ist-\$8,850.04; Disp-\$11,581.60; Sher-\$39,975.60; Jail-\$22,732.16; Coroner-\$197.60; 24/7-\$164.79; Emerg Mgnt-\$4,023.26; E911-\$1,899.20; Highway-\$44,277.23; Air-\$1,158.00; Weed-\$3,487.77; Pz-\$5,384.43; **Bills:** Dias, Gregory-\$12.60; Fisher, Jason-\$220.00; A&B Business, Inc Solutions-\$1,489.63; A&I Distributors-\$1,017.65; A&J Supply-\$14.53; Abc Business Supply-\$272.73; Alice Training Institute-\$1,190.00; At&T-\$3.52; Audra Malcomb Consulting-\$837.82; BH Federal Credit Union-\$6,933.74; BH Legal Professionals Assoc-\$80.00; BH Pest Control-\$190.00; BH Wilbert Vault Co-\$450.00; Barnaud Law Firm-\$1,213.25; Black Hills Disposal-\$87.00; Black Hills Energy-\$11,209.62; Black Hills Pure-\$17.50; Black Hills Title Company-\$300.00; Bomgaars Supply-\$46.32; Burleigh County Sher Dept-\$22.00; Butler Machinery Co-\$587.92; Butte Electric Coop-\$395.36; Centurylink-\$2,264.11; Child's Voice Route #6361-\$1,207.90; Clark Printing-\$601.87; Credit Collections Bureau-\$127.72; Dakota Equipment Rental-\$568.76; Deadwood Mountain Grand-\$57.00; Dept Of The Treasury-\$58,175.06; Diversified Collections-\$100.00; Ecolab-\$146.02; Election Sys & Software-\$6,060.00; Emergency Services Marketing-\$25.94; Fastenal-\$165.42; First Western Ins Deadwood-\$50.00; Frederickson, John R-\$1,577.00; Galls-\$938.71; Godfrey's Brake Serv-\$410.07; Heartland Paper Co-\$1,880.54; Hills Material Comp-\$41,169.63; Johner Gravel-\$7,421.44; Kadrmas, Lee And Jackson-\$4,737.50; Kinney, Matthew-\$1,449.81; Kosel, Joseph-\$19,023.21; Lawson Products-\$215.95; Lead-Deadwood Regional Hospital-\$613.90; Leverington Funeral Home Of-\$1,450.00; Lewis & Clark Bhs-\$160.00; Lexisnexis Risk Data Mgnt-\$75.00; Montana Dakota Utilities-\$389.20; Ms Mail-\$20.00; Nelson, Christy-\$150.00; Neve's Uniforms-\$222.75; Office Of Child Support-\$582.93; Pennington Co Jail-\$938.70; Pitney Bowes-\$1,479.82; Postmaster, Deadwood-\$88.00; Quill Corporation-\$387.88; RC Finance Office-\$875.00; Radiology Associates-\$45.00; Redwood Toxicology Lab-\$1.05; Regan, Sharon-\$4,800.00; Regional Health-\$846.74; Reuer, Allen-\$325.00; Rocket Lube-\$72.99; SD Dept Of Transportation-\$33.00; Sdrs Supplemental Retirement-\$2,618.50; Servall Towel & Linen-\$418.42; Southside Oil Co-\$4,898.00; Spearfish Police Dept-\$10,660.44; Sturdevant's Auto Parts-\$78.01; Sysco Montana-\$1,836.94; Thomson Reuters-West-\$167.48; Turnkey Corrections-\$17.11; Twilight First Aid & Safety-\$134.85; Twin City Hardware & Lumber-\$159.45; Us Department Of Education-\$160.32; Vast Broadband-\$338.16; Verizon Wireless-\$105.27; Victims Of Violence-\$471.00; Waste Connections Of Sd-\$303.33; Wells Fargo Business Card-\$7,939.52; Western State Fire Protection-\$560.00; White Drug-\$1,137.81; White's Canyon Motors-\$140.12; White's Queen City Motors-\$123.71; Wimactel-\$60.00; Yankton County-\$88.65; **Witness & Jurors:** Balkenhol, F-\$10.84; Brosnahan, F-\$63.44; Clauser, C-\$62.60; Damuth, M-\$62.60; Deibert, L-\$68.48; Hulm, D-\$58.40; Klein, D-\$66.80; Peterson, J-\$66.80; Walker, P-\$58.40; Zacarias, S-\$66.80; Anderson, B-\$40.00; Gabeline, H-\$30.92; Miller, A-\$36.80; Perkins, P-\$63.68; Riley, M-\$20.00; Taggart, N-\$32.60; Tarno, C-\$32.60; Abbott, C-\$24.28; Alley, M-\$30.16; Anderson, M-

\$22.60; Blaha,M-\$26.80; Blum,M-\$25.96; Bryant,L-\$11.68; Burch,P-\$26.80; Cleek,J-\$125.20; Clem,N-\$22.60; Dale,J-\$26.80; Dardis,K-\$23.44; Davis,G-\$23.44; Delong,R-\$125.20; Derflinger,E-\$25.20; Egert,G-\$25.12; Fett,S-\$125.20; Figueora,J-\$20.92; Folk,C-\$20.08; Frenzel,I-\$133.60; Friedrich,L-\$25.12; Goodsell,M-\$116.80; Gray,S-\$21.76; Haggberg,A-\$19.24; Haivala,K-\$136.96; Hall,J-\$18.40; Hantke,N-\$12.52; Heinrich,D-\$128.56; Hill,B-\$26.80; Hohn,M-\$18.40; Hohn,T-\$12.52; Hunke,L-\$26.80; Iverson,F-\$10.84; Johnstone,D-\$11.68; Jones,J-\$20.92; Kaiser,C-\$20.92; Keehn,T-\$12.52; Kellogg,K-\$20.08; Kermu,I-\$10.84; Kerutis,K-\$22.60; Kightlinger,D-\$13.36; Klemann,T-\$24.28; Kubousek,M-\$18.40; Lefler,K-\$13.36; Lyons,R-\$25.12; Lyons,V-\$31.00; Madler,D-\$125.20; Mcarthur,K-\$21.76; Mundt,K-\$125.20; Nauta,C-\$22.60; Palmgren,R-\$22.60; Parker,K-\$12.52; Perceovich,M-\$12.52; Pharr,W-\$23.44; Pickart,M-\$22.60; Rakow,C-\$22.60; Rehorst,J-\$20.08; Robertson,J-\$26.80; Ruffner,J-\$130.24; Sanford,T-\$23.44; Schaffer,W-\$14.20; Scholten,L-\$20.92; Sexton,R-\$12.52; Shrader,R-\$22.60; Sjomeling,A-\$22.60; Stadel,M-\$27.64; Stodolski,N-\$22.60; Taylor,R-\$121.84; Voss,D-\$21.76; Weaver,S-\$31.00; Weber,T-\$25.12; Williams,J-\$23.44; Williamson,J-\$26.80; Wilson,D-\$27.64; Witt,K-\$22.60; Luger,J-\$30.92; Sandidge,D-\$32.60

ADJOURN: 10:40 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – April 5, 2016

Chairman Daryl Johnson 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 5, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Randall Rosenau, Brandon Flanagan, Richard Sleep, and Terry Weisenberg present.

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

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

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

PERSONNEL:

INFORMATION SYSTEMS & TECHNOLOGY: Moved-Seconded (Sleep-Rosenau) to approve the 90 day extension of residency cutoff date/voluntary extension of probationary period for Steven Kline. Motion Carried.

SHERIFF: Moved-Seconded (Rosenau-Flanagan) to approve the classification change for Jolene Wetz as a full-time permanent Corrections II G1 at the base rate of \$18.36 an hour, effective April 3, 2016. Motion Carried.

Moved-Seconded (Rosenau-Johnson) to approve the hiring of Robert Williams as a Part-Time (under 20) Fill-In Corrections I G3 at the base rate of \$16.67 an hour, effective April 3, 2016. Motion Carried.

AUDITOR: Moved-Seconded (Weisenberg-Flanagan) to approve the classification change of Krystal Stulken as a ¾ time (30-39 hrs week) Accounting Clerk G1 at the base rate of \$14.14 an hour, effective April 18, 2016. Motion Carried

HIGHWAY: Moved-Seconded (Flanagan-Rosenau) to approve the new hire of Michael Magnusson as a permanent full-time Heavy Equipment Operator at the base rate of \$22.22 an hour, effective April 18, 2016. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Flanagan) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of March 31, 2016 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)-\$67,577.23; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$6,595.00; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000;

Bank Balance \$4,507,866.51, Money Market \$5,750,860.99; Savings-\$7,410,648.55; Total \$20,846,758.28.

ISOLATED TRACT / ORMISTON: The Board discussed a request to reschedule the on-site in regards to the Petition for Isolated Tract Pursuant to SDCL Ch. 31-22 OWNERS: Fred and Natali Ormiston LEGAL: Ballard, Fremont Fraction, Steward, Cora May and Eagle Lode Mining Claims of Mineral Survey No. 968, Location in Section 30, Township 5 North, Range 3 East, B.H.M., Lawrence County, South Dakota, EXCEPT any portion of Conflict with North Star Lode of MS 535. Moved-Seconded (Sleep-Rosenau) to keep the May 5th On-Site. Motion Carried.

WILDFIRE AWARENESS MONTH RESOLUTION #2016-9: Moved-Seconded (Sleep-Johnson) to approve and authorize the Chairman to sign the following Resolution #2016-9 Supporting Wildfire Awareness Month. Motion Carried. LAWRENCE COUNTY RESOLUTION #2016-9 A RESOLUTION SUPPORTING WILDFIRE AWARENESS MONTH **Whereas**, the Commissioners of Lawrence County are charged with protecting the health and safety of the citizens of Lawrence County, including all property situated therein; and **Whereas**, wildfires threaten the environmental, economic, and social well-being of Lawrence County residents while challenging firefighter's efforts to protect life and property; and **Whereas**, the Commissioners of Lawrence County have determined that in the interest of public health and safety; and **Whereas**, wildfire suppression costs represent only a small portion of overall economic impacts and do not reflect the total cost of catastrophic fires; and **Whereas**, residents have the responsibility to recognize the high risk of wildfire and institute safe and early evacuation plans, increase their home's resistance to wildfire, and create fire adapted communities to increase the safety and survivability of the public and emergency personnel; and **Whereas**, Wildfire Awareness Month is an important opportunity for Lawrence County residents and all South Dakota's communities and fire service agencies to reduce the risk of wildfire, increase firefighter safety, and enhance public safety and awareness through education on fire safety, preparation, and prevention; now **Therefore be it Resolved**, that the Lawrence County Commission supports the month of May 2016 as South Dakota Wildfire Awareness Month; and **Therefore be it Further Resolved**, that the theme for this year, "Do Your Part Before Wildfires Start" is a call for the residents of Lawrence County to educate themselves and to take action to reduce the wildfire threat to their homes and help their community move toward becoming a fire adapted community. Duly passed and adopted at a regular meeting of the Lawrence County Commission on the 5th day of April 2016. LAWRENCE COUNTY COMMISSION: Daryl Johnson, Chairman. ATTEST: Connie Atkinson, AUDITOR

WEED SPRAYING AGREEMENT: Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the Joint Powers Agreement for Weed Spraying Services between S.D.D.O.T. and Lawrence County. Motion Carried.

SHERIFF:

COOPERATIVE LAW ENFORCEMENT AGREEMENT: Moved-Seconded (Rosenau-Sleep) to approve and authorize the Chairman to sign the Cooperative Law Enforcement Annual

Operating Plan & Financial Plan with the USDA Forest Service for campground patrol. Motion Carried.

AIRPORT HAY LEASE:

HAY CONTRACT: The following bids were received for the contract to hay the airport property: Clinton Crowley - \$2,753.00; Doug Bechen and Justin Williams - \$5,976.76; Don Nelson \$3,000 and Joe Harmon - \$5,001.99. Moved-Seconded (Sleep-Rosenau) to accept the highest bid from Doug Bechen and Justin Williams in the amount of \$5,976.76 for the contract to hay the airport property upon submission of a certificate of liability insurance in the amount of \$1 million dollars, full payment, and a signed agreement. Motion Carried.

HIGHWAY:

ASPHALT SURFACE TREATMENT HWY 14A (MCGUIGAN ROAD TO WYOMING LINE) PROJECT: The following bid was received for the Asphalt Surface Treatment Hwy 14A (McGuigan Road to Wyoming Line): Hills Material-\$226,943.34. Moved-Seconded (Weisenberg-Flanagan) to accept the only bid from Hills Material for \$226,943.34 and to waive any irregularities and authorize the chairman to sign the Notice to Proceed and sign the contracts. Motion Carried.

MAITLAND SAFETY PROJECT: Moved-Seconded (Weisenberg-Flanagan) to follow the Highway Superintendent recommendation and approve and authorize the Chairman to sign the Amendment Number 1 to Agreement Number 715097. Motion Carried.

APPROACH PERMIT / BRUCE BYRUM: Moved-Seconded (Sleep-Weisenberg) to follow the recommendation of the Highway Superintendent and approve the Application for Private Approach Permit for Bruce Byrum on the East side of Lookout Mountain Road, located approximately ¼ miles south of Kerwin Lane. Motion Carried.

LOOKOUT MOUNTAIN ROAD: The Board discussed a request for “No Littering” signs on the Lookout Mountain Road from Doug and Julie Malcom. The County stated they understand the frustration with littering in the County but stated they currently do not have any littering signage in the County. The Board thanked the individuals and groups that pick up litter in the County.

ROAD PLAN: Moved-Seconded (Weisenberg-Sleep) To follow the recommendation of the Highway Superintendent and make an adjustment to the County Gravel Road Plan and move Higgins Gulch Road from 2020 to 2016. Motion Carried.

SUPPLEMENTAL BUDGET EXTENSION/4H: A public hearing was held for a supplemental budget for **GENERAL FUND / 4H CONTRACT WITH STATE \$500.** No

public input was voiced and the hearing was closed. Moved-Seconded (Weisenberg-Sleep) to approve and authorize the Chairman to sign the following Resolution #2016-8. Motion Carried. RESOLUTION #16-8 TO ADOPT A SUPPLEMENTAL BUDGET WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2016, 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 2016, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND 4H Contract with State- \$500 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 April, 2016 at the hour of 8:55 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 April, 2016. FOR THE BOARD OF COUNTY COMMISSIONERS: Daryl Johnson, Chairman. ATTEST: Connie Atkinson, Lawrence County Auditor

PROPOSED ROAD DISTRICTS PONDEROSA RIDGE ROAD DISTRICT AND PILLAR PEAK ROAD DISTRICT: The Board discussed the two separate petitions for incorporation of overlapping Road Districts. Arlan Emmert was present on behalf of the Proposed Pillar Peak Road District. Michael Harper and Ron Pray were present representing the proposed Ponderosa Ridge Road District. All parties involved stated they wanted to work together to come up with a resolution to the problem. Representatives were in agreement to continue the discussion to another meeting to allow time for the Commission to review the area.

Moved-Seconded (Rosenau-Johnson) to continue the applications for Road Districts to a future meeting. Motion Carried. The Board will conduct an on-site of the area.

EQUALIZATION BUSINESS: Tim Hodson, Director of Equalization was present to update the Board on Preliminary Assessment numbers for Lawrence County.

ELECTRICAL SAFETY DEMONSTRATION: The Board witnessed an Electrical Safety Demonstration in the County Parking Lot.

REGISTER OF DEEDS / BULK DOCUMENT REPRODUCTION FEE SCHEDULE:
EXECUTIVE SESSION: 10:27 a.m. Moved-Seconded (Sleep-Rosenau) to go into executive session pursuant SDCL 1-25-2(3)(4). Motion Carried. 10:34 a.m. The Board opened for regular business with no action taken.

The Board asked John Frederickson and Ron Island if they have hired a licensed abstractor at this time. Discussion followed on the process and pertinent SDCL. Frederickson stated they have a building, have hired staff and have every intention of moving forward with the Title Plant.

Island stated they would sign an agreement with the County that if the Title Plant does not get completed the documents will not be sold to a third party and will be sold back to the County.

Resolution #2016-10 Establishing Fees to be Paid by Licensed Abstractors for Uncertified Copies of Recorded Instruments: Moved-Seconded (Weisenberg-Johnson) to approve and authorize the Chairman to sign the following Resolution #2016-10 Establishing Fees to be Paid by Licensed Abstractors for Uncertified Copies of Recorded Instruments. Motion Carried.
LAWRENCE COUNTY RESOLUTION NO. 2016-10 A RESOLUTION ESTABLISHING FEES TO BE PAID BY LICENSED ABSTRACTORS FOR UNCERTIFIED COPIES OF RECORDED INSTRUMENTS WHEREAS, SDCL 7-9-15(6) provides that the board of county commissioners shall fix by resolution the fees to be paid by licensed abstractors of the county or by any person who has passed the written examination established by the Abstractors' Board of Examiners pursuant to SDCL 36-13-11 for uncertified copies of recorded instruments, which fee may not exceed the actual cost to the county for providing such copies; NOW THEREFORE, BE IT RESOLVED, that pursuant to SDCL 7-9-15(6), the following fee schedule is adopted: 1. The fee for bulk reproduction of recorded instruments for purposes of building a title plant shall be \$0.05 per page with such fee not to exceed \$50,000.00. Title company, at its sole expense, shall be required to provide media (e.g. flash media, disc, cd, etc.) to county to hold all such data requested. 2. Thereafter, a monthly base charge of \$225.00 plus a fee of \$0.30 per page for filed documents shall be charged to title company by county for production of uncertified copies of instruments recorded each month. Title company, at its sole expense, shall be required to provide media (flash media, ONLY) to county to hold all such data requested. 3. Title company shall be required to enter into a separate agreement with county for use of county facilities necessary to facilitate the duplication of any further records for purposes of building the title plant. BE IT FURTHER RESOLVED, that the above fee schedule is subject to revision, from time to time, as deemed appropriate by county. Dated this 5th day of April, 2016. FOR THE BOARD: Daryl Johnson, Chairman ATTEST: Connie Atkinson, AUDITOR

AGRICULTURE PRODUCERS: Les Auer and Reed Richards were among Lawrence County AG Producers who were present to discuss the current South Dakota Laws and procedures for assessing AG properties in Lawrence County. Discussion followed on state wide instead on regional or county wide averages. The Board stated they understood the issues and frustration with the assessment of AG land and will work with Senator Ewing and the State to see if there is a resolution to assure fair and equitable assessments to the AG producers.

PLANNING & ZONING:

PRELIMINARY & FINAL PLAT / SALMEN: Gary Salmen was present to review the request for Preliminary and Final Plat. Amber Vogt, Planning and Zoning Director informed the Board that Planning and Zoning denied the Preliminary and Final Plat. Discussion followed with the Board and Landowner.

Moved-Seconded (Flanagan-Rosenau) to declare this plat exempt. Motion Carried. Aye-Flanagan, Rosenau, Sleep and Johnson. Nay Weisenberg. Weisenberg stated he respectfully agreed with Planning and Zoning's denial of the request.

Flanagan stated in recognizing that this Preliminary plat meets the spirit of ordinance and he understands the reason P&Z denied it was Moved-Seconded (Flanagan-Rosenau) to approve the Preliminary Plat - Applicant: Gary Salmen LEGAL: Plat of Tracts 3 & 4 a Sub of Saint Mary No. 1 and Saint Mary No. 2 M.S. 1732 LOCATION: Near Aspen Creek Drive and Sheeptail

Gulch Road. Motion Carried. Aye-Flanagan, Rosenau, Sleep and Johnson. Nay Weisenberg. Weisenberg stated he respectfully agreed with Planning and Zoning's denial of the request.

Moved-Seconded (Flanagan-Rosenau). to approve the Final Plat - Applicant: Gary Salmen
LEGAL: Plat of Tracts 3 & 4 a Sub of Saint Mary No. 1 and Saint Mary No. 2 M.S. 1732
LOCATION: Near Aspen Creek Drive and Sheeptail Gulch Road. Motion Carried. Aye-
Flanagan, Rosenau, Sleep and Johnson. Nay Weisenberg. Weisenberg stated he respectfully
agreed with Planning and Zoning's denial of the request.

ANNUAL REVIEWS:

CUP #298-13 / MYSTIC HILLS HIDEAWAY: An annual review was held regarding C.U.P. #298-13, Mystic Hills Hideaway, Applicant, MS 1748, Tract 1 of St. Johns Lode in Section 1, T3N, R3E (29.58 +/- Acres), Location: Custer Peak Road. (Fire plan update) The fire plan has been completed. Moved-Seconded (Flanagan-Rosenau) CUP #198-13 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 #417 / KISSACK: An annual review was held on CUP #417, Don & Laura Kissack for a Temporary 2nd Residence. Another review will be held in 12 months.

CUP #426 / ELSOM: An annual review was held on CUP #426, to allow Dog Boarding and Daycare at the property. Another review will be held in 12 months.

CUP #428 / WILLIAMSON & GRIESS: An annual review was held on CUP #428, allowing for manufacture of small homes. Moved-Seconded (Flanagan-Sleep) to grant the request from Lyle Griess, the applicant and cancel Conditional Use Permit #428. Motion Carried.

TECHNICAL REVISION / COEUR-WHARF RESOURCES: Moved-Seconded (Flanagan-Rosenau) to support the Technical Revision to State Mine Permit No. 476 – GR Haul Road Culvert and allow the Planning and Zoning Director to send a letter on behalf of the County in support of the Technical Revision and the affected acreage and send to the DENR. Motion Carried.

BILLS:

Moved-Seconded (Rosenau-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-\$6,284.42; Aud-\$9,804.75; Treas-\$12,778.36; States Atty-\$15,224.20; Pub Def-\$11,671.76; Gen Govt Bldg-\$8,660.96; Equal-\$13,699.61; Rod-\$8,358.20; Vso-\$1,389.81; Ist-\$8,850.36; Disp-\$11,911.18; Sher-\$39,374.24; Jail-\$25,095.39; 24/7-\$183.10; Emerg Mgnt-\$3,996.43; E911-\$1,899.20; Highway-\$44,653.35; Air-\$1,411.75; Weed-\$4,341.77; Pz-\$5,144.43; **Bills:** Baumann,Michelle-\$7.47; Leatherman,Debra-\$37.10; A To Z Shredding-\$40.35; A&B Business,Inc Solutions-\$418.82; A&B Welding Supply-\$20.01; Abc Business

Supply-\$494.61; At&T Mobility-\$959.56; BH Pioneer-\$160.82; Baczwaski Law Office, PC-\$156.40; Black Hills Energy-\$1,073.25; Butler Machinery Co-\$69.69; Butte Electric Coop-\$329.47; Carls Trailer Sales-\$3,500.00; Carol Butzman Consult Serv-\$75.00; Cdw Government-\$80.19; Century Business Products-\$465.29; Centurylink-\$105.86; Chris Supply Co-\$138.23; Dakota Equipment Rental-\$75.54; Deadwood, City Of-\$807.62; Dept Of Hlth Lab Services-\$910.00; Division Of Motor Veh-\$56.00; Election Sys & Software-\$1,095.37; Et Sports-\$22,680.00; Fish,Veronica-\$1,132.75; G&H Distributing Of Rc-\$72.90; Goodie's Uniforms-\$70.45; Havemeier,Leslie-\$30.60; Heartland Paper Co-\$603.25; Hills Material Comp-\$22,530.90; Inland Truck Parts-\$510.66; Janke,Wendy-\$972.00; Kimball-Midwest Co-\$422.29; Kinkade Funeral Chapel-\$975.00; Kinney,Matthew-\$1,598.30; Kosel,Joseph-\$4,516.15; LC Conservation Dist-\$5,000.00; Lead, City Of-\$65.91; Lead-Deadwood Sanitary-\$309.88; Lueders-\$24.77; Matthew Bender & Company-\$170.87; Montana Dakota Utilities-\$3,435.85; Nelson,Tonya-\$350.00; Neve's Uniforms-\$307.90; Northern Hills Dental-\$295.00; Pennington County Sts Attny-\$430.00; Peterson, Joe B. Cpa Pc-\$130.00; Quill Corporation-\$440.12; Rapid Transcript-\$414.00; Regional Health-\$25.00; Reliance Telephone-\$490.00; Rocket Lube-\$72.49; SD Assoc Of County Commission-\$1,319.00; SD Dept Of Transportation-\$94.42; SD Police Cheif's Association-\$510.00; SD Public Assur Alliance-\$172,893.64; SD State Treasurer-\$671.63; Secretary Of State-\$30.00; Servall Towel & Linen-\$584.67; Spearfish Auto Supply-\$159.89; Spearfish Regional Sports Med-\$140.00; Stark County Sheriff Dept-\$27.50; Sterna,Laura-\$250.00; Sturdevant's Auto Parts-\$28.76; Sunshine Towing &Transport-\$100.00; Sysco Montana-\$2,022.64; Top Quality Mfg Co-\$325.00; Truenorth Steel-\$4,416.00; Twin City Hardware & Lumber-\$9.90; Vanway Trophy And Award-\$96.00; Vast Broadband-\$1,631.58; West River International-\$28.60; Western Communication-\$1,101.00; Western Sd Juvenile Serv-\$4,200.00; **Witness & Jurors:** Addington,R-\$65.96; Delahoyde,K-\$62.60; Feyereisen,A-\$62.60; Holden,P-\$62.60; Iverson,M-\$68.48; Johnson,G-\$62.60; Mulhair,D-\$64.28; Richards,L-\$60.92; Snow,J-\$50.84; Vandevelde,A-\$52.52; Waisanen,D-\$20.00; Addington, -\$31.00; Auer,R-\$23.44; Bey,J-\$15.04; Bey,R-\$115.12; Bingham,C-\$10.84; Brashears,D-\$25.96; Capp,J-\$25.12; Carda,J-\$105.04; Coolley,D-\$19.24; Crago,R-\$25.12; Crowser,C-\$23.44; Dahlgren,J-\$24.28; Dellisola,C-\$21.76; Derby,J-\$20.08; Donovan,J-\$22.60; Ellingsen,B-\$22.60; Engel,J-\$33.52; Erion,M-\$22.60; Evenson,J-\$15.88; Fleming,P-\$12.52; Goodwin-Jensen,H-\$26.80; Hall,P-\$103.36; Hartung,J-\$125.20; Haught,D-\$22.60; Heinen,E-\$22.60; Henning,D-\$26.80; Hoard,R-\$28.48; Irion,Z-\$22.60; Jeffery,J-\$22.60; Jelbert,J-\$22.60; Johnson,D-\$22.60; Kari,A-\$21.76; Karlson,J-\$20.92; Key,J-\$110.08; Krueger,A-\$125.20; Kuhlman,B-\$25.12; Langer,R-\$22.60; Lapov,A-\$26.80; Littleton,J-\$120.16; Ludens,R-\$121.84; Mckendrick,D-\$26.80; Nicholas,C-\$39.40; Oconnor,D-\$15.88; Olson,S-\$10.84; Overland,T-\$18.40; Pelle,J-\$22.60; Pfeifer,Y-\$17.56; Pisani,M-\$22.60; Poepfel,D-\$24.28; Prince,R-\$105.04; Remington,H-\$125.20; Russo,R-\$10.84; Shoop,S-\$20.08; Simonyak,E-\$22.60; Spicer,S-\$16.72; Stadler,R-\$21.76; Steger,E-\$13.36; Stoner,E-\$130.24; Stuen,T-\$24.28; Thompson,K-\$125.20; Ulmer,K-\$25.12; Weber,K-\$25.12; Wenzel,D-\$24.28; Williams,C-\$25.12; Wilson,D-\$18.40; Wolff,D-\$24.28; Zurey,J-\$10.84; Daniels,P-\$41.00; Jansevics,J-\$30.92; Opbroek,J-\$41.00; Price,A-\$22.52

ADJOURN: 11:38 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – April 19, 2016

Chairman Daryl Johnson 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 19, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Randall Rosenau, Brandon Flanagan, Richard Sleep, and Terry Weisenberg present.

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

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

MINUTES: Moved-Seconded (Weisenberg-Rosenau) to approve the minutes of April 5th County Commission meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Flanagan-Rosenau) to approve the New Hire of Martin Goetsch as a permanent part-time (under 20) Special Deputy II at the base rate of \$18.78 an hour, effective April 19, 2016. Motion Carried.

CELL PHONE PER DIEM: Moved-Seconded (Weisenberg-Sleep) to set the cell phone per diem for Martin Goetsch, Coroner at the rate of \$50.00 a month, effective April 17, 2016. Motion Carried.

SHERIFF:

Brian Dean, Sheriff was present and informed the Board that the Federal inspection Team came and a report will be coming in the future.

EMERGENCY MANAGEMENT: Paul Thomson was present to provide the Elected Officials Briefing.

HIGHWAY:

APPROACH PERMIT / DOMOGALSKI: Moved-Seconded (Sleep-Flanagan) to approve the Approach Permit for Mike Domogalski for an approach on the west side of the Whitewood Valley Road located approximately 10 miles north of Whitewood 3/8 mile south of the Butte County Line. Motion Carried.

COURTHOUSE CUPOLA REPAIRS: Darin Douglas, Lowe Roofing was present to discuss the Courthouse Cupola Repairs Project. Douglas recommended bringing in a crane to access the Cupola. The Board was in support of Lowe Roofing going forward with the Project.

KATES / BUILDING CODE COMPLIANCE: Deb Kates was present to discuss the Building Code Compliance issue. Tyson Waddell, TWC Construction and his Attorney were present to update the Board on communication with the concrete contractor Brewer and the issues they have ran into with the Homeowner. Discussion followed on the joint responsibility between the General Contractor and Sub-Contractors and the penalty action stage. The Board asked for a copy of the contract between TWC Construction and Brewer Construction.

Moved-Seconded (Rosenau-Johnson) upon receipt of the contract to send a letter to the Sub-Contractor, Brewer Construction setting a time frame that he start on the job by the 25th of May and completed by May 31st, 2016 or the County will start the penalty action stage. Motion Carried.

MINE SEVERANCE TAX LOAN REQUESTS:

EXECUTIVE SESSION: 11:49 a.m. Moved-Seconded (Sleep-Rosenau) to go into executive session pursuant SDCL 1-25-2. Motion Carried. 12:05 p.m. The Board opened for regular business with no action taken.

Moved-Seconded (Weisenberg-Johnson) to remove from the table the discussion on the Mineral Severance Tax Loan Requests. Motion Carried.

Moved by Weisenberg to Loan \$1,300,000.00 from the Mineral Severance Tax Fund to Frank Pavich with 1% interest, appraisal of a loan to value ratio not to exceed 80%, 30 year loan with a 5 year balloon, personal guarantee and the County with 1st position on the Loan. Motion died due to a lack of second.

Discussion followed on the intent of the Mineral Severance Tax Loan and competing with the banking business. The Board directed Bruce Outka to contact the applicants for the Mineral Severance Tax Fund Loans to inform them that the Loans were not approved.

PLANNING & ZONING:

PRELIMINARY & FINAL PLATS:

PRELIMINARY & FINAL PLAT FOR 4 BEARS IN THE HILLS, LLC: Moved-Seconded (Flanagan-Rosenau) to follow Planning and Zoning and Staff recommendation and declare that this plat for 4 Bears in the Hills meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Rosenau) to follow Planning and Zoning and Staff recommendation and approve the Preliminary and Final Plat for 4 Bears in the Hills Plats of Back Nine Tract 1-4

of Apple Springs Subdivision. Located off of Boulder Canyon. Motion Carried. Plats the addition to the golf course into tracts.

PRELIMINARY & FINAL PLAT FOR GRANDVIEW RANCH LLC-BESSLERS: Moved-Seconded (Flanagan-Johnson) to declare that this plat for Grandview Ranch LLC – Besslers meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to approve the Preliminary and Final Plat of Lot 1 & 2 of Cadillac Ranch Tract A. Located off of Widdoss-Helmer Rd after it is noted on the plat that lot 2 is a “no building lot” unless a change of zoning is done in the future, and the Deed Restriction document number is noted on the plat. Motion Carried. Aye-Flanagan, Rosenau, Sleep and Johnson. Nay-Weisenberg. Plats the total acreage in Lawrence County and allows a home to be mortgaged on Lot 1.

PRELIMINARY & FINAL PLAT FOR HOMESTAKE MINING CO: Moved-Seconded (Weisenberg-Flanagan) to follow Planning and Zoning and Staff recommendation and declare that this plat for Homestake Mining Co. meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to follow Planning and Zoning and Staff recommendation and approve the Preliminary & Final Plats of Lot D of the Sawpit Tract located off of Cutting Mine Road. Motion Carried. Plats a lot of the Sawpit Tract to be sold.

PRELIMINARY PLAT FOR HOMESTAKE MINING CO/DALE ZOERB: Moved-Seconded (Flanagan-Rosenau) to follow Planning and Zoning and Staff recommendation and declare that this plat for Homestake Mining Co./Dale Zoerb meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to follow Planning and Zoning and Staff recommendation and approve the Preliminary Plat of Tract BR Revised located along Whitewood Creek Rd. Motion Carried. Adding acreage to the original lot.

CONDITIONAL USE PERMIT #437 / HILGER/BOULION: A Public Hearing was held on C.U.P. #437, Applicants: Hilger/Boulion SUMMARY: Trail Rides LEGAL: M.S. 1368, Tract H Located on Box Elder Forks Road LOCATION: Near Nemo. No public input was voiced and the public hearing was closed.

Moved-Seconded (Flanagan-Sleep) 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 # C.U.P. #437, Applicants: Hilger/Boulion. Motion Carried.

ORDINANCE #16-01 / ALLOW GUEST HOUSES IN CERTAIN ZONING DISTRICTS:

A First Reading and Public Hearing was held on the proposed ORD #16-01 Allow Guest Houses in Certain Zoning Districts. The Public Hearing was closed and Second Reading was scheduled for May 10, 2016 at 9:15 a.m.

ORDINANCE #16-02 / AMEND PLAT LANGUAGE REGARDING HIGHWAY

AUTHORITY APPROVAL FOR FINAL PLATS: A First Reading and Public Hearing was held on the proposed ORD #16-02 Amend Plat Language Regarding Highway Authority Approval for Final Plats. The Public Hearing was closed and the Second Reading was scheduled for May 10, 2016 at 9:30 a.m.

CONDITIONAL USE PERMIT #435 / SMALL ROCK QUARRY / CANYON ROCK

LLC: A Public Hearing was held on C.U.P # 435 Small Scale Rock Quarry **APPLICANT:** Canyon Rock LLC /Charles Edwards **LEGAL:** E1/2SE1/4NW1/4 and the W1/2SW1/4NE1/4 and the NE1/4NE1/4NE1/4SW1/4 and the N1/2NW1/4NW1/4SE1/4 of Section 34. T7N, R1E. **LOCATION:** West of Spearfish off of Homestake Road. No public input was voiced and the public hearing was closed. An on-site was scheduled for April 28th and the Board will discuss on May 10th.

CONDITIONAL USE PERMIT #436 / SMALL SCALE ROCK QUARRY / MT. VIEW

RANCHES: A Public Hearing was held on C.U.P. #436 Small Scale Rock Quarry **APPLICANT:** Mt View Ranches LLC **LEGAL:** E1/2 SE1/4 & SW1/4 SE1/4 SECTION 36, T6N, R3E AND Govt Lot 1 (ex. Tract C 5.37 ac) and Govt Lot 2 of Section 1, T5N, R3E., B.H.M, Lawrence Co., South Dakota **LOCATION:** Crook City Road. Chairman Johnson announced that the County has received, and has on file letters and emails in opposition to the small scale rock quarry, Johnson stated the Commission was also reviewing the Planning and Zoning minutes so they were aware of the concerns raised during the Planning and Zoning meeting. The Applicant Eric Hoffman gave his presentation and provided a draft dust control plan. Hoffman asked for consideration in not conditioning the haul road to be paved and allow the use of mag chloride in replacement. No-one else spoke in favor of the application. **Opposition:** James Weaver concerns included artifacts found on adjacent property and asked for a historical and cultural review of the property. Christopher Lord voiced concerns on the permanent scars to the land and the generations to come. Arlo Potter discussed the affect on the value of property owners in the area. Colleen Bennett voiced concerns on dust, health hazards, and springs on the property. Les Auer stated for years they have been planning in Centennial Valley to preserve the history of the area, land values, health of the people and of the valley. Auer stated this CUP would destroy this. Dell Zambon questioned why they have to have two gravel pits in their back yard and stated homes are more advantageous to the area than a gravel pit. Zambon asked the Commission to look long term and to preserve the beauty of Lawrence County. Ron Waldner questioned the need for another gravel pit as the supply is already being met. Gary Coe expressed concerns on traffic hazards, property values and stated the Commission was voted to represent Lawrence County and to protect all of them. Sharon Sanchez questioned the air control quality and monitoring. Larry Bennett questioned the supply and demand for

gravel. Doug Hayes, Alex Nad, Don Wichman, Joe Taggart, Levi Bennett, Jody Brown, Mitch Harmon, Charlie Brown, Carl Eisenbacher, Kevin Farmer, Donald & Lane Williamson, Teresa Ciani, and Josh Ross also spoke in opposition and expressed concerns including the amount of the reclamation bond, safety issues for kids in the area, compensation for drop of property values in the area, dust, air quality control, truck traffic, and the view of the property.

Chairman Johnson scheduled an on-site for the Conditional Use Permit for April 28th at 2:00 p.m. Johnson stated for liability reasons the public would not be allowed on the property but the Press would be invited along. The hearing will be continued until May 10th and possibly May 24th. Discussion followed on the possibility of needing an extension until June 9th, 2016, if agreeable to all parties, to allow time for findings and facts and for a meeting with a full Commission present.

BILLS:

Moved-Seconded (Weisenberg-Rosenau) 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-\$6,284.42; Aud-\$9,953.99; Treas-\$12,135.75; States Atty-\$15,438.95; Pub Def-\$11,671.76; Gen Govt Bldg-\$8,913.85; Equal-\$13,507.54; Rod-\$8,358.20; Vso-\$1,389.81; Ist-\$8,851.64; Disp-\$13,823.79; Sher-\$40,257.82; Jail-\$22,996.73; Coroner-\$600.00; 24/7-\$164.81; Emerg Mgmt-\$4,052.68; E911-\$1,899.20; Highway-\$44,941.77; Air-\$1,272.70; Weed-\$4,518.17; Pz-\$5,144.43; **Bills:** Ryan,Steven-\$20.00; Brennan,Seth-\$90.00; Ruffatto,Robert-\$90.00; A&B Business,Inc Solutions-\$974.28; A&I Distributors-\$4,193.25; Abc Business Supply-\$189.06; Air Connection-\$6,500.00; American Legion Post 31-\$50.00; At&T-\$24.66; Audra Malcomb Consulting-\$914.04; BH Federal Credit Union-\$6,808.74; BH Pest Control-\$190.00; BH Pioneer-\$1,273.26; Bi Geo Group-\$73.60; Black Hills Energy-\$11,845.50; Black Hills Pure-\$17.50; Black Hills Urgent Care-\$90.00; Bob Barker Company-\$127.12; Bomgaars Supply-\$69.48; Butler Machinery Co-\$4,895.48; Butte Electric Coop-\$541.63; Cdw Government-\$50.66; Centurylink-\$2,264.72; Chris Supply Co-\$21.88; City/County Alcohol&Drug-\$1,629.00; Cody,Denise-\$15.00; Convergint Technologies-\$429.85; Credit Collections Bureau-\$127.72; Dakota Battery & Electric-\$38.84; Dakota Equipment Rental-\$144.45; Dale's Tire & Retread-\$7,136.00; Dean Schaefer Court Reporting-\$42.00; Dept Of Hlth Lab Services-\$418.00; Dept Of The Treasury-\$59,953.40; Diversified Collections-\$100.00; Election Sys & Software-\$876.95; Ellingson,Joseph-\$1,771.34; Equipment Blades-\$1,125.00; First Western Ins Deadwood-\$50.00; Frederickson,John-\$3,828.24; Godfrey's Brake Serv-\$155.30; Goodie's Uniforms-\$264.30; Grey Law Office Prof-\$23,471.44; Havemeier,Leslie-\$17.00; Heartland Paper Co-\$540.11; Hills Material Comp-\$24,697.42; Hp-\$46.61; Interstate Engineering-\$34,908.78; Jacqueline K Perli-\$283.95; Juneks' Chrysler/Dodge-\$75,000.00; Kch Law-\$148.37; Kimball-Midwest Co-\$235.36; Kimbell's Auto Repair-\$497.76; LC Treasurer-\$64.80; Lead-Deadwood Regional Hospital-\$545.65; Lead-Deadwood Sanitary-\$60.40; Leads Online-\$1,758.00; Lee,James-\$15.00; Lewno,Lucy-\$150.49; Lexisnexis Risk Data Mgmt-\$75.00; Lustre-Cal-\$329.00; Mack's Auto Body-\$360.00; Matthew Bender & Company-\$61.24; McClure,Susan-\$50.00; Midcontinent Communications-\$35.92; Montana Dakota Utilities-\$249.27; Moreno,Peggy-\$150.00; Ms Mail-\$412.50; Nelson,Christy-\$250.00; Neve's Uniforms-

\$599.00; Nichols,Helen Rd Ln Cde-\$60.00; Northern Truck Equip-\$1,152.92; Office Of Child Support-\$566.31; Overhead Door Company Of Rapid-\$870.61; Pasqualucci,Robert-\$1,289.00; Pennington Co Jail-\$1,009.60; Pennington County Sts Attny-\$215.00; Pmb 0112-\$223.71; Powerplan-\$137.01; Quill Corporation-\$333.19; Rabe Elevator-\$1,020.88; Regional Health-\$564.93; Rocket Lube-\$347.43; SD Aao-\$840.00; SD Dept Of Labor Unemployment-\$6,991.28; SD Federal Property Agency-\$150.00; Sdaco-\$700.00; Sdrs Supplemental Retirement-\$2,608.51; Sdsu Extension-\$5,945.00; Secretary Of State-\$30.00; Semerad,Sandra-\$45.60; Servall Towel & Linen-\$418.42; Silverado-\$1,602.00; Spearfish Auto Supply-\$1,168.87; Spearfish City Of-\$5,000.00; Spearfish Police Dept-\$10,601.26; Steinley Real Estate Appraisal-\$740.00; Studioso,James-\$26.59; Sturdevant's Auto Parts-\$1,298.78; Subway-\$60.15; Swanda,Karen-\$15.00; Sysco Montana-\$1,884.32; Thomson Reuters-West-\$167.48; Turnkey Corrections-\$11.46; Twin City Hardware & Lumber-\$7.96; Us Department Of Education-\$160.32; Verizon Wireless-\$105.30; Victims Of Violence-\$180.00; Warne Chemical-\$3,390.00; Waste Connections-\$729.64; Watertree-\$66.65; Wells Fargo Business Card-\$7,683.19; West River International-\$686.33; Wex Bank-\$300.73; White Drug-\$2,661.02; Wilde & Hunt,Prof-\$5,094.93; Yankton Co Sheriff-\$25.00; Z&S Dust Control-\$128,104.07; **Witness & Jurors:** Aslesen,R-\$28.48; Balkenhol,F-\$10.84; Abernathy,E-\$14.20; Brosnahan,F-\$63.44; Cavallero,N-\$60.08; Clauser,C-\$62.60; Damuth,M-\$62.60; Deibert,L-\$68.48; Hulm,D-\$58.40; Klein,D-\$66.80; Peterson,J-\$66.80; Walker,P-\$58.40; Zacarias,S-\$66.80; Andrews,H-\$14.20; Babb,J-\$22.60; Baird,M-\$22.60; Ballert,D-\$13.36; Bridgers,C-\$22.60; Brill,R-\$22.60; Brown,N-\$187.80; Chamley, K-\$24.28; Cichosz,E-\$20.08; Cleveringa,S-\$12.52; Cole,J-\$192.84; Dardis,L-\$20.92; Dardis,M-\$24.28; Daugherty,R-\$26.80; Dosch,S-\$21.76; Draine,G-\$187.80; Fortier,M-\$18.40; Gostola,B-\$12.52; Hardy,C-\$24.28; Herrig,T-\$22.60; Hines,C-\$187.80; Hunter,A-\$21.76; Hurrle,J-\$22.60; Iverson,A-\$22.60; Johnson,J-\$22.60; Katsmedas,C-\$14.20; Keil,B-\$187.80; Kilber-Flesmer,M-\$22.60; Kingsbury,R-\$24.28; Kusters,T-\$15.88; Ladson,L-\$31.00; Lochner,B-\$24.28; Lueders,C-\$22.60; May,S-\$22.60; Merkel,A-\$22.60; Nelson,R-\$10.84; Nelson,S-\$20.92; Nida,A-\$22.60; Norton,W-\$10.84; Scholl,J-\$26.80; Seifert,A-\$10.84; Shupe,J-\$29.32; Smith,H-\$22.60; Spurrier,E-\$14.20; Steiner,C-\$187.80; Struble,A-\$10.84; Swanz,M-\$24.28; Thompson,T-\$22.60; Timm,D-\$10.84; Vanveghel,T-\$18.40; Vasknetz,C-\$22.60; Wellford,C-\$20.92; Miller,A-\$30.92; Abbott,C-\$24.28; Alley,M-\$30.16; Anderson,M-\$22.60; Blaha,M-\$26.80; Blum,M-\$25.96; Bryant,L-\$11.68; Burch,P-\$26.80; Cleek,J-\$22.60; Clem,N-\$22.60; Dardis,K-\$190.32; Davis,G-\$23.44; Delong,R-\$22.60; Folk,C-\$20.08; Friedrich,L-\$195.36; Gray,S-\$21.76; Haggberg,A-\$177.72; Hall,J-\$18.40; Hantke,N-\$12.52; Hill,B-\$200.40; Hohn,M-\$18.40; Hohn,T-\$12.52; Hunke,L-\$26.80; Iverson,F-\$10.84; Johnstone,D-\$11.68; Jones,J-\$20.92; Kaiser,C-\$20.92; Keehn,T-\$12.52; Kermu,I-\$10.84; Kerutis,K-\$22.60; Kightlinger,D-\$13.36; Lyons,R-\$25.12; Lyons,V-\$31.00; Mcarthur,K-\$21.76; Nauta,C-\$22.60; Percevich,M-\$12.52; Pharr,W-\$23.44; Pickart,M-\$22.60; Rehorst,J-\$20.08; Robertson,J-\$200.40; Sanford,T-\$23.44; Schaffer,W-\$14.20; Scholten,L-\$20.92; Sexton,R-\$12.52; Shrader,R-\$187.80; Stadel,M-\$27.64; Stodolski,N-\$22.60; Voss, D-\$21.76; Weber,T-\$25.12; Williams,J-\$23.44; Williamson,J-\$26.80; Wilson,D-\$202.92; Deichert,M-\$180.24; Goodson,A-\$18.40; Gudith,R-\$18.40; Oneill,D-\$26.80; Pierce,M-\$12.52; Reed,S-\$20.92; Viehauser,B-\$20.08; Watson,D-\$10.84; Heisz,J-\$22.60; Delahoyde,C-\$33.44; Delahoyde,M-\$33.44; Mason,K-\$35.96; Torgerson,T-\$33.44; Woodward,C-\$22.52; Wolberg,A-\$31.76; Cadle,T-\$22.52; Kvernevig,J-\$32.60; Morrissey,W-\$20.00

ADJOURN: 12:13 p.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

2016 COUNTY BOARD OF EQUALIZATION

The Lawrence County Board of Equalization was called to order on Tuesday April 19, 2016 at 1:00 p.m. with the following members present: Daryl Johnson, Terry Weisenberg, Brandon Flanagan Randall Rosenau and Richard Sleep.

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

The 2016 Board of Equalization Oath was signed.

Moved-seconded (Flanagan-Rosenau) to approve the following list of 2016 Exempt properties. Motion Carried. Aye-Weisenberg, Flanagan, Rosenau and Sleep. Nay-Johnson

PARCEL__	CURRENT_OW	V_PRADDT	LEGAL	EXEMPTION
32180-14200-040-15	BEHAVIOR MANAGEMENT SYSTEMS INC	CONNORS ADDN. SPEARFISH	LOT 4B OF SW1/4 NW1/4	BE
32090-04300-120-00	SPEARFISH MASONIC BLDG ASSOC	ORIGINAL TOWN SPEARFISH	LOT 11 & 12 BLK 43	BE
31450-00800-010-15	WEST RIVER FOUNDATION	KENWOOD S/D LEAD	LOT 1B BLK 8	BE
26580-01372-000-15	SAWYER MEMORIAL PARK TRUST	MINERAL 1299 THRU 1398	M.S. 1372 LOT 1 OF NORWOOD # 8 (5.01AC) & LOT 1 OF TR 0067'B' (5.82AC)	BE
30025-02100-120-00	DEADWOOD LODGE #508 BPOE	ORIGINAL TOWN DEADWOOD	LOT 11 & ALL EX 5' OF LOT 12 BLK 21 53% TAXABLE (ELKS)	BE
29700-00200-150-00	WEST RIVER FOUNDATION	THOMPSON S/D WHITEWOOD	PT LOTS 13-14 & 15 BLK 2	BE
30025-02000-120-10	MASONIC TEMPLE ASSOCIATION	ORIGINAL TOWN DEADWOOD	LOTS 10-11 & 12B OF LOT 12 BLK 20	BE
32465-00200-020-00	WEST RIVER TRANSIT AUTHORITY INC	MCGUIGAN RANCH ADDN	TIF #3 LOT 2 BLK 2	BE
32210-13030-020-02	WEST RIVER FOUNDATION	GREEN ACRES ADDN. SPEARFI	TIF #2 LOT 2B REVISED OF TR 3 SE1/4 SE1/4 13-6-2 (KSLT RADIO STATION)	BE
31440-00300-005-00	BLACK HILLS ROD & GUN CLUB	HOMESTAKE S/D LEAD	LOT 5 TRACT 3 (ROD & GUN CLUB) & INCLUD. A POR. OF LOT AB1 (97-2859)	BE
32310-00000-010-00	QUEEN CITY VFW POST #5860	HIGGINS CREEK ADDN	SW1/4 SW1/4 LOT 1 (1.0 ACRES MINUS R/W)	BE
31090-02800-010-10	SD GRAND LODGE OF INDEPENDENT OR	ORIGINAL TOWN LEAD	300' VACATED ALLEY & W PT LOT 1 BLK 28 403 W MAIN	BE
30025-03300-350-00	V F W POST #5969	ORIGINAL TOWN DEADWOOD	VFW LOT	BE
31510-04000-135-01	NORTHERN HILLS YOUNG MEN'S	DENVER S/D LEAD	TRACT E BLK Y	CH
32660-01400-100-00	NORTHERN HILLS TRAINING CENTER	SCHAR ADDN. SPEARFISH	LOT 9A BLK 14	CH
32570-04400-060-00	NORTHERN HILLS TRAINING CENTER	RAMSDELL ADDN. SPEARFISH	S 25' OF LOT 4 & N 45' OF LOT 5, S 5' OF LOT 5 & ALL LOT 6 BLK 44	CH
31090-03000-080-00	TWIN CITIES & AREA SR CITIZEN INC	ORIGINAL TOWN LEAD	E 30' OF LOT 8 BLK 30	CH
26180-01300-050-00	GALENA HISTORICAL SOCIETY	GALENA M.S. 4-4-4	LOTS 1 THRU 5 BLK 13 MS 913	CH

26580-01372-000-10	SAWYER MEMORIAL	MINERAL 1299 THRU 1398	M.S. 1372 PT HES 57 EX TR A (.68AC) & PT ACME ETAL LESS TR 1 OF ACME M.S. 1372 (1.00AC) & LESS LOT 1 OF NORWOOD #4 (9.58AC) & LESS LOTS 1 & 2 SAWYER MEM. PARK (30.89)	CH
32180-14200-020-00	SPEARFISH EMERGENCY AMBULANCE SE	CONNORS ADDN. SPEARFISH	LOT 2 OF SW1/4 NW1/4	CH
32655-01700-010-10	LUTHERAN SOCIAL SERVICES OF SD	SANDSTONE HILLS ADDN.	TIF #2 LOT 1A BLK 17	CH
32660-01600-160-00	NORTHERN HILLS TRAINING CENTER	SCHAR ADDN. SPEARFISH	TRACT A BLK 16	CH
31090-02600-050-20	BLACK HILLS MINING MUSEUM INC	ORIGINAL TOWN LEAD	130.16' N OF JULIUS & PT OF 4 AND E PT LOT 5 BLK 26	CH
26580-01372-000-20	SAWYER MEMORIAL	MINERAL 1299 THRU 1398	M.S. 1372 PT HES 66 EX TR A (.67AC) & PT ACME ETAL EX LOT A TO STATE(.06AC) M.S. 1372 (66.03AC) LESS TR 2 OF ACME M.S. 1372 (6.20AC) & LESS 1.23AC DOC #97-4814	CH
32540-00100-000-15	SPEARFISH SENIOR SERVICE CENTER	PARK PLACE ADDN. SPEARFIS	TRACT 2-A (SENIOR CENTER)	CH
32120-00400-000-30	NORTHERN HILLS TRAINING CENTER	BEETS ADDN. 3 & 10-6-2 SP	LOT C OF LOT 4	CH
31440-00300-002-00	HOMESTAKE VISITOR CENTER INC	HOMESTAKE S/D LEAD	LOT 2A TRACT 3 (TOUR OFFICE)	CH
32290-00000-000-00	HIGH PLAINS HERITAGE SOCIETY INC	HERITAGE ADDN. SPEARFISH	TIF #2 TR A SE1/4 NE1/4	CH
32210-19100-040-00	NORTHERN HILLS TRAINING CENTER	GREEN ACRES ADDN. SPEARFI	LOT 4 BLK 10	CH
32570-01500-050-10	WOMEN IN CRISIS COALITION INC	RAMSDELL ADDN. SPEARFISH	S 25' OF 3 & ALL 4 & N 6' OF LOT 5 BLK 15	CH
29100-02700-030-00	WHITEWOOD SENIOR CITIZENS	ORIGINAL TOWN WHITEWOOD	LOTS 1-2-3-4 & 5 BLK 27	CH
30600-00200-170-00	NORTHERN HILLS ALLIANCE FOR CHIL	KENNEDY & CAMERON S/D DEA	LOTS 8 THRU 12 BLK 2 EX RW & EASEMENTS	CH
32090-05200-120-20	BELLA PREGNANCY RESOURCE CENTER	ORIGINAL TOWN SPEARFISH	LOT B SUB OF 11 & LOT 12 BLK 52 A/K/A E 78' OF 11 & 12 BLK 52	CH
32030-02200-040-00	NORTHERN HILLS AREA COURT APPOIN	ORIGINAL TOWN SPEARFISH	S 40' LOT 3 & N 10' LOT 4 BLK 22	CH
32660-01700-080-00	NORTHERN HILLS TRAINING CENTER	SCHAR ADDN. SPEARFISH	TRACT A BLK 17	CH
26698-01730-010-00	KINSHIP MOUNTAIN MINISTRIES KAMP	KINSHIP MTN ESTATES	M.S. 1730 TRACT 1 INCLUDING EASEMENT(60.82A)	CH
10000-00305-270-25	NEMO VOLUNTEER FIRE DEPT	T-003 R-05	LOT F.S. #1 OF HES IN NW1/4 (1.00A)C.R. MC DONELL (84% EXEMPT)	CH
32660-00100-010-20	FRIENDS OF NORTHERN HILLS	SCHAR ADDN. SPEARFISH	LOT B EX THE W 11' BLK 1	CH
29500-00000-020-30	MEADE SCHOOL DISTRICT 46-1	OUTLOTS S/D WHITEWOOD	TR C OF OUTLOT B & PT VACATED WALNUT ST.	ED
32730-00600-000-10	SPEARFISH SCHOOL DISTRICT 40-2 &	VOORHEES ADDN	TRACT S	ED
32320-00090-000-00	B H STATE UNIVERSITY	HILLSVIEW ADDN. SPEARFISH	LOTS 2,3,4,5,6,7 & 8 OF NE1/4 NE1/4 EX LOT 1	ED
31730-00100-050-10	LEAD-DEADWOOD SCHOOL DISTRICT	PARK PLACE S/D LEAD	LOT 5 EX. PT IN TRACT AB AND H1(.015)	ED

32750-00900-090-00	BLACK HILLS STATE	WEST ADDN. SPEARFISH	LOT 9 BLK 9	ED
32750-01800-120-00	SPEARFISH SCHOOL DIST 40-2	WEST ADDN. SPEARFISH	LOTS 7 THRU 12 BLK 18	ED
32750-01700-120-00	SPEARFISH SCHOOL DIST 40-2	WEST ADDN. SPEARFISH	LOTS 1 THRU 12 BLK 17	ED
32750-01300-060-00	BOARD OF REGENTS	WEST ADDN. SPEARFISH	LOT 6 BLK 13	ED
32750-01600-120-00	SPEARFISH SCHOOL DIST 40-2	WEST ADDN. SPEARFISH	LOTS 1 THRU 12 BLK 16	ED
32030-03400-120-00	SPEARFISH SCHOOL DIST 40-2	ORIGINAL TOWN SPEARFISH	LOTS 7 THRU 12 BLK 34	ED
30025-02300-000-00	DEADWOOD IND SCHOOL DIST 102	ORIGINAL TOWN DEADWOOD	TRACT IN M.C. 71 BLK 23	ED
30025-02300-260-00	BOARD OF EDUCATION	ORIGINAL TOWN DEADWOOD	LOTS 13 & 15 THRU 26 BLK 23	ED
30075-00036-000-15	LEAD-DEADWOOD SCHOOL DIST.	SCHOOL LOTS DEADWOOD	M & B SCHOOL LOT 36	ED
32750-00100-120-00	BLACK HILLS STATE UNIVERSITY	WEST ADDN. SPEARFISH	LOTS 11 & 12 BLK 1	ED
32198-00200-000-00	SPEARFISH SCHOOL DISTRICT NO 40-2	DELLA VECCHIA ADDN	BLOCK 2	ED
32750-00900-080-00	BLACK HILLS STATE UNIVERSITY	WEST ADDN. SPEARFISH	LOT 8 BLK 9	ED
32198-00100-000-00	SPEARFISH SCHOOL DISTRICT NO 40-2	DELLA VECCHIA ADDN	BLOCK 1 & SCHOOL AVE PUBLIC ROW(.70)	ED
29100-01900-070-00	MEADE SCHOOL DISTRICT 46-1	ORIGINAL TOWN WHITEWOOD	LOTS 1 THRU 7 BLK 19 & PT VACATED WALNUT ST.	ED
31760-00000-000-00	LEAD-DEADWOOD SCHOOL DISTRICT 40	SCHOOL ADDITION	TRACT S	ED
31730-00100-050-00	LEAD-DEADWOOD SCHOOL DISTRICT	PARK PLACE S/D LEAD	TR "AB"(EX.H1(.03) BEING A PT. OF MONTANA & DAKOTA LODES M.S. #1242 SEC. 32, T5R3 FORMERLY KNOWN AS PT OF LOT 5	ED
31730-00100-050-20	LEAD-DEADWOOD SCHOOL DISTRICT	PARK PLACE S/D LEAD	LOT 6A(EX.H1(.02) & 6B(EX.H1(.03) OF LOT 6 & LOT 315	ED
31730-00100-030-00	LEAD-DEADWOOD SCHOOL DISTRICT	PARK PLACE S/D LEAD	LOT 3 EX. H1(.09)	ED
31730-00100-040-00	LEAD-DEADWOOD SCHOOL DISTRICT	PARK PLACE S/D LEAD	LOT 4	ED
32090-10600-000-00	SPEARFISH SCHOOL DIST 40-2	ORIGINAL TOWN SPEARFISH	BLK 106	ED
32030-03200-060-00	SPEARFISH SCHOOL DIST 40-2	ORIGINAL TOWN SPEARFISH	LOT A BLK 32	ED
30075-00038-000-10	LEAD-DEADWOOD SCHOOL DIST.	SCHOOL LOTS DEADWOOD	PT SCHOOL LOT 38	ED
32210-19010-110-00	BLACK HILLS CHRISTIAN ACADEMY	GREEN ACRES ADDN. SPEARFI	LOTS 11 & 12 OF GOV. LOT 1	ED
31590-00100-000-00	LEAD-DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN	POR TRACT 1 INSIDE	ED
31590-00200-000-00	LEAD-DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN	TRACT 2	ED
29100-02700-120-00	CITY OF WHITEWOOD	ORIGINAL TOWN WHITEWOOD	LOTS 6 THRU 12 BLK 27	ED
32840-00602-094-10	BLACK HILLS STATE UNIVERSITY FOU	SUB 9-6-2 SPEARFISH	W1/2 NW1/4 SE1/4 TR 1 OF LOT 1A	ED

31590-00400-000-00	LEAD-DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN	TRACT 4	ED
31590-00300-000-00	LEAD-DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN	TRACT 3	ED
26050-00100-000-00	LEAD-DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN OUTSIDE	POR TRACT 1 OUTSIDE	ED
30025-07100-490-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	LOTS 43, 45, 47, 49 & VACATED CEDAR ST. BLK 71	MD
30025-07400-050-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	LOTS 1-3-5 BLK 74	MD
30025-07100-410-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	LOTS 25 THRU 41 BLK 71	MD
32390-00800-010-10	PONDEROSA APARTMENTS INC	LOOKOUT VALLEY TRACT SPEA	LOT 1B BLK 8 (HICKORY HOUSE)	MD
32720-02900-120-60	PIONEER MEMORIAL MANORS INC	UHLIG ADDN. SPEARFISH	TRACTS H & I	MD
32390-00800-010-00	PONDEROSA APARTMENTS INC	LOOKOUT VALLEY TRACT SPEA	LOT 1A BLK 8	MD
32420-00400-000-30	REGIONAL HEALTH NETWORK INC	MATTHEW ADDN. SPEARFISH	HOSPITAL TRACT 1 (HOSPITAL & LAND EXEMPT CLINIC TAXABLE)	MD
32455-00100-020-01	RAPID CITY REGIONAL HOSPITAL INC	MEIER ADDN.	UNIT 1 OF YANKEE ST CONDO	MD
30025-07100-250-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	TR A OF S/D OF PROBATE LOT 7 A/K/A PART LOTS 21-23 & 25 BLK 71	MD
30025-07100-000-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	TRACT B OF BLK 71	MD
30025-07000-280-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	M & B DESC EX H1(222 SQ FT) ON LOTS 24-26 & 28 BLK 70	MD
32540-00100-000-20	REGIONAL HEALTH NETWORK INC	PARK PLACE ADDN. SPEARFIS	TRACT 1-B (UNITS I & II OF REDROCK MEDICAL PLAZA)	MD
32455-00100-020-02	RAPID CITY REGIONAL HOSPITAL INC	MEIER ADDN.	UNIT 2 OF YANKEE ST CONDO	MD
31930-01663-000-20	REGIONAL HEALTH NETWORK INC	MINERAL - LEAD	M.S. 1663 LOT C A POR. OF BH EAGLE #1 M.S.1579, MICHIGAN M.S.1663 AND MONTANA M.S.1508 & LOT C1(1285.6' PLAT 2010-4038)THIRD STREET EXTENSION BLOCK	MD
32720-02900-020-00	OUR SAVIOR'S LUTHERAN CHURCH	UHLIG ADDN. SPEARFISH	LOTS 1 & 2 BLK 29	RG
31510-00500-000-05	TRINITY UNITED METHODIST CHURCH	DENVER S/D LEAD	LOT M S/D OF BLK 5 DENVER ADD & LOT 1 BLK 4 MAY ADD(.10AC) ASSESS WITH #31570-00500-020-00	RG
32750-01800-050-00	CHURCH OF ST JOSEPH OF SPEARFISH	WEST ADDN. SPEARFISH	LOT 4 & N 25' OF LOT 5 BLK 18	RG
31090-03000-090-40	CHRIST CHURCH EPISCOPAL	ORIGINAL TOWN LEAD	W OF LOT 9 BLK 30 (N OF JULIUS)	RG
22000-00604-164-45	BLACK HILLS BAPTIST CHURCH SBC	T-006 R-04	TRACT 2 PT SW1/4 SE1/4	RG
18120-00504-001-04	DEADWOOD SD CONGREGATION OF JEHOVAH'S WITNESSES	OAK MT. COUNTRY EST.	LOT 4 BLK 1 EX H1 (1.8 AC)(CHURCH)	RG
32570-04200-100-00	ALL ANGELS EPISCOPAL CHURCH	RAMSDELL ADDN. SPEARFISH	LOT 10 BLK 42	RG
31510-00400-020-00	SHEPHERD OF THE HILLS LUTHERAN	DENVER S/D LEAD	N PT LOT 3 BLK 4 (PARKING LOT)	RG

32120-00300-000-20	SALVATION ARMY	BEETS ADDN. 3 & 10-6-2 SP	LOT 3-B OF LOT 3	RG
31510-00400-010-20	SHEPHERD OF THE HILLS LUTHERAN	DENVER S/D LEAD	N OF JULIUS-NW PT LOT 1 BLK 4 & M & B DESCRIPTION OF M.S. 744 (PARKING LOT)	RG
26590-01376-000-39	BURNO CHRISTIAN FAMILY RETREAT	BURNO ESTATES	M.S. 1376 LOT B-13 THRU 16 BURNO ESTATES	RG
26590-01376-000-51	BURNO CHRISTIAN FAMILY RETREAT	BURNO ESTATES	M.S. 1376 LOT B-17 BURNO ESTATES	RG
32570-04900-100-00	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN. SPEARFISH	LOT 10 BLK 49 (PARKING)	RG
32570-04900-090-00	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN. SPEARFISH	LOT 9 BLK 49 (PARKING)	RG
31810-01400-100-00	BETHEL LUTHERAN CHURCH	SUNNYSIDE ADDITION LEAD	LOT 512 (PARSONAGE)	RG
31510-00400-040-00	BETHEL LUTHERAN CHURCH	DENVER S/D LEAD	SW PT LOT 3 & S PT LOT 4 & TRACT C(.08) BLK 4 (CHURCH)	RG
21200-00603-085-45	FIRST BAPTIST CHURCH	SUB OF 8-6-3	LOT 3A A SUB. OF TR 3 SE1/4 SE1/4 EXCEPT N 60' EASEMENT (.68 AC.) & EAST 33' ROW	RG
32750-01200-090-00	CAMPUS MINISTRY EDUCATION ENTERP	WEST ADDN. SPEARFISH	LOT 9 BLK 12	RG
32570-04900-080-00	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN. SPEARFISH	LOT 8 BLK 49 (PARKING)	RG
31660-00100-040-00	TRINITY UNITED METHODIST CHURCH	NISICK HEIGHTS S/D LEAD	LOT 4 BLK 1 (PARSONAGE)	RG
31570-00500-030-20	FIRST PRESBYTERIAN CHURCH	MAYS S/D LEAD	W PT LOT 3 BLK 5	RG
31570-00500-020-00	TRINITY UNITED METHODIST CHURCH	MAYS S/D LEAD	LOT 1 BLK 4, LOT M BLK 5 & N PT LOT 3, ALL OF 1 AND 2 BLK 5 (CHURCH)	RG
30025-03700-280-00	BAPTIST CHURCH	ORIGINAL TOWN DEADWOOD	LOT 26 & 20' OF LOT 28 BLK 37	RG
31450-00600-020-10	GOLDEN HILLS BAPTIST CHURCH OF L	KENWOOD S/D LEAD	LOT 908 WASHINGTON ST BLK 6 (CHURCH)	RG
26680-01697-000-00	PRESBYTERY OF SOUTH DAKOTA OF THE	MINERAL 1564 THRU 1742	M.S. 1697 ETNA #1 ETAL	RG
31090-03600-090-10	ST PATRICKS CATHOLIC CHURCH	ORIGINAL TOWN LEAD	E PT LOT 9 & ALL LOTS 10 & 11 BLK 36	RG
24900-00702-330-01	DAKOTA CONFERENCE OF 7TH	TRUCANO S/D	LOT 1 OF SW 1/4 SE1/4	RG
31090-02800-010-00	TWIN CITIES CHURCH OF CHRIST	ORIGINAL TOWN LEAD	300' VACATED ALLEY & PT LOT 1 BLK 28	RG
31090-03600-020-00	ST PATRICKS CATHOLIC CHURCH	ORIGINAL TOWN LEAD	LOTS 2-3-4-5-6-7 & PT LOT 8 BLK 36 (CHURCH)	RG
31510-00200-010-00	CHRIST CHURCH EPISCOPAL	DENVER S/D LEAD	PT OF LOT 1 BLK 2	RG
30025-03700-340-00	FIRST BAPTIST CHURCH	ORIGINAL TOWN DEADWOOD	N 50' OF LOT 28 & ALL LOTS 30-32 & 34 BLK 37	RG
31360-00100-010-00	FIRST PRESBYTERIAN CHURCH	FULLERS S/D LEAD	LOT 1 BLK 1	RG
32570-04200-120-00	ALL ANGELS EPISCOPAL CHURCH	RAMSDELL ADDN. SPEARFISH	LOTS 11 & 12 BLK 42	RG
31090-02400-140-00	ASSEMBLY OF GOD CHURCH	ORIGINAL TOWN LEAD	N 10' OF 13 & PT OF 14 BLK 24	RG
32570-03700-080-00	FIRST BAPTIST CHURCH OF SPF	RAMSDELL ADDN. SPEARFISH	LOT 8A BLK 37 (PARSONAGE)	RG
30800-00100-110-00	GRACE LUTHERAN CHURCH	SUNNYSIDE S/D DEADWOOD	LOTS 6 THRU 11 EX RW BLK A	RG

20450-00602-050-20	DAKOTA CONFERENCE CORPORATION	DEBERG S/D SW 1/4 SE 1/4	LOT 7	RG
29200-00700-020-00	IMMANUEL LUTHERAN CHURCH	FILLMORE S/D WHITEWOOD	LOT 2 BLK 7 (PARSONAGE)	RG
30600-00100-100-00	ST AMBROSE CHURCH	KENNEDY & CAMERON S/D DEA	LOTS 1-2-3-4-6-7-8-9 & 10 BLK 1 (CHURCH)	RG
30600-00100-040-00	ST AMBROSE CHURCH	KENNEDY & CAMERON S/D DEA	LOTS 3 & 4 BLK 1 (PARSONAGE)	RG
32730-00000-000-10	SOLID ROCK CHURCH	VOORHEES ADDN	LOT V OF GOV'T LOT 3	RG
30050-00224-000-00	ST AMBROSE CHURCH	PROBATE LOTS DEADWOOD	PROBATE LOT 224 (LAND BEHIND CHURCH)	RG
31440-00500-005-00	ASSEMBLY OF GOD CHURCH	HOMESTAKE S/D LEAD	LOT 5 TRACT 5	RG
30025-08200-220-00	ST JOHN'S EPISCOPAL CHURCH	ORIGINAL TOWN DEADWOOD	LOTS 21 & 22 BLK 1 (CHURCH)	RG
32750-01800-060-10	CHURCH OF ST JOSEPH OF SPEARFISH	WEST ADDN. SPEARFISH	S 40' OF LOT 6 BLK 18	RG
24800-00702-330-36	CALVARY TEMPLE ASSEMBLY OF GOD	SUB OF 33-7-2	S1/2 SE1/4 - LOTS A & B SUB OF LOTS 10A & 11A (7.45 AC)	RG
32210-19100-070-00	HOPE EVANGELICAL LUTHERAN CHURCH	GREEN ACRES ADDN. SPEARFI	LOTS 7,8 & 9 BLK 10	RG
20200-00602-040-07	SPEARFISH UNITED METHODIST CHURCH	PEARSON S/D W 1/2 SE 1/4	LOT 7 BLK 1 (PARSONAGE)	RG
32570-04900-120-10	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN. SPEARFISH	LOTS 11 & 12 BLK 49	RG
32570-05000-060-00	UNITED CHURCH OF CHRIST	RAMSDELL ADDN. SPEARFISH	LOTS 5 & 6 BLK 50 (PARKING LOT)	RG
26580-01376-000-83	BURNO CHRISTIAN FAMILY RETREAT	MINERAL 1299 THRU 1398	M.S. 1376 TRANSIT #10 ETAL EX W1/2 OF TRANSIT #18	RG
32570-05000-040-00	UNITED CHURCH OF CHRIST	RAMSDELL ADDN. SPEARFISH	S 3' OF LOT 3 & ALL LOT 4 BLK 50 (PARKING LOT)	RG
32720-03900-000-00	ST PAUL LUTHERAN CHURCH	UHLIG ADDN. SPEARFISH	FRACTIONAL BLK 39 (CHURCH)	RG
31090-02400-130-00	ASSEMBLY OF GOD CHURCH	ORIGINAL TOWN LEAD	PT OF LOT 13 BLK 24	RG
32570-05200-000-00	ST PAUL LUTHERAN CHURCH	RAMSDELL ADDN. SPEARFISH	FRACTIONAL BLK 52 (CHURCH)	RG
31510-00500-000-00	TRINITY UNITED METHODIST CHURCH	DENVER S/D LEAD	LOT K AND EXCEPT LOT K-1(.22AC) BLK 5 (CONTAINING .46 ACRES)(LEASE .39 AC TO CHURCH)	RG
32570-05000-120-00	SPEARFISH UNITED CHURCH OF	RAMSDELL ADDN. SPEARFISH	LOT 7A BLK 50	RG
32030-01000-120-00	ST PAUL LUTHERAN CHURCH	ORIGINAL TOWN SPEARFISH	LOTS 10, 11 & 12 BLK 10	RG
28800-01000-070-00	ST ONGE UNITED CHURCH OF CHRIST	TOWN LOTS S. HALF-ST.ONGE	LOTS 6 & 7 BLK 10	RG
28800-01100-040-00	ST ONGE UNITED CHURCH OF CHRIST	TOWN LOTS S. HALF-ST.ONGE	LOTS 1 THRU 4 BLK 11 (PARKING-EMMA)	RG
32570-04900-070-00	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN. SPEARFISH	LOT 1 BLK 1 ORIG. & LOT 7 BLK 49 (PARKING)	RG
32655-01500-010-00	SPEARFISH CONGREGATION OF	SANDSTONE HILLS ADDN.	LOT 1 BLK 15	RG
32030-00800-120-00	ST JOSEPHS CATHOLIC CHURCH	ORIGINAL TOWN SPEARFISH	LOTS 9 THRU 12 BLK 8 (CHURCH & PARKING)	RG
32030-00100-010-00	ST JOSEPHS CATHOLIC CHURCH	ORIGINAL TOWN SPEARFISH	FRACTIONAL LOT INCLUDED IN BLK 49 RAMSDELL (PARKING LOT)	RG

32030-00700-030-00	SPEARFISH UNITED METHODIST CHURCH	ORIGINAL TOWN SPEARFISH	LOTS 1-2 & 3 BLK 7 (CHURCH)	RG
32720-03700-040-00	MOUNTAIN VIEW BAPTIST CHURCH	UHLIG ADDN. SPEARFISH	LOT 4 BLK 37 (PARSONAGE)	RG
24000-00702-102-15	NORTHERN HILLS CHURCH OF CHRIST	T-007 R-02	HAUCK TRACTS 1 & 2 EX H1(.02 AC)	RG
32030-00700-120-00	SPEARFISH UNITED METHODIST CHURCH	ORIGINAL TOWN SPEARFISH	LOTS 4 THRU LOT 12 BLK 7 (OUTREACH CENTER)	RG
32750-01800-060-20	CHURCH OF ST JOSEPH OF SPEARFISH	WEST ADDN. SPEARFISH	S 25' OF 5 & N 10' OF LOT 6 BLK 18	RG
29100-02800-060-00	PRESBYTERIAN CHURCH	ORIGINAL TOWN WHITEWOOD	LOT 6 BLK 28 (CHURCH)	RG
32090-04100-030-00	SUMMIT AT SPEARFISH	ORIGINAL TOWN SPEARFISH	LOTS 2 & 3 BLK 41 (CHURCH)	RG
32185-00000-130-30	DAKOTA DISTRICT OF THE WESLEYAN	COUNTRYSIDE S/D	TRACT 1 REVISED	RG
26420-01158-000-42	SADDLE MOUNTAIN MINISTRIES	MINERAL 1136 THRU 1158	M.S. 1158 TRACT 2 OF ON TIME AND LITTLE BIRD FRACTION	RG
32720-02900-110-00	OUR SAVIORS LUTHERAN CHURCH	UHLIG ADDN. SPEARFISH	LOTS 7 THRU 12 BLK 29	RG
24000-00702-321-20	OLD APOSTOLIC LUTHERAN CHURCH	T-007 R-02	TRACT 2 PT OF NE1/4	RG
10000-00305-270-35	NEMO COMMUNITY CHURCH	T-003 R-05	TRACT 0055 IN GOVT. LOT 7 IN SE1/4 NW1/4 (1.00 AC.)	RG
32630-00100-060-00	MOUNTAIN VIEW BAPTIST CHURCH	REVISED GOLDEN BELT ADDN.	TRACT A OF BLK 1	RG
29200-00100-030-00	IMMANUEL LUTHERAN CHURCH	FILLMORE S/D WHITEWOOD	LOT 1-2 & W 50' OF LOT 3 BLK 1 (CHURCH)	RG
32660-00500-080-00	OUR SAVIORS LUTHERAN CHURCH	SCHAR ADDN. SPEARFISH	LOTS 7 & 8 BLK 5 (CHURCH)	RG
32540-00100-000-10	HILLSVIEW CHURCH OF NAZARENE	PARK PLACE ADDN. SPEARFIS	LOT A-1AR OF LOT 1	RG
32570-03300-020-20	NEW COVENANT CHRISTIAN FELLOWSHIP	RAMSDELL ADDN. SPEARFISH	LOT 2 BLK 33 (CHURCH)	RG
32570-03700-090-00	FIRST BAPTIST CHURCH OF SPF	RAMSDELL ADDN. SPEARFISH	LOTS 7A & 9 BLK 37 (CHURCH)	RG
32030-01900-080-20	CHRISTIAN SCIENCE SOCIETY	ORIGINAL TOWN SPEARFISH	W 83' OF 7 & W 83' OF LOT 8 BLK 19 (CHURC)	RG
06000-00301-230-20	CHAPTER OF CALVARY CATHEDRAL	T-003 R-01	PT HES 243 (STRUCTURES PARTIAL EXEMPTION)	RG

Regional Health Network 32540-00100-000-55 Lots E-2 & E1-C of Park Place. Moved-seconded (Flanagan-Sleep) to approve the property as tax exempt. Motion Carried.

Regional Health Network 32120-00400-000-50 Lot E-1A of Beets Subdivision. Moved-seconded (Flanagan-Rosenau) to approve the property as tax exempt. Motion Carried.

Regional Health Network 30025-07100-490-00 Lots 1, 3 and 5 in Blk 74. Moved-seconded (Sleep-Rosenau) to approve the property as 92.8 % tax exempt. Motion Carried.

Regional Health Network 30025-07400-050-00 Lots 43, 45, 47 and 49 & Vacated Cedar St. Blk 71. Moved-seconded (Rosenau-Sleep) to approve the property as 92.8% tax exempt. Motion Carried.

Regional Health Network 32420-00400-000-30 Hospital Tract 1 Matthew Addn. Moved-seconded (Flanagan-Sleep) to approve the property as tax exempt. Motion Carried.

Regional Health Network 32540-00100-000-40 Lot D1 of Lot 1. Moved-seconded (Rosenau-Sleep) to approve the property as tax exempt. Motion Carried.

Brownsville Fire Department 26580-01302-000-10 M.S. 1302 Tract A. Moved-Seconded (Sleep-Rosenau) to approve the property as tax exempt. Motion Carried.

SDSU Foundation 31090-02500-050-00 Lot 5 Block 25 Original Townsite of the City of Lead, Lawrence County SD. Moved-Seconded (Sleep-Rosenau) to deny the request for Tax exempt status due to the fact that the building is not being used for School purposes at this time. Motion Carried.

Northern Hills Training Center 32660-01700-160-00 Lots 9 thru 16 Blk 17. Moved-Seconded (Weisenberg-Sleep) to deny the request for Tax Exempt status due to the fact that the parking lot work has not been started. Motion Carried.

#0001 TOWNSEND, DONLEY CARL 26880-02041-000-40 MINERAL 1995 THRU 2079 M.S. 2041 HAILSTORM LODGE #4 Moved-Seconded (Flanagan-Rosenau) No change in land value. No change in structure value. Motion Carried: Remarks: 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.

AGRICULTURE PRODUCERS: Tim Hodson, Director of Equalization, gave an explanation on how agriculture land is assessed. Les Auer and Reed Richards were among Lawrence County AG Producers who were present to discuss the current South Dakota laws and procedures for assessing ag properties in Lawrence County. Discussion followed on regional or county wide averages versus statewide averages. The Board stated they understood the issues and frustration with the assessment of ag land and will work with Senator Ewing and the State to see if there is a resolution to assure fair and equitable assessments for the ag producers. A legislative summer study is also going to take place and the board encouraged the producers to get involved with this study.

#0002 AUER, LESLIE O 22000-00604-303-30 T-006 R-04 LOT 4 SW1/4 SW1/4 Moved-Seconded (Rosenau-Flanagan) No change in land value. Motion Carried. Remarks: To follow the recommendation of the Equalization Office and based on the discussion with the group of ag landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0003 AUER, LESLIE O 21000-00603-254-15 T-006 R-03 SE1/4SE1/4 (EX.TR A REVISED) & NE1/4SE1/4 Moved-Seconded (Johnson-Rosenau) No change in land value. Motion Carried Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0004 AUER, LESLIE O 22000-00604-302-15 T-006 R-04 S1/2 NE1/4 NW1/4 S OF OLD WHITEWOOD HILL ROAD Moved-Seconded (Johnson-Sleep) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0005 AUER, LESLIE O 22000-00604-302-21 T-006 R-04 LOT 1 NW1/4 NW1/4 Moved-Seconded (Johnson-Weisenberg) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0006 AUER, LESLIE O 22000-00604-313-40 T-006 R-04 REMAINING POR. OF GOV'T LOT 3 Moved-Seconded (Johnson-Flanagan) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0007 AUER, LESLIE O 21000-00603-251-10 T-006 R-03 SE1/4 NE1/4 Moved-Seconded (Johnson-Rosenau) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0008 AUER, LESLIE O 22010-00604-020-00 AUER S/D TRACT B Moved-Seconded (Johnson-Sleep) No change in structure value. No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0009 AUER, LESLIE O 22000-00604-312-10 T-006 R-04 GOV'T LOTS 1 & 2 INCLUDING LOT A Moved-Seconded (Johnson-Weisenberg) No change in land value. No change in structure value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0010 FRAWLEY, HENRY J & MARY (MOLLY) 21000-00603-224-10 T-006 R-03 S1/2 SE1/4 Moved-Seconded (Johnson-Flanagan) No change in structure value. No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and

Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0011 FRAWLEY, HENRY J & MARY (MOLLY) 21000-00603-233-20 T-006 R-03 TRACT A & PT SW1/4 SW1/4 EX H-1 & H-2 (7.71A) Moved-Seconded (Johnson-Rosenau) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0012 FRAWLEY, HENRY J JR FRAWLEY, MARY BOLSTER 21000-00603-233-28 T-006 R-03 TRACT E OF THE SW1/4 Moved-Seconded (Johnson-Sleep) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0013 RED BANKS RANCH INC C/O RICHARDS, REED 21000-00603-223-10 T-006 R-03 N1/2 SW1/4 - SE1/4 SW1/4 Moved-Seconded (Johnson-Weisenberg) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0014 RED BANKS RANCH INC C/O RICHARDS, REED 21000-00603-223-15 T-006 R-03 TRACT A Moved-Seconded (Johnson-Flanagan) No change in land value. No change in structure value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0015 RED BANKS RANCH INC C/O RICHARDS, REED 21000-00603-211-10 T-006 R-03 NE1/4 Moved-Seconded (Johnson-Rosenau) No change in structure value. No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0016 NICHOLAS, DARRELL C & JOANNE 23000-00701-322-10 T-007 R-01 N1/2 NE1/4-N1/2 NW1/4 Moved-Seconded (Johnson-Sleep) No change in structure value. No change

in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and

Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0017 NICHOLAS, DARRELL C & JOANNE 23000-00701-293-20 T-007 R-01 W1/2 SW1/4-SE1/4 SW1/4-SW1/4 NW1/4 Moved-Seconded (Johnson-Weisenberg) No change in land value.

Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0018 NICHOLAS, DARRELL C & JOANNE 23000-00701-304-10 T-007 R-01 SE1/4 NE1/4-E1/2 SE1/4 Moved-Seconded (Johnson-Flanagan) No change in land value.

Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0019 NICHOLAS, DARRELL C & JOANNE 23000-00701-301-20 T-007 R-01 W1/2 SE1/4-W1/2 NE1/4 EX 3A N OF I-90 EX LOT H-2(13.66A) Moved-Seconded (Johnson-Rosenau) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0020 NICHOLAS, CHARLES W & SALLIE 19000-00601-161-40 T-006 R-01 S1/2 SW1/4 Moved-Seconded (Johnson-Sleep) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0021 BEAR RIDGE RANCH FAMILY LMTD PTNSHP 19000-00601-161-10 T-006 R-01 LOT 4 SW1/4 NW1/4-NW1/4 SW1/4 Moved-Seconded (Johnson-Weisenberg) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and

Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0022 BEAR RIDGE RANCH FAMILY LMTD PTNSHP 19000-00601-082-10 T-006 R-01 N1/2 NW1/4 Moved-Seconded (Johnson-Flanagan) No change in land value. No change in structure value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there

being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0023 BEAR RIDGE RANCH FAMILY LMTD PTNSHP 19000-00601-084-00 T-006 R-01 SE1/4 Moved-Seconded (Johnson-Rosenau) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0024 BEAR RIDGE RANCH FAMILY LMTD PTNSHP 19000-00601-173-00 T-006 R-01 W1/2 SE1/4-SE1/4 SE1/4-SE1/4 SW1/4 Moved-Seconded (Johnson-Sleep) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0025 BEAR RIDGE RANCH FAMILY LMTD PTNSHP 19000-00601-174-00 T-006 R-01 LOTS 1-2 - SE1/4 NE1/4 - NE1/4 SE1/4 Moved-Seconded (Johnson-Weisenberg) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0026 BEAR RIDGE RANCH FAMILY LMTD PTNSHP 19000-00601-082-00 T-006 R-01 TRACT A OF SW1/4 NW1/4 Moved-Seconded (Johnson-Flanagan) No change in structure value. No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0027 BEAR RIDGE RANCH FAMILY LMTD PTNSHP 19000-00601-081-00 T-006 R-01 SE1/4 NE1/4 EX TR A - W1/2 NE1/4 Moved-Seconded (Johnson-Rosenau) No change in land value. No change in structure value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0028 BEAR RIDGE RANCH FAMILY LMTD PTNSHP NICHOLAS, VERLA J 19000-00601-081-10 T-006 R-01 TRACT A SE1/4 NE1/4 Moved-Seconded (Johnson-Sleep) No change in structure value. No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0029 NICHOLAS, GLADYS C/O NICHOLAS, CHARLES W ETUX (CD) 19000-00601-071-60 T-006 R-01 SE1/4 NE1/4 EX TR 1 Moved-Seconded (Johnson-Weisenberg) No change in land value. No change in structure value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0030 NICHOLAS, GLADYS C/O NICHOLAS, CHARLES W ETUX (CD) 19000-00601-074-00 T-006 R-01 LOTS 1-6-7-12 & SW1/4 SE1/4 Moved-Seconded (Johnson-Flanagan) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0031 NICHOLAS, GLADYS C/O NICHOLAS, CHARLES W ETUX (CD) 19000-00601-074-40 T-006 R-01 SW1/4 NE1/4-NW1/4 SE1/4 Moved-Seconded (Johnson-Rosenau) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0032 NICHOLAS, GLADYS C/O NICHOLAS, CHARLES W ETUX (CD) 19000-00601-180-10 T-006 R-01 LOT 1 Moved-Seconded (Johnson-Sleep) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0033 NICHOLAS, GLADYS C/O NICHOLAS, CHARLES W ETUX (CD) 19000-00601-070-00 T-006 R-01 LOTS 8-9-10-11 Moved-Seconded (Johnson-Weisenberg) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0034 NICHOLAS, GLADYS C/O NICHOLAS, CHARLES W ETUX (CD) 19000-00601-180-00 T-006 R-01 LOTS 2-3-4-5 Moved-Seconded (Johnson-Flanagan) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0035 NICHOLAS, GLADYS C/O NICHOLAS, CHARLES W ETUX (CD) 19000-00601-083-70 T-006 R-01 S1/2 NW1/4 EX 1A - NW1/4 SW1/4 Moved-Seconded (Johnson-Rosenau)

No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0036 NICHOLAS, WILLIAM B & CAROL K 23000-00701-312-20 T-007 R-01 LOTS 2-3-4 & NE1/4 SW1/4-NW1/4 SE1/4-SE1/4 NW1/4 Moved-Seconded (Johnson-Sleep) No change in land value. No change in structure value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0037 NICHOLAS, WILLIAM B & CAROL K 19000-00601-093-00 T-006 R-01 S1/2 NW1/4-NW1/4 SW1/4-SW1/4 SW1/4 Moved-Seconded (Johnson-Weisenberg) No change in land value.

Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0038 NICHOLAS, WILLIAM B & CAROL K 19000-00601-060-20 T-006 R-01 LOTS 7-8-10 & 13 EX 2.20A OF 8 Moved-Seconded (Johnson-Flanagan) No change in structure values. No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0039 NICHOLAS, WILLIAM B & CAROL KAY 19000-00601-061-80 T-006 R-01 W1/2 LOT 2-W1/2 SW1/4 NE1/4 EX TRACT 1 (11.51A) Moved-Seconded (Johnson-Rosenau) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0040 NICHOLAS, WILLIAM B & CAROL K 19000-00601-164-00 T-006 R-01 SE1/4 Moved-Seconded (Johnson-Sleep) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0041 NICHOLAS, WILLIAM B & CAROL K 19000-00601-161-00 T-006 R-01 LOTS 1-2-3 & S1/2 NE1/4, SE1/4 NW1/4, NE1/4 SW1/4 Moved-Seconded (Johnson-Weisenberg) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0042 NICHOLAS, WILLIAM B & CAROL K 19000-00601-061-00 T-006 R-01 LOT 1-SE1/4 NE1/4-E1/2 OF LOT 2-E1/2 SW1/4 NE1/4 Moved-Seconded (Johnson-Flanagan) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0043 NICHOLAS, WILLIAM B & CAROL K 19000-00601-060-00 T-006 R-01 LOTS 3-4-5 Moved-Seconded (Johnson-Rosenau) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0044 NICHOLAS, WILLIAM B & CAROL KAY 19000-00601-060-40 T-006 R-01 LOTS 6-11 & 12 Moved-Seconded (Johnson-Sleep) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0045 BACKENS, MARK DAVID 21000-00603-214-10 T-006 R-03 TRACT B OF THE SE1/4 Moved-Seconded (Johnson-Weisenberg) No change in structure value. No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0046 SETZLER, MICHAEL & MELANIE 26630-01477-000-20 ELKRIDGE S/D LOT 20 M.S. 1477 Moved-Seconded (Rosenau-Sleep) No change in land value. No change in structure value. Motion Carried: Remarks: 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.

#0047 MANN, DEBRA J 29400-00400-060-00 OAK PARK ADDITION LOT 5 & E 35' OF LOT 6 & 10' STRIP N OF LOT 6 BLK D Moved-Seconded (Sleep-Flanagan) No change in land value. No change in structure value. Motion Carried: Remarks: 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.

#0048 NUGGET SALOON LLC 30025-01500-220-00 ORIGINAL TOWN DEADWOOD LOTS 20 & 22 BLK 15 Moved-Seconded (Flanagan-Weisenberg) No change in land value. Change structure value from \$332,490 to \$182,210 Motion Carried: Remarks: Change in value due to the change of use of the building.

#0049 NUGGET SALOON LLC 30025-01500-260-00 ORIGINAL TOWN DEADWOOD LOT 26 & 26A BLK 15 Moved-Seconded (Weisenberg-Johnson) No change in land value. Change structure value from \$296,380 to \$243,740 Motion Carried: Remarks: Change in value due to the change of use of the building.

#0050 BERGSTROM, LINDA 31090-02400-110-35 ORIGINAL TOWN LEAD UNIT 305, DIVIDED INTEREST CENTRAL SCHOOL LOT BLK 24, Moved-Seconded (Johnson-Flanagan)
Change structure value from \$97,290 to \$79,790 Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect the damage and disrepair of the common area.

#0051 BREKHUS, MICHAEL JAMES BREKHUS, BETH ANN 26740-01764-000-20 BLACK FOREST RANCH. #2 LOT 1 Moved-Seconded (Flanagan-Sleep) Change land value from \$42,620 to \$37,000 Motion Carried: Remarks: Follow the recommendation of the Equalization office and adjust the land based on sales of similarly sized lots in the area.

#0052 BROCKLEY, MARK W & ANNESSE C C/O GG & E, LLC(CD) 30025-01800-080-00 ORIGINAL TOWN DEADWOOD TR. B & F(LOC. IN A PT. OF M.S. 72 & IN ALL LOTS 8 ,9,10 & A POR. OF LOTS 6 & 7) BLK 18 Moved-Seconded (Flanagan-Rosenau) No change in land value. Change structure value from \$852,910 to \$563,700 Motion Carried: Remarks: After a review of the property an adjustment was necessary to reflect the change of use and level of depreciation to equalize the property with similar properties in the county.

#0053 BROWN, CHARLES W & JODY L 17000-00503-014-11 T-005 R-03 TRACT A Moved-Seconded (Flanagan-Weisenberg) Change structure value from \$166,520 to \$0 No change in land value. Motion Carried: Remarks: A correction is needed to remove the house from this parcel as the cabin is located on parcel #17000-00503-014-10.

#0054 DEALS PUBLICATIONS INC 30025-01500-460-10 ORIGINAL TOWN DEADWOOD LOTS 38-40-42-44 & 46 BLK 15 Moved-Seconded (Johnson-Rosenau) Change land value from \$219,780 to \$207,790 Change structure value from \$28,160 to \$27,720 Motion Carried: Remarks: After a review of the property an adjustment was necessary to reflect the lack of central air conditioning system, the topography of the lot and to equalize the property with similar properties.

#0055 DONAT, BARBARA JO REVOCABLE LIVING TRUST DONAT, DAVID DALE REVOCABLE LIVIN 26600-01399-000-40 STRAWBERRY HILL S/D LOT 21 Moved-Seconded (Johnson-Flanagan) Change land value from \$52,700 to \$44,790 Motion Carried: Remarks: An adjustment was made to reflect the lot being listed for two years at \$49,000 and to adjust lot to fit in with current lot sales of similar lots in the area.

#0056 DWD INC 30075-00068-000-00 SCHOOL LOTS DEADWOOD SCHOOL LOT 68

Moved-Seconded (Weisenberg-Sleep) Change land value from \$5,620 to \$3,710 Motion Carried:

Remarks: After review of the property an adjustment was necessary to reflect the topo and access issues with the parcel.

#0057 DWD INC 30025-01500-680-00 ORIGINAL TOWN DEADWOOD LOTS 60-62-64-66-68 BLK 15 Moved-Seconded (Flanagan-Johnson) Change land value from \$187,200 to \$164,700

Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect a change in the actual useable area to be consistent with other lots.

#0058 EAGLE TRAIL ENTERPRISES LLC 26940-00003-002-62 LOST CAMP VALLEY AC. TR C LOT 62 BLK 2 Moved-Seconded (Weisenberg-Rosenau) No change in land value. Change structure value from \$496,570 to \$469,460 Motion Carried: Remarks: Interior inspection completed and record correction was necessary to reflect corrected value.

#0059 FASSE, NORMAN & JOLENE 22650-00604-190-00 FRAWLEY RANCH EAST LOT 19 Moved-Seconded (Weisenberg-Johnson) Change land value from \$144,800 to \$108,600 Motion Carried: Remarks: An adjustment was made to reflect the water rights were forfeited to the HOA, therefore this lot will sell for less than those with water rights.

#0060 FASSE, NORMAN A & JOLENE A 22650-00604-180-00 FRAWLEY RANCH EAST LOT 18 Moved-Seconded (Sleep-Johnson) Change land value from \$131,900 to \$98,930 Motion Carried: Remarks: An adjustment was made because the water rights were forfeited to the HOA, therefore this lot will sell for less than those with water rights.

#0061 FINLEY TRUST FINLEY, ED 20100-00602-041-83 SUB 4-6-2 MH SITS ON LOT 5 OF LOTS 6 & 7 SW1/4 NE1/4 Moved-Seconded (Flanagan-Rosenau) Change structure value from \$16,520 to \$10,220 Motion Carried: Remarks: Interior/exterior review of the structure resulted in the discovery that the manufactured home has more depreciation than previously reflected on the record.

#0062 FRENCH, STEVEN D & KAY I 22000-00604-212-54 T-006 R-04 LOT 2 OF TRACT A-1B Moved-Seconded (Sleep-Rosenau) No change in land value. Change structure value from \$224,690 to \$189,320 Motion Carried: Remarks: Adjusted value for change in use.

#0063 HUTTON, DAVID J 31090-02400-110-22 ORIGINAL TOWN LEAD UNIT 202, DIVIDED INTEREST CENTRAL SCHOOL LOT BLK 24 Moved-Seconded (Weisenberg-Johnson) Change structure value from \$88,330 to \$72,340 Motion Carried Remarks: After review of the property an adjustment was necessary to reflect the damage and disrepair of the common area.

#0064 JONES, TIMOTHY W MERZWEILER-JONES, CHRISTINE 22000-00604-333-10 T-006 R-04 TRACT P Moved-Seconded (Flanagan-Sleep) No change in land value. Change structure value from \$97,210 to \$65,950 Motion Carried: Remarks: After an interior inspection was completed an adjustment was necessary to reflect the finished basement square footage,

amount of plumbing fixtures in dwelling, adjustment for heating and cooling system, and adjusted the amount of depreciation on structure.

#0065 KOSTELECKY, DEAN ALLEN 22400-00604-420-00 SPRUCE MTN #2 LOT 42 Moved-Seconded (Weisenberg-Johnson) No change in land value. Change structure value from \$377,750 to \$335,880 Motion Carried: Remarks: Upon interior review of the structure it was determined that the quality of the structure, quality of the basement and the fixture count was overstated.

#0066 LEICESTER, ANDREW J DELAITTRE, MARY E 31090-02400-110-24 ORIGINAL TOWN LEAD UNIT 204, DIVIDED INTEREST CENTRAL SCHOOL LOT BLK 24 Moved-Seconded (Rosenau-Johnson) Change structure value from \$110,060 to \$90,250 Motion Carried
Remarks: After review of the property an adjustment was necessary to reflect the damage and disrepair of the common area.

#0067 MEADOWS LLC C/O KONENKAMP, GERI 06000-00301-260-30 T-003 R-01 HES 511 TRACT C Moved-Seconded (Flanagan-Johnson) Change structure value from \$87,260 to \$74,800 No change in land value. Motion Carried: Remarks: After review of the property an adjustment was necessary to more accurately reflect the percentage of completion.

#0068 NUGGET SALOON LLC 30025-01500-240-00 ORIGINAL TOWN DEADWOOD LOT 24 BLK 15 Moved-Seconded (Rosenau-Johnson) No change in land value. Change structure value from \$213,930 to \$190,160 Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect the current use and depreciation to equalize the property with similar properties in the county.

#0069 NUGGET SALOON LLC 30025-02100-130-00 ORIGINAL TOWN DEADWOOD 5' LOT 12 & ALL LOT 13 BLK 21 Moved-Seconded (Weisenberg-Flanagan) No change in land value. Change structure value from \$755,390 to \$406,360 Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect the change of use and the incomplete remodel work to equalize the property with similar properties in the county.

#0070 RICHTER, DORIS 25000-00704-252-50 T-007 R-04 W 1/2 NW 1/4 Moved-Seconded (Flanagan-Sleep) Change land value from \$32,920 to \$22,540 Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect access issues and to equalize the property with similar properties in the county.

#0071 RICHTER, DORIS 25000-00704-243-00 T-007 R-04 SW 1/4 SW 1/4 Moved-Seconded (Flanagan-Rosenau) Change land value from \$12,540 to \$8,580 Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect access issues and to equalize the property with similar properties in the county.

#0072 RICHTER, DORIS 25000-00704-261-00 T-007 R-04 NE 1/4 Moved-Seconded (Rosenau- Sleep) Change land value from \$47,620 to \$38,820 Motion Carried: Remarks: After

review of the property an adjustment was necessary to reflect access issues and to equalize the property with similar properties in the county.

#0073 RICHTER, DORIS 25000-00704-264-00 T-007 R-04 W1/2 SE1/4-NE1/4 SE1/4 Moved-Seconded (Weisenberg-Flanagan) Change land value from \$37,410 to \$26,390 Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect access issues and to equalize the property with similar properties in the county.

#0074 RIDL, JAMES & SUSAN 22650-00604-210-00 FRAWLEY RANCH EAST LOT 21 Moved-Seconded (Rosenau-Sleep) Change land value from \$144,110 to \$115,290 Motion Carried: Remarks: An adjustment was made to reflect the drainage issues on the property as it seems to collect the water run off from most of the subdivision.

#0075 SHEARTON DEVELOPMENT COMPANY LLC 31090-02400-110-26 ORIGINAL TOWN LEAD UNIT 206, DIVIDED INTEREST CENTRAL SCHOOL LOT BLK 24 Moved-Seconded (Weisenberg-Flanagan) Change structure value from \$110,060 to \$90,250 Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect the damage and disrepair of the common area.

#0076 SHEARTON DEVELOPMENT COMPANY LLC 31090-02400-110-34 ORIGINAL TOWN LEAD UNIT 304, DIVIDED INTEREST CENTRAL SCHOOL LOT BLK 24, Moved-Seconded (Weisenberg-Flanagan) Change structure value from \$197,210 to \$158,190 Motion Carried Remarks: After review of the property an adjustment was necessary to reflect the damage and disrepair of the common area.

#0077 SORENSON, ELAINE M C/O HAGEN, ELAINE M 31090-02400-110-23 ORIGINAL TOWN LEAD UNIT 203, DIVIDED INTEREST CENTRAL SCHOOL LOT BLK 24 Moved-Seconded (Rosenau-Flanagan) Change structure value from \$106,690 to \$87,480 Motion Carried: Remarks: After review of the property an adjustment was necessary to reflect the damage and disrepair of the common area.

#0078 WILLIAMS, RAND T & GAYLA J 30025-08300-140-00 ORIGINAL TOWN DEADWOOD LOT 14 BLK J Moved-Seconded (Weisenberg-Flanagan) Change land value from \$15,400 to \$9,530 Change structure value from \$57,930 to \$30,870 Motion Carried: Remarks: After interior inspection a record correction was made to reflect the poor condition and deterioration. Property will be reviewed next year for repairs. Lot size was also corrected per research of deeds.

#0079 WILLIAMSON, DONOVAN & COLLEEN 06800-00301-170-00 ASPEN HEIGHTS MEADOWS S/D LOT 17 HES 499 SEC. 34 & 35 Moved-Seconded (Flanagan-Sleep) No change in land value. Change structure value from \$155,190 to \$86,210 Motion Carried: Remarks: After review of the property an adjustment was made to reflect the percentage of completion.

#0080 ALLEY, JAMES MICHAEL & TERRI ANN 26630-01477-000-58 ELKRIDGE S/D TRACT A (FORMERLY LOTS 54A,55A,56A,57 & 58A) Moved-Seconded (Flanagan-Weisenberg) No change in land value. Change structure value from \$233,630 to \$193,020 Motion Carried: Remarks: Error on square footage.

#0081 BARELMAN, ROBERT W TAYLOR, PEGGY 26587-00000-070-00 CREEK RUN S/D
M.S. 1333 LOT 7 Moved-Seconded (Weisenberg-Sleep) No change in land value. Motion Carried: Remarks: 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.

#0082 FASSE, NORMAN A & JOLENE A 22650-00604-170-00 FRAWLEY RANCH EAST LOT 17 Moved-Seconded (Sleep-Rosenau) No change in land value. No change in structure value.
Motion Carried: Remarks: 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.

#0083 HALSTEAD, DAVID & RITA 18600-00504-150-45 BOULDER PARK 14 & 15-5-4 LOT 45 BLK 1 Moved-Seconded (Johnson-Weisenberg) No change in land value. Motion Carried:
Remarks: 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.

#0084 KOSTELECKY, DEAN ALLEN 22400-00604-430-00 SPRUCE MTN #2 LOT 43 Moved-Seconded (Flanagan-Sleep) No change in land value. Motion Carried: Remarks: 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.

#0085 SUPER, DAVID 26380-01135-000-84 MINERAL 1035 THRU 1135 M.S. 1135 LOT 9 OF DENTON LODGE Moved-Seconded (Flanagan-Sleep) No change in land value. Motion Carried:
Remarks: 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.

#0086 VAINIO FARM LLC 28800-01900-060-00 TOWN LOTS S. HALF-ST.ONGE LOTS 5 & 6 BLK 19 Moved-Seconded (Flanagan-Johnson) No change in land value. Motion Carried:
Remarks: Loss of Ag status due to property not being contiguous.

#0087 VAINIO FARM LLC 28800-01500-120-00 TOWN LOTS S. HALF-ST.ONGE LOTS 9 THRU 12 BLK 15 Moved-Seconded (Flanagan-Johnson) No change in land value. Motion Carried: Remarks: Loss of Ag status due to property not being contiguous.

#0088 VAINIO FARM LLC 28800-01900-110-00 TOWN LOTS S. HALF-ST.ONGE LOTS 7 THRU 11 BLK 19 Moved-Seconded (Flanagan-Johnson) No change in land value.

Motion Carried: Remarks: Loss of Ag status due to property not being contiguous.

#0089 VAINIO FARM LLC 28800-02000-070-00 TOWN LOTS S. HALF-ST.ONGE OUTLOT G Moved-Seconded (Flanagan-Johnson) No change in land value. Motion Carried: Remarks: Loss of Ag status due to property not being contiguous.

#0090 VAINIO FARM LLC 28800-01500-140-00 TOWN LOTS S. HALF-ST.ONGE LOTS 13 & 14 BLK 15 Moved-Seconded (Flanagan-Weisenberg) No change in land value. Motion Carried: Remarks: Loss of Ag status due to property not being contiguous.

#0091 ZUERCHER, LOIS JEAN 24000-00702-354-60 T-007 R-02 SE1/4 EX TRACT A Moved-Seconded (Flanagan-Johnson) No change in structure value. No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

#0092 ZUERCHER, LOIS JEAN 24000-00702-353-80 T-007 R-02 E1/2 SW1/4 EX TRACT A Moved-Seconded (Johnson-Rosenau) No change in land value. Motion Carried: Remarks: To follow the recommendation of the Equalization Office and Based on the discussion with the group of AG landowners present, and further there being no evidence brought forward showing any of the respective assessments exceeded full and true value no change was warranted.

ADJOURN: Being no further appeals to be heard Moved-Seconded (Flanagan-Johnson) to adjourn the 2016 Board of Equalization at 5:20 p.m. the 19th day of April 2016. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – May 10, 2016

Chairman Daryl Johnson 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 10, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Brandon Flanagan, Richard Sleep, and Terry Weisenberg present. Randall Rosenau was absent.

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 (Sleep-Weisenberg) to approve the minutes of April 19th County Commission meeting and 2016 Board of Equalization Minutes. Motion Carried.

AUDITOR’S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Flanagan) to accept the Auditor’s Account with the County Treasurer. Motion Carried. As of April 30, 2016 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)-\$1,189,133.77; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$24,443.08; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$8,933,258.52, Money Market \$5,752,730.69; Savings-\$15,411,277.97. Total \$34,414,054.03.

TRAVEL REQUESTS:

PUBLIC DEFENDER: Moved-Seconded (Weisenberg-Johnson) to approve the travel request for Amber Richey to attend the National Drug Court Institute Treatment Court Conference and Treatment Court Session in Gillette WY on June 21, 2016 to June 24, 2016; and to approve the travel advance. Motion Carried.

PERSONNEL:

INVASIVE SPECIES MANAGEMENT: Moved-Seconded (Sleep-Flanagan) to approve Chance Simonton, Taylor Hanson, Jeremy Beehler, and Damon Goldhammer as Seasonal Full-Time Sprayer/GPS G1 at the base rate of \$12.82 an hour, effective May 9, 2016; and Brad Hunter as Seasonal Full-Time Sprayer/GPS G1 at the base rate of \$12.82 an hour, effective May 2, 2016; and Jeremy Tuten as Seasonal Full-Time GPS G1 at the base rate of \$13.70 an hour, effective May 2, 2016. Motion Carried.

SHERIFF: Moved-Seconded (Flanagan-Weisenberg) to approve the classification change for Patrick Johnson as a full-time permanent Sergeant II at the base rate of \$25.36 an hour, effective May 1, 2016. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve the classification change for Matt Harden as a full-time permanent Deputy I G1 at the base rate of \$21.77 an hour, effective May 5, 2016. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to approve the posting for a full-time and part-time correctional officers, to waive the newspaper advertising requirement, and to allow previous applicants to be considered for the open positions. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to approve the advertising for a Part-time Dispatcher. Motion Carried.

AUTOMATIC SUPPLEMENTS: Moved-Seconded (Flanagan-Weisenberg) to approve the automatic supplement of \$28,718.28 for Airport Capital Improvement Project for grant funds received. Motion Carried.

DELZER SECTION LINE OBSTRUCTION ON SITE: The Board set the on-site for the Delzer Section-Line Obstruction for June 9th at 1:00 p.m. Motion Carried.

RAFFLE REQUEST / VREM FUND RAISER: Moved-Seconded (Weisenberg-Sleep) to not object to the request for the Rifle Raffle as a benefit fund raiser for Amanda Vrem. Motion Carried.

SD WEED & PEST COMMISSION AGREEMENT: Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to sign the Letter of Agreement #WP-C17-14 SD West & Pest Commission / Lawrence County. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to approve and authorize the Chairman to sign the Letter of Agreement #WP-17-9 SD West & Pest Commission / Lawrence County. Motion Carried.

DEADWOOD MOUNTAIN GRAND PARKING RAMP USE: Moved-Seconded (Flanagan-Johnson) to approve the request from Deadwood Mountain Grand to use the lower level of the parking ramp all day on Friday May 27th, and Saturday May 28th, 2016 for the 1st Annual Wheels of Steel Classic Car Show & Auction. County employees will be allowed to park on the top level of the ramp. Motion Carried.

TRANSFER OF CLASS-RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE: A public hearing was held on an application to transfer the following license:
PREVIOUS LICENSE: WILD BILL'S CAMPGROUND & RESORT PARTNERSHIP: Lot E EX H1 (.04AC) & H2 (.06A) & Lot E-2 of HES 137 (Wild Bill's Campground) Sec 18 , T4N,

R4E. **TRANSFER TO: WILD BILL'S BAR AND GRILL (BRANDON PRESSLEY):** Lot E EX H1 (.04AC) & H2 (.06A) & Lot E-2 of HES 137 (Wild Bill's Campground) Sec 18 , T4N, R4E. No public input was voiced and the hearing was closed. Moved-Seconded (Weisenberg-Flanagan) to approve the transfer of Class-Retail (on-off sale) Malt Beverage & SD Farm Wine license to **WILD BILL'S BAR AND GRILL (BRANDON PRESSLEY)**. Motion Carried.

ALCOHOLIC BEVERAGE LICENSES: A public hearing was held on the applications for 2016-2017 Malt Beverage licenses. No public input was voiced and the hearing was closed. Moved-Seconded (Sleep-Flanagan) to approve the following 2016-2017 Malt Beverage Licenses. Motion Carried.

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

PLACER 601 INC (DEADWOOD KOA): Mineral 108 Thru 758 M.S. 601 Scott & Crist Ex Lot A Sec 28-T5N-R3E.

CLASS - PACKAGE (OFF-SALE) MALT BEVERAGE

TOMAHAWK LAKE COUNTRY CLUB: M.S. 1372 Pt. Ex Lot 1 of Norwood #8 (5.01AC) & Lot 1 of TR 0067'B' (5.82 AC) Pt Sec. 24-4-3 Pt Sec. 19 & 30-4-4 M.S. 1372 Lot 1 of Norwood #4 of M.S. 1372 (9.58A) & TR A Por. of B (2.877) & c of Tract 0067 & TR A of HES 57 & 66 (1.35AC)

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): Tract B-1 (3.44 AC) & Lot C (2.20 AC) HES 246 Except Lot 1 in Sec 21, T3N, R4E, BHM.

SPEARFISH CANYON RESORTS LLC (LATCHSTRING VILLAGE): M.S. 991 PT. Lot Ab-1 of Cascade Placer Spearfish School District in Sec 36 T5N R2E; M.S.991 PT. Lot AB-1 (.42) of Cascade Placer Deadwood School District Section 31, T5N, R2E B.H.M.

FRESH START CONVENIENCE STORE INC (THE VALLEY CORNER): Lot 1 & W 20' of Lot 2 of Lot A of Lot 1 NW1/4NW1/4 Subdivision of Section 3, T6N, R2E, B.H.M.

TRAILSHED LODGE INC: Lot 4 Revised O'Neill Pass Ranchettes S/D of HES 617 Section 20 T3N R1E.

CHEYENNE CROSSING STORE LLC: M.S. 1564 Spearfish Canyon Lot C-3 of Meadow 1-2-3 M.S 1564 (Cheyenne Xing Store) Section 22, T4N, R2E.

LONNY & SUSAN SMITH (ST.ONGE BAR & GRILL): Lots 1 & 2 Block 8 in Sec 23 R7E T3N.

SEVEN DOWN LLC: Tract 7 (Seven Downs Arena) Section 27, T6N, R3E.

WICHTERMAN & SONS INC (STEEL WHEEL CAMPGROUND): RB2183M.S.1748 Tract 3 of St. John #5 & St. John #6; M.S. 1748 Tract 1 of St John Lodes Etal; M.S. 1748 Tract 2 of St John #1, St John #2, St John #3, St John #4 & Fennia #1 ; M.S. 1748 Tract 4 of St John #1, St John #2, St John #3, St John #4 & Fennia #1; Sec 1, Twp 3N, R3E.

JANICE G. KABERNA (HOM CAMPGROUND): Lot A of CRM Ex Tract 1 (10.01) and Lot 2. Sec 27, T3N, R5E.

BLACK HILLS CHAIRLIFT CO INC: M.S. 1122 Little Hope Fr. Etal Sur. Rites (Old Blue Chair #1 & (New Blue Chair #5)Sec 1, T4N, R2E, BHM.

CROW PEAK BREWING COMPANY, LLC: Crow Peak Brewing Company Tract Sec 4, T6N, R2E.

TRIPLE H HILLS LLC (MYSTIC HILLS HIWAY): M.S.1748 Tract 3 of St. John #5 & St. John #6; M.S. 1748 Tract 1 of St John Lodes Etal; M.S. 1748 Tract 2 of St John #1, St John #2,

St John #3, St John #4 & Fennia #1 ; M.S. 1748 Tract 4 of St John #1, St John #2, St John #3, St John #4 & Fennia #1; Sec 1, Twp 3N, R3E.

NEMO GUEST RANCH BUSINESS ENTERPRISE (NEMO GUEST RANCH CONVENIENCE STORE): M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D.

NEMO GUEST RANCH BUSINESS ENT (BRANDING IRON RESTAURANT): M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D.

REYNOLDS & LIVINGSTON LLC (COUSINS BIG CHAIR): Lawrence County portion of Lot 1, Boyle S/D, SW1/4, SW1/4, S7, T2N, R5E, BHM, Lawrence County.

BAREFOOT RESORT ASSOCIATION INC (BAREFOOT RESORT): M.S. 2021 LOT 1R OF BAREFOOT EX UNITS D-1-O,D-1-1,D-2-0,D-2-1,D-2-2 & D-2-3. MINERAL 1995 THRU 2079, Sec. 2-T4N-R2E of Black Hills.

WHITETAIL COURT RESORT LLC: Tract 54 Secs 5-6-7 & 8 (Whitetail Court) Sec 8 T4N R3E

LARRY KAISER (NEMO MERCANTILE): M.S. 1368 Tract 3 Sec 27, T3N, R5E, B.H.M.

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.

WILD BILL'S BAR AND GRILL (BRANDON PRESSLEY): Lot E EX H1 (.04AC) & H2 (.06A) & Lot E-2 of HES 137 (Wild Bill's Campground) Sec 18, T4N, R4E.

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

SARAH AND JAMES SOLANO (BOONDOCKS): Tract C of HES 54 Sec 25 T4N, R3E, BHM.

SPEARFISH SD KAMPLAND INC (SPEARFISH KOA): Parcel B (KOA Campground) NW1/4NW1/4, Sec.3, T6N, R2E, BHM.

BLACK HILLS JOURNEY'S INC (FISH 'N FRY CAMPGROUND): Lots 1 of HES 297 & Lot 2 Ex Lot A of HES 297, in Section 18, T4N R4E BHM.

TROUT HAVEN PROPERTIES LLC: Tract 1 & 2 S/D of SW1/4 SW1/4, Sec 7 T2N, R5E.

JOHN D. BELL (BOARS NEST LLC): Tract 59 Section 7, T4N, R3E, BHM.

AKELA SPA OF DEADWOOD LLC: Lot 3 BLK 1 EX H1 (.68 AC) Oak Mt. Country Est. Sec 18 T5N R4E B.H.M.

CUSTER CAMP 1874 LLC (THE PASTA CORRAL): Lot 1 OF HES 286 in Sec 4, T3N, R5E, BHM.

EAGLE TREE RESORTS CO LLC: DBA RIM ROCK LODGE: Bldgs on Leased Site; Spearfish Canyon Lot C-2 Sec 4 T5N R2E.

HIGHWAY:

ST. ONGE SALE BARN ROAD PROJECT: Allan Bonnema requested the Board allow a change order to the existing Brookview Road / Hillsview Road Project Bid to allow an overlay on the St. Onge Sale Barn Road instead of bidding the project. Bonnema stated they had received a good bid on the project and would like to add to it. The Board stated they did not feel this was the true intent of a change order under the bidding laws. Moved-Seconded (Flanagan-Weisenberg) to approve the advertising for bids for an overlay for the St. Onge Sale Barn Road / Center Street Project for June 9th. Motion Carried.

CROOK CITY ROAD: The Board issued concerns on the Crook City Road ditches.

VACATION OF A PORTION OF A SECTION LINE RIGHTS-OF-WAY / SKVICALO:

A public hearing was held on a petition received for a Vacation of a portion of section line rights-of-way. Mark Skvicalo was present to speak representing the vacation of section lines. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Sleep) to approve, adopt and authorize the Chairman to sign the following RESOLUTION #2016-11 RESOLUTION & ORDER TO VACATE A PORTION OF A SECTION LINE RIGHTS-OF-WAY. Motion Carried. **LAWRENCE COUNTY RESOLUTION #2016-11 RESOLUTION & ORDER TO VACATE A PORTION OF A SECTION LINE RIGHTS-OF-WAY:** **WHEREAS**, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by at least one percent of the ballots cast for the last gubernatorial election in Lawrence County, requesting that a portion of a section line be vacated, **WHEREAS**, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the B.H. Pioneer times, Lead, South Dakota once each week for two consecutive weeks prior to the date of hearing and **WHEREAS**, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and **WHEREAS**, said section line does not constitute a portion of a South Dakota State Trunk Highway System nor the Lawrence County Highway System, now therefore, **BE IT RESOLVED** by the Lawrence County Board of Commissioners as follows: That the described portion of Section Line be vacated: **LEGAL DESCRIPTION FOR THE VACATION:** That portion of the section line Rights-Of-Way located within Homestead Entry Survey 143: All located on the SE1/4 of Section 21. The SW1/4 of Section 22. The NW ¼ of Section 27 and the NE1/4 of Section 28, T4N, R3E, B.H.M. Lawrence County South Dakota. **AFFECTING THE LANDOWNERS:** Blas and Lois Skvicalo. Dated this 10th day of May, 2016. Daryl Johnson, Chairman, Lawrence County Commission. **ATTEST:** Connie Atkinson, Lawrence County Auditor.

Discussion followed on County Secondary Roads that service individual residences. The Board stated they will continue the discussion in the future.

PROPOSED ROAD DISTRICTS PONDEROSA RIDGE ROAD DISTRICT AND PILLAR PEAK ROAD DISTRICT:

The Board discussed two separate petitions for incorporation of overlapping Road Districts. The Board reviewed the letter received for a revised boundary of the Pillar Peak Road District eliminating the property included in the Ponderosa Ridge Road District and including lots 22 and 26 within the Pillar Peak Road District.

PILLAR PEAK ROAD DISTRICT: Moved-Seconded (Flanagan-Sleep) to approve and authorize the Chairman to sign the following ORDER DECLARING AREA INCORPORATED AND SUBJECT TO VOTE PILLAR PEAK ROAD DISTRICT. Motion Carried. **ORDER DECLARING AREA INCORPORATED AND SUBJECT TO VOTE PILLAR PEAK ROAD DISTRICT** A Petition and Application For Incorporation having been filed with the Lawrence County Board of Commissioners requesting that a road district be organized to function in the territory described in the Petition and it appearing to the satisfaction of the Lawrence County Board of County Commissioners that the requirements of SDCL Chapter 31-12A have been complied with; **IT IS HEREBY DECLARED** that the territory proposed to be organized as a county road district, to-wit: LOTS 1A, 2A, 3A, 4A, 5, 6A, 7, 8, 9A, 10, 12A, 13, 14, 15, 16, 17, 18, 19, 20, 22 26, 27, 34, WELL LOT, OPEN SPACE LOT 1 AND OPEN SPACE LOT 2 AND THE UNPLATTED PORTION OF TRACT 1 OF THE ESTATES AT PILLAR PEAK, LOCATED IN THE NE1/4 OF SECTION 20 AND THE W1/2NW1/4 OF SECTION 21, ALL IN T.5N., R.4E., B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA *SHALL*, with the assent

of the Voters, as specified in SDCL 6-16, in an election as provided in SDCL 6-16 be an incorporated road district by the name of Pillar Peak Road District. DATED this 10th day of May 2016. Daryl Johnson, Chairperson. ATTEST: Connie Atkinson, AUDITOR

PONDEROSA RIDGE ROAD DISTRICT: Moved-Seconded (Sleep-Flanagan) to approve and authorize the Chairman to sign the following ORDER DECLARING AREA INCORPORATED AND SUBJECT TO VOTE PONDEROSA RIDGE ROAD DISTRICT. Motion Carried. *ORDER DECLARING AREA INCORPORATED AND SUBJECT TO VOTE PONDEROSA RIDGE ROAD DISTRICT:* A Petition and Application For Incorporation having been filed with the Lawrence County Board of Commissioners requesting that a road district be organized to function in the territory described in the Petition and it appearing to the satisfaction of the Lawrence County Board of County Commissioners that the requirements of SDCL Chapter 31-12A have been complied with; IT IS HEREBY DECLARED that the territory proposed to be organized as a county road district, to-wit: LOTS 1, 2, 3, 4, 5, 6, 7A, 8A, 9, 10, 11, 12, 13, 14A AND 15A OF PONDEROSA RIDGE SUBDIVISION, LOCATED IN THE SE1/4SW1/4, SW1/4SE1/4 AND NW1/4SE1/4 OF SECTION 17, T5N, R4E, BHM, LAWRENCE COUNTY, SOUTH DAKOTA. *SHALL*, with the assent of the Voters, as specified in SDCL 6-16, in an election as provided in SDCL 6-16 be an incorporated road district by the name of Ponderosa Ridge Road District. DATED this 10th day of May 2016. Daryl Johnson, Chairperson. ATTEST: Connie Atkinson, AUDITOR

SDSU EXTENSION REPORT: Leacey Brown, Peggy Schlecter and Adele Harty Field Specialists were present to discuss the SDSU Extension Activity Report and review programs available.

ISOLATED TRACT / ORMISTON: The Board reviewed a Petition for Isolated Tract Pursuant to SDCL Ch. 31-22 OWNERS: Fred and Natali Ormiston LEGAL: Ballard, Fremont Fraction, Steward, Cora May and Eagle Lode Mining Claims of Mineral Survey No. 968, Location in Section 30, Township 5 North, Range 3 East, B.H.M., Lawrence County, South Dakota, EXCEPT any portion of Conflict with North Star Lode of MS 535 LOCATION: Adjacent to Cutting Mine Road/Iverson Field Road. The Board discussed the on-site and the next step in the process in determining reasonable damages and the width of right-of-way.

Moved-Seconded (Weisenberg-Flanagan) To set the width of the right-of-way at 25 ft and because of Chairman Johnson's expertise in the real estate field to direct the Chairman to determine the amount of damages. Motion Carried.

EXTENSION UPDATE: Michelle May, Butte / Lawrence County Extension was present to give an update.

COUNTY ASSISTANCE / RUGH: Pam Rugh was present to request a modification to a county assistance public defender bill. Rugh stated she was never able to talk to the public

defender attorney and did not receive any correspondence so she resorted to hiring a private attorney. Matt Pike was present to discuss the charges and explain the process once a case is opened in the Public Defender's Office. Pike stated the discovery package was mailed to Rugh and was never returned. Moved-Seconded (Sleep-Flanagan) due to the extenuating circumstances and miscommunication to waive the public defender charges of \$82.80. Motion Carried. Aye-Flanagan, Sleep and Johnson. Nay-Weisenberg.

PLANNING & ZONING:

PRELIMINARY & FINAL PLATS:

FINAL PLAT FOR HOMESTAKE MINING CO/DALE ZOERB: Moved-Seconded (Flanagan-Sleep) to follow Planning and Zoning and Staff recommendation and approve the Final Plat of Tract BR Revised located along Whitewood Creek Rd and allow the Chairman to sign the plat when received. Motion Carried.

PRELIMINARY & FINAL PLAT OLSON/JAMNIK: Moved-Seconded (Weisenberg-Johnson) to follow Planning and Zoning and Staff recommendation and declare that this plat of Lot 1A and Tract 3A of the Summer Place Tracts, Section 12, T2N, R4E meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to follow Planning and Zoning and Staff recommendation and approve the PRELIMINARY & FINAL PLAT for Richard Olson/Frank Jamnik for Lot 1A and Tract 3A of the Summer Place Tracts, Section 12, T2N, R4E. Motion Carried. This will increase size of Lot 1 and square up his lot line while decreasing the size of Tract 3 by a little. Zoned PF. Located near Hwy 385/North Rochford Rd.

FINAL PLAT FOR LUELLA, LLC: Moved-Seconded (Sleep-Flanagan) to table the Final Plat for Tract 1A, Lot A1 and Open Space Lot 3 of the Estates at Pillar Peak Section 20 & 21, T5, R4E. Located off of Boulder Canyon Rd. Zoned PF. Motion Carried. This will allow the remainder of Phase 3 to be sold to one person; create an open space lot to be dedicated to the HOA; and also increase the size of Lot A1 owned by Bill Pearson. Motion Carried.

FINAL PLAT FOR WHITEWOOD CREEK RANCHES, LLC: Moved-Seconded (Weisenberg-Flanagan) to follow Planning and Zoning and Staff recommendation and approve the Final plat for Lot 1 & 2, being a subdivision of the NE 1/4 SW 1/4 of Section 11, T6N, R4E. Located off of Crackerjack Rd North of Whitewood. Zoned PF and A-1. Motion Carried. This plat is breaking off 5 acres for Mr. Johnson Grandson as approved back in November 2015 as long as the fire plan was completed. The fire plan has been completed.

ORDINANCE #16-01 / ALLOW GUEST HOUSES IN CERTAIN ZONING DISTRICTS:

Second Reading was held on the proposed ORD #16-01 Allow Guest Houses in Certain Zoning Districts. Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning Recommendation and approve Ordinance #16-01 to Allow Guest Houses in Certain Zoning Districts and to review in six months. Motion Carried. Aye-Weisenberg, Flanagan and Johnson. Nay-Sleep. Discussion followed on the enforcement of the Ordinance.

ORDINANCE #16-02 / AMEND PLAT LANGUAGE REGARDING HIGHWAY

AUTHORITY APPROVAL FOR FINAL PLATS: Second Reading was held on the proposed ORD #16-02 Amend Plat Language Regarding Highway Authority Approval for Final Plats. Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning Recommendation and approve Ordinance #16-02 Amend Plat Language Regarding Highway Authority Approval for Final Plats. Motion Carried.

CONDITIONAL USE PERMIT #436 / SMALL SCALE ROCK QUARRY / MT. VIEW

RANCHES: The Public Hearing was continued on C.U.P. #436 Small Scale Rock Quarry APPLICANT: Mt View Ranches LLC LEGAL: E1/2 SE1/4 & SW1/4 SE1/4 SECTION 36, T6N, R3E AND Govt Lot 1 (ex. Tract C 5.37 ac) and Govt Lot 2 of Section 1, T5N, R3E., B.H.M, Lawrence Co., South Dakota LOCATION: Crook City Road. Brad Schultz, Michael Erickson, and Kelli Buscher from the South Dakota DENR were present to answer questions and presented a power point presentation. (On-File in the Auditor's Office). Mining Laws were reviewed along with licensing of operations, requirements, the application procedures and inspections of the operations. Surface Water Discharge Permits, Storm Water Pollution Plans, and Air Quality Controls were also reviewed and discussed. Michael Hickey questioned who the License was under for the proposed rock quarry and questioned if the required Archeology study had been completed. . The State responded that the permit was under Western Construction Inc. Charlie Brown, Henry Frawley, Linnea Williamson, Mike Percevich, Teresa Ciani, Les Auer, Ron Waldner, Joe Taggart, and Sheila Baker all spoke in opposition of the Conditional Use Permit. Air Quality, Water Contamination, Safety, Traffic, Property Values, Historical Values, Quality of Life, Health Issues, Noise, Beauty of the Area, and the overall negative reactions of the proposed Conditional Use Permit were voiced.

The hearing will be continued until June 9th. The Board asked that all finding and facts be received by the Commission and exchanged between parties 10 days prior to the continued hearing on June 9th, 2016.

WHARF/COEUR MINING CO ANNUAL REVIEW: Ron Waterland, Environmental Manager Coeur Mining Company was present for the Annual Review of Wharf/Coeur Mining Co. The Board reviewed a Request to Modify C.U.P. Condition #34 (Modification Requiring Maintenance for Redpath Creek Road Only During Active Mining Operations. This would discontinue the maintenance on Perkins Road and only require road maintenance (snow plowing etc.) on Redpath Creek Road during active mining operations. Discussion will continue at a future meeting on amending Condition #34.

CONDITIONAL USE PERMIT #435 / SMALL ROCK QUARRY / CANYON ROCK

LLC: The Board discussed C.U.P # 435 Small Scale Rock Quarry APPLICANT: Canyon Rock LLC /Charles Edwards LEGAL: E1/2SE1/47NW1/4 and the W1/2SW1/4NE1/4 and the NE1/4NE1/4NE1/4SW1/4 and the N1/2NW1/4NW1/4SE1/4 of Section 34. T7N, R1E.

LOCATION: West of Spearfish off of Homestake Road. Johnson questioned the impact on the County Road. Flanagan recommended a condition that if the County Road is impacted a Road agreement be signed with the applicant. Discussion followed on a designated haul route agreement that will identify repair and maintenance responsibilities and consider the potential impact on County Highways. Sleep questioned what the intentions of the applicant are. Applicant stated he planned on crushing for cleanup and possibly continue north. Moved by Weisenberg to follow Planning and Zoning and Staff recommendation and approve CUP #435 Small Scale Rock Quarry APPLICANT: Canyon Rock LLC /Charles Edwards. Motion Died due to lack of second. Sleep questioned if a time frame should be added.

Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning and Staff recommendation and approve CUP #435 Small Scale Rock Quarry APPLICANT: Canyon Rock LLC /Charles Edwards, with conditions as proposed and on file in the Planning and Zoning Office, and with additional/amended Condition #2 as follows: (2) Haul route shall be approved by the Highway Superintendent prior to start of operation. All access points will have to be determined by the Lawrence County Highway Department. A haul road agreement, if and when deemed necessary by the County, shall identify repair and maintenance responsibilities and consider the potential impact on County highways to be used for haul routes. Motion Carried.

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-\$12,568.84; Aud-\$20,064.42; Treas-\$23,695.89; States Atty-\$28,932.31; Pub Def-\$23,361.12; Gen Govt Bldg-\$17,665.40; Equal-\$27,399.25; Rod-\$16,716.40; Vso-\$2779.62; Ist-\$17,680.48; Disp-\$24,332.21; Sher-\$83,335.47; Jail-\$44,409.66; Coroner-\$1,327.45; 24/7-\$366.20; Emerg Mgnt-\$8,161.62; E911-\$3,798.40; Highway-\$89,066.68; Air-\$2,494.75; Weed-\$9,037.14; Pz-\$11,043.40; **Bills:** Locken,William-\$364.98; Larson,Rene-\$429.14; Thomson,Paul-\$107.00; Vogt,Amber-\$34.44; Steffen,Peggy-\$84.00; Harvey,Brenda-\$7.47; American Family Life-\$2,846.33; BH Federal Credit Union-\$6,808.74; Black Hills Energy-\$267.99; Credit Collections Bureau-\$127.72; Deadwood Recreation Center-\$731.00; Delta Dental Of South Dakota-\$6,916.62; Dept Of The Treasury-\$61,519.40; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,877.70; LC Treasurer-\$30.00; Northern Hills Rec Center-\$164.00; Office Of Child Support-\$566.31; SD Retirement System-\$57,380.47; Sdrs Supplemental Retirement-\$2,608.51; Us Department Of Education-\$160.32; Vast Broadband-\$1,716.87; Wellmark Blue Cross-\$71,745.49; A To Z Shredding-\$29.40; A&B Business,Inc Solutions-\$1,708.04; A&B Welding Supply-\$21.39; A&J Supply-\$56.06; Abc Business Supply-\$42.88; Ace Hardware Of Lead-\$20.46; Active Data Systems-\$4,062.00; Armstrong Extinguisher-\$150.00; At&T Mobility-\$1,079.56; BH Chemical Company-\$187.76; BH Federal Credit Union-\$6,808.74; BH Pest Control-\$190.00; BH Pioneer-\$1,499.86; BH Windshield Repair-\$50.00; Baczwaski Law Office, P.C-\$800.40; Bickle's Truck & Diesel-\$1,702.89; Black Hills Energy-\$1,134.80; Black Hills Pure-\$17.50; Bruemmer,Lynnel-\$2,082.40; Burton,Dennon-\$581.40; Butte Electric Coop-\$706.85; Carlson,Richard-\$105.00; Century Business Products-\$681.57; Centurylink-\$105.82; Clinical Lab Of BH-\$1,815.00; Cna

Surety-\$50.00; Credit Collections Bureau-\$127.72; Dakota Equipment Rental-\$137.85; Deadwood, City Of-\$861.77; Dept Of The Treasury-\$57,614.69; Diversified Collections-\$100.00; Ds Solutions-\$175.00; Election Sys & Software-\$3,030.95; Frame Garage-\$3,000.00; Frederickson, John-\$2,627.98; Gamma Scientific-\$1,275.00; Gene's Lock Shop-\$1,593.78; Hawki, Ken-\$107.00; Heartland Paper Co-\$674.35; Heisler Hardware-\$8.99; High Plains Business Forms-\$531.41; Hills Material Comp-\$2,251.93; Hp-\$604.55; Johner Gravel-\$5,074.87; Kadrmas, Lee And Jackson-\$12,213.68; Kimball-Midwest Co-\$357.30; Kinney,Matthew-\$1,595.29; Knecht Home Center Of Spf-\$5.99; Kosel,Joseph-\$803.57; LC Plan & Zone-\$53.06; Lead,City Of-\$77.39; Lead-Deadwood Regional Hospital-\$156.38; Lead-Deadwood Sanitary-\$406.82; Lee,James-\$15.00; Lewis & Clark Bhs-\$160.00; Lexisnexis Risk Data Mgnt-\$75.00; Light & Siren-\$1,299.00; Main Fox 8707-\$440.00; Manlove Psychiatric Group-\$3,600.00; McClure,Susan-\$200.00; Mcguigan,Curtis-\$107.00; Mcleod's Office Supply-\$404.91; Mcpherson Propane-\$69.00; Mg Oil Company-\$7,251.10; Midcontinent Communications-\$35.72; Mobile Electronic Service-\$159.00; Montana Dakota Utilities-\$2,768.92; Nelson,Tonya-\$500.00; Neve's Uniforms-\$1,150.76; Northern Hills Dental-\$105.00; Office Depot-\$1,199.23; Office Of Child Support-\$535.01; Pennington County Sts Attny-\$645.00; Phoenix Investigations-\$2,243.89; Postmaster,Deadwood-\$138.00; Powerplan-\$147.50; Priority Dispatch-\$147.00; Quill Corporation-\$273.96; RC Finance Office-\$770.00; RC Regional Hospital-\$2,393.97; Radiology Associates-\$26.60; Regional Health-\$144.67; Rocket Lube-\$121.48; Rocky Bluff Apartments-\$500.00; SD Airport Conference-\$45.00; SD Dept Of Transportation-\$354.68; SD State Treasurer-\$2,479.83; Sdaco-\$300.00; Sdrs Supplemental Retirement-\$2,608.50; Semerad,Sandra-\$95.00; Servall Towel & Linen-\$584.67; Southside Oil Co-\$13,009.99; Spearfish Auto Supply-\$2,223.37; Spearfish Regional Sports Med-\$70.00; Stretch's Glass & Mirror-\$194.30; Sturdevant's Auto Parts-\$720.66; Sysco Montana-\$2,864.32; Top Quality Mfg Co-\$195.00; Triple K Tire & Repair-\$96.00; Truenorth Steel-\$25,016.00; Twin City Hardware & Lumber-\$435.94; Us Department Of Education-\$160.32; Uline-\$117.30; Vanway Trophy And Award-\$16.00; Warne Chemical-\$2,921.89; Waste Connections Of Sd-\$426.31; Watertree-\$59.70; West River International-\$2,081.09; Western Communication-\$599.00; Wex Bank-\$575.44; White Drug-\$1,571.38; White's Canyon Motors-\$372.46; White's Queen City Motors-\$147.86; Wilde & Hunt, Prof-\$277.00; Yankton Co Sheriff-\$25.00; **Witness & Jurors:** Addington,R-\$65.96; Brosnahan,F-\$63.44; Clauser,C-\$62.60; Damuth,M-\$62.60; Deibert,L-\$68.48; Delahoyde,K-\$62.60; Feyereisen,A-\$62.60; Holden,P-\$62.60; Hulm,D-\$58.40; Iverson,M-\$68.48; Klein,D-\$66.80; Mulhair,D-\$64.28; Peterson,J-\$66.80; Richards,L-\$60.92; Snow,J-\$50.84; Vandavelde,A-\$52.52; Walker,P-\$58.40; Zacarias,S-\$66.80; Gabeline,H-\$55.28; Heisinger,C-\$20.00; Hoover,D-\$32.60; Oyen,R-\$22.52; Pratt,J-\$22.52; Reed, A-\$35.12; Sawyer,F-\$30.92; Wheeler,L-\$40.16; White,R-\$30.92

ADJOURN: 1:13 p.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – May 24, 2016

Vice-Chairman Randall Rosenau 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 24, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioner Richard Sleep and Terry Weisenberg present. Brandon Flanagan was available by video and audio conference. Daryl Johnson was absent.

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

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

MINUTES: Moved-Seconded (Weisenberg-Sleep) to approve the minutes of May 10th County Commission meeting minutes. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Weisenberg-Rosenau) to approve the advertising for a full-time Sheriff Deputy and accept the resignation of Joe Leveque, effective June 3, 2016, and thank him for his years of service. Motion Carried.

Moved-Seconded (Weisenberg-Rosenau) to approve the advertising for a temporary full-time position for the jail. Motion Carried.

Moved-Seconded (Weisenberg-Sleep) to approve the phone per diem for Matt Hardin at \$104.00 per month, effective May 15, 2016. Motion Carried.

HIGHWAY: Moved-Seconded (Weisenberg-Sleep) to approve Krista Rear as an Administrative Secretary G3 at the base rate of \$18.19 an hour, effective May 15, 2016. Motion Carried.

Moved-Seconded (Weisenberg-Rosenau) to approve the advertising of a temporary part-time seasonal employee for the Highway Department. Motion Failed. Aye-Weisenberg and Rosenau. Nay-Flanagan and Sleep. Sleep and Flanagan stated it should be in the budget.

INDUSTRIAL ARTS STUDENT RECOGNITION: The Board recognized and thanked Lead High School Industrial Arts Students Christian Casias, Beth Hoffman and Saige Van Tassel for building the work bench in the Information Systems & Technology Department.

RAFFLE REQUEST / SPEARFISH VETERANS' MONUMENT: Moved-Seconded (Sleep-Rosenau) to not object to the request from the Spearfish Veterans' Monument Committee Raffle Request. Motion Carried.

DAKOTA TITLE AGREEMENT: Moved-Seconded (Weisenberg-Rosenau) to approve and authorize the Chairman to sign the agreement with Dakota Title regarding copying of real estate records. Motion Carried. Brian Baczwaski, Ron Island and Davida Hanson were present for discussion.

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

SHERIFF:

JAIL NURSE AGREEMENT: Moved-Seconded (Sleep-Weisenberg) to approve and authorize the Chairman to sign the Jail Nurse Agreement Renewal with Wendy Janke. Motion Carried.

LEAD/DEADWOOD REGIONAL HOSPITAL MEDICAL AGREEMENT: Moved-Seconded (Sleep-Weisenberg) to approve and authorize the Chairman to sign the Jail Medical Agreement with the Lead/Deadwood Regional Hospital. Motion Carried.

JUVENILE SERVICE CENTER: Paul Hanson updated the Board on the Juvenile Service Center in Rapid City and stated they have been selected as a regional facility for Federal Juveniles. This is a significant and positive change for the facility that should benefit compact counties.

HIGHWAY:

UTILITY PERMIT: Moved-Seconded (Weisenberg-Sleep) to follow the recommendation and approve the Utility Permit for Montana Dakota Utilities on Mineral Place Road approximately ¾ miles from Spearfish – west of the McGuigan Rd. Motion Carried.

VACATE SECTION LINE / ESTATES AT PILLAR PEAK: A public hearing was held on a petition received for a Vacation of a portion of section line rights-of-way. Bill Pearson was present to speak representing the vacation of section line. Pam Kirby and Faunille Cummings were present to voice support. The Public Hearing was closed. Moved-Seconded (Weisenberg-Sleep) to approve, adopt and authorize the Chairman to sign the following RESOLUTION #2016-12 LAWRENCE COUNTY RESOLUTION #2016-12 RESOLUTION & ORDER TO VACATE A PORTION OF A SECTION LINE RIGHTS-OF-WAY. Motion Carried.

LAWRENCE COUNTY RESOLUTION #2016-12 RESOLUTION & ORDER TO VACATE

A PORTION OF A SECTION LINE RIGHTS-OF-WAY: WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by at least one percent of the ballots cast for the last gubernatorial election in Lawrence County, requesting that a portion of a section line be vacated, **WHEREAS,** the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing

by publication of notice in the B.H. Pioneer times, Lead, South Dakota once each week for two consecutive weeks prior to the date of hearing and **WHEREAS**, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and **WHEREAS**, said section line does not constitute a portion of a South Dakota State Trunk Highway System nor the Lawrence County Highway System, now therefore, **BE IT RESOLVED** by the Lawrence County Board of Commissioners as follows: That the described portion of Section Line be vacated: **LEGAL DESCRIPTION FOR THE VACATION:** THAT PORTION OF SECTION LINE 20 AND 21 LOCATED IN ELK TRACTS B AND C, OF THE ESTATES AT PILLAR PEAK, BEING PART OF TRACT 1 OF THE ESTATES AT PILLAR PEAK, LOCATED IN THE NE1/4 AND THE N1/2SE1/4 OF SECTION 20, THE W1/2NW1/4 AND THE NW1/4SW1/4 OF SECTION 21, ALL IN T.5N., R.4E., B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA AND THAT PORTION OF SECTION LINE 20 AND 21 LOCATED IN TRACT 1 OF THE ESTATES AT PILLAR PEAK BEING ALL OF THE NE1/4 AND THE N1/2SE1/4 OF SECTION 20, THE W1/2NW1/4 AND THE NW1/4SW1/4 OF SECTION 21, ALL IN T.5N., R.4E., B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA **AFFECTING THE LANDOWNERS:** Pillar Peak LLC. Dated this 24th day of May, 2016. Randall Rosenau, Vice-Chairman, Lawrence County Commission. ATTEST: Connie Atkinson, Lawrence County Auditor

AIRPORT COMPLAINT: The Board discussed a complaint from Rhonda Swenson in reference to the rock and milling pile at the Airport.

PLANNING & ZONING:

FINAL PLAT FOR LUELLA, LLC:

Moved-Seconded (Weisenberg-Sleep) to follow Planning and Zoning and Staff recommendation and declare that this plat for the Estates at Pillar Peak Plat for Tract 1A, Lot A1 and Open Space Lot 3 of the Estates at Pillar Peak Section 20 & 21, T5, R4E meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Weisenberg-Sleep) to approve the Final Plat for Tract 1A, Lot A1 and Open Space Lot 3 of the Estates at Pillar Peak Section 20 & 21, T5, R4E. Located off of Boulder Canyon Rd. Zoned PF. Motion Carried. This will allow the remainder of Phase 3 to be sold to one person; create an open space lot to be dedicated to the HOA; and also increase the size of Lot A1 owned by Bill Pearson. Motion Carried.

ANNUAL REVIEWS:

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

CONDITIONAL USE PERMIT #373 / DON HURM (EARTHMOVING): An annual review was conducted on CUP #373, Don Hurm Earthmoving. No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #430 – BOULLIN & HILGER: A public hearing was held on CUP #430 Melissa Boullion & Tammy Hilger to allow trailrides on property located on Parcel V of Hay Springs Estates off Nemo Road on Hay Creek Lane., Section 33, T4N, R4E. No public input was voiced and the hearing was closed.

CONDITIONAL USE PERMIT #424 / STOLEN KISS RANCH: An annual review was conducted on CUP #424, Stolen Kiss Ranch (Gary Coe, Applicant) Request to Allow Horse Boarding, Wedding Venue and Meeting Place. Moved-Seconded (Weisenberg-Rosenau) CUP #424 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.

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-\$6,284.42; Aud-\$9,478.98; Treas-\$11,959.50; States Atty-\$13,017.54; Pub Def-\$11,689.36; Gen Govt Bldg-\$8,846.84; Equal-\$13,699.62; Rod-\$8,358.21; Vso-\$1,389.81; Ist-\$8,840.24; Disp-\$12,877.18; Sher-\$38,856.74; Jail-\$20,253.86; Coroner-\$797.45; 24/7-\$146.48; Emerg Mgmt-\$4,033.93; E911-\$1,899.20; Highway-\$42,327.71; Air-\$1,294.25; Mh Serv-\$1,104.00; Weed-\$6,827.64; Pz-\$5,304.43; **Bills:** Tridle,Debora-\$38.00; Atkinson,Connie-\$220.20; Weisenberg,Terry-\$101.88; Atkinson,Sally-\$53.00; A&B Business,Inc Solutions-\$327.26; Abc Business Supply-\$8.39; Ace Hardware Of Lead-\$207.34; American Family Life-\$2,846.33; At&T-\$10.65; Audra Malcomb Consulting-\$2,265.07; BH Federal Credit Union-\$6,808.74; BH Land Analysis-\$1,397.50; BH Pioneer-\$124.10; Barnaud Law Firm-\$347.00; Bfd-\$400.00; Bi Geo Group-\$115.00; Black Hills Energy-\$12,468.44; Black Hills Urgent Care-\$118.00; Bomgaars Supply-\$407.12; Brownells-\$738.19; Campbell Co Adult Drug Court-\$25.00; Century Business Products-\$352.28; Centurylink-\$2,263.86; Charm-Tex-\$1,165.20; Cheyenne Crossing Store-\$201.67; Clinical Lab Of BH-\$1,764.00; Clubhouse Hotel & Suites Pierre-\$423.00; Cody,Denise-\$15.00; Convergint Technologies-\$344.39; Credit Collections Bureau-\$127.72; Dakota Equipment Rental-\$83.95; Deadwood Recreation Center-\$711.00; Delta Dental Of South Dakota-\$7,026.56; Dept Of The Treasury-\$57,526.81; Diversified Collections-\$100.00; Ekern,Marv-\$15.00; Ellingson,Joseph-\$7,041.55; Ertz,Dewey-\$225.00; Essink,John-\$2,220.00; Godfrey's Brake Serv-\$238.44; Goodie's Uniforms-\$367.85; Grey Law Office Prof-\$2,392.80; Grimm's Pump Service-\$2,355.54; Gullickson,Gary-\$1,876.80; Hartford-Priority Accounts-\$1,877.70; Heartland Paper Co-\$454.13; International Academy Of Emd-\$50.00; Johner Gravel-\$9,932.29; Kinkade Funeral Chapel-\$1,450.00; Lead-Deadwood Regional Hospital-\$776.25; Lewno,Lucy-\$148.96; Lueders-\$18.52; Midwest Alarm Company-\$91.20; Montana Dakota Utilities-\$169.34; Moore Medical-\$195.36; Mutchler,Tricia-\$904.00; Neve's Uniforms-\$274.10; Newman Signs-\$123.75; Northern Hills Rec Center-164.00; Office Of Child Support-\$535.01; Okaloosa County Sher Office-\$40.00; Owens Interstate Sales-\$90.00; Pennington Co Jail-\$1,430.90; Pennington County Sts Attny-\$430.00; Powerplan-\$187.74; Priority Dispatch-\$450.00; Quill Corporation-\$543.72; RC Finance Office-\$1,085.00; Rabe Elevator-\$1,020.88; Radiology Associates-\$55.38; Ramkota Inn Pierre-\$189.98; Rasmussen Mechanical Serv-\$864.11; Regional Health-\$596.16; Rena M Hymans-\$1,513.70; Rocket Lube-\$71.98; Rogers Construction-\$150,918.64; Rsinet-\$180.00; SD Retirement System-\$56,343.24; Sdrs Supplemental Retirement-\$2,508.50; Servall Towel & Linen-\$596.75; Spearfish Auto Supply-\$94.98; Spearfish City Of-\$10,140.00; Spearfish Police Dept-\$10,785.58; Stan Houston

Equip Co-\$742.50; Stronghold Counseling Serv-\$435.00; Sturdevant's Auto Parts-\$5.20; Sysco Montana-\$1,831.07; Thomson Reuters-West-\$167.48; Triple K Tire & Repair-\$408.97; Truenorth Steel-\$2,153.22; Turnkey Corrections-\$15.70; Twin City Hardware & Lumber-\$88.63; Us Department Of Education-\$160.32; Vast Broadband-\$1,752.80; Verizon Wireless-\$105.24; Victims Of Violence-\$589.00; Waste Connections Of Sd-\$303.33; Wellmark Blue Cross-\$72,909.67; Wells Fargo Business Card-\$6,063.87; West River International-\$610.78; Western Sd Juvenile Serv-\$4,365.00; **Witness & Jurors:** Feyereisen,A-\$62.60; Holden,P-\$62.60; Iverson,M-\$68.48; Johnson,G-\$62.60; Mulhair,D-\$64.28; Vandavelde,A-\$52.52; Delahoyde,C-\$62.60.

ITEMS FROM COMMISSIONERS: The Board discussed the meeting on June 9th in reference to C.U.P. #436 Small Scale Rock Quarry and the size and availability of meeting space. The Board was in agreement to reserve a conference room at the Lodge in Deadwood to allow room for all concerned individuals to attend.

OLD RECORDS IN P&Z: Moved-Seconded (Weisenberg-Sleep) to donate old records in the Planning and Zoning office to the City of Deadwood Historic Preservation. Motion Carried.

ADJOURN: 9:48 a.m. (Weisenberg-Sleep) To adjourn the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – June 9, 2016

Chairman Daryl Johnson 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 9, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Brandon Flanagan, Randall Rosenau, Richard Sleep, and Terry Weisenberg present.

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

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

MINUTES: Moved-Seconded (Weisenberg-Rosenau) to approve the minutes of May 24th County Commission meeting. Motion Carried.

2016 PRIMARY ELECTION: Moved-Seconded (Weisenberg-Flanagan) to canvass the 2016 Primary Election Results for Lawrence County. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Weisenberg-Flanagan) to approve Sean Mowell as a part-time (under 20) Fill-in Dispatcher 1 G1 at the base rate of \$15.95 an hour (Training wage at \$10.90), effective June 9, 2016. Motion Carried.

Moved-Seconded (Sleep-Flanagan) to approve Jacob L. Capp as a full-time permanent Correctional Officer 1 G1 at the base rate of \$15.95 an hour (Training wage at \$10.90), effective June 9, 2016. Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve Brianna R. Rommen as a full-time temporary Correctional Officer 1 G1 at the base rate of \$15.95 an hour (Training wage at \$10.90) , effective June 9, 2016. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve Nathan R. Davis as a full-time permanent Sergeant I G3 at the base rate of \$25.12 an hour, effective May 29, 2016. Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve Tommie D. Derby as a full-time permanent Sergeant II G3 at the base rate of \$25.36 an hour, effective May 29, 2016. Motion Carried.

Moved-Seconded (Sleep-Rosenau) to approve the advertising for a temporary full-time position for the jail. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Rosenau) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of May 31, 2016 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)-\$104,368.08; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$5,181.65; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$6,749,051.43, Money Market \$5,754,493.86; Savings-\$9,412,084.41. Total \$25,128,389.43.

BROWN BAG PERMIT: Moved-Seconded (Weisenberg-Flanagan) to approve the Brown Bag Permit for Eagle Aviation at the Airport for June 9, 2016 and July 18-22, 2016. Motion Carried.

RAFFLE REQUEST / SCOTTISH RITE: Moved-Seconded (Flanagan-Sleep) to not object to the request from the Black Hills Scottish Rite Raffle Request. Motion Carried.

RAFFLE REQUEST / FOPA: Moved-Seconded (Sleep-Flanagan) to not object to the request from the FOPA Raffle Request. Motion Carried.

SHERIFF: Brian Dean was present to update the board on Sheriff business.

DELZER SECTION LINE OBSTRUCTION ON SITE: The Board rescheduled the on-site for the Delzer Section-Line Obstruction for June 21st at 1:00 p.m.

HIGHWAY:

ST. ONGE SALE BARN ROAD PROJECT: The following bids were received for the St. Onge Sale Barn Road Project: Hills Material-\$88,462.44 and Sacrison Paving Inc-\$114,196.60. Moved-Seconded (Sleep-Rosenau) to accept the bid from Hills Material for \$88,462.44 and to waive any irregularities and authorize the chairman to sign the Notice to Proceed and sign the contracts. Motion Carried.

PERMITS:

MONTANA DAKOTA UTILITIES PERMIT: Moved-Seconded (Weisenberg-Sleep) to follow the recommendation of the Highway Superintendent and approve the utility permit for Montana Dakota Utilities on the intersection of Highway 34 & St. Onge Rd to install, by bore, a 2" polyethylene natural gas line. Motion Carried.

MONTANA DAKOTA UTILITIES PERMIT: Moved-Seconded (Sleep-Rosenau) to follow the recommendation of the Highway Superintendent and approve the permit to occupy County Highway Right-of-Way for Montana Dakota Utilities on the St. Onge Rd to install a 2" polyethylene natural gas line. Motion Carried.

CALAMITY GULCH BRIDGE: A discussion was held on adding the Calamity Gulch Bridge to the County System. Mike Kain spoke on behalf of the residents who use the bridge and presented a petition to the Commissioner asking to add the bridge to the county system. Chairman Johnson stated the county would look into the matter to see what responsibility it has regarding the bridge.

FUEL QUOTES: The following fuel quotes were submitted as of May 25, 2016: Deadwood Diesel#2 4600 gallons: (prices per gallon) CBH Cooperative - \$1.576*, South Side - \$1.63, MG Oil-\$1.699; Deadwood Unleaded 3800 gallons: (prices per gallon) CBH Cooperative - \$1.973*, South Side - \$2.10, MG Oil – \$2.049; Spearfish Diesel#2 3400 gallons: (prices per gallon) CBH Cooperative - \$1.616*, South Side - \$no bid, MG Oil-\$1.699; Spearfish Unleaded 960 gallons: (prices per gallon) CBH Cooperative - \$1.993*, South Side - \$no bid, MG Oil – \$2.049; Whitewood Diesel Blended 50/50 450 gallons: (prices per gallon) CBH Cooperative - \$1.616*, South Side - \$no bid, MG Oil-\$1.699;

VACATION OF PUBLIC ACCESS & UTILITY EASEMENT / BLACK DIAMOND PROPERTIES, LLC:

A public hearing was held on a petition received for a Vacation of a Portion Of A Section Line Rights-Of-Way / Public Access & Utility Easement for Black Diamond Properties, LLC. Chris Kenzy spoke in favor of the Vacation of Public Access & Utility Easement. Public Hearing was closed. Moved-Seconded (Flanagan-Weisenberg) to approve, adopt and authorize the Chairman to sign the following Lawrence County Resolution #2016-13 Resolution & Order To Vacate A Portion Of A Section Line Rights-Of-Way / Public Access & Utility Easement contingent upon the filing of the easement agreement and exhibit. Motion Carried. LAWRENCE COUNTY RESOLUTION #2016-13 RESOLUTION & ORDER TO VACATE A PORTION OF A SECTION LINE RIGHTS-OF-WAY / PUBLIC ACCESS & UTILITY EASEMENT: WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by at least one percent of the ballots cast for the last gubernatorial election in Lawrence County, requesting that a portion of a section line / right of way / public easement & utility easement be vacated, WHEREAS, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the B.H. Pioneer times, Lead, South Dakota once each week for two consecutive weeks prior to the date of hearing and WHEREAS, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and WHEREAS, said section line does not constitute a portion of a South Dakota State Trunk Highway System nor the Lawrence County Highway System, now therefore, BE IT RESOLVED by the Lawrence County Board of Commissioners as follows: That the described portion of Section Line / Right of Way / Public Access & Utility Easement be vacated: LEGAL DESCRIPTION FOR THE VACATION: That Portion Of The Public Access & Utility Easement Located Within Lot 7, Block 1 Of Tract 1 Of Terry Peak Estates Located In Portions Of Gov't Lots 6 & 11, Section 2, T4N, R2E, BHM, Lawrence County, South Dakota AFFECTING THE LANDOWNERS: Black Diamond Properties, LLC. Dated this 9th day of June, 2016. Daryl Johnson, Chairman Lawrence County Commission. ATTEST: Brenda McGruder, Lawrence County Deputy Auditor

PLANNING & ZONING:

PRELIMINARY & FINAL PLAT FOR TOMAN / TONNER: Moved-Seconded (Flanagan-Weisenberg) to declare that this plat for Toman / Tonner meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to approve the Preliminary Plat of Lot 2R &3R, Blk 9 of the Pines at Benchmark S/D, a S/D of a Portion of Lot 6, All Located in Section 12, T3N, R4E
SUMMARY: Adjust Middle Lot Line LOCATION: Nemo, SD ZONING: Park Forest. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to approve the Final Plat of Lot 2R &3R, Blk 9 of the Pines at Benchmark S/D, a S/D of a Portion of Lot 6, All Located in Section 12, T3N, R4E
SUMMARY: Adjust Middle Lot Line LOCATION: Nemo, SD ZONING: Park Forest. Motion Carried.

CONDITIONAL USE PERMIT #436 / SMALL SCALE ROCK QUARRY / MT. VIEW

RANCHES: The Public Hearing was continued on C.U.P. #436 Small Scale Rock Quarry
APPLICANT: Mt View Ranches LLC LEGAL: E1/2 SE1/4 & SW1/4 SE1/4 SECTION 36, T6N, R3E AND Govt Lot 1 (ex. Tract C 5.37 ac) and Govt Lot 2 of Section 1, T5N, R3E., B.H.M, Lawrence Co., South Dakota LOCATION: Crook City Road.

Chairman Johnson opened the floor for further public comment. Ten citizens voiced concerns about the proposed gravel quarry. Following citizen comments, the attorney representing the applicant and the attorney representing the Save Centennial Valley Association discussed their respective proposed Findings of Fact and Conclusions of Law. The public hearing was closed. Board members then addressed questions to the applicant.

An initial motion was made Moved-Seconded (Flanagan-Weisenberg) to add Condition #43 to the proposed conditions that the operator shall only be allowed to mine what is necessary for construction of the haul road and further that the haul road shall be designed by an engineer and such design and construction shall be consistent with County road specifications. Motion Carried.

The Board then discussed the 42 proposed conditions contained in the staff report. A consensus was reached that proposed condition #2 be modified to require a surety bond to cover costs associated with impacts from the operation to the Crook City Road. Further, a consensus was reached that proposed condition #3 be modified to require that additional easements to put in turn lane will have to come from the applicant's property. Finally, a consensus was reached modifying condition #33 to provide that a surety performance bond shall be required in an amount to be determined by the County Commissioners to assure that sufficient funds will be available to protect the County in the event the operator abandons a site without completing the conditions imposed by the conditional use permit.

Chairman Johnson voiced concern that construction of a 300 foot haul road was flawed. Further that he has safety concerns stemming from use of the Crook City Road as a haul route. Johnson added that for these reasons he could not support approval of the conditional use permit

Commissioner Weisenberg noted his family's historical ties to Centennial Valley and Lead and noted that this decision was difficult.

Commissioner Sleep noted that, though he was not opposed to gravel mining operations in agricultural areas, in this case, the impacts of the proposed operation affected the adjacent landowners when such impacts could be avoided by construction of the haul road to the West across the applicant's property directly to Highway 85. Further, that containing the haul road to the applicant's property would also alleviate safety concerns for the traveling public using the Crook City Road and damage to the Crook City Road caused by truck hauling.

Commissioner Rosenau noted that this was not a popularity contest and this is a very difficult decision. Further noting that he is trying to stick to the concept of what the Commission is here to do and that is to approve the conditions if the Commission were to issue the C.U.P and what the regulations are.

Commissioner Flanagan also noted that, like the other Commissioners, he had reviewed all information submitted a number of times and had given the matter much thought and consideration.

Motion-Second (Weisenberg-Rosenau) to follow the recommendation of the Planning and Zoning Administrator and the Planning and Zoning Commission to approve C.U.P. #436 and adopt conditions 1-43 discussed and modified. Motion Carried. Aye: Rosenau, Weisenberg and Flanagan. Nay: Sleep and Johnson

BILLS:

Moved-Seconded (Rosenau-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-\$6,284.42; Aud-\$10,277.90; Treas-\$11,477.54; States Atty-\$13,036.50; Pub Def-\$11,689.36; Gen Govt Bldg-\$8,846.84; Equal-\$13,699.61; Rod-\$8,373.56; Vso-\$1,389.81; Ist-\$8,940.25; Disp-\$11,893.70; Sher-\$39,410.23; Jail-\$21,043.22; Coroner-\$407.45; 24/7-\$201.42; Emerg Mgnt-\$3,784.56; E911-\$1,899.20; Highway-\$42,353.99; Air-\$1,409.25; Mh Ser-\$2,202.00; Weed-\$8,722.88; Pz-\$5,144.43; **Bills:** Lopez,Amber-\$157.92; Caserio,Beverly-\$162.50; A To Z Shredding-\$16.90; A&B Business,Inc Solutions-\$451.90; A&B Welding Supply-\$20.70; Abc Business Supply-\$202.40; Adams,Tom-\$41.25; At&T Mobility-\$1,020.07; BH Counseling Service-\$550.00; BH Federal Credit Union-\$6,808.74; BH Pest Control-\$190.00; BH Pioneer-\$899.85; BH Window Cleaning-\$3,520.00; Baczwaski Law Office-\$1,088.05; Black Hills Disposal-\$87.00; Black Hills Energy-\$892.75; Bomgaars Supply-\$16.99; Brosz Engineering-\$390.00; Butte Electric Coop-\$690.45; Caserio,Clifford-\$227.20; Cbh Cooperative-\$23,049.78; Century Business Products-\$154.09; Centurylink-\$105.82; Charm-Tex-\$29.40; City/County Alcohol&Drug-\$332.00; Cody,Denise-\$45.00; Credit Collections Bureau-

\$127.72; Cvd Construction-\$10,904.00; Deadwood,City Of-\$864.49; Dept Of The Treasury-\$63,054.70; Diversified Collections-\$100.00; Eagle Aviation-\$8.42; Eddie's Truck Sales/Serv-\$255.88; Equipment Blades-\$437.50; Fastenal-\$41.46; Frederickson,John-\$41.25; Gene's Lock Shop-\$549.94; Goodie's Uniforms-\$488.20; Heartland Paper Co-\$382.08; Hills Material Comp-\$11,793.44; Intab-\$41.15; Interstate Engineering-\$27,115.88; Johner Gravel-\$38,991.17; Kinney,Matthew-\$371.15; LC Treasurer-\$5.00; Lead,City Of-\$91.95; Lead-Deadwood Regional Hospital-\$62.28; Lead-Deadwood Sanitary-\$420.36; Lee,James-\$15.00; Leverington Funeral Home Of-\$1,503.25; Lewno, Lucy-\$240.46; Megas Propane-\$226.05; Microfilm Imaging Systems-\$136.00; Midcontinent Communications-\$35.97; Montana Dakota Utilities-\$2,205.97; Nelson, Christy-\$200.00; Northern Hills Casa-\$7,500.00; Office Depot-\$247.40; Office Of Child Support-\$535.01; Phoenix Investigations-\$1,608.19; Postmaster,Deadwood-\$222.00; Quill Corporation-\$135.30; RC Regional Hospital-\$561.58; Regional Health-\$90.50; Rena M Hymans-\$1,963.30; SD Dept Of Transportation-\$4,777.84; SD Public Assur Alliance-\$1,824.00; SD State Treasurer-\$14,811.88; Secretary Of State-\$30.00; Servall Towel & Linen-\$418.42; Spearfish Auto Supply-\$230.38; Spearfish City Of-\$1,000.00; Sterna,Laura-\$400.00; Sturdevant's Auto Parts-\$20.50; Swanda,Karen-\$45.00; Swisher Hygiene/Css-\$178.86; Sysco Montana-\$1,048.03; Thomson Reuters-West-\$167.48; Top Quality Mfg Co-\$325.00; Triple K Tire & Repair-\$51.44; Twin City Hardware & Lumber-\$103.96; Us Department Of Education-\$160.32; United Parcel Service-\$16.56; Waste Connections-\$426.31; Western Communication-\$1,740.40; Yankton Co Sheriff-\$25.00; Yankton County-\$116.25; Z&S Dust Control-\$247,262.46; **Witness & Jurors:** Brosnahan,F-\$63.44; Cavallero,N-\$60.08; Clauser,C-\$62.60; Damuth,M-\$62.60; Deibert,L-\$68.48; Hulm,D-\$58.40; Klein,D-\$66.80; Walker,P-\$58.40; Zacarias,S-\$66.80; Cadle,T-\$22.52; Morrissey,W-\$22.52

ADJOURN: 1:13 p.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – June 21, 2016

Chairman Daryl Johnson 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 21, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Brandon Flanagan, Randall Rosenau, Richard Sleep, and Terry Weisenberg present.

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

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

MINUTES: Moved-Seconded (Weisenberg-Sleep) to approve the minutes of June 9th County Commission meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Weisenberg-Flanagan) to approve Blake R Johnson as a part-time (under 20) fill-in Correctional Officer 1 G 1 at the base rate of \$15.95 an hour, effective June 21, 2016. Motion Carried.

WILDLIFE, RECREATION & TOURISM: Weisenberg reported on the Wildlife Recreation and Tourism Committee meeting in regards to the Yellow Creek Shooting Range. Weisenberg stated they were in support of the County's previous action of denial of the Yellow Creek Shooting Range.

FAIR BOARD:

Moved-Seconded (Rosenau-Sleep) to appoint Ida Marie Snorteland to the Fair Board to fill the term for Doug Pavel. Motion Carried. The Board thanked Doug Pavel for his service on the Board.

SHERIFF: Brian Dean was present to update the board on Sheriff business.

HIGHWAY: Allan Bonnema, Highway Superintendent updated the Board on road projects and stated he continues to research the Calamity Gulch Road Bridge.

AIRPORT: Rhonda Swenson was present to file a complaint on the Airport in regards to the rock and millings piles. Swenson stated they own Spearfish Bed & Breakfast on Airport Road

and are losing business over the situation. Swenson stated they are now dealing with weeds and critters in the pile and asked the County if they would remedy the situation. The Board stated they will try and find a workable solution.

RECESS: 9:00 a.m. Moved-Seconded (Flanagan-Sleep) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 9:23 a.m. The Chairman called the meeting back to order.

SEARCH & RESCUE:

SEARCH & RESCUE BUILDING: Paul Thomson was present to update the Board on the Search & Rescue Building for the snow cat. Thomson stated a letter was received from Wharf committing \$20,000 for the building and a quote was received from Cleary Building Corp for \$33,986. Moved-Seconded (Flanagan-Rosenau) to approve and authorize the Chairman to sign the contracts with Cleary Building Corp for the building of the Search & Rescue Building in an amount not to exceed \$50,000, to graciously accept the donation of \$20,000 from Wharf, and to authorize the installation of a plaque on the new building in honor of the donation. Motion Carried.

BLACK HILLS ELECTRIC COOPERATIVE FRANCHISE PERMIT: A Public Hearing was held on the application for granting permit / franchise for Black Hills Electric Cooperative Inc. Tracy Kelley and Jessie Sorenson were present to answer questions on the application. The public hearing was closed. Moved-Seconded (Flanagan-Weisenberg) to approve and authorize the Chairman to sign Resolution #2016-14 GRANTING PERMIT/FRANCHISE IN THE MATTER OF THE APPLICATION OF BLACK HILLS ELECTRIC COOPERATIVE, INC., FOR APPROVAL OF A FRANCHISE/PERMIT PURSUANT TO SDCL 31-26 RESOLUTION NO. 2016-14 RESOLUTION GRANTING PERMIT/FRANCHISE IN THE MATTER OF THE APPLICATION OF BLACK HILLS ELECTRIC COOPERATIVE, INC., FOR APPROVAL OF A FRANCHISE/PERMIT PURSUANT TO SDCL 31-26. WHEREAS on the 21st day of June, 2016, Black Hills Electric Cooperative, Inc., a South Dakota corporation, with its principal place of business at Custer, South Dakota applied to the Board of County of Commissioners of Lawrence County, South Dakota, for the right and privilege of maintaining a franchise for electric power lines constructed on certain highways and roadways in said County, as more particularly set out in the Application for franchise on file in the Auditor's office of said County, which Application is hereby made a part of this resolution; and WHEREAS, the electric transmission, telegraph and telephone companies operating lines in, near or adjacent to said highways and roadways were duly notified by the County Auditor for Lawrence County that a hearing would be held on the Application in accordance with SDCL §-31-26; and WHEREAS, the Board of Commissioners of Lawrence County have examined said Application and found:

1. That said Application is in the form and contains the information required by law.
2. That the Application was appropriately filed with the Lawrence County Auditor and that all persons, firms or corporations owning transmission, telegraph, and telephone lines within Lawrence County were notified by registered or certified mail at least ten (10) days prior to the

Lawrence County Board of Commissioner's hearing on said Application and that said Notice stated the time and place when and where such Application would be heard.

3. That the Lawrence County Board of Commissioners has considered the complaints of all parties appearing, and has adjusted all differences between Black Hills Electric Cooperative, Inc., and the owner or owners of any transmission, telegraph or telephone lines affected by the Board's decision upon said petition.

4. That the operation, maintenance and construction (if and when found necessary by Applicant) of said lines will be in the public interest, and that said permit/franchise should be granted, subject to the conditions hereinafter set forth.

THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lawrence County, South Dakota, that Black Hills Electric Cooperative, Inc., a corporation organized and existing under and by virtue of the laws of the State of South Dakota, qualified and authorized to operate and transact business in the State of South Dakota, its successors and assigns hereinafter called the grantee be and hereby are authorized and granted a right-of-way permit/franchise to construct, operate, and maintain as wherever necessary, electric transmission and distribution lines on and along all public highways in Lawrence County, South Dakota. That this permit/franchise is granted specifically pursuant to SDCL §31-26-12, authorizing a general grant as to all public highways for rural electrification purposes; and it is found and resolved hereby that the grantee, Black Hill Electric Cooperative, Inc., is operating its entire system primarily and principally for rural electrification purposes. BE IT FURTHER RESOLVED that this permit is subject to the following conditions and such other reasonable conditions and regulations as the South Dakota legislature may hereinafter prescribe:

1. The grantee shall not have the exclusive right to use such highway(s) for the construction of electricity.

2. The poles, fixtures and transmission line shall be constructed so as not to prevent the public use of any road or the navigation of any stream.

3. When any highway along which such a line has been constructed shall be changed, grantee shall, upon ninety (90) days notice in writing, remove such line to the highway as changed.

4. Grantee shall construct and maintain said poles, wires and line in accordance with the National Electric Safety Code adopted by the Bureau of Standards of the United States Department of Commerce.

5. This right-of-way permit/franchise shall be effective and in full force for a period of twenty (20) years from the date hereof.

6. That the grantee shall notify the County in writing at least thirty (30) days prior to the construction of any additional transmission or distribution lines along and on all public highways in Lawrence County, South Dakota. Approved at the regular meeting of the Lawrence County Board of County Commissioners held on the 21ST. Day of June, 2016. BOARD OF COUNTY COMMISSIONERS, LAWRENCE COUNTY, SOUTH DAKOTA BY: DARYL JOHNSON, CHAIRMAN. ATTEST: CONNIE ATKINSON, AUDITOR

PLANNING & ZONING:

FLOODPLAIN MITIGATION PROJECT: Ted Schultz, AE2S was present to review the floodplain mitigation project. Amber Vogt recommended participating in the study because of the benefit to the County. Vogt stated the project is included in the 2017 provisional budget.

ITEMS FROM COMMISSIONERS:

SPEARFISH FIRE DEPARTMENT: Randall Rosenau was present to discuss options discussed for rural fire protection in the Spearfish area.

AIRPORT: Discussion followed on possible emergency entrance and exits for fire fighting purposes at the airport and using the millings / rock pile at the airport.

BILLS:

Moved-Seconded (Weisenberg-Rosenau) 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-\$6,284.42; Election-\$628.62; Aud-\$10,594.14; Treas-\$11,764.44; States Atty-\$13,048.14; Pub Def-\$11,538.25; Gen Govt Bldg-\$8,893.14; Equal-\$13,699.61; Rod-\$8,358.20; Vso-\$1,389.81; Ist-\$8,851.65; Disp-\$13,947.08; Sher-\$44,008.61; Jail-\$22,356.62; Coroner-\$667.45; 24/7-\$128.17; Emerg Mgnt-\$3,990.41; E911-\$1,899.20, Highway-\$42,325.35; Air-\$1,158.00; Weed-\$9,640.73; Pz-\$5,346.03; **Bills:** Tridle,Debra-\$180.80; Larson,Rene-\$74.76; A&B Business,Inc Solutions-\$1,234.93; A&I Distributors-\$3,827.30; Abc Business Supply-\$8.48; Air Connection-\$2,934.52; Aman,Barbara-\$20.00; Ammons,Sue-\$170.00; Asmussen,Patricia-\$197.52; At&T-\$1.78; Audra Malcomb Consulting-\$1,632.85; BH Federal Credit Union-\$6,808.73; BH Physical Therapy-\$240.00; BH Pioneer-\$153.77; Baczowski Law Office-\$5,550.10; Baker,Jeff-\$500.00; Barnaud Law Firm-\$2,875.23; Benning,Elizabeth-\$207.60; Black Hills Energy-\$13,405.14; Black Hills Pure-\$44.00; Bruce,Alice-\$170.00; Burleson,Anna-\$170.00; Butler Machinery Co-\$35.30; Calabro,Patricia-\$150.00; Centurylink-\$2,274.77; Charm-Tex-\$120.78; City/County Alcohol&Drug-\$166.00; Claggett & Dill-\$836.84; Clubhouse Hotel & Suites Pierre-\$408.00; Cook,Sue-\$150.00; Credit Collections Bureau-\$127.72; Dakota Equipment Rental-\$256.25; Dakota Fluid Power-\$1,566.73; Dept Of Hlth Lab Services-\$66.00; Dept Of The Treasury-\$61,183.98; Diversified Collections-\$100.00; Division Of Motor Veh-\$5.00; Eb Communications-\$610.00; Ecolab-\$146.02; Ellingson,Joseph-\$729.76; Fastenal-\$20.94; Frederickson,John-\$2,835.43; Garlick,Dora Jean-\$170.00; Geigle,Elsie Jane-\$209.28; Glanzer, Cheryl-\$170.00; Goodie's Uniforms-\$87.95; Goss,Diane-\$150.00; Grimm's Pump Service-\$779.33; Gustafson,Arlene-\$170.00; Heartland Paper Co-\$1,818.62; Hills Material Comp-\$20,868.44; Hp-\$99.99; Hughes,Linda-\$170.00; International Academy Of Emd-\$50.00; Jacobs Precision Welding-\$2.29; Janke,Wendy-\$1,838.00; Jorgensen, Kay-\$207.60; Keough,Marilyn-\$180.08; Kimball-Midwest Co-\$205.82; Kinney,Matthew-\$638.44; Knecht Home Center Of Spf-\$6.00; Kosel, Joseph-\$21,198.29; Labcorp Of America Holdings-\$25.00; Lead-Deadwood Regional Hospital-\$124.56; Lewis & Clark Bhs-\$320.00; Lewis Drug-\$13.78; Lexisnexis Risk Data Mgnt-\$75.00; Littleton,Donna-\$170.00; Lungren,Berniece-\$207.60; Mack's Auto Body-\$600.00; McClure,Susan-\$200.00; Microfilm Imaging Systems-\$2,160.00; Montana Dakota Utilities-\$55.00; Nelson, Christy-\$150.00; Nelson,Tonya-\$650.00; Neve's Uniforms-\$857.83; Newman Signs-\$1,013.85; Northern Hills Dental-\$105.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$535.01; Pennington Co Jail-\$599.30; Pennington County Sts Attny-\$430.00; Pisani,Susan-\$170.00; Pitney Bowes-\$845.23; Pizza Lab-\$324.60; Postmaster,Deadwood-\$138.00; Quaschnick, Elma-\$195.00; Quill Corporation-

\$399.58; RC Finance Office-\$910.00; RC Regional Hospital-\$122.62; Rabe Elevator-\$326.73; Radiology Associates-\$32.26; Rapid Delivery-\$26.46; Rasmussen Mechanical Serv-\$634.75; Rear,Kay-\$195.00; Regional Health-\$597.28; Reserve Account-\$6,000.00; Robinson,Patricia-\$150.00; Rocket Lube-\$50.99; Rogers Construction-\$150,918.64; Ryther,Evelyn-\$150.00; SD Human Services Center-\$111.50; Sager,Margaret-\$207.60; Sarpy County Court-\$2.75; Schmunk, Virginia-\$170.00; Sdrs Supplemental Retirement-\$2,508.50; Semerad,Sandra-\$452.20; Servall Towel & Linen-\$596.75; Silvernail,Georgeann-\$195.00; SOS Survival Products-\$75.40; Spearfish Auto Supply-\$629.21; Spearfish Glass-\$47.09; Stan Houston Equip Co-\$775.00; Stark County Sheriff Office-\$27.50; Sturdevant's Auto Parts-\$1,162.27; Sysco Montana-\$2,183.08; Taylor,Jeannette-\$207.60; Tetrault,Rose Emma-\$150.00; Tetrault,Roxie-\$150.00; Top Quality Mfg Co-\$130.00; Triple K Tire & Repair-\$143.26; Turnkey Corrections-\$20.95; Twin City Hardware & Lumber-\$268.07; Us Department Of Education-\$160.32; Vast Broadband-\$327.82; Verizon Wireless-\$105.24; Victims Of Violence-\$995.00; Waisanen,Ardath-\$170.00; Waste Connections-\$303.33; Watertree-\$45.80; Wells Fargo Business Card-\$8,253.44; Werlinger,Brenda-\$150.00; Western Communication-\$767.50; Wex Bank-\$593.22; White Drug-\$2,861.15; White's Queen City Motors-\$938.21; Wilde & Hunt, Prof-\$248.22; Wuitschick,Carol-\$170.00; Z&S Dust Control-\$46,110.89; Zep Manufacturing Co-\$275.30; **Witness & Jurors:** Addington,R-\$65.96; Delahoyde,K-\$62.60; Feyereisen,A-\$62.60; Holden,P-\$62.60; Iverson,M-\$68.48; Johnson,G-\$62.60; Mulhair,D-\$64.28; Vandavelde,A-\$52.52; Pisani,M-\$35.12; Oyen,R-\$22.52; Pratt,J-\$22.52; Engel,D-\$22.52; Goings,C-\$35.12; Ochsner,Y-\$41.00; Stanley,L-\$35.12

ADJOURN: 10:05 a.m. There being no further business the Chairman adjourned the meeting and the Board will conduct the on-site for the Delzer Section-Line Obstruction at 1:00 p.m.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – June 21, 2016

Chairman Daryl Johnson called the Lawrence County Board of Adjustment meeting to order at 9:00 a.m. on June 21, 2016 in the Administrative Annex Building of the Lawrence County courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Terry Weisenberg, Richard Sleep, and Randall Rosenau present.

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

VARIANCE #149 / ADAMS: A Public Hearing was held on Variance #149 OWNERS: Crystal Adams SUMMARY: Variance from Side Setback to Add a Detached Garage (NE corner 4'.7" Variance to the 10' Setback & SE Corner 9'.7" Variance to the 10' Setback) LOCATION: Nevada Gulch Road LEGAL: Lot M1 of M.S. 1703. Deb Tridle was present and spoke in support of the variance.

The Chairman closed the hearing. Moved-Seconded (Sleep-Rosenau) to follow Planning and Zoning and approve Variance #149 for Crystal Adams due to topography. Motion Carried. Aye-Weisenberg, Rosenau, Sleep and Johnson. Nay-Flanagan.

ADJOURN: 9:15 a.m. There being no further business it was Moved-Seconded (Sleep-Rosenau) to adjourn from the Board of Adjustment. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – July 12, 2016

Chairman Daryl Johnson 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 12, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Brandon Flanagan, Randall Rosenau, Richard Sleep, and Terry Weisenberg present.

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

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

MINUTES: Moved-Seconded (Weisenberg-Sleep) to approve the minutes of June 21st County Commission and Board of Adjustment meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Rosenau-Weisenberg) to approve Ritchey D. Walk as a Permanent Full-Time Deputy II G2 at the base rate of \$24.03 an hour, effective July 10, 2016. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve Daniel L. Hart as a Fill-In Part-Time Correctional Officer G1 at the base rate of \$15.95 an hour, effective July 10, 2016. Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve a phone per diem of \$104.00 per month for Ritchy Walk. Motion Carried.

Moved-Seconded (Flanagan-Rosenau) to allow employees to donate leave to Dustin Schumacher upon the exhaustion of the employee's accumulated vacation time, "comp time" and sick leave. Motion Carried.

EQUALIZATION: Moved-Seconded (Flanagan-Rosenau) to approve Jason Fisher as a Permanent Full-Time Appraiser IV G2 at the base rate of \$20.67 an hour, effective July 25, 2016. Motion Carried.

Moved-Seconded (Rosenau-Sleep) to approve Louise Hohn as a Permanent Full-Time Appraiser IV G2 at the base rate of \$20.67 an hour, effective July 25, 2016. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Rosenau) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of June 30, 2016 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)-\$43,428.42; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-

\$3,548.28; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$4,532,972.47, Money Market \$5,756,428.66; Savings-\$9,413,163.29. Total \$22,852,751.12.

FUEL QUOTES: The following fuel quotes were submitted as of June 28, 2016: Spearfish Diesel#2 3350 gallons: (prices per gallon) CBH Cooperative - \$1.762, MG Oil-\$1.739*; Spearfish Unleaded 1000 gallons: (prices per gallon) CBH Cooperative - \$1.989*, MG Oil – \$2.0577;

REGION 4 MUTUAL AID: Moved-Seconded (Sleep-Flanagan) to approve and authorize Paul Thomson to sign the Region 4 Mutual Aid Agreement with edits if needed. Motion Carried.

STATE LOCAL AGREEMENT / SLA: Moved-Seconded (Flanagan-Rosenau) to approve and authorize the Chairman to sign the SLA Agreement. Motion Carried.

PILLAR PEAK ROAD DISTRICT: Connie Atkinson, Auditor reported that the vote on the proposed Pillar Peak Road District was not approved.

PONDEROSA RIDGE ROAD DISTRICT: Moved-Seconded (Rosenau-Sleep) to approve and authorize the Chairman to sign the following Order Declaring Ponderosa Ridge Road District Incorporated. Motion Carried.

ORDER DECLARING PONDEROSA RIDGE ROAD DISTRICT INCORPORATED
WHEREAS, an election was held among the eligible voters in the Ponderosa Ridge Road District to determine whether or not a County Road District should be incorporated. WHEREAS, this vote was held on July 7, 2016. WHEREAS, the vote has been cast and canvassed and a verified statement from the judges of the election has been received showing the whole number of ballots cast was Twelve (12), together with the number of Twelve (12) voting for and the number of Zero (0) voting against incorporation; WHEREAS, The Territory organized as a district is as follows: LOTS 1, 2, 3, 4, 5, 6, 7A, 8A, 9, 10, 11, 12, 13, 14A AND 15A OF PONDEROSA RIDGE SUBDIVISION, LOCATED IN THE SE1/4SW1/4, SW1/4SE1/4 AND NW1/4SE1/4 OF SECTION 17, T5N, R4E, BHM, LAWRENCE COUNTY, SOUTH DAKOTA. WHEREAS, the Board of County Commissioners are satisfied with the legality of such election. WHEREAS, it appearing that a majority of the voters at the election have voted in favor of incorporation of such territory. NOW THEREFORE BE IT ORDAINED by the Lawrence County Board of Commissioners that the Ponderosa Ridge Road District is hereby incorporated pursuant to SDCL 31-12A. DATED this 12th day of July, 2016. Daryl Johnson, Chairperson Lawrence County Commission ATTEST: CONNIE ATKINSON, Auditor

REFERENDUM PETITIONS: Connie Atkinson, Auditor reported petitions have been filed referring the approval of Conditional Use Permit #436 Small Scale Rock Quarry for Mt View Ranches LLC. The Election will be held on August 30th, 2016.

INITIATIVE PETITIONS: The Board received initiative petitions that the following ordinance be submitted to the voters of Lawrence County:

COUNTY INITIATIVE PETITION

WE, THE UNDERSIGNED qualified voters of Lawrence County in the state of South Dakota, petition that the following ordinance be submitted to the voters of that county for their approval or rejection pursuant to law.

The proposed ordinance in proper form is as follows:

AMEND "Chapter 3 Definitions" to read in pertinent part:

~~PERMIT AREA: The area, including affected lands, within specified boundaries approved by the Commission.~~ **The area described in an application for a small-scale or large-scale extractive industry operation, which includes the disturbed area and buffer zone, approved by the Commission for the life of the mining operation.**

SMALL-SCALE SAND, GRAVEL OR ROCK INDUSTRY: The construction or operation of an extractive industry which:

1. Projects to directly or contractually employ less than thirty (30) persons.
2. Disturbs less than ten (10) acres during the life of the permit ~~excluding access roads;~~ **and,**
3. Extracts less than two hundred fifty thousand (250,000) tons of material per calendar year.

AMEND "Chapter 6 District Regulations" to read in pertinent part:

Article 1 — A-1 — General Agriculture District, Section 1.4 Conditional Uses:

~~30. Rock, Sand or Gravel Extraction~~

AMEND "Chapter 10 Additional Use Regulations" to read in pertinent part:

Article 2 — Extraction of Materials and Minerals, Open Pits and Impounding of Waters, Section 1.1, General:

~~Mining and related activities may be allowed in all zoning districts, subject to the provisions of Chapter 19 Conditional Use Permits, Chapter 20 Extractive Industry Conditional Use Permits.~~

AMEND "Chapter 20 Extractive Industry Conditional Use Permits, Buffer Zone(s) and Waivers" to read in pertinent part:

Article 1— Extractive Industry Conditional Use Permits, Section 1.1 General:

2. Extractive industry and associated activities and facilities may be allowed ~~in all zoning districts~~ **in zoning districts as described in Chapter 6,** subject to the provisions and regulations set forth in this section.

The Board discussed the petitions. Bruce Outka, Deputy States Attorney reviewed the petitions, South Dakota Laws, and Court Findings and rulings pertaining to the Initiated Petitions.

Kelsey Parker, representing Save Centennial Valley Association was present to represent their case on the initiated petitions. Parker stated 7-18A-13 makes it a mandatory obligation to enact the ordinance and put to a vote of the people. Parker noted this gives the power to the people to enact legislation. Parker stated with the signatures received on the petitions the County Zoning Ordinance needs to be amended.

Outka referenced Schafer v. Deuel County, 2006 SD 106. In that case the court discussed due process concerns holding that zoning issues are not exempt from due process issues. The court specifically referred to SDCL Ch. 11-2 noting that due process requirements (i.e. the right to

notice and a hearing) serve several important functions including: safeguarding against the arbitrary exercise of power, informing the decisions makers, affording affected landowners with the opportunity to formally voice their concerns and present evidence in opposition to opposed measures, and providing an avenue for expression of public opinion. As the court notes SDCL11-2-18 and 11-2-19 require public hearings to be held prior to the adopted of a zoning ordinance. Outka stated his advice to the Board is that the initiated measure is inappropriate and noted that concerned citizens have the ability to initiate a change to the zoning ordinance pursuant to SDCL 11-2-28 as an alternative remedy exists for the supporting an amendment to the zoning ordinance while safeguarding the respective rights of other landowners.

The Board questioned if the signatures on the initiative petitions were only a direct reflection on CUP#436. Johnson and Sleep stated if the general public had a problem with gravel quarry operations on AG land they would have complained about the other CUP that was granted around the same time. Sleep stated their needs to be gravel quarries in the County and it makes sense to get from AG land and there is limited areas where it is available. Rosenau stated the County has a procedure in place to amend the Planning and Zoning Ordinance that allows for public input. Flanagan voiced concerns that he thought the referendum petitions should have been rejected and the initiative petitions should have been accepted.

Moved-Seconded (Weisenberg-Sleep) to following the recommendation of Bruce Outka, Deputy States Attorney and reject the initiated petitions as they are inappropriate according to settled case law, and otherwise a remedy exists for initiating an amendment to the zoning ordinance as found in SDCL 7-18A-28. Motion Carried. Aye-Weisenberg, Rosenau, Sleep and Johnson. Nay-Flanagan.

Rosenau asked if Planning and Zoning could review the petitions and evaluate if amendments need to be considered to the Planning and Zoning Ordinance.

Moved-Seconded (Flanagan-Johnson) to send the requested amendments on the initiative petitions to Planning and Zoning and Staff to see if the amendments should be pursued. Motion Carried.

SHERIFF: Brian Dean was present to update the board on Sheriff business.

HIGHWAY: Allan Bonnema, Highway Superintendent updated the Board on road projects.

UTILITY PERMIT / BUTTE ELECTRIC: Moved-Seconded (Rosenau-Flanagan) to approve and authorize the Chairman to sign the Butte Electric Cooperative Application to Occupy County Highway Right-Of-Way on the Weiseman Rd located in T7N, R4E, Section 29 & 32 for underground facilities. Motion Carried.

BELLY DUMP TRAILERS: Allan Bonnema requested permission to purchase another belly dump trailer off of the previous bid that will expire in August and pay for it in 2017. The Board discussed and questioned the legality and proper procedures. Concerns were raised that this should have been budgeted for in 2016. Moved-Seconded (Sleep-Flanagan) to follow the budget

process and not purchase a trailer in 2016 and pay for in 2017. Motion Carried. Aye-Weisenberg, Flanagan, Rosenau and Sleep. Nay-Johnson.

CALAMITY GULCH ROAD BRIDGE: Bonnema reported the Calamity Gulch Road Bridge is located on property owned by United States Forest Service and will continue to look into the issue.

CATTLE GUARD ISSUES: Richard Sleep expressed concerns from citizens about cattle guards that need to be cleaned because they are full of gravel.

FOREST SERVICE: Rhonda O'Byrne, District Ranger was present to discuss the Upper Two-Bit FERTA Easement Application. O'Byrne asked the Board if they wanted to apply for a Temporary Road Use Permit for the Upper Two Bit Road until the FERTA Easement process was completed. Flanagan stated the Counties intent for the application was for emergency egress for the subdivisions. O'Byrne stated a permanent closure would make it non accessible.

Arlie Davis a resident of upper two bit road asked the Board not to take this road on and allow it to be closed back up. Scott Reif stated he was not in favor of the County taking it over but didn't want it to be a permanent closure making it non-accessible in emergency situations.

The Board discussed the intention of starting the FERTA process and it was only to keep it from total closure and for emergency egress only. The Board stated they had no intention of maintaining the road and would not be willing to take on the liability of the road.

Moved-Seconded (Sleep-Weisenberg) to withdraw the FERTA Easement Application for Upper Two Bit Road. Motion Carried.

VACATION OF PLAT / KAUFMAN: A public hearing was held on a Petition to Vacate a Plat from Robert W. and Alta Marie Kaufman: Plat of Lot 1, Kaufman Subdivision, located in the E1/2SE1/4, Section 12, Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota, as shown by Plat recorded as Document Number 91-4326. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Rosenau) to approve and authorize the Chairman to sign the following Resolution #16-15. Motion Carried.

RESOLUTION #16-15 RESOLUTION & ORDER VACATING A PLAT: WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, by Robert W. Kaufman and Alta Marie Kaufman, requesting for the Vacation of Plat of Lot 1, Kaufman Subdivision, located in the E1/2SE1/4, Section 12, Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota, as shown by Plat recorded as Document Number 91-4326 on the 9th day of December, 1991, in the office of the Register of Deeds Office, Lawrence County, South Dakota., and WHEREAS, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the Black Hills Pioneer once at least ten days prior to the date of

hearing, and WHEREAS, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and WHEREAS, The names and addresses of the record owner of the plat or part thereof sought to be vacated; Robert W. Kaufman and Alta Marie Kaufman, Husband and Wife, 12324 Crackerjack Road, Whitewood, SD 57793 WHEREAS, the legal description is as follows: Plat of Lot 1, Kaufman Subdivision, located in the E1/2SE1/4, Section 12, Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota, as shown by Plat recorded as Document Number 91-4326 on the 9th day of December, 1991, in the office of the Register of Deeds Office, Lawrence County, South Dakota., and WHEREAS, The names of the legal voters residing upon the platted property are Robert W. Kaufman and Alta Marie Kaufman, and WHEREAS, the character and use of the plat is as follows: There is a single-family residence occupied by the Petitioners on the property and a garage and three small outbuildings. WHEREAS, There are no public highways located upon said Plat, however, there is a county road abutting the entire westerly boundary of Lot 1 as described above, as shown on the Plat. WHEREAS, Your Petitioners own the property abutting Lot 1 on the North, East and South and there is a county road as described above abutting the West Boundary of Lot 1. WHEREAS, the granting of the petition will not abridge or destroy any of the rights and privileges of other proprietors of such plat and will not authorize the closing or obstruction of any public highway laid out according to law, it may vacate the plat specified in the petition. All property taxes on such plat shall be paid before it may be vacated, and WHEREAS, All property taxes on such plat shall be paid before it may be vacated, and BE IT RESOLVED by the Lawrence County Board of Commissioners to hereby vacate a Plat: Dated this 12th day of July, 2016. Daryl Johnson, Chairperson, Lawrence County Commissioner. ATTEST: I Connie Atkinson, the duly elected Auditor of Lawrence County, SD, do hereby certify that the within and foregoing resolution was passed by the Lawrence County Board of County Commissioners at a regular session held July 12, 2016. Dated at Deadwood, SD, this 12TH day of July, 2016. Connie Atkinson, Lawrence County Auditor

PLANNING & ZONING:

INTERPRETATION OF "SINGLE FAMILY RESIDENCE: The Board discussed the Interpretation of "Single Family Residence" in reference to the Brockley Building Permit/Mountain Plains #1. Discussion followed on second and temporary residences.

Moved-Seconded (Weisenberg-Johnson) to convey to Tom Paisley, City of Spearfish that the county interprets this as a single family residence. Aye-Weisenberg, Rosenau and Johnson. Nay-Flanagan and Sleep.

PLATS:

PRELIMINARY & FINAL PLAT FOR MOUNTAIN VIEW RANCHES, LLC:

Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and Staff recommendation and declare that this plat for Mountain View Ranches, LLC for creation of a new lot in order to put another residence on the property Lien Lot 1 & 2 of Section 35, T6N, R3E. meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to approve the preliminary & final plat for Mountain View Ranches, LLC for creation of a new lot in order to put another residence on the property. Lien Lot 1 & 2 of Section 35, T6N, R3E. Motion Carried.

PRELIMINARY & FINAL PLAT FOR CHARLES & LISA DODDS/ISLEY

PROPERTIES, LLC: Moved-Seconded (Weisenberg-Flanagan) to follow Planning and Zoning and Staff recommendation and declare that this plat for Charles & Lisa Dodds / ISLEY Properties meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve the preliminary & final plat for Charles & Lisa Dodds/Isley Properties, LLC for change in the current lot lines in order to build another residence. Lot A revised of Section 11, T3N, R4E. Motion Carried.

PRELIMINARY & FINAL PLAT FOR LARRY ROTH/THOMAS WINTERSTEEN:

Moved-Seconded (Weisenberg-Johnson) to follow Planning and Zoning and Staff recommendation and declare that this plat for Larry Roth / Thomas Wintersteen meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Weisenberg-Johnson) to approve the preliminary & final plat for Larry Roth/Thomas Wintersteen for a revision in lot lines. Big Dipper No.1A; No.2A & Springview Lot A Section 24, T4N, R2E and to allow the Chairman to sign the final when received and approved by Planning and Zoning Staff. Motion Carried.

PRELIMINARY & FINAL PLAT FOR JANE & WILLIAM HAUCK:

Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and Staff recommendation and declare that this plat for Jane & William Hauck to combine two existing lots into 1 lot located Lot 7A, Blk 13 of Lost Camp Valley Acreage Section 2 & 11, T4N, R2E meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to approve the preliminary & final plat for Jane & William Hauck to combine two existing lots into 1 lot located Lot 7A, Blk 13 of Lost Camp Valley Acreage Section 2 & 11, T4N, R2E. Motion Carried.

PRELIMINARY & FINAL PLAT FOR DEADWOOD HILLS ESTATES, LLC:

Moved-Seconded (Rosenau-Sleep) to follow Planning and Zoning and Staff recommendation and declare that this plat for Lots 1-4 of Deadwood Hills Estates located in Section 15, T4N, R3E meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Rosenau-Sleep) to approve the Revised Preliminary & Final plats of Lots 1-4 of Deadwood Hills Estates located in Section 15, T4N, R3E. Motion Carried.

BUDGET: The board reviewed the 2017 Preliminary budget.

BILLS:

Moved-Seconded (Flanagan-Rosenau) 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-\$6,284.42; Aud-\$10,355.67; Treas-\$11,569.68; States Atty-\$13,096.35; Pub Def-\$11,689.36; Gen Govt Bldg-\$8,766.81; Equal-\$13,699.63; Rod-\$8,358.21; Vso-\$1,389.81; Ist-\$8,851.64; Disp-\$13,590.70; Sher-\$37,163.67; Jail-\$23,762.51; Coroner-\$797.45; 24/7-\$183.10; Emerg Mgnt-\$4,160.51; E911-\$1,899.20; Highway-\$42,696.73; Air-\$1,336.75; Weed-\$10,630.26; Pz-\$5,146.03; **Bills:** Mcgruder,Brenda-\$21.00; Nelson,Melody-\$21.00; Larson,Rene'-\$37.00; Thomson,Paul-\$13.98; Lopez,Amber-\$402.00; Larimore,Mark-\$22.60; Podoll,Keri-\$21.00; Walker,John-\$394.30; Brownlow,Carleen-\$21.00; Nash,Christina-\$57.56; American Family Life-\$2,811.03; BH Federal Credit Union-\$6,808.74; Black Hills Energy-\$209.55; Credit Collections Bureau-\$127.72; Deadwood Recreation Center-\$736.00; Delta Dental Of South Dakota-\$6,916.62; Dept Of The Treasury-\$59,324.72; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,868.13; Hennepin Cty Sheriff's Office-\$160.00; Northern Hills Rec Center-\$164.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$535.01; Quality Lenders-\$291.10; SD Retirement System-\$85,247.36; SDRS Supplemental Retirement-\$2,508.51; Us Department Of Education-\$160.32; Wellmark Blue Cross-\$72,909.67; Barnaud Law Office-\$1,189.72; A To Z Shredding-\$92.40; A&B Business-Inc Solutions-\$1,235.07; A&B Welding Supply-\$52.48; A&I Distributors-\$321.92; A&J Supply-\$21.69; Abc Business Supply-\$165.99; Ace Hardware Of Lead-\$122.76; AT&T Mobility-\$915.22; BH Chemical Company-\$257.73; BH Pest Control-\$190.00; BH Physical Therapy-\$80.00; BH Pioneer-\$1,052.50; Bi Geo Group-\$91.10; Big Sky Communications-\$158.00; Black Hills Energy-\$932.45; Black Hills Pure-\$77.50; Bob Barker Company-\$142.47; Bomgaars Supply-\$90.84; Brownsville Fire Dept-\$4,395.94; Burleigh County Sher Dept-\$50.00; Burly Builders-\$3,186.74; Butler Machinery Co-\$301,878.36; Butte Electric Coop-\$498.65; Carol Butzman Consult Serv-\$75.00; Cbh Cooperative-\$6,528.19; Century Business Products-\$569.21; Centurylink-\$338.68; City/County Alcohol&Drug-\$2,546.50; Cleary Building Corp-\$7,131.00; Cooks Correctional-\$2,291.61; Dale's Tire & Retread-\$8,176.00; Deadwood Vol Fire Dept-\$4,363.06; Deadwood,City Of-\$1,011.59; Dean Schaefer Court Reporting-\$120.00; Dept Of Hlth Lab Services-\$945.00; Eb Communications-\$108.00; Eddie's Truck Sales/Serv-\$315.57; Election Sys & Software-\$1,329.52; Ellingson,Joseph-\$493.34; Fastenal-\$61.84; Federal Express Corp-\$21.21; Fidler-Isburg Funeral Chapel-\$455.00; Fred Pryor Seminars-\$199.00; Goodie's Uniforms-\$652.80; Great Western Tire-\$39.90; Heartland Paper Co-\$1,232.80; Heisler Hardware-\$102.69; Hills Material Comp-\$547,120.31; Hp Inc-\$2,262.65; Interstate Engineering-\$13,985.42; Jacobs Precision Welding-\$6.20; Janz,Donald A Phd-\$1,400.00; Kadrmas, Lee And Jackson-\$6,720.75; Kennedy Pier Knoff Loftus Llp-\$162.40; Kinney,Matthew-\$1,395.76; LC Conservation Dist-\$5,000.00, LC Treasurer-\$11.20; L-3 Communications-\$364.00; Language Line Services-\$63.13; Lead Fire Protection District-\$8,166.47; Lead,City Of-\$103.15; Lead-Deadwood Regional Hospital-\$981.18; Lead-Deadwood Sanitary-\$505.12; Lexisnexis Risk Data Mgnt-\$75.00; Lyle Signs-\$2,108.83; Mcpherson Propane-\$45.00; Mg Oil Company-\$5,825.65; Microfilm Imaging Systems-\$255.00; Midcontinent Communications-\$35.76; Mikelson,Gary-

\$320.68; Montana Dakota Utilities-\$1,529.96; Ms Mail-\$1,020.00; Nalco Company-\$3,795.55; Nelson,Tonya-\$200.00; Nemo Volunteer Fire Dept-\$1,062.69; Pictometry International Corp-\$1,650.00; Pitney Bowes-\$252.51; Plumbmaster-\$372.44; The Pump House-\$169.23; Quill-\$277.09; RC Regional Hospital-\$527.99; Rabe Elevator-\$1,020.88; Rapid Delivery-\$25.31; Rapid Transcript-\$48.00; Regional Health-\$223.00; Rochford Fire Protection Dist-\$477.72; Rocket Lube-\$234.96; Rsinet-\$180.00; SD Aao-\$900.00; SD Dept Of Labor Unemployment-\$2,778.60; SD Dept Of Transportation-\$193.25; SD State Treasurer-\$1,851.90; SD Counties-\$350.00; Servall Towel & Linen,-\$836.84; Shama,Tim-\$350.00; Spearfish Auto Supply-\$1,225.33; Spearfish Canyon Fire-\$2,995.00; Spearfish City Of-\$17,887.43; Spearfish Motors-\$319.58; Spearfish Police Dept-\$10,551.50; St Onge Fire Protection Dist-\$774.10; Sterna,Laura-\$450.00; Streicher's-\$268.99; Sturdevant's Auto Parts-\$534.24; Sturgis Fire Department-\$3,216.00; Subway-\$15.00; Sysco Montana-\$3,759.32; Taser Training Academy-\$225.00; Teen Court-\$7,500.00; The Lodge At Deadwood-\$135.00; Thomson Reuters-West-\$167.48; Top Quality Mfg Co-\$260.00; Triple K Tire & Repair-\$1,029.96; Turbiville Industrial Electric-\$923.99; Twin City Hardware & Lumber-\$278.29; Vast Broadband-\$1,384.24; Victims Of Violence-\$1,915.00; Waste Connections Of Sd-\$729.64; Watertree-\$59.70; West River International-\$554.69; Western Communication-\$1,468.00; Wex Bank-\$769.38; White's Canyon Motors-\$137.50; Whitewood Fire Prot District-\$3,826.23; Yankton County-\$324.50; **Witness & Jurors:** Brosnahan,F-\$63.44 Carlson,R-\$13.36; Cavallero,N-\$60.08; Clauser,C-\$62.60; Damuth,M-\$62.60; Deibert,L-\$68.48; Glenney,T-\$22.60; Hulm,D-\$58.40; Klein,D-\$66.80; Peterson,J-\$66.80; Walker,P-\$58.40; Aldridge,A-\$22.60; Auld,T-\$12.52; Bakeberg,T-\$22.60; Blackman,L-\$21.76; Boe,E-\$24.28; Braunesreither,J-\$22.60; Brinson,E-\$22.60; Britton,J-\$12.52; Buchholz,B-\$133.60; Buxton,J-\$26.80; Campbell,K-\$12.52; Cook,D-\$16.72; Daum,C-\$25.12; Dennison,G-\$22.60; Ewing,T-\$16.72; Gerving,B-\$12.52; Guthmiller,L-\$22.60; Hacker,E-\$101.68; Jackson,M-\$20.08; Jensen,A-\$18.40; Jones,B-\$26.80; Langenfeld,L-\$26.80; Larimore,D-\$22.60; Larsen,L-\$12.52; Lee,A-\$22.60; Loffer,W-\$22.60; Logan,C-\$22.60; Mattson,S-\$126.88; Mclemore,R-\$125.20; Merzweiler-Jones,C-\$20.08; Mollman,J-\$12.52; Morgan,S-\$22.60; Munro,K-\$24.28; Nelson,M-\$14.20; Olson,T-\$22.60; Peppmeier,J-\$12.52; Phillips,H-\$160.48; Phillips,L-\$12.52; Pisani,B-\$22.60; Pontius,A-\$22.60; Prescott,J-\$25.12; Rantapaa,R-\$12.52; Robeson,D-\$15.88; Silva,A-\$20.08; Simonyak,K-\$22.60; Smith,J-\$10.84; Stangland,N-\$17.56; Sturdevant,A-\$30.16; Thacker,D-\$130.24; Tschetter,C-\$26.80; Vardiman,D-\$108.40; Wagner,A-\$125.20; Waterson,B-\$22.60; Weaver,R-\$15.04; Wilcox,M-\$20.08; Williamson,J-\$20.08; Williamson,L-\$22.60; Young,M-\$24.28; Oyen,R-\$22.52; Pratt,J-\$22.52; Engel,D-\$22.52; Baker,B-\$12.52; Bateman,D-\$22.60; Berger,D-\$62.60; Campbell,M-\$11.68; Chamberlain,J-\$28.48; Charles,J-\$10.84; Chase,A-\$22.60; Dietrich,S-\$18.40; Dobesh,D-\$25.96; Donahuem,S-\$25.96; Donat,J-\$22.60; Dower,K-\$10.84; Dunn,G-\$26.80; Elmore,J-\$20.08; Engler,G-\$50.84; Finley,V-\$66.80; Fisher,D-\$12.52; Gengler,P-\$22.60; Gifford,A-\$23.44; Goddard,M-\$25.12; Grady,C-\$26.80; Graslie,B-\$20.08; Hahn,C-\$24.28; Hansen,E-\$52.52; Hilgemann,R-\$25.12; Horst,S-\$66.80; Kennedy,D-\$23.44; Kiel, K-\$24.28; Kruse,J-\$70.16; Leighty,B-\$22.60; Lev,P-\$12.52; Levengood,S-\$32.68; Manca,B-\$22.60; Milliren,H-\$22.60; Morrison,S-\$12.52; Olson,C-\$18.40; Parkhurst,L-\$35.20; Patino,D-\$22.60; Peterson,J-\$22.60; Piekkola,Q-\$24.28; Porter,G-\$11.68; Pretty Weasel,J-\$62.60; Reese,T-\$22.60; Rhoades,K-\$22.60; Sanders,R-\$65.96; Schilling,K-\$10.84; Shields,T-\$22.60; Shuck,L-\$20.92; Sneesby,M-\$12.52; Stagner,J-\$63.44; Steffen,H-\$12.52; Stone,A-\$13.36; Suvada,D-\$20.08; Symonds,D-\$22.60; Truax,C-\$20.92; Vantassel,S-\$12.52; Vanhorn,L-\$26.80; Wagner,P-\$21.76; Warwick,D-\$22.60; Watson,J-\$64.28; Weaver,B-\$55.04; Webster,C-\$12.52;

Wilks,V-\$31.00; Williams,R-\$21.76; Clark,G-\$22.60; Crosswait,C-\$125.20; Hitson,D-\$125.20; Krogstad,D-\$125.20; Mcgrath,C-\$22.60; Melcher,K-\$12.52; Overby,S-\$20.92; Pearson,J-\$12.52; Reed,C-\$20.92; Schlup,F-\$142.00; Shockey,A-\$28.48; Bailey,B-\$20.00; Eaglehorse,T-\$22.52; Donald,S-\$25.04; Goodrich,R-\$20.00; Nelson,T-\$35.12; Sterling,T-\$20.42

ADJOURN: 1:32 p.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – July 26, 2016

Chairman Daryl Johnson 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 26, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Brandon Flanagan, Randall Rosenau, Richard Sleep, 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-Rosenau) to approve the minutes of July 12th County Commission meeting. Motion Carried.

PERSONNEL:

INFORMATION SYSTEMS & TECHNOLOGY: Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the Compliance with County Residency Policy for Steven Kline. Motion Carried.

SHERIFF: Moved-Seconded (Weisenberg-Rosenau) to approve the classification change for Clayton Schleusner as a Full-Time Permanent Corrections 2 G2 at the base rate of \$18.72 an hour, effective August 7, 2016. Motion Carried.

TRAVEL REQUEST:

SHERIFF: Moved-Seconded (Rosenau-Weisenberg) to approve the travel request for Tom Derby to attend the Taser Instructor Re-Certification class in Worthington MN on July 25-27, 2016. Motion Carried.

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

PILT FUNDS: The Board discussed the Payment in Lieu of Taxes (PILT) funds received in June. Moved-Seconded (Sleep-Rosenau) to receipt the PILT funds of \$481,391.00 into the Road and Bridge Fund for 2016. Motion Carried.

KOOL DEADWOOD NITES: Kevin McPherson, McPherson Auction & Realty and George Milos were present to discuss the Kool Deadwood Nites Car Auction.

Moved-Seconded (Flanagan-Rosenau) to approve the request to use the employee parking in the ramp during Kool Deadwood Nights Car Auction on Thursday 25th and Friday 26th of August with DMG making alternative parking arrangements for employees to park on the upper level of the parking ramp and coordinating with the Sheriff's Office. Motion Carried.

PONDEROSA RIDGE LC ROAD DISTRICT: Moved-Seconded (Weisenberg-Sleep) to approve and authorize the Chairman to sign the following Amended Order Declaring Ponderosa Ridge LC Road District Incorporated. Motion Carried.

ORDER DECLARING PONDEROSA RIDGE LC ROAD DISTRICT INCORPORATED
WHEREAS, an election was held among the eligible voters in the Ponderosa Ridge LC Road District to determine whether or not a County Road District should be incorporated. WHEREAS, this vote was held on July 7, 2016. WHEREAS, the vote has been cast and canvassed and a verified statement from the judges of the election has been received showing the whole number of ballots cast was Twelve (12), together with the number of Twelve (12) voting for and the number of Zero (0) voting against incorporation; WHEREAS, The Territory organized as a district is as follows: LOTS 1, 2, 3, 4, 5, 6, 7A, 8A, 9, 10, 11, 12, 13, 14A AND 15A OF PONDEROSA RIDGE SUBDIVISION, LOCATED IN THE SE1/4SW1/4, SW1/4SE1/4 AND NW1/4SE1/4 OF SECTION 17, T5N, R4E, BHM, LAWRENCE COUNTY, SOUTH DAKOTA. WHEREAS, the Board of County Commissioners are satisfied with the legality of such election. WHEREAS, it appearing that a majority of the voters at the election have voted in favor of incorporation of such territory. NOW THEREFORE BE IT ORDAINED by the Lawrence County Board of Commissioners that the Ponderosa Ridge Road District is hereby incorporated pursuant to SDCL 31-12A. DATED this 26th day of July, 2016. Daryl Johnson, Chairperson Lawrence County Commission ATTEST: CONNIE ATKINSON, Auditor

SHERIFF: The Commission complimented the Sheriff's Office and the employees that in the light of everything going on in the Country that they support them. Brian Dean was present to update the board on Sheriff business.

HOMELAND SECURITY GRANTS: Moved-Seconded (Flanagan-Rosenau) to approve the application for message boards and trauma kits for first responder vehicles from the Homeland Security Grant in the amount of \$37,390. Motion Carried.

JAIL: Dean updated the Board on the report received for needed upgrades in the Jail and stated he has contacted a company to review. There will be no cost to the County at this point.

HIGHWAY: Allan Bonnema, Highway Superintendent updated the Board on road projects. Bonnema stated he his disappointed in the workmanship on the paving project of the Hillview Road and has voiced his concerns with the contractor.

APPROACH PERMIT: Moved-Seconded (Sleep-Rosenau) to follow the recommendation of the Highway Superintendent and approve the Approach Permit for Kelly Berndt on the North side of Galena Road. Motion Carried.

HOMESTAKE & RICHMOND HILL ANNUAL REVIEW: Mark Tieszen, Environmental Manager for Homestake/Richmond Hill Mines was present to review the 2015 Mine Activities Report.

4H PROGRAM: Michelle May, SDSU Youth Program Advisor was present to update the Board on the 4H Program.

BUDGET: The board reviewed the 2017 Preliminary budget meeting with John Fitzgerald, Amber Vogt, Dave Heck and Allan Bonnema. Richard Carlson was present representing the Fassbender Collection. The Board discussed the proposed software purchase for the Director of Equalization Office. Flanagan and Rosenau will meet with Tim Hodson Director of Equalization, Greg Dias Computer Information Systems Technology, and Tyler Technology to discuss the compatibility with the current county system and software capabilities. Adjustments were made to the budget requests as the Board reviewed each department.

Moved-Seconded (Rosenau-Johnson) to set the 2017 Preliminary Budget for the County as on file in the Auditor's Office. Aye-Weisenberg, Flanagan, Rosenau and Johnson. Nay-Sleep. Motion Carried. Sleep expressed concerns with the 3% raise included in the budget and recommended a flat rate raise.

BILLS:

Moved-Seconded (Weisenberg-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-\$5,820.88; Aud-\$10,355.66; Treas-\$11,771.14; States Atty-\$13,035.42; Pub Def-\$11,689.36; Gen Govt Bldg-\$8,783.68; Equal-\$13,699.64; Rod-\$8,358.21; Vso-\$1,389.81; Ist-\$8,703.44; Disp-\$14,524.42; Sher-\$40,187.44; Jail-\$27,414.98; Coroner-\$807.45; 24/7-\$128.17; Emerg Mgnt-\$4,087.18; E911-\$1,899.20; Highway-\$42,970.85; Air-\$1,158.00; Weed-\$9,287.50; Pz-\$5,306.03; **Bills:** Weisenberg,Terry-\$20.00; Thomson,Paul-\$37.00; Vogt,Amber-\$215.00; 3D Specialties-\$126.07; A&B Business,Inc Solutions-\$800.24; Active Data Systems-\$1,846.90; Aed Superstore-\$1,898.00; Air Connection-\$203.99; At&T-\$10.65; Audra Malcomb Consulting-\$1,278.98; BH Federal Credit Union-\$6,808.74; BH Physcial Therapy-\$80.00; BH Pioneer-\$179.17; Baczwaski Law Office-\$450.80; Big Sky Communications-\$454.00; Black Hills Energy-\$15,960.89; Black Hills Urgent Care-\$120.00; Bob Barker Company-\$244.22; Bomgaars Supply-\$119.00; Cbh Cooperative-\$1,903.88; Cdw Government-\$46.86; Centurylink-\$2,279.83; City/County Alcohol&Drug-\$332.00; Clinical Lab Of BH-\$1,972.00; Commercial Door & Special-\$1,042.86; Credit Collections Bureau-\$127.72; Crop Production Services-\$1,200.00; Dakota Business Center-\$1,499.34; Dakota Equipment Rental-\$96.00; Baier,Connie-\$365.00; Dept Of Hlth Lab Services-\$1,304.00; Dept Of The Treasury-\$61,154.46; Diversified Collections-\$100.00; Ecolab-\$146.02; Eddie's Truck Sales/Serv-\$18.38; Ellingson,Joseph-

\$1,157.10; Et Sports-\$377.08; Fastenal-\$27.62; Fire Pro-\$30.00; Frederickson,John-\$6,083.47; Heartland Paper Co-\$610.44; Hills Material Comp-\$9,100.81; Interstate Engineering-\$14,545.56; Janz,Donald A-\$1,400.00; Kimball-Midwest Co-\$337.34; Kosel,Joseph-\$157.44; LC Treasurer-\$30.00; Lead-Deadwood Regional Hospital-\$625.08; Mack's Auto Body Llc-\$2,677.44; Microfilm Imaging Systems-\$3,440.00; Montana Dakota Utilities-\$41.98; Nalco Company-\$7,764.20; Nelson,Christy-\$200.00; Nelson, Tonya-\$300.00; Neve's Uniforms-\$89.90; Nohr,Linda-\$200.00; Office Depot-\$178.96; Office Of Attorney General-\$302.77; Office Of Child Support-\$535.01; Pennington Co Jail-\$1,466.70; Pennington County Sts Attny-\$430.00; Pictometry International Corp-\$37,892.83; Quality Lenders-\$291.10; Quill-\$10.70; Regional Health-\$1,058.75; Reserve Account-\$6,000.00; Rocket Lube-\$116.97; SD Emergency Mngt Association-\$75.00; Scotts Bluff Co Sher Office-\$43.04; Sdrs Supplemental Retirement-\$2,521.01; Servall Towel & Linen-\$435.16; Silverado-\$648.00; Spearfish Auto Supply-\$6.69; Spearfish Police Dept-\$10,595.38; Stretch's Glass & Mirror-\$78.20; Sturdevant's Auto Parts-\$21.38; Sysco Montana-\$2,102.55; Thomson Reuters-West-\$3,479.25; Turnkey Corrections-\$12.32; Twilight First Aid & Safety-\$78.60; Twin City Hardware & Lumber-\$1,131.29; Us Department Of Education-\$160.32; Ultramax-\$357.00; Vast Broadband-\$336.08; Verizon Wireless-\$105.26; Wells Fargo Business Card-\$4,661.85; West River International-\$592.43; White's Queen City Motors-\$58.16; Wilde & Hunt, Prof-\$5,404.12 **Witness & Jurors:** Bey,J-\$55.88; Caron,B-\$26.80; Reed,A-\$57.80; Frasier,P-\$22.94; Pierce,N-\$65.20; Rose,D-\$191.20; Soraci,A-\$22.94; Aldren,H-\$26.80; Alley,D-\$21.76; Bailey,L-\$17.56; Baumberger,A-\$52.52; Butsko,S-\$28.48; Cottrill,J-\$25.12; Diede,B-\$62.60; Fraiser,J-\$25.12; Hardin,M-\$24.28; Higgins,G-\$22.60; Hoff,J-\$13.36; Hoffman,M-\$26.80; Johnson,A-\$26.80; Johnson,C-\$22.60; Kazmer,M-\$25.12; Klanchnik,C-\$22.60; Koppinger,A-\$60.92; Kunkel,M-\$19.24; Kyte,M-\$28.48; Lungren,B-\$60.92; Madsen,T-\$18.40; Mechaley,M-\$63.44; Nelson,A-\$29.32; Olness,A-\$26.80; Overby,M-\$23.44; Raeburn,M-\$10.84; Rainboth,J-\$20.92; Regan,D-\$13.36; Reichert,S-\$63.44; Rupp,J-\$27.64; Scheltinga,P-\$18.40; Severns,W-\$25.12; Sprenger,M-\$62.60; Stelter,A-\$22.60; Stewart,D-\$12.52; Stillson,P-\$22.60; Thomas,P-\$21.76; Timm,D-\$10.84; Umenthum,K-\$10.84; Webb,K-\$50.84; Weckerly,K-\$19.24; Wilson,E-\$22.60; Wolff,N-\$63.44; Baumgartner,K-\$22.52; Bride,J-\$27.56; Fish,S-\$30.08; Kinzler,G-\$30.08; Valenzuela,L-\$20.00

ADJOURN: 10:32 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – August 23, 2016

Chairman Daryl Johnson 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 23, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners, Brandon Flanagan, Randall Rosenau, Richard Sleep, and Terry Weisenberg present.

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

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

MINUTES: Moved-Seconded (Weisenberg-Rosenau) to approve the minutes of July 26th County Commission meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Flanagan-Rosenau) to approve the step raise for Matt Hardin as a permanent full-time Deputy II G1 at the base rate of \$23.68 an hour, effective August 21, 2016, and to approve the step raise for Nathan Lechner as a permanent full-time Correctional II G2 at the base rate of \$18.72 an hour, effective August 21, 2016. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the advertising of a part-time correctional officer. Motion Carried.

TRAVEL REQUEST:

PUBLIC DEFENDER: Moved-Seconded (Rosenau-Weisenberg) to approve the travel request for Amber Lopez to attend the NACDL & NCDD 20th Annual DWI Means Defend with Ingenuity Seminar in Las Vegas, NV on September 19th – 26th, 2016. Motion Carried.

EQUALIZATION: Moved-Seconded (Sleep-Weisenberg) to approve the travel request for Brett Runge, Louise Hohn, and Mike Meehan to attend the Annual Assessor's School for continuing education credit and recertification in Sioux Falls, SD on September 18-23, 2016. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Rosenau) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of July 31, 2016 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)-\$51,027.83; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$6,907.10; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000;

Bank Balance \$5,836,385.35, Money Market \$5,758,241.89; Savings-\$6,913,937.00. Total \$21,669,709.17.

RESOLUTION #16-17 LIQUOR LICENSES: Moved-Seconded (Rosenau-Flanagan) to approve the following Resolution #16-17 Liquor Licenses for 2017. Motion Carried

RESOLUTION #16-17 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 Seven (7) On-Sale Liquor Licenses or the number issued in 2016, 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:

Vezero Inc/Guadalajara Mexican Restaurant.

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, Mystic Miner F&B LLC/ Mine Shaft Tavern, Boulder Canyon Country Club, 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, Lonny or Susan Smith/St. Onge Bar & Grill. **C) Retail On-Off Sale Wine** - Fee - \$500.00 Unlimited Licenses available 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 Resort, Association Inc / Barefoot Resort, Crow Peak Brewing Company LLC, Fresh Start Convenience Store Inc. / The Valley Corner Store, Reynolds & Livingston LLC/Cousins Big Chair, B&S Resort LLC / Recreational Springs Resort, Eagle Tree Resorts Company LLC/Rimrock Lodge & Canyon Bistro, Nemo Guest Ranch Business Ent/Branding Iron Restaurant, **DATED** at Deadwood, South Dakota, this 23rd day of August, 2016. **FOR LAWRENCE COUNTY COMMISSIONERS:** Daryl Johnson, Chairperson. **ATTEST:** Connie Atkinson, Auditor

AUTOMATIC SUPPLEMENT:

EQUALIZATION: Moved-Seconded (Weisenberg-Flanagan) to approve the automatic supplement for the Director of Equalization – mapping for \$21,214.50-(City of Spearfish), \$6,755.83-(City of Deadwood), and \$3,000-(City of Whitewood) for money received for reimbursement from another Government Entity. Motion Carried.

EMERGENCY MANAGEMENT: Moved-Seconded (Sleep-Rosenau) to approve the automatic supplement for Emergency Management Grants for \$1,442.15 for grant funds received from the Homeland Security Grant. Motion Carried.

EMERGENCY MANAGEMENT SLA AGREEMENT: Moved-Seconded (Weisenberg-Johnson) to approve and authorize the Chairman to sign the 2017 Emergency Management Performance Grant Subaward Agreement. Motion Carried.

USFS/COUNTY WEED AGREEMENT: Moved-Seconded (Sleep-Rosenau) to approve and authorize the Chairman to sign the USFS/County Agreement for Weed Spraying 16-PA-11020308-047. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to approve and authorize the Chairman to sign the USFS/County Supplemental Project Agreements (16-PA-11020308-051 and 16-PA-11020308-054). Motion Carried.

T-HANGAR LEASE: Moved-Seconded (Rosenau-Johnson) to defer the Assignment of Airport T-Hangar Lease Agreement from Krogstad to Derosier to the Airport Board to make sure it meets all the requirements. Motion Carried.

ORMISTON ISOLATED TRACT: Chairman Johnson reported with his experience in appraising and real-estate he would recommend damages of \$1,000 to be paid by applicant to the landowner where the easement would go across. Moved-Seconded (Flanagan-Weisenberg) The Board finds the property is isolated and to set the Ormiston Isolated Tract damages at \$1,000 with a maximum 30 ft wide easement located on the current road on the Tarbox/Caulfield Property consisting of the North Star No. 1 Lode of M.S. 535 Section 30 T5N, R3E and to require that the applicant will pay for an exhibit to be filed in the Register of Deeds Office showing the easement as approved. Pursuant to 31-22-4 the Commission Meeting Minutes will serve as the full report of the proceedings. Motion Carried.

RAFFLE REQUEST RMEF: Moved-Seconded (Sleep-Rosenau) to not object to the request for the Rocky Mountain Elk Foundation Raffle. Motion Carried.

JUVENILE JUSTICE GRANT: Moved-Seconded (Sleep-Rosenau) to approve and authorize the Chairman to sign the Juvenile Justice Reinvestment initiative Fiscal Incentive Diversion Program Grant application and designate the Lawrence County Teen Court as the recipient of the grant if approved. Motion Carried.

SEARCH & RESCUE BUILDING CHANGE ORDER: Moved-Seconded (Flanagan-Rosenau) to ratify the signing of the Change Order for the Search & Rescue Building by Paul Thomson. Motion Carried.

AIRPORT BROWN BAG PERMIT: Moved-Seconded (Flanagan-Rosenau) to approve the Brown Bag Permit for the Airport for the South Dakota Aviation Hall of Fame on September 10, 2016. Motion Carried.

SHERIFF: Paul Hanson, Chief Deputy Sheriff was present to update the Board on Sheriff's Business.

HIGHWAY: Allan Bonnema, Highway Superintendent updated the Board on road projects.

UTILITY PERMIT / BERNDT: Moved-Seconded (Sleep-Johnson) To follow the recommendation of the Highway Superintendent and approve and authorize the Chairman to sign the Application for Utility Permit on Highway No. 534A on the Galena Road approximately .5 miles from Galena Rd/Spring Run Rd for construction of BHE Secondary Conduit begin in Section 9 T4N, R4E and end in Section 9 T4N, R4E for Kelly Berndt. Motion Carried.

FIVE YEAR PLAN: Public Meeting – Moved-Seconded (Sleep-Rosenau) to set the public meeting for the Road & Bridge Five Year Plan for September 27th during the County Commission Meeting. Motion Carried.

HOMESTAKE ROAD: Allan Bonnema reported about the accidents on the Homestake Road. The quote from Hilt Construction to install guard rails on the two fill areas would be \$19,400 using new posts but used steel. The Board was in support of installing the guard rails.

FUEL QUOTES: The following fuel quotes were submitted as of August 2, 2016: Deadwood Diesel#2 5400 gallons: (prices per gallon) CBH Cooperative - \$1.675, Southside - \$1.605*, MG Oil-\$1.659; Deadwood Unleaded 5700 gallons: (prices per gallon) CBH Cooperative - \$2.038, Southside - \$1.90, MG Oil – \$1.899*; Spearfish Diesel#2 3400 gallons: (prices per gallon) CBH Cooperative - \$1.675, Southside - \$no bid, MG Oil-\$1.659*; Spearfish Unleaded 900 gallons: (prices per gallon) CBH Cooperative - \$2.058, Southside - \$no bid, MG Oil – \$1.899*;

VACATION OF PLATS / WHARF RESOURCES:

A public hearing was held on a Petition to Vacate Plats for Wharf Resources (USA), Inc. as described in the Resolution #16-16. No public input was voiced and the hearing was closed. Julie Stone was present representing Wharf Resources. Moved-Seconded (Flanagan-Rosenau) to approve and authorize the Chairman to sign the following Resolution #16-16, contingent upon received ownership documents. Motion Carried.

RESOLUTION #16-16: RESOLUTION & ORDER VACATING PLATS: WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, by Wharf Resources (USA) Inc., requesting for the Vacation of said Plats: Plat Document No. 95-2272, and aggregating 0.77 acre, more or less. Plat Document No. 95-2271, and aggregating 0.17 acre, more or less. Plat Document No. 95-2268, and aggregating 0.87 acre, more or less. Plat Document No. 95-2270, and comprising 0.01 acre, more or less. Plat Document No. 95-2269, and aggregating 0.31 acre, more or less. Plat Document No. 95-2267, and aggregating 0.69 acre, more or less. Plat Document No. 95-2266, and aggregating 0.34 acre, more or less. Plat Document No. 95-4701, and aggregating 0.03 acre, more or less. Plat Document No. 95-2264, and aggregating 0.70 acre, more or less. Plat Document No. 95-2265,

and comprising 0.001 acre or 32 sq. feet, more or less. Plat Document No. 95-2263, and aggregating 0.24 acre, more or less. Plat Document No. 95-2262, and aggregating 0.14 acre, more or less. Plat Document No. 95-2261, and aggregating 0.31 acre, more or less. Plat Document No. 95-2260, and aggregating 0.17 acre, more or less. Plat Document No. 95-2259, and comprising 0.04 acre, more or less. Plat Document No. 95-2258, and aggregating 0.11 acre, more or less. Plat Document No. 95-2257, and aggregating 0.12 acre, more or less. Plat Document 78-1825. See attached exhibit A, pursuant to SDCL 11-3-21.1 et seq., and **WHEREAS**, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the B.H. Pioneer once each week for two consecutive weeks prior to the date of hearing and **WHEREAS**, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and **WHEREAS**, the legal description is as follows: Lot H1 and Lot H2 in Ryan Fraction of M.S. 2001, located in the SE/4NW/4, Section 1, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2272, and aggregating 0.77 acre, more or less. Lot H1 and Lot H2 in Star Lode of M.S. 1493, located in Section 1, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2271, and aggregating 0.17 acre, more or less. Lot H1, Lot H2 and Lot H3 in Santa Fe Lode of M.S. 402, located in Section 1, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2268, and aggregating 0.87 acre, more or less. Lot H1 in Ingham Lode of M.S. 1175, located in Section 1, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2270, and comprising 0.01 acre, more or less. Lot H1 and Lot H2 in Winnesheik Lode of M.S. 1175, located in Section 1, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2269, and aggregating 0.31 acre, more or less. Lot H1, Lot H2 and Lot H3 in Silver Plume Lode of M.S. 351, located in Section 1, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2267, and aggregating 0.69 acre, more or less. Lot H1 and Lot H2 in Snowstorm Lode of M.S. 2075, located in Section 1, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2266, and aggregating 0.34 acre, more or less. Lot H1 and Lot H2 in Government Lot 7, located in Section 1, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-4701, and aggregating 0.03 acre, more or less. Lot H1, Lot H2, Lot H3 and Lot H4 in Alameda Lode of M.S. 397, located in Section 1 and Section 2, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2264, and aggregating 0.70 acre, more or less. Lot H1 in Alameda Extension Lode of M.S. 398, located in Section 2, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2265, and comprising 0.001 acre or 32 sq. feet, more or less. Lot H1 and Lot H2 in Folger Lode of M.S. 356, located in Section 2, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2263, and aggregating 0.24 acre, more or less. Lot H1 and Lot H2 in Perseverance Lode of M.S. 358, located in Section 2, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2262, and aggregating 0.14 acre, more or less. Lot H1 and Lot H2 in Empire State Lode of M.S. 357, located in Section 2, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2261, and aggregating 0.31 acre, more or less. Lot H1 and Lot H2 in Leopard Lode of M.S. 916, located in Section 2, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2260, and aggregating 0.17 acre, more or less. Lot H1 in Jessie Lee Lode of M.S. 916, located in Section 2, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2259, and comprising 0.04 acre, more or less. Lot H1 and Lot H2 in Apex Lode of M.S. 996, located in Section 2, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2258, and aggregating 0.11 acre, more or less. Lot H1 and Lot H2 in Burlington Lode of M.S. 979, located in Section 2, T4N, R2E, B.H.M., as recorded in Plat Document No. 95-2257, and aggregating 0.12 acre, more or less. Lot B, subdivision of Point, M.S. 1795, located in Sections 26 and 35, T5N, R2E, B.H.M., as shown on Plat Document 78-1825, and **WHEREAS**, There are no names of legal voters residing upon land depicted in the plats, and **WHEREAS**, the character and use of the plat is as follows: The plats were created by the South Dakota Department of Transportation (DOT) to increase the width of the original 66' ROW of the old Hwy 473, beginning at the Blue Chair turn off to the end of old Hwy 473. **WHEREAS**, There is no longer any Public Highways within the plats. **WHEREAS**, Old Highway 473 was abandoned by the SD DOT in 2014 to make way for the new alignment of Hwy 473. The DOT ownership of the abandoned Hwy 473 reverted to the surface owner, Wharf Resources (U.S.A.) Inc. Vacation of these plats will reduce the number of

tax parcels owned by Wharf Resources (U.S.A.) Inc. The land will then be described by the original legal description or mineral survey lode. These H-lots are located within the Wharf mine permit boundary and have been disturbed by active mining. **WHEREAS**, the granting of the petition will not abridge or destroy any of the rights and privileges of other proprietors of such plat and will not authorize the closing or obstruction of any public highway laid out according to law, it may vacate the plat specified in the petition. All property taxes on such plat shall be paid before it may be vacated, **BE IT RESOLVED** by the Lawrence County Board of Commissioners to hereby vacate said Plats: Plat Document No. 95-2272, and aggregating 0.77 acre, more or less. Plat Document No. 95-2271, and aggregating 0.17 acre, more or less. Plat Document No. 95-2268, and aggregating 0.87 acre, more or less. Plat Document No. 95-2270, and comprising 0.01 acre, more or less. Plat Document No. 95-2269, and aggregating 0.31 acre, more or less. Plat Document No. 95-2267, and aggregating 0.69 acre, more or less. Plat Document No. 95-2266, and aggregating 0.34 acre, more or less. Plat Document No. 95-4701, and aggregating 0.03 acre, more or less. Plat Document No. 95-2264, and aggregating 0.70 acre, more or less. Plat Document No. 95-2265, and comprising 0.001 acre or 32 sq. feet, more or less. Plat Document No. 95-2263, and aggregating 0.24 acre, more or less. Plat Document No. 95-2262, and aggregating 0.14 acre, more or less. Plat Document No. 95-2261, and aggregating 0.31 acre, more or less. Plat Document No. 95-2260, and aggregating 0.17 acre, more or less. Plat Document No. 95-2259, and comprising 0.04 acre, more or less. Plat Document No. 95-2258, and aggregating 0.11 acre, more or less. Plat Document No. 95-2257, and aggregating 0.12 acre, more or less. Plat Document 78-1825. Dated this 23rd day of August, 2016. Daryl Johnson, Chairperson, Lawrence County Commissioner. ATTEST: I Connie Atkinson, the duly elected Auditor of Lawrence County, SD, do hereby certify that the within and foregoing resolution was passed by the Lawrence County Board of County Commissioners at a regular session held August 23, 2016. Dated at Deadwood, SD, this 23rd day of August, 2016. Connie Atkinson, Lawrence County Auditor

EXIT 10 AGREEMENT: City of Spearfish Mayor Dana Boke and Joe Neeb, Spearfish City Administrator were present to discuss the proposed Exit 10 Agreement. Boke stated they would like to enter into an agreement that would be asking the County to move the County Highway/Invasive Species Management shop to another location. Chairman Johnson stated the County Commission needs to have a discussion with the Highway Superintendent and Invasive Species Management Director to look at the proposed locations. Johnson stated the Boards feelings are that it would have to meet the needs of the County without any additional expense to the County before any further discussions would go forward. Tammy Williams, Department of Transportation expressed concerns on locations because currently the County and State share certain facility services. Sleep questioned if Exit 17 would be a better location for a visitor center that could better serve all cities in Lawrence County. The Board will conduct an onsite of the proposed locations on September 6th.

HEALTH NURSE REPORT: Wade Huntington, Regional Manager was present to review the Quarterly Community Health Report.

COUNTY ASSISTANCE BILL: Deborah Wilson was present to request relief on a County Assistance Bill. Wilson asked the County to bring it back from the Collection Agency and waive the interest fees. Moved-Seconded (Weisenberg-Sleep) The bill will remain at the Collection

Agency as recorded, and Wilson is to contact the collection agency to work with them and the interest fees. Motion Carried. Aye-Weisenberg, Flanagan, Rosenau and Sleep. Nay-Johnson.

CROW PEAK FIRE / CULVERT UPGRADES: Justin Boerboom, NRCS was present to discuss the grant opportunity to replace, upgrade and upsize the culverts affected by the Crow Peak Fire on private property. EWP pays 75% of the cost and the local sponsor is responsible for the remaining 25% of the cost and the operation and maintenance thereafter. The program is designed to help prevent damage to life or property after a natural disaster. Moved-Seconded (Rosenau-Johnson) to complete the application letter so Natural Resources Conservation Services can complete the Damage Survey Report with no cost to the County at this time. Motion Carried.

PLANNING & ZONING:

PLATS:

PRELIMINARY & FINAL PLAT / BLACK DIAMOND PROPERTIES: Moved-Seconded (Weisenberg-Johnson) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Preliminary Plat for Black Diamond Properties for a subdivision of Lot 7 at the Terry Peak Chalets located in Section 2, T4N, R2E. Motion Carried. Aye-Weisenberg, Rosenau, Sleep and Johnson. Nay-Flanagan. Flanagan expressed concerns on the increased density in the area.

Moved-Seconded (Weisenberg-Johnson) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Final Plat for Black Diamond Properties for a subdivision of Lot 7 at the Terry Peak Chalets located in Section 2, T4N, R2E. Motion Carried. Aye-Weisenberg, Rosenau, Sleep and Johnson. Nay-Flanagan.

PRELIMINARY & FINAL PLAT / BH DEVELOPMENT LLC: Moved-Seconded (Flanagan-Rosenau) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Preliminary Plat for BH Development LLC for Tract 2C of Wilderness Estates 2nd Addition of Powder House Pass, off Hwy 85 to create a new lot. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Final Plat for BH Development LLC for Tract 2C of Wilderness Estates 2nd Addition of Powder House Pass, off Hwy 85 to create a new lot. Motion Carried.

PRELIMINARY & FINAL PLAT / KAMSTRA TRUST:

Moved-Seconded (Flanagan-Rosenau) to follow Planning and Zoning and P&Z Staff recommendation and declare that this plat for Marion Kamstra Trust Tract 3A & Tract 4 of M.S. 1330, Section 32 & 33, T4N, R4E, located off of Nemo Rd meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Preliminary Plat for Marion Kamstra Trust Tract 3A & Tract 4 of

M.S. 1330, Section 32 & 33, T4N, R4E, located off of Nemo Rd to create new lots. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Final Plat for Marion Kamstra Trust Tract 3A & Tract 4 of M.S. 1330, Section 32 & 33, T4N, R4E, located off of Nemo Rd to create new lots. Motion Carried.

PRELIMINARY & FINAL PLAT / VODICKA: Moved-Seconded (Sleep-Flanagan) to deny the Preliminary Plat for Joseph & Elizabeth Vodicka for Tract 4A & 5A in Section 9, T7N, R3E., off of Hwy 34 near Fogelsong Rd to create new lots because the plat was inaccurate and incomplete. Motion Carried.

GRAVEL QUARRIES: Amber Vogt, Planning and Zoning Director reported to the Board that Planning & Zoning Commission felt the Request to Amend Zoning Ordinance Requirement for Gravel Quarries warrants taking a look at, but they wanted the Commission to be aware that Ordinance changes will affect the entire County and not just Centennial Valley.

ITEMS FROM COMMISSIONERS: The Board requested that all documents and information be sent to and drive access allowed to Commission Elect Randy Deibert.

SPEARFISH CANYON: The Board discussed the proposed Spearfish Canyon National Park.

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-\$12,568.84; Aud-\$19,329.61; Treas-\$23,256.71; States Atty-\$25,959.71; Pub Def-\$23,381.92; Gen Govt Bldg-\$17,912.64; Equal-\$27,455.23; Deeds-\$16,742.82; Vso-\$2,779.62; Ist-\$17,680.49; Disp-\$25,210.26; Sher-\$82,339.08; Jail-\$82,339.08; Coroner-\$1,074.90; 24/7-\$347.89; Emerg Mgnt-\$8,078.36; E911-\$3,798.40; Highway-\$84,792.64; Air-\$2,711.00; Weed-\$17,254.34; Pz-\$10,492.06; **Bills:** Larson,Rene-\$99.99; Tysdal,Richard-\$80.64; Brady,Thomas-\$40.32; Coburn,William-\$40.32; Mickelson,Craig-\$67.20; Sleep,Richard-\$13.44; Johnson, Daryl-\$67.20; Schenk,Travis-\$67.20; Stone,Julie-\$27.72; American Family Life-\$2,811.03; BH Federal Credit Union-\$6,808.74; Credit Collections Bureau-\$314.02; Deadwood Recreation Center-\$728.00; Deadwood, City Of-\$1,214.33; Delta Dental Of South Dakota-\$6,957.22; Dept Of The Treasury-\$58,443.95; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,877.70; Lead, City Of-\$41.55; Northern Hills Rec Center-\$164.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$535.01; Quality Lenders-\$221.07; SD Retirement System-\$57,245.98; Sdrs Supplemental Retirement-\$2,521.00; Us Department Of Education-\$160.32; Wellmark Blue Cross-\$73,491.76; A To Z Shredding-\$34.05; A&B Business,Inc Solutions-\$1,760.91; A&B Welding Supply-\$20.70; A&I Distributors-\$1,053.45; Ace Hardware Of Lead-\$174.90; Al's Metal Work-\$261.99; All

Weather-\$9,702.00; Alpine Impressions-\$375.00; American Jail Association-\$100.00; At&T-\$1.78; At&T Mobility-\$1,350.22; Audra Malcomb Consulting-\$1,077.68; BH Federal Credit Union-\$6,808.74; BH Pest Control- \$190.00; BH Pioneer-\$576.96; Barnaud Law Firm-\$2,528.54; Bi Geo Group Co-\$194.10; Big Sky Communications-\$158.00; Black Hills Energy-\$16,254.49; Black Hills Pure-\$35.50; Black Hills Urgent Care-\$30.00; Bomgaars Supply-\$67.76; Bruemmer, Lynnel-\$870.20; Butler Machinery Co-\$67.91; Butte Electric Coop-\$444.35; Carls Trailer Sales-\$398.82; Cbh Cooperative-\$3,229.60; Cdw Government-\$26.02; Central Restaurant Products-\$65.31; Century Business Products-\$527.26; Centurylink-\$2,388.36; Charm-Tex-\$62.90; Chris Supply Co-\$86.45; City/County Alcohol&Drug-\$498.00; Clark Printing-\$72.10; Convergint Technologies-\$766.56; Credit Collections Bureau-\$314.02; Dakota Business Center-\$749.67; Dakota Equipment Rental-\$39.99; Dept Of Hlth Lab Services-\$1,890.00; Dept Of The Treasury-\$58,741.08; Diversified Collections-\$100.00; Election Sys & Software-\$2,384.38; Ellingson, Joseph-\$1,817.97; Et Sports-\$508.89; Fastenal-\$142.61; Federal Express Corp-\$21.21; Fred Pryor Seminars-\$99.00; Frederickson, John-\$7,167.00; Goodie's Uniforms-\$540.60; Heartland Paper Co-\$2,064.28; Heisler Hardware-\$43.25; Hills Material Comp-\$215,192.84; Hilt Construction-\$3,953.83; Hilpert & Hale Prof-\$4,360.50; Hp-\$5,791.02; Interstate Engineering-\$543.14; Jacobs Precision Welding-\$84.00; Janke,Wendy-\$2,318.00; Kimball-Midwest Co-\$496.08; Kinney, Matthew-\$6,248.66; Kosel,Joseph-\$11,917.86; Lake County Sheriff Office-\$90.00; Language Line Services-\$66.15; Larimer Co Sheriff Office-\$18.60; Lead-Deadwood Regional Hospital-\$812.68; Lead-Deadwood Sanitary-\$565.50; Lee,James-\$15.00; Lexisnexis Risk Data Mgnt-\$75.00; Lyle Signs-\$170.63; Mack's Auto Body Llc Corp-\$4,559.97; McClure,Susan-\$150.00; Mcleod's Office Supply-\$96.75; Mg Oil Company-\$18,175.90; Microfilm Imaging Systems-\$3,215.00; Midcontinent Communications-\$35.72; Midwest Alarm Company-\$91.20; Montana Dakota Utilities-\$1,848.86; Motorola Solutions-\$17,859.60; Nalco Company-\$230.00; Nelson,Christy-\$250.00; Nelson,Tonya-\$900.00; Neve's Uniforms-\$636.29; Office Of Attorney General-\$302.77; Office Of Child Support-\$535.01; Office Technology/Supply-\$30.00; Pennington Co Jail-\$1,337.90; Pennington County Sts Attny-\$430.00; Plumbmaster-\$1,753.34; Populas-\$1,330.00; Powerplan-\$261.03; Quik Signs-\$191.95; Quill-\$499.23; RC Finance Office-\$105.00; RC Journal-\$244.75; RC Regional Hospital-\$1,186.99; Rabe Elevator-\$1,020.88; Rapid Delivery-\$12.08; Rasmussen Mechanical Serv-\$4,550.12; Redwood Toxicology Lab-\$292.26; Regional Health-\$2,844.72; Rena M Hymans-\$1,083.01; Rensch,Timothy J Atty At Law-\$2,147.30; Rocket Lube-\$72.49; Rushmore Communications-\$130.00; SD Cvso-\$85.00; SD Dept Of Transportation-\$50.72; SD State Treasurer-\$1,871.63; SD Department Of Public Safety-\$5,400.00; SD Iaai-\$200.00; Sdrs Supplemental Retirement-\$2,571.00; Servall Towel & Linen-\$1,202.82; Southside Oil Co-\$8,667.00; Spearfish Auto Supply-\$999.34; Spearfish Police Dept-\$10,690.08; Sterna, Laura-\$1,150.00; Sturdevant's Auto Parts-\$509.02; Sunshine Towing&Transport-\$80.00; Sysco Montana-\$3,911.15; Thomson Reuters-West-\$167.48; Triple K Tire & Repair-\$137.48; Turnkey Corrections-\$21.76; Twin City Hardware & Lumber-\$720.98; Tyler Technologies-\$58,052.00; Txtag-\$5.81; Us Department Of Education-\$160.32; Vast Broadband-\$1,712.12; Verizon Wireless-\$105.26; Victims Of Violence-\$1,386.00; Waste Connections Of Sd-\$729.64; Watertree-\$45.80; Wells Fargo Business Card-\$5,160.26; West River International-\$1,209.87; Western Communication-\$2,332.00; Western Sd Juvenile Serv-\$3,360.00; Wex Bank-\$703.86; White Drug-\$4,597.48; White's Canyon Motors-\$486.78; White's Queen City Motors-\$199.88; Z&S Dust Control-\$21,657.11; Zuercher Technologies-\$3,885.00; **Witness & Jurors:** Butsko,S-\$68.48; Fraiser,J-\$65.12; Higgins,G-\$62.60; Kyte,M-\$68.48; Madsen,T-\$58.40; Raeburn,M-

\$50.84; Regan,D-\$53.36; Stelter,A-\$62.60; Stillson,P-\$62.60; Bouta,J-\$30.92; Emme,D-\$35.12; Heiting,C-\$35.12; Howard,L-\$32.60; Lueders,J-\$35.12; Massopust,S-\$53.60; Rodgers,K-\$35.12

EQUALIZATION SOFTWARE PRESENTATION: The County Commission will attend a presentation from Orion/Taylor Technology in regards to proposed software for the Equalization Office. No action will be taken at this time.

ADJOURN: Moved-Seconded (Weisenberg-Flanagan) 11:34 a.m. There being no further business to adjourn the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – September 6, 2016

Chairman Daryl Johnson 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 6, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Randall Rosenau, Richard Sleep, and Terry Weisenberg present.

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

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

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

TRAVEL REQUEST:

EQUALIZATION: Moved-Seconded (Weisenberg-Flanagan) to approve the travel advance for Brett Runge, Louise Hohn, and Mike Meehan to attend the Annual Assessor's School for continuing education credit and recertification in Sioux Falls, SD on September 18-23, 2016. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Weisenberg-Rosenau) to approve Sean Mowell as a permanent full-time Correctional Officer II G1 at the base rate of \$18.36 an hour, effective September 4, 2016

Moved-Seconded (Rosenau-Weisenberg) to approve Clayton Schleusner as a Fill-In Part-Time Correctional Officer II G2 at the base rate of \$18.72 an hour, effective September 4, 2016

Moved-Seconded (Rosenau-Sleep) to approve and authorize the advertising of a part-time dispatcher. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Rosenau) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of August 31, 2016 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)-\$48,144.48; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$8,296.31; petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$5,222,739.99, Money Market \$5,760,016.53; Savings-\$6,914,374.15. Total \$21,056,781.46.

ABATEMENT:

NEWTON: Moved-Seconded (Sleep-Flanagan) to deny the abatement for Rachel & Justin Newton on parcel #32315-00700-150-00 because the Owner Occupied Certificate was submitted after March 15 according to SDCL 10-13-40. Motion Carried.

MOSHIER RENTALS LLC: Moved-Seconded (Flanagan-Rosenau) to approve the abatement for Moshier Rentals LLC on parcel #20100-00602-041-84 because the house burned in a fire in August 2016. Motion Carried.

BALKENHOL: Moved-Seconded (Sleep-Rosenau) to approve the abatement for Ferdinand Balkenhol on parcel #31810-01000-060-10 due to incorrect acres. Motion Carried.

2016 SPECIAL ELECTION: Moved-Seconded (Weisenberg-Johnson) to canvass the 2016 Special Election Results for Lawrence County. Motion Carried.

SHERIFF: Paul Hansen, Chief Deputy Sheriff was present to update the Board on Sheriff's Business.

HIGHWAY: Allan Bonnema, Highway Superintendent updated the Board on road projects.

FUEL QUOTES: The following fuel quotes were submitted as of August 29, 2016: Spearfish Diesel#2 4000 gallons: (prices per gallon) CBH Cooperative - \$1.843*, Southside - \$no bid, Harms Oil Co - \$no bid, MG Oil-\$no bid; Spearfish Unleaded 700 gallons: (prices per gallon) CBH Cooperative - \$2.163*, Southside - \$no bid, Harms Oil Co - \$no bid, MG Oil – \$no bid.

BID OPENING: Moved-Seconded (Rosenau-Flanagan) to advertise and set a bid opening for September 27, 2016 at 8:30 a.m. for 50,000/60,000 ton of crushed gravel in the South part of Lawrence County. Motion Carried.

2017 BUDGET: A public hearing was held on the proposed 2017 Budget. No further comments were voiced and the chairman closed the hearing. Moved-Seconded (Flanagan-Rosenau) to table the approval of the 2017 Budget until September 27, 2016 at 9:30 a.m. Motion Carried.

SUPPLEMENTAL BUDGET/ COURT APPOINTED ATTORNEY: A public hearing was held for a supplemental budget for GENERAL FUND / COURT APPOINTED ATTORNEY \$100,000. No public input was voiced and the hearing was closed. Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to sign the following Resolution #2016-18. Motion Carried. NOTICE OF HEARING ON ADOPTION OF SUPPLEMENTAL BUDGET FOR LAWRENCE COUNTY NOTICE is hereby given that on the 6th day of

September, 2016, at 8:50 a.m., the Board of Lawrence County Commissioners will be in session in the Commissioners Room in the Lawrence County Administrative Office Building at 90 Sherman Street, Deadwood, South Dakota, for the purpose of considering and establishing and adopting a Supplemental Budget to cover expenses of certain indispensable functions of County Government not adequately provided for in the Annual Budget for the fiscal year 2016, as follows: GENERAL FUND Court Appointed Attorney's - \$100,000 The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated funds. At such time all interested persons may appear, either in person, or by representative, and will be given an opportunity for a full and complete discussion of such supplemental budget. DATED at Deadwood, Lawrence County, South Dakota, this 22nd day of August, 2016. CONNIE ATKINSON, Lawrence County Auditor

MAITLAND ROAD RESIDENTS: A discussion was held on paving Maitland road. Tom Marts, David Lockwood, Mike Kellogg, Ross Rabenberg, Joyce Keith, Gary Witt, Barb Havens Kyle Lyon, Gene Peska and Wendy Luedke all spoke in favor of the project. The group presented a power point presentation to the board. Some advocated for paving the first 3.3 miles of the road while others urged that the entirety of the road from Spearfish to Central City should be paved. Allan Bonnema, Highway Superintendent, added that he had no formal engineering estimate of the cost to pave all, or part, of the road, but that it could be quite costly for right-of-way acquisition, ditches, culverts, etc.

Some present voiced concern that the road was unsafe. Bonnema stated the road, if driven at 30 mph, is a safe road. Others present voiced their desire for a center line which necessitates paving the road. Others voiced concerns as to excessive crowning on the road.

The residents were advised that the 5 year plan for road maintenance will be discussed at the September 27, 2016 meeting, and that the residents were invited to attend the meeting.

PLANNING & ZONING:

PLATS:

PRELIMINARY & FINAL PLAT/TODD & SALLY KENNER: Moved-Seconded (Flanagan-Rosenau) to follow Planning and Zoning and P&Z Staff recommendation and declare that this plat for Todd & Sally Kenner for Tract K of Black Forest Ranchettes No. 2, of Section 15, T4N, R3E located off of Yellow Creek along One Horse Road meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Preliminary Plat for Todd & Sally Kenner for Tract K of Black Forest Ranchettes No. 2, of Section 15, T4N, R3E located off of Yellow Creek along One Horse Road. Motioned Carried.

Moved-Seconded (Flanagan-Sleep) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Final Plat for Todd & Sally Kenner for Tract K of Black Forest

Ranchettes No. 2, of Section 15, T4N, R3E located off of Yellow Creek along One Horse Road. Motioned Carried.

PRELIMINARY & FINAL PLAT/EDWARD HINKER & ZACK WESTBERG: Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and P&Z Staff recommendation and declare that this plat for Edward Hinker & Zack Westberg of Lot 12 A Revised and Lot 12 B Revised of Block 4 of Whitewood Forest Addition #2, Section 20, T6N, R4E located outside of Whitewood meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Rosenau) to follow Planning and Zoning and P&Z Staff recommendation and approve the Preliminary Plat for Edward Hinker & Zack Westberg of Lot 12 A Revised and Lot 12 B Revised of Block 4 of Whitewood Forest Addition #2, Section 20, T6N, R4E located outside of Whitewood. Motion Carried.

Moved-Seconded (Flanagan-Roseanu) to follow Planning and Zoning and P&Z Staff recommendation and approve the Final Plat for Edward Hinker & Zack Westberg of Lot 12 A Revised and Lot 12 B Revised of Block 4 of Whitewood Forest Addition #2, Section 20, T6N, R4E located outside of Whitewood. Motion Carried.

PRELIMINARY & FINAL PLAT/VINCENT & CONNIE PFEIFLE: Moved-Seconded (Sleep-Weisenberg) to follow Planning and Zoning and P&Z Staff recommendation and approve the Preliminary Plat for Vincent & Connie Pfeifle of Tract 1 and 2, Section 3, T3N, R5E located along Dalton Lake Rd in Vanocker Canyon. Motion Carried.

Moved-Seconded (Sleep-Weisenberg) to follow Planning and Zoning and P&Z Staff recommendation and approve the Final Plat for Vincent & Connie Pfeifle of Tract 1 and 2, Section 3, T3N, R5E located along Dalton Lake Rd in Vanocker Canyon. Motion Carried.

PRELIMINARY & FINAL PLAT/TERRY & PAULA SCHANK: Moved-Seconded (Weisenberg-Flangan) to follow Planning and Zoning and P&Z Staff recommendation and declare that this plat for Terry & Paula Schank of Tract 1A-A & Tract 8A for Nemo placer, Section 27, T3N, R5E located along Nemo Rd. meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Weisenberg-Sleep) to follow Planning and Zoning and P&Z Staff recommendation and approve the Preliminary Plat for Terry & Paula Schank of Tract 1A-A & Tract 8A for Nemo placer, Section 27, T3N, R5E located along Nemo Rd. Motion Carried.

Moved-Seconded (Weisenberg-Sleep) to follow Planning and Zoning and P&Z Staff recommendation and approve the Final Plat for Terry & Paula Schank of Tract 1A-A & Tract 8A for Nemo placer, Section 27, T3N, R5E located along Nemo Rd. Motion Carried.

PRELIMINARY & FINAL PLAT/CALVIN & KATHLEEN YOUEL & JOHN & VICKI FOLKERTS: Moved-Seconded (Rosenau-Weisenberg) to follow Planning and Zoning and P&Z Staff recommendation and approve the Preliminary Plat for Calvin & Kathleen Youel & John & Vicki Folkerts for new tracts of land to have existing residence on one lot; create a new

lot to allow building another residence. Lots 1 and Lot 2 of Folkerts-Youel Subdivision, Section 12, T2N, R3E. Motion Carried.

Moved-Seconded (Rosenau-Weisenberg) to follow Planning and Zoning and P&Z Staff recommendation and approve the Final Plat for Calvin & Kathleen Youel & John & Vicki Folkerts for new tracts of land to have existing residence on one lot; create a new lot to allow building another residence. Lots 1 and Lot 2 of Folkerts-Youel Subdivision, Section 12, T2N, R3E. Motion Carried.

PRELIMINARY & FINAL PLAT/KARL & NANCY SCHENK: Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning and P&Z Staff recommendation and approve the Preliminary Plat for Karl & Nancy Schenk for a five (5) acre lot to be broken off of the total HES 417 located in Section 2, T3N, R4E. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to follow Planning and Zoning and P&Z Staff recommendation and approve the Final Plat for Karl & Nancy Schenk for a five (5) acre lot to be broken off of the total HES 417 located in Section 2, T3N, R4E. Motion Carried.

PRELIMINARY PLAT/UNION RESORTS LLC: Moved-Seconded (Weisenberg-Rosenau) to follow Planning and Zoning and P&Z Staff recommendation and approve the Preliminary Plat for Union Resorts LLC for Lots 1-3, Blk 4 of Mystic Miner Subdivision Section 11, 14, 24 , T4N, R2E and Section 18, T4N, R3E. Located off of Deer Mt Road near Resort. Motion Carried. Aye-Weisenberg, Flanagan and Rosenau Nay-Sleep and Johnson.

PRELIMINARY & FINAL PLAT/SHERRI & TAYLOR HERRICK: Moved-Seconded (Sleep-Weisenberg) to follow Planning and Zoning and P&Z Staff recommendation and declare that this plat for Sherri & Taylor Herrick for Lots 1A-3A of Section 13, T5N, R4E located off of Hwy 14A meets exemption criteria per Subdivision Ordinance, Chapter 4.

Moved-Seconded (Sleep-Weisenberg) to follow Planning and Zoning and P&Z Staff recommendation and approve the Preliminary Plat for Sherri & Taylor Herrick for Lots 1A-3A of Section 13, T5N, R4E located off of Hwy 14A. Motion Carried.

Moved-Seconded (Sleep-Weisenberg) to follow Planning and Zoning and P&Z Staff recommendation and approve the Final Plat for Sherri & Taylor Herrick for Lots 1A-3A of Section 13, T5N, R4E located off of Hwy 14A. Motion Carried.

PRELIMINARY & FINAL PLAT/JOSEPH & ELIZABETH VODICKA:

Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and P&Z Staff recommendation and declare that this plat for Joseph & Elizabeth Vodicka for Tract 4A & 5A in Section 9, T7N, R3E located on Fogelsong Rd and Jesse James Place along Hwy 34 meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and P&Z Staff recommendation and approve the Preliminary Plat for Joseph & Elizabeth Vodicka for Tract 4A & 5A in Section 9, T7N, R3E located on Fogelsong Rd and Jesse James Place along Hwy 34. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and P&Z Staff recommendation and approve the Final Plat for Joseph & Elizabeth Vodicka for Tract 4A & 5A in Section 9, T7N, R3E located on Fogelsong Rd and Jesse James Place along Hwy 34. Motion Carried.

DELZER SECTION LINE OBSTRUCTION: Eric Neis, Attorney for Roger Delzer and John Burke, Attorney for Spearfish Holding, LLC presented briefs to the Commission. Moved-Seconded (Rosenau-Johnson) to table the discussion of the Delzer Section line obstruction until October 11, 2016 at 8:45 a.m. Motion Carried. Aye-Johnson, Rosenau, Weisenberg and Sleep Nay-Flanagan.

REQUEST TO OPEN SECTION LINE/ MCGUIGAN: Rick Tysdal presented the request to open the section line. Moved-Seconded (Flanagan-Rosenau) To open the section line with a signed agreement with the developer providing that the county assumes no liability for maintenance and construction of the road and further conditioned upon the formation of a road district (as a political subdivision of the state, when formed, the road district assumes maintenance and liability for the road). Motion Carried. Aye-Johnson, Weisenberg, Rosenau and Flanagan. Nay-Sleep.

ITEMS FROM THE PUBLIC: Charles Brown was present and asked the Board about the Centennial Quarry Gravel pit expansion. Amber Vogt will research the history of the Quarry and report back to the Commission.

ITEMS FROM THE COMMISSIONERS: Chairman Johnson was contacted by a member of the timber industry expressing concern about paving additional roads in the county. The load limits enacted to protect the surface limit haul routes to and from the forest. The cumulative impact of route limitations could adversely affect the industry.

ON-SITE: The board will be attending an on-site for the proposed alternate site locations for highway shop and weed shop. No action will be taken.

BILLS:

Moved-Seconded (Rosenau-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-\$6,284.42; Aud-\$9,669.94; Treas-\$11,485.54; States Atty-\$13,123.34; Pub Def-\$11,719.76; Gen Govt Bldg-\$9,269.10; Equal-\$13,758.81; Rod-\$8,375.82; Vso-\$1,389.81; Ist-\$8,851.64; Disp-\$12,982.38; Sher-\$44,622.71; Jail-\$24,868.72; Coroner-\$407.45; 24/7-\$247.23; Emerg Mang-\$4,090.18; E911-\$1,899.20; Highway-\$42,559.72; Air-\$1,158.00; Weed-\$6,858.16; Pz-\$5,146.03; **Bills:** Bey,John-\$55.88; Runge,Brett-\$134.00; Brownlow,Carleen-\$13.36; Meehan, Michael-\$134.00; Hohn,Louise-\$134.00; Baczwaski,Brian-\$22.50; A To Z Shredding-\$20.55; American Family Life-\$2,811.03; BH Federal Credit Union-\$6,808.74; Credit Collections Bureau-\$314.02; Deadwood Recreation Center-\$728.00; Delta Dental Of South Dakota-\$7,067.16; Dept Of The Treasury-\$60,288.55; Diversified Collections-\$100.00; Hartford-Priority Accounts-\$1,954.17; Northern Hills Rec Center-\$191.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$535.01; SD Retirement System-\$57,927.35; Sdrs Supplemental Retirement-\$2,571.00; Us Department Of Education-\$160.32; Wellmark Blue Cross-\$74,683.88; A&B Business,Inc Solutions-\$558.67; A&B Welding Supply-\$21.39; A&I Distributors-\$248.95; Ace Hardware Of Lead-\$3.98; Aed Superstore-\$118.00; Alpine Impressions-\$331.00; At&T Mobility-\$915.22; BH Pioneer-\$979.13; Black Hills Energy-\$767.31; Bomgaars Supply-\$46.32; Brownsville Fire Dept-\$3,469.63; Butler Machinery Co-\$221.39; Central Restaurant Products-\$338.59; Century Business Products-\$689.97; City/County Alcohol&Drug-\$498.00; Cleary Building Corp-\$16,687.00; Cna Surety-\$50.00; Convergent Technologies-\$158.61; Deadwood Vol Fire Dept-\$10,153.32; Deadwood, City Of-\$1,719.66; Ellingson,Joseph-\$703.82; Esri-\$4,500.00; Fastenal-\$13.71; Federal Express Corp-\$21.45; Fidler-Isburg Funeral Chapel-\$1,450.00; First Western Ins Deadwood-\$50.00; Fisher Sand & Gravel-\$74,077.08; Gene's Lock Shop-\$28.00; Heartland Paper Co-\$625.79; Heisler Hardware-\$113.00; Hills Material Comp-\$4,462.35; Lead Fire Protection District-\$12,524.13; Lead, City Of-\$75.15; Lead-Deadwood Sanitary-\$764.75; Lincoln County-\$53.90; Lueders-\$27.46; Lyle Signs-\$61.08; Montana Dakota Utilities-\$1,264.78; Moore Medical-\$58.61; Nalco Company-\$460.00; Nelson,Tonya-\$150.00; Nemo Volunteer Fire Dept-\$1,165.78; Neve's Uniforms-\$1,302.21; Powerplan-\$280.29; Quill-\$409.47; Rabe Elevator-\$1,020.88; Radiology Associates-\$227.93; Rapid Reporting-\$823.95; Regional Health-\$83.58; Rochford Fire Protection Dist-\$571.23; Rocket Lube-\$169.45; SD Dept Of Transportation-\$145.25; Sd Counties-\$175.00; Sd Ltap/Sdsu-\$100.00; Semerad,Sandra-\$11.60; Skillpath Seminars-\$298.00; Sonnel Technologies-\$1,695.75; Spearfish Auto Supply-\$1,186.73; Spearfish Canyon Fire-\$1,871.58; Spearfish City Of-\$49,836.04; St Onge Fire Protection Dist-\$873.09; Stationers-\$60.60; Streicher's-\$311.64; Sturdevant's Auto Parts-\$403.60; Sturgis Fire Department-\$2,604.68; Subway-\$54.05; Swisher Hygiene/Css-\$178.86; Sysco Montana-\$2,108.90; Top Quality Mfg Co-\$390.00; Triple K Tire & Repair-\$13.00; Twilight First Aid & Safety-\$100.90; Twin City Hardware & Lumber-\$109.91; US Geological Survey-Doi-\$18,100.00; West River International-\$291.99; Western Communication-\$592.75; Western Hills Humane Society-\$2,000.00; Whisler Bearing Co-\$92.54; Whitewood Fire Prot District-\$5,438.07; **Witness, Juror & Election Workers:** Adams,T-\$26.25; Aman,B-\$125.00; Ammons,S-\$125.00; Asmussen,P-\$180.04; Burleson,A-\$125.00; Calabro,P-\$125.00; Christensen,L-\$125.00; Cook,S-\$125.00; Garlick,D-\$125.00; Geigle,E-\$198.52; Glanzer,C-\$125.00; Gustafson,A-\$125.00; Hughes,L-\$125.00; Jorgensen,K-\$200.20; Kellogg,D-\$200.20; Keough,M-\$145.16; Kinghorn,S-\$125.00; Littleton,D-\$125.00; Lungren,B-\$261.12; Ommen,C-\$125.00; Pisani,S-\$125.00; Quaschnick,E-\$184.24; Robinson,B-\$125.00; Silvernail,G-\$175.84; Taylor,J-\$196.00; Tetrault,R-\$125.00; Waisanen,A-\$125.00;

Werlinger,B-\$125.00; Wuitschick,C-\$195.00; Verhelst,D-\$22.60; Bailey,L-\$57.56; Baumberger,A-\$52.52; Butsko,S-\$68.48; Diede,B-\$62.60; Higgins,G-\$62.60; Koppinger,A-\$60.92; Kyte,M-\$68.48; Madsen,T-\$58.40; Mechaley,M-\$63.44; Raeburn,M-\$50.84; Regan,D-\$53.36; Reichert,S-\$63.44; Sprenger,M-\$62.60; Stelter,A-\$62.60; Stillson,P-\$62.60; Webb,K-\$50.84; Beaner,L-\$26.80; Beuckens,C-\$12.52; Brabec,K-\$106.72; Braun,L-\$28.48; Brosnahan,D-\$22.60; Brossart,S-\$126.88; Bunney,S-\$22.60; Chapeau,J-\$131.92; Christensen,J-\$21.76; Clevenger,S-\$13.36; Crotteau,B-\$126.88; Daniels,J-\$31.00; Dower,D-\$24.28; Elias,V-\$20.08; Foote,W-\$26.80; Franstook,D-\$18.40; Garcia,J-\$21.76; Gemar,L-\$20.92; Gottlob,S-\$20.08; Harvey,E-\$106.72; Hinds,R-\$12.52; Hintz,C-\$18.40; Johnson,V-\$113.44; Keller,A-\$24.28; Kille,J-\$12.52; Klumb,L-\$22.60; Knutson,P-\$21.76; Kriese,J-\$22.60; Krugman,T-\$120.16; Larson,K-\$145.36; Lester,P-\$14.20; Looney,B-\$22.60; Mertesdorf,S-\$12.52; Mondloch,J-\$22.60; Nelson,K-\$25.96; Neuberger,C-\$25.12; Newton,R-\$25.12; Noisat,B-\$20.08; Parsons,F-\$21.76; Peep,P-\$128.56; Pollreisz,L-\$15.88; Pompa,R-\$22.60; Powell,S-\$27.64; Reman,R-\$24.28; Reynolds,C-\$130.24; Reynolds,S-\$12.52; Ross,J-\$18.40; Samson,M-\$21.76; Sandidge,L-\$106.72; Shaffer,T-\$19.24; Simonyak,G-\$18.40; Smith,C-\$22.60; Smith,L-\$16.72; Smith,V-\$22.60; Speirs,M-\$10.84; Stinson,C-\$22.60; Thompson,J-\$15.04; Turner,S-\$130.24; Veitz,L-\$23.44; Vifquain,V-\$36.88; Watt,P-\$43.44; Wetz,T-\$25.96; White,M-\$25.12; Williams,J-\$26.80; Wilson,R-\$22.60; Woodle,S-\$13.36; Wytosick,M-\$14.20; Thomson,P-\$125.00; Ewing,R-\$207.60; Davis,N-\$55.28; Habeck,D-\$32.60; McClintock,B-\$32.60; Olson,S-\$26.30; Singel,J-\$32.60

ADJOURN: Moved-Seconded (Rosenau-Weisenberg) 11:38 a.m. There being no further business to adjourn the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – September 27, 2016

Chairman Daryl Johnson 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 27, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Randall Rosenau, Richard Sleep, 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-Rosenau) to approve the minutes of September 6th County Commission meeting. Motion Carried.

TRAVEL REQUEST:

CORONER: Moved-Seconded (Weisenberg-Sleep) to approve the travel request for Marty Goetsch to attend the annual Coroner Training in Sioux Falls, SD on October 17 & 18, 2016. Motion Carried.

VOLUNTEER FIRE FIGHTER MEMBER: Moved-Seconded (Flanagan-Rosenau) to approve Steve Thomas as a Volunteer Fire Fighter for insurance purposes. Motion Carried.

LEAD/DEADWOOD SCHOOL SEARCH & RESCUE DONATION: Moved-Seconded (Flanagan-Rosenau) The Board thanked the Lead/Deadwood School District for their generous Donation of a 2002 Suburban to Lawrence County Search & Rescue and to accept the donation. Motion Carried.

FILLMORE / CORRECTIVE QUIT CLAIM DEED: The Board discussed a request for a corrective quit claim deed. The deed would be adding the wife onto the deed. Moved-Seconded (Sleep-Johnson) to approve and authorize the Chairman to sign the Corrective Quit Claim Deed to John and Anne Fillmore for Lawrence County's interest in the remaining portion of Lots 5 & 6, Block 3, First Addition, Whitewood, SD. Motion Carried.

ABATEMENT:

Moved-Seconded (Sleep-Flanagan) to approve the abatement on parcel #32740-00800-032-00 for Brett Rang because the home was burned down in April of 2016. Motion Carried.

SDDOT AERONAUTICS GRANT REIMBURSEMENT AGREEMENT: Moved-Seconded (Rosenau-Sleep) to approve and authorize the Chairman to sign the SDDOT Aeronautics Grant Reimbursement Amendment Number 1 Agreement #714344 Project #3-46-17-2010. Motion Carried.

STATE ARCHIVES GOVERNMENT TRANSFER: Moved-Seconded (Weisenberg-Sleep) to approve and authorize the Chairman to sign the two State Archives Government Transfer Receipt. Motion Carried.

AIRPORT TRANSFER AGREEMENT: The Board discussed the Airport Transfer and the process is working forward.

VACATION OF SECTION LINE: Moved-Seconded (Flanagan-Sleep) to set the Public Hearing on a Petition to Vacate Section Line “VACATION OF SECTION LINE RIGHT OF WAY IN LOTS 7, 8, 16, 17, AND 19 AND A PORTION OF BOGEY CIRCLE OF COUNTRY CLUB ESTATES, A SUBDIVISION OF TRACT 2A OF COUNTRY CLUB ESTATES; BEING A PORTION OF H.E.S. 42 AND H.E.S. 39; ALL LOCATED IN SECTION 36, T.4N., R.2E., B.H.M. AND SECTION 31, T.4N., R.3E., B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA” for October 25, 2016 at 8:45 a.m. Motion Carried.

RAFFLE REQUEST / DUCKS UNLIMITED: Moved-Seconded (Sleep-Rosenau) to not object to the request to conduct a raffle for the Spearfish Ducks Unlimited Banquet on 10-08-16 at the VFW. Motion Carried.

HIGHWAY:

GRAVEL CRUSHING BID OPENING: The following bids were received for the Gravel Crushing Bids: Rogers Construction \$226,070 and Western Construction \$299,500. Moved-Seconded: (Flanagan-Rosenau) to follow the recommendation of the Highway Superintendent and continue the bids received until the next meeting to allow the opportunity to make sure all the agreements are in place in regards to the rubble site. Motion Carried.

APPROACH PERMIT / AINSWORTH: Moved-Seconded (Weisenberg-Johnson) to follow the Highway Superintendent’s recommendation and approve the approach permit for Layne Anisworth to construct an approach to the south side of Higgins Gulch Road. Motion Carried.

TREASURER’S TRUST AGREEMENT: Moved-Seconded (Weisenberg-Rosenau) to follow the recommendation of the Treasurer and cancel the Treasurer’s Trust Agreement with Desiree Clark on parcel #20100-00602-045-94 because of lack of payments. Motion Carried.

RECESS: 9:00 a.m. Moved-Seconded (Flanagan-Weisenberg) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 9:20 a.m. The Chairman called the meeting back to order.

2017 BUDGET: Moved-Seconded (Flanagan-Rosenau) to remove from the table the approval of the 2017 Budget. Motion Carried. Sleep expressed concerns on the proposed new software purchase for the Director of Equalization Office. Discussion followed with Tim Hodson and Greg Dias. The Board stated further research is needed.

Moved-Seconded (Flanagan-Sleep) to remove \$222,875 from the Director of Equalization Office Budget for software (amended budget \$529,748) and adjust cash applied to \$665,395 for a reflection of Total Appropriations to \$12,775,097 in the General Fund. Motion Carried.

ADOPTION OF 2017 BUDGET RESOLUTION #2016-19: Moved-Seconded (Flanagan-Weisenberg) to adopt the 2017 Annual Budget as amended and approve the following Resolution #2016-19. Motion Carried. **RESOLUTION #2016-19: 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, eliminations 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, 2017 and ending December 31, 2017 and the same is hereby approved and adopted by the Board of County commissioners of Lawrence County, South Dakota, this 27th day of September, 2016. 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, 2017 through December 31, 2017.

FUND	TAX LEVY IN DOLLARS	\$'s/thousand (levy)
GENERAL	9,720,576	4.165
FIRE PROTECTION	86,916	.072
TOTALS	9,807,492	4.237

DATED at Deadwood, South Dakota, this 27th day of September 2016. LAWRENCE COUNTY COMMISSIONERS: Daryl Johnson, Chairman, Terry Weisenberg, Richard Sleep, Randall Rosenau, and Brandon Flanagan. ATTEST: Connie Atkinson, Auditor.

EXIT 10 LANDOWNERSHIP TRANSFER: The Board reported they did an on-site regarding the suggested transfer of ownership properties for the Spearfish County Highway Shop and Invasive Species Management Shop. No action or decisions were made. Mr. Cashmere from the Development Group was present to express support for the future of the project. Johnson stated he would not stand in the way of progress if a suitable location is found and it does not cost the County taxpayers in any way. Sleep stated it would have to be ideal for the County as currently the County has a good location and development can occur around the County. Flanagan stated it would have to be a benefit to the County to move. Discussion continued that the County would have to gain before they would move and a suitable location would need to be found and currently the proposed locations are not acceptable.

ROAD & BRIDGE 5 YEAR PLAN PUBLIC MEETING: Allan Bonnema, Highway Superintendent passed out the sign up sheets for the public meeting. Jerry Apa, Jaci Pearson and Randy Deibert were present. The Board reviewed the 2016 Road Plan and reviewed what has been completed to date. The 2017 Proposed 5 Year plan was reviewed and discussed. Jerry Apa was present to voice his concerns against paving the Maitland Road and discussed the property tax breakout and history of Maitland Road. Apa stated as a City of Lead taxpayer he pays the same amount of taxes as a County taxpayer and yet the County doesn't provide him road services.

Moved-Seconded (Rosenau-Sleep) to approve and adopt the Lawrence County 5 Year Road Plan and 10 Year Gravel Plan as presented. Motion Carried.

PLANNING & ZONING:

CENTENNIAL QUARRY UPDATE: Amber Vogt presented an update and history report on the Centennial Quarry Gravel Operation. The Board was in support of drafting a letter of notification to Centennial Quarry that any boundary changes or change in ownership in the future will require a Conditional Use permit and also to begin discussion on the impact to Crook City Road.

CITY OF SPEARFISH CHANGE OF ZONING: Amber Vogt discussed the proposed City of Spearfish Change of Zoning adjacent to the McGuigan Road. Discussion followed on the Road, access, approach, safety concerns, and site distance. Moved-Seconded (Sleep-Rosenau) to authorize Amber Vogt and Bruce Outka to draft a letter stating the County adopts the Highway Superintendent concerns as the County's response including public safety concerns and stating the approach is unacceptable. Motion Carried.

ANNUAL REVIEWS:

CUP#172-09 GREG DITTMAN 2nd RESIDENCE: An annual review was conducted on CUP#172-09 for Greg Dittman for a 2nd Residence.

CUP #192-15 KASER B&B: An annual review was conducted on CUP#192-15 Erin & Jordan Kaser (Maya Jo's B & B).

CUP#205-13 DUCO MINING LLC: An annual review was conducted on CUP #205-13 for DUCO Mining LLC.

CUP #255-09 WILDLIFE SANCTUARY: 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 and no complaints. Schroeder will contact them about the trees impacted by the bug infestation.

CUP#329-12 CINDY GILLIES 2ND RESIDENCE: An annual review was conducted on CUP#329-12 for Cindy Gillies for a 2nd residence.

CUP#363 / REHORST 2ND RESIDENCE: An annual review was held for CUP #363 for Dennis Rehorst 2nd Residence.

CUP#376 BARB MOORE SPECIALTY RESORT: An annual review was conducted on CUP#376 Barb Moore/Specialty Resort. Moved-Seconded (Flanagan-Rosenau) to cancel CUP#376 for Barb and Dan Moore per the applicant's request. Motion Carried.

CUP#380 WENNBERG 2ND RESIDENCE: An annual review was held for CUP #383 Charles Wennberg 2nd Residence.

CUP#390 SADDLE MOUNTAIN CHURCH: An annual review was held for CUP #390 Saddle Mountain Church. No complaints were received. Scott Hertel was present to update the Board on the property. They have recently sold the church on Deer Mountain.

CUP#392 TERRY & COLLEEN SCHMITZ 2ND RESIDENCE: An annual review was held for CUP #392 Terry & Colleen Schmitz second Residence. The trailer is not being used as a 2nd residence and is now storage. Randy Deibert suggested they apply for a building permit for the trailer to be used as a storage building. The Board discussed what the County's position is on the trailer remaining on the lot and it will be discussed further at a future meeting.

CUP#429 BONICELLI DERITO SPECIALTY RESORT: An annual review was conducted on CUP#429 for Bonicelli Derito/Pasta Outpost. No complaints have been received in the past 12 months. Moved-Seconded (Flanagan-Rosenau) CUP #429 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 #432 GARRETT – STORAGE UNITS & RV PARKING: An annual review was conducted on CUP#432 for Jeff & Polly Storage Units & RV Parking.

BILLS:

Moved-Seconded (Flanagan-Rosenau) 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-\$12,568.84; Aud-\$20,910.85; Treas-\$23,246.70; States Atty-\$26,222.92; Pub Def-\$23,439.52; Gen Govt Bldg-\$17,789.52; Equal-\$27,535.27; Rod-\$16,711.09; Ist-\$17,633.81; Disp-\$15,580.36; Sher-\$80,951.36; Jail-\$45,023.23; Coroner-\$2,334.90; 24/7-\$329.58; Emerg Mgnt-\$7,861.99; E911-\$3,835.20; Highway-\$85,120.82; Air-\$2,938.50; Mh Serv-\$1,196.00; Weed-\$10,542.44; Pz-\$10,492.06; **Bills:** Tridle,Debora-\$397.42; Bey,John-\$55.88; Heck,David-\$193.62; Larson,Rene-\$67.00; Thomson,Paul-\$67.00; A To Z Shredding-\$20.25; A&B Business,Inc Solutions-\$1,317.41; Al's Metal Work-\$262.50; American Family Life-\$2,811.03; At&T-\$8.90; Audra Malcomb Consulting-\$855.63; BH Federal Credit Union-\$13,617.48; BH Pest Control-\$190.00; BH Pioneer-\$100.00; BH Truck And Trailer-\$110.38; Barnaud Law Firm-\$3,055.74; Best Western Ramkota Hotel-\$912.00; Bi Geo Group Co-\$149.00; Black Hills Disposal-\$87.00; Black Hills Energy-\$14,760.72; Black Hills Pure-\$23.50; Bomgaars Supply-\$10.99; Bruemmer,Lynnel-\$29.60; Butler Machinery Co-\$828.63; Butte Electric Coop-\$437.65; Carls Trailer Sales-\$324.64; Cbh Cooperative-\$8,882.41; Cdw Government-\$13.01; Century Business Products-\$325.64; Centurylink-\$2,330.27; Chadams-\$35.00; Clinical Lab Of BH-\$3,396.00; Convergint Technologies-\$95.66; Credit Collections Bureau-\$578.04; Dataspec-\$399.00; Deadwood Recreation Center-\$745.00; Deepnet Security Ltd-\$536.75; Delta Dental Of South Dakota-\$7,067.16; Dept Of Hlth Lab Services-\$2,260.00; Dept Of The Treasury-\$117,547.00; Diversified Collections-\$200.00; Eddie's Truck Sales/Serv-\$41.19; Ellingson,Joseph-\$5,364.77; Fastenal-\$39.66; Frederickson,John-\$1,729.00; G&H Distributing Of Rc-\$10.14; Geigle,Jd-\$67.00; Godfrey's Brake Serv-\$720.33; Goodie's Uniforms-\$604.45; H&S Sand & Gravel-\$1,969.03; Hartford-Priority Accounts-\$1,954.17; Hawki,Ken-\$67.00; Heartland Paper-\$1,726.69; Hills Material Comp-\$44,896.35; Hilpert & Hale Prof-\$2,496.40; Hp-\$569.00; Interstate Engineering-\$6,607.46; Jacobs Precision Welding-\$29.60; Janz,Donald A Ph.D-\$1,400.00; Johner Gravel-\$1,723.99; Katterhagen,Mark-\$37.50; Kimball-Midwest Co-\$397.34; Kimbell's Auto Repair-\$851.50; Kinney,Matthew-\$328.88; Knoff,David-\$45.00; Language Line Services-\$56.70; Lawson Products-\$185.80; Lead-Deadwood Regional Hospital-\$676.18; Lead-Deadwood Sanitary-\$67.00; Lewno,Lucy-\$278.42; Lexisnexis Risk Data Mgnt-\$75.50; Lockwood,Darcy-\$22.50; Lyle Signs-\$61.56; Matthew Bender & Company-\$367.18; Mayo Clinic-\$375.00; Mcclure,Susan-\$350.00; Mcpherson Propane-\$69.00; Microfilm Imaging Systems-\$2,495.00; Midcontinent Communications-\$35.78; Montana Dakota Utilities-\$58.21; Moore Medical-\$125.45; Mro Corporation-\$24.28; Nalco Company-\$230.00; Nelson,Christy-\$150.00; Neve's Uniforms-\$118.77; Northern Hills Rec Center-\$191.00; Northern Truck Equip-\$1,063.00; Office Of Attorney General-\$605.54; Office Of Child Support-\$1,070.02; One Call Now-\$309.47; Pennington Co Auditor-\$651.00; Pennington Co Jail-\$1,680.25; Pitney Bowes-\$1,017.75; Pizza Lab-\$180.60; Quill Corporation-\$59.51; RC Finance Office-\$140.00; Rapid Delivery-\$13.23; Regional Health-\$1,926.79; Rehfuss,Cathryn-\$15.00; Rocket Lube-\$139.47; SD Human Services Center-\$23.80; SD Retirement System-\$57,909.11; SD Sheriff's Association-\$425.00; SD State Treasurer-\$1,184.61; Sand Creek Printing-\$76.00; Sdrs Supplemental Retirement-\$5,217.01; Secretary Of State-\$30.00; Servall Towel & Linen-\$1,085.78; Spearfish Police Dept-\$10,637.34; Stationers-\$57.20; Sterna, Laura-\$450.00; Streicher's-\$806.97; Subway-\$10.00; Sysco Montana-\$2,720.32; Thomson Reuters-West-\$167.48; Triple K Tire & Repair-\$858.69; Turnkey Corrections-\$5.93;

Twin City Hardware & Lumber-\$375.62; Us Department Of Education-\$160.32; US Identification Manual-\$82.50; Vast Broadband-\$1,710.64; Verizon Wireless-\$105.30; Victims Of Violence-\$1,745.00; Waste Connections Of Sd-\$729.64; Watertree-\$52.75; Wellmark Blue Cross-\$74,683.88; Wells Fargo Business Card-\$3,710.59; West River International- \$782.45; Western SD Juvenile Serv-\$940.00; Wex Bank-\$285.87; White Drug-\$3,196.89; White's Queen City Motors-\$1,340.18; Wilde & Hunt, Prof-\$157.00; Yankton Co Sheriff-\$100.00; **Witness & Jurors:** Miller,A-\$25.46; Bailey,L-\$57.56; Baumberger,A-\$52.52; Butsko,S-\$68.48; Diede,B-\$62.60; Fraiser,J-\$65.12; Higgins,G-\$62.60; Koppinger,A-\$60.92; Lungren,B-\$60.92; Madsen,T-\$58.40; Mechaley,M-\$63.44; Raeburn,M-\$50.84; Regan,D-\$53.36; Reichert,S-\$63.44; Sprenger,M-\$62.60; Stelter,A-\$62.60; Webb, K-\$50.84; Wolff,N-\$63.44; Burrows,K-\$90.08; Clausen,R-\$20.00; Lorch,J-\$323.24; Brott,J-\$35.96; Harvey,J-\$31.76; Iverson,K-\$35.96; King,R-\$33.44; Murray,V-\$22.52; Nelson,D-\$33.44; Patton,J-\$33.44; Peck,J-\$22.52; Torgerson,S-\$33.44; Weerheim,G-\$22.52

ADJOURN: 11:53 a.m. There being no further business it was Moved-Seconded (Flanagan-Johnson) to adjourn the meeting. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – September 27, 2016

Chairman Daryl Johnson called the Lawrence County Board of Adjustment meeting to order at 9:00 a.m. on September 27, 2016 in the Administrative Annex Building of the Lawrence County courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Terry Weisenberg, Richard Sleep, and Randall Rosenau present.

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

VARIANCE #150 / VANOSDOL: A Public Hearing was held on Variance #150 for VanOsdol. The Applicant is requesting a variance to the 45’ setback between building in the Guest House Ordinance and being able to have a separate septic system. Tract L of Brandon SD Section 7, T6N, R2E. Located along Higgins Gulch Road. Diversified Construction and the Landowners were present and in support of the variance. The public hearing was closed. Sleep expressed concerns about two septic systems and possible subdividing of the property in the future. Planning and Zoning recommended denial of the variance. Discussion followed that the cabin and unattached garage is currently built and the landowner is now trying to build a residence on the property. Topography of the property and the age and condition of the current septic system were discussed. The landowner asked if they need to sub-divide the property so they can build the residence as this is a 39+ acre parcel. The Board will review at a future meeting to allow the Commissioners a chance to visit the property.

ADJOURN: 9:19 a.m. There being no further business it was Moved-Seconded (Flanagan-Rosenau) to adjourn from the Board of Adjustment. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – October 11, 2016

Chairman Daryl Johnson 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 11, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Richard Sleep, and Terry Weisenberg present. Randall Rosenau 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-Sleep) to approve the minutes of September 27th County Commission meeting and Board of Adjustment Meeting. Motion Carried.

PERSONNEL:

GENERAL GOVERNMENT BUILDINGS: Moved-Seconded (Weisenberg-Sleep) to approve the classification change for Laura Lee as a Custodian II G3 at the base rate of \$15.76 an hour, effective November 14, 2016. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Johnson) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of September 30, 2016 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)-\$136,585.40; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$7,668.44; Petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$5,573,378.89, Money Market \$5,762,002.22; Savings-\$6,914,550.33. Total \$21,497,395.28.

IAMRESPONDING: Moved-Seconded (Sleep-Flanagan) to approve and authorize the Chairman to sign the iamresponding renewal agreement. Motion Carried.

CONTINGENCY TRANSFER: Moved-Seconded (Flanagan-Johnson) to approve the contingency transfer of \$50,000 to the Commissioners Professional Services. Motion Carried.

LEAD FIRE PROTECTION DISTRICT: Moved-Seconded (Weisenberg-Sleep) to appoint Kay Rear as the Lead Fire Protection District Director to replace Joe Kosel. Motion Carried.

SPIRIT OF THE HILLS ANIMAL SANCTUARY: Discussion was held on the events that transpired at the Spirit of the Hills Animal Sanctuary on October 3, 2016. On October 4, 2016, Chairman Daryl Johnson and Commissioner Randall Rosenau went to the facility to meet with representatives of the facility, the Humane Society and the SD Animal Industry Board. Johnson stated that in all likelihood the facility will not function in the same manner, or at all, going forward. Richard Sleep asked about the recent on-site inspection conducted as part of the C.U.P. annual review, and whether any issues were noted at the time. Jeff Schroeder, Deputy Code Enforcement Officer, stated that his inspection did not include a check on the welfare and care of the animals as such issues are regulated by federal and state agencies. Brandon Flanagan stated that he had a message from the Humane Society and they were handling some of the issues.

SLA QUARTERLY REPORT: Paul Thomson presented the 4th Quarter SLA Quarterly report.

SHERIFF:

EXECUTIVE SESSION: 8:23 a.m. Moved-Seconded (Sleep-Johnson) to go into executive session for personnel pursuant SDCL 1-25-2(1). Motion Carried. 8:30 a.m. The Board opened for regular business.

Moved-Seconded (Flanagan-Johnson) to approve Lance Palmer as a Deputy I GI at a base rate of \$21.77 an hour, effective October 11, 2016 and to approve a part-time Correctional Officer to move to a Temp Full-Time Correctional Officer with Benefits. Motion Carried.

COURTHOUSE SECURITY IMPROVEMENTS: Brian Dean, Sheriff, reported that he was approached by a circuit court judge and asked to review courthouse safety. Dean stated, as the Sheriff, it is his duty to insure courthouse security. The board did an on-site of the courthouse with the Sheriff. Continued discussion will be held at a future meeting regarding what improvements are necessary and determine the best method to accomplish the work.

HIGHWAY:

GRAVEL CRUSHING BID OPENING: The following bids were received for the Gravel Crushing Bids: Rogers Construction \$226,070 and Western Construction \$299,500. Moved-Seconded: (Flanagan-Sleep) to follow the recommendation of the Highway Superintendent and accept the lowest responsible bid from Rogers Construction in the amount of \$226,070 and waive any irregularities for the gravel crushing. Motion Carried.

AMENDED 5 YEAR HIGHWAY PLAN: Allan Bonnema, Highway Superintendent, presented an amended 5 year highway plan. The revision was owing to new information from the DOT as to when scheduling replacement of Bridge No. 41-070-012 - Dorsett Road. Rescheduling of this bridge replacement will affect the timing of replacements of the other bridges. The amended 5 year plan reflects these adjustments. Moved-Seconded (Flanagan-Weisenberg) to amend the 5 year highway plan and authorize the Chairman to sign the certification. Motion Carried.

APPROACH PERMIT / GARRETT: Moved-Seconded (Weisenberg-Flanagan) to follow the Highway Superintendent's recommendation and approve the approach permit for Jeff Garrett to construct an approach to the south side of Camp Comfort Road. Motion Carried.

UTILITY PERMIT / MONTANA DAKOTA UTILITIES: Moved-Seconded (Sleep-Weisenberg) to follow the recommendation of the Highway Superintendent to approve and authorize the Chairman to sign the Application for Utility Permit on Old Belle Rd for the installation of 4800 feet of 2" polyethylene gas line pipe in Section SE29 and NE29, T7N, R2E for Montana Dakota Utilities. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted as of October 4, 2016: Deadwood Diesel#2 6100 gallons: (prices per gallon) CBH Cooperative - \$1.776*, South Side - \$1.85, MG Oil-\$1.859; Deadwood Unleaded 5600 gallons: (prices per gallon) CBH Cooperative - \$2.045, South Side - \$2.05, MG Oil – \$1.989*; Spearfish Diesel#2 3500 gallons: (prices per gallon) CBH Cooperative - \$1.826*, South Side - \$no bid, MG Oil-\$1.859; Spearfish Unleaded 570 gallons: (prices per gallon) CBH Cooperative - \$2.095, South Side - \$no bid, MG Oil – \$1.989*;

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

4-H PROGRAM: Michelle May, SDSU Youth Program Advisor was present to update the Board on the 4-H Program.

PLANNING & ZONING:

CENTENNIAL QUARRY UPDATE: Chairman Johnson discussed the history of Centennial Quarry noting that a conditional use permit has never been issued for the operation. Amber Vogt, Planning and Zoning Administrator presented the results of her review of file records and also presented a draft letter to be sent to the quarry operator advising them that any future expansion of the quarry will require a conditional use permit. The letter also addressed concerns about damage caused to the Crook City Road from the operation, fugitive dust issues and unapproved approaches constructed for access from the quarry to the Crook City Road. Commissioner Flanagan stated he thought the letter was appropriate as it puts the operator on notice that any future expansion shall require a conditional use permit.

Representatives from the Save Centennial Valley Association presented a letter with information and comments concerning their investigation into the history of the quarry. Charles Brown, a representative of Save Centennial Valley Association, advocated that the County should require the quarry to apply for a conditional use permit for their current operation.

Amber Vogt, Planning & Zoning Administrator, advised that staff and the Planning and Zoning Commission are in the process of reviewing the mineral extraction section of the Zoning Ordinance, noting that at some future point the Planning & Zoning Commission shall hold a

public hearing on the proposed ordinance changes before presentation to the County Commission for approval.

Commissioner Sleep stated that we need to move forward not backwards.

Moved-Seconded (Flanagan-Sleep) to approve the letter as to form and authorize the Chairman to sign it. Motion Carried.

PRELIMINARY & FINAL PLATS:

PRELIMINARY PLAT / SHONLEY: Moved-Seconded (Flanagan-Johnson) to deny the Preliminary Plat for Doug Shonley for Lot 68 Revised; Lot 70, Blk 1 and Block 2 of Boulder Park Subdivision Section 15, T5N, R4E. Located off of Boulder Canyon due to inadequate information. Motion Carried.

FINAL PLAT / UNION RESORTS LLC: Moved-Seconded (Weisenberg-Johnson) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Final Plats for Lots 1-6, Block 2 & Lot 1, Blk 4 of the Mystic Miner Subdivision. Section 11, 13, 14, 24 T4N, R2E and Section 18 T4N, R3E. Located off of Deer Mt Road. Motion Carried.

PRELIMINARY & FINAL PLAT / JOHNSON FAMILY TRUST: Moved-Seconded (Flanagan-Weisenberg) to follow Planning and Zoning and P&Z Staff recommendation and declare that this plat for Clifford Johnson Family Living Trust meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Preliminary Plat for Clifford Johnson Family Living Trust for Lots A, B, C, Blk 7 Town of Crook City Section 33, T6N, R4E. Located off of Crook City Road to bring into a closer conformity. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Final Plat to bring into a closer conformity for Clifford Johnson Family Living Trust for Lots A, B, C, Blk 7 Town of Crook City Section 33, T6N, R4E. Located off of Crook City Road. Motion Carried.

PRELIMINARY PLAT / KINSHIP MT MINISTRIES: Moved-Seconded (Flanagan-Weisenberg) to approve the Preliminary Plat for Kinship Mt Ministries for Tracts 1A & 1B of Kinship Mt Estates, Section 15 & 16 T3N, R4E. Located off of Hwy 385 & Paha Sapa Rd. A Fire plan must be completed before final plat can be approved. Motion Carried.

FINAL PLAT / HOMESTAKE MINING CO & SDGF&P: Moved-Seconded (Flanagan-Sleep) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Final Plat for Homestake Mining Co & SDGF & P for Tract 1A of the Montana Placer M.S. 991 in Section 31, T5N, R2E & Section 6, T4N, R2E. Located off of Spearfish Canyon/Hwy 14A. Motion Carried.

FINAL PLAT / ASPENS AT ALLIKAT CORNER LLC: Moved-Seconded (Weisenberg-Flanagan) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Final Plat for Aspens at Allikat Corner LLC Final Plats for Lots 1-4 of Diamond Estates Section 13 & 14, T3N, R4E. Located off of Nemo Rd/Benchmark Rd. Motion Carried.

RECESS: 9:58 a.m. Moved-Seconded (Flanagan-Sleep) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 10:14 a.m. The Chairman called the meeting back to order.

ANNUAL REVIEWS:

CUP #328 MONTEITH: An annual review was conducted on CUP #328 for Jim and Tamera Monteith – Church. Moved-Seconded (Sleep-Johnson) to cancel CUP #328 for Jim and Tamera Monteith per the applicant's request. Motion Carried.

CUP #381 REDDICK: An annual review was conducted on CUP #381 for Duane Reddick - 2nd Residence.

CUP #400 JOHNER & SONS: An annual review was conducted on CUP #400 for Johner and Sons (Evan's Pit) - Gravel Pit.

CUP #402 DECOOK: An annual review was conducted on CUP #402 for Jim DeCook - 2nd Residence.

E-RECORDING OF DOCUMENTS: Sheree Green, Register of Deeds was present to discuss E-Recording of Documents.

EXECUTIVE SESSION: 10:45 a.m. Moved-Seconded (Sleep-Flanagan) to go into executive session pursuant SDCL 1-25-2. Motion Carried. 11:10 a.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-\$6,384.42; Aud-\$10,319.65; Treas-\$11,628.35; States Atty-\$13,065.05; Gen Govt Bldg-\$8,949.77; Equal-\$13,776.42; Rod-\$8,3753.80; Vso-\$1,389.81; Ist-\$8,851.65; Disp-\$12,077.92; Sher-\$40,299.05; Jail-\$22,146.55; Coroner-\$407.45; 24/7-\$91.55; Emerg Mgnt-\$4,087.18; E911-\$1,936.00; Highway-\$42,355.01; Air-\$1,158.00; Weed-\$5,446.82; Pz-\$5,146.04; **Bills:** Green,Sheree-\$44.00; Locken,William-\$860.34; Larson,Rene-\$48.30; Lopez,Amber-\$312.60; Walker,John-\$764.84; Hohn,Louise-\$30.49; A To Z Shredding-\$30.23; A&B Business, Inc Solutions-\$1,289.95; A&B Welding Supply-\$145.67; A&I Distributors-

\$126.45; Apex Software-\$1,080.00; At&T Mobility-\$915.22; BH Federal Credit Union-\$6,808.74; BH Physical Therapy-\$80.00; BH Pioneer-\$472.35; Barnaud Law Firm-\$270.39; Bentz Equipment-\$14.00; Bickle's Truck & Diesel-\$2,692.41; Bierschbach Equip & Supply-\$792.00; Black Hills Energy-\$1,352.54; Brevik Law Office Prof-\$220.33; Brosz Engineering-\$345.00; Butte County-\$32,689.50; Butte Electric Coop-\$416.70; Century Business Products-\$163.64; Centurylink-\$108.62; Charm-Tex-\$119.80; City/County Alcohol&Drug-\$166.00; Cleary Building Corp-\$10,000.00; Convergint Technologies-\$459.98; Credit Collections Bureau-\$264.02; Culligan-\$224.00; Danko Emergency Equipment-\$4,885.00; Deadwood, City Of-\$1,151.49; Dean Schaefer Court Reporting-\$129.00; Dept Of The Treasury-\$57,443.21; Diversified Collections-\$100.00; Ellingson, Joseph-\$2,096.94; Federal Express Corp-\$22.09; Goodie's Uniforms-\$63.35; Grabar Voice And Data-\$4,098.00; Grant Writing-\$455.00; Grimm's Pump Service-\$275.88; Heartland Paper Co-\$711.84; Hills Material Comp-\$67,341.12; Hilt Construction-\$20,655.00; Hp-\$35.55; Interstate Engineering-\$7,567.12; Jacobs Precision Welding-\$96.20; Jones, Brooks-\$500.00; Katterhagen, Mark-\$27.00; Kinney, Matthew-\$487.03; LC Conservation Dist-\$5,000.00; Lead, City Of-\$55.55; Lead-Deadwood Sanitary-\$543.26; Lewno, Lucy-\$186.46; Lizard Tech-\$335.00; McClure, Susan-\$200.00; Microfilm Imaging Systems-\$255.00; Midcontinent Communications-\$36.52; Montana Dakota Utilities-\$1,338.35; Ms Mail-\$150.00; Murphy Petroleum Transport-\$260.00; National Emergency-\$274.00; Nebraska Salt & Grain Co-\$10,605.57; Nelson, Tonya-\$200.00; Northern Truck Equip Corp-\$49,420.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$535.01; Pennington County Sts Attny-\$215.00; Powerplan-\$218.48; Prairie Hills Transit-\$7,500.00; The Pump House-\$93.00; Quill-\$1,344.03; RC Regional Hospital-\$828.65; Rabe Elevator-\$1,020.88; Radiology Associates-\$34.80; Rasmussen Mechanical Serv-\$4,615.42; Regional Health-\$93.19; Rocket Lube-\$294.95; SD Dept Of Labor Unemployment-\$519.97; SD Dept Of Transportation-\$2,363.69; SD State Treasurer-\$16,011.99; Safety Benefits-\$130.00; Sdrs Supplemental Retirement-\$2,646.00; Semerad, Sandra-\$53.20; Servall Towel & Linen-\$215.46; Spearfish Auto Supply-\$769.42; Spearfish Regional Hospital-\$94.10; Sturdevant's Auto Parts-\$1,151.56; Swanda, Karen-\$27.00; Sysco Montana-\$842.81; Triple K Tire & Repair-\$954.00; Truenorth Steel-\$14,177.08; Twin City Hardware & Lumber-\$486.58; United Parcel Service-\$38.78; Waste Connections Of Sd-\$729.64; Western Communication-\$406.65; Wex Bank-\$469.85; White's Canyon Motors-\$57.75; Yankton Co Sheriff-\$50.00; **Witness & Jurors:** Bey, J-\$55.88; Lungren, B-\$60.92; Gabeline, H-\$55.28; Diede, B-\$62.60; Koppinger, A-\$60.92; Mechaley, M-\$63.44; Reichert, S-\$63.44; Sprenger, M-\$62.60; Webb, K-\$50.84; Wolff, N-\$63.44; Duckett, L-\$22.52; Rear, J-\$33.44; Roberts, A-\$20.42; Roberts, J-\$20.42

ADJOURN: 11:15 a.m. There being no further business, it was Moved-Seconded (Flanagan-Johnson) to adjourn the meeting. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – October 11, 2016

Chairman Daryl Johnson called the Lawrence County Board of Adjustment meeting to order at 9:00 a.m. on October 11, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Terry Weisenberg and Richard Sleep. Randall Rosenau was absent.

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

VARIANCE #150 / VANOSDOL: The Board continued the discussion from the September 27th Board of Adjustment meeting on the proposed Variance #150 for VanOsdol on Tract L of Brandon SD Section 7, T6N, R2E. Located along Higgins Gulch Road.

The Applicant is requesting a variance to the 45' setback between the residential structures and the 2nd septic system according to the Guest House Ordinance. Amber Vogt, Planning & Zoning Administrator, stated upon reviewing the Ordinance again there was only a need for the variance to the 45' setback between structures as there is a means to address the 2nd septic system.

Moved-Seconded (Weisenberg-Johnson) to approve Variance #150 to allow more than a 45' setback between the two residences. Motion Carried. Aye- Johnson, Weisenberg and Sleep. Nay-Flanagan.

ADJOURN: 10:14 a.m. There being no further business, it was Moved-Seconded (Flanagan-Johnson) to adjourn from the Board of Adjustment. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – October 25, 2016

Chairman Daryl Johnson 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 25, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Randall Rosenau, Richard Sleep, and Terry Weisenberg present.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Flanagan-Sleep) to approve the minutes of October 11th County Commission and Board of Adjustment meeting. Motion Carried.

TRAVEL REQUESTS:

SHERIFF: Moved-Seconded (Flanagan-Weisenberg) to approve the travel request for Shelley Dragoo to attend the grant writing class in Sioux Falls, SD on November 2-4, 2016. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Rosenau-Flanagan) to approve the classification change for Sean Mowell as a permanent full-time Corrections 2 G1 and a part-time fill-in Dispatcher 2 G1 at the base rate of \$18.36 an hour, effective September 4, 2016. Motion Carried.

Moved-Seconded (Weisenberg-Johnson) to approve the classification change for Melody Paklin as a temporary full-time Correctional Officer II G1 at the base rate of \$18.36 an hour, with Benefits, effective October 17, 2016. Motion Carried.

Moved-Seconded (Rosenau-Sleep) to approve the classification change for Jacob L. Capp as a permanent full-time Corrections 2 G1 at the base rate of \$18.36 an hour, effective October 30, 2016. Motion Carried.

AUDITOR: Moved-Seconded (Sleep-Flanagan) to approve the step raise for Krystal Stulken as an Accounting Clerk G2 at the base rate of \$14.95 an hour, effective October 17, 2016. Motion Carried.

EQUALIZATION: Moved-Seconded (Weisenberg-Rosenau) to approve the step raise for Mike Meehan as an Appraiser IV G2 at the base rate of \$20.67 an hour, effective October 17, 2016. Motion Carried.

SDSU EXTENSION EVALUATION: The Board requested that Richard Sleep complete the SDSU Extension Evaluation.

AMENDED RESOLUTION #2016-19: Moved-Seconded (Weisenberg-Rosenau) to approve the following Amended Resolution #2016-19 to properly reflect the adjusted levies. Motion Carried. **AMENDED RESOLUTION #2016-19: 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, eliminations 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, 2017 and ending December 31, 2017 and the same is hereby approved and adopted by the Board of County Commissioners of Lawrence County, South Dakota, this 25th day of October, 2016. 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, 2017 through December 31, 2017.

FUND	TAX LEVY IN DOLLARS	\$'s/thousand (levy)
GENERAL	9,720,576	4.172
FIRE PROTECTION	86,916	.072
TOTALS	9,807,492	4.244

DATED at Deadwood, South Dakota, this 25th day of October 2016. **LAWRENCE COUNTY COMMISSIONERS:** Daryl Johnson, Chairman, Terry Weisenberg, Richard Sleep, Randall Rosenau, and Brandon Flanagan. **ATTEST:** Connie Atkinson, Auditor.

EMPLOYEE INSURANCE 2017: Bruce Outka, County Attorney spoke on behalf of the Insurance Committee. Outka discussed the health insurance quotes received for 2017 and stated the Insurance Committee recommended the County remain with Wellmark, which offered a 1.57% decrease for insurance premiums in 2017. Moved-Seconded (Rosenau-Sleep) to approve and authorize the Chairman to sign the contract with Wellmark for 2017. Motion Carried.

CANCELED CHECK RESOLUTION #2016-21: Moved-Seconded (Sleep-Flanagan) to approve and authorize the Chairman to sign Resolution #2016-21. Motion Carried. **LAWRENCE**

COUNTY RESOLUTION # 2016-21 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 27 checks totaling \$756.26 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 25th day of October, 2016. FOR THE BOARD: Daryl Johnson, Chairman. ATTEST: Connie Atkinson, Auditor

SURPLUS EQUIPMENT: Moved-Seconded (Rosenau-Flanagan) to declare the Compaq Proliant MI530 Computer (#10326) and the Compaq Proliant 5500 Computer (#10741) surplus and allow them to be destroyed. Motion Carried.

WARRANTY DEED AIRPORT REAL PROPERTY: Moved-Seconded (Weisenberg-Rosenau) to approve and authorize the Chairman to sign the Warranty Deed conveying Airport real property to the City of Spearfish. Motion Carried. The Board wanted to make sure that the City of Spearfish is aware that the Road is included before the Deed is filed.

Moved-Seconded (Weisenberg-Flanagan) to declare the 1991 4X4 truck, 1975 AMGN 8250, 1982 Case Loader, 1985 Oshk snow plow, and the remaining Airport Inventory of tools, equipment and supplies surplus and transfer to the City of Spearfish. Motion Carried.

VETERANS' HOLIDAY RELIEF DRIVE: Moved-Seconded (Sleep-Flanagan) to approve the request to host the Veterans' Holiday Relief Drive Donation Drop-off Point. Motion Carried.

ABATEMENTS:

CITY OF DEADWOOD: Moved-Seconded (Weisenberg-Flanagan) to approve the abatement for the City of Deadwood on parcel #30875-00300-030-05 because the property is now tax exempt. Motion Carried.

STATE OF SOUTH DAKOTA: Moved-Seconded (Flanagan-Sleep) to approve the abatement for The State of South Dakota DOT on parcel #15000-00501-361-00 because the property is now tax exempt. Motion Carried.

JOINT FUNDING AGREEMENT: Moved-Seconded (Flanagan-Rosenau) to authorize the Chairman to sign the Joint Funding Agreement with the U. S. Department of the Interior U. S. Geological Survey for the three stream flow gages located at Crow Creek near Beulah, Annie Creek near Lead and False Bottom Creek near Central City during the period of October 1, 2016 through September 30, 2017. Motion Carried.

SHERIFF: Brian Dean, Sheriff was present to update the Board on issues involving the Sheriff's Office and improvements for jail security and kitchen equipment. Upgrades will also be done in the dispatch center.

TELEPHONE LOCATION AGREEMENT: Moved-Seconded (Weisenberg-Flanagan) to approve and authorize the Chairman to sign the Reliance Telephone Inmate Video Call Location Agreement. Motion Carried. Video visitation and inmate texting was discussed. Lawrence County was selected as a beta sight for the video visitation and the equipment will be installed without cost to the County.

COURTROOM SECURITY: Moved-Seconded (Flanagan-Rosenau) to contact Steve Williams, Williams & Associates to visit about Courtroom Security updates and to get a quote on his professional fees that would be involved to design and oversee the Courtroom Security updates. Motion Carried. Weisenberg stated talking to Doug Kirkus of Safety Benefits could be a source of information.

HIGHWAY:

ADOPT A HIGHWAY: Allan Bonnema, Highway Superintendent stated he received a request from the Lead Ministerial Association for Adopt a Highway on the Kirk Road. Bonnema stated currently the County does not have an active program and stated there would be minimal costs to the county for garbage bags, safety vests, and to install signs for the Adopt A Highway. The Board was in support of the program and asked Bonnema to go forward with presenting a resolution or policy for the Board to adopt at a future meeting.

HILLSVIEW ROAD PAVING PROJECT: Allan Bonnema stated he is very dissatisfied with the job done on the Hillsview Road Paving Project. Bonnema is working with the contractor but no agreement has been made to remedy the situation. He informed the Board that he is withholding payment on the project. The Board asked Bruce Outka to meet with parties involved to see if the issue can be remedied. The contractor completed the St. Onge Road and that project was satisfactory.

VACATION OF SECTION LINE: A public hearing was held on the Petition to Vacate Section Line "VACATION OF SECTION LINE RIGHT OF WAY IN LOTS 7, 8, 16, 17, AND 19 AND A PORTION OF BOGEY CIRCLE OF COUNTRY CLUB ESTATES, A SUBDIVISION OF TRACT 2A OF COUNTRY CLUB ESTATES; BEING A PORTION OF H.E.S. 42 AND H.E.S. 39; ALL LOCATED IN SECTION 36, T.4N., R.2E., B.H.M. AND SECTION 31, T.4N., R.3E., B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA". No public input was voiced and the hearing was closed.

Moved-Seconded (Weisenberg-Sleep) to set approve and adopt the following Lawrence County Resolution #2016-20 Resolution & Order To Vacate A Portion Of A Highway, Part Of Which Is

Located On A Section Line. Motion Carried. LAWRENCE COUNTY RESOLUTION #2016-20 RESOLUTION & ORDER TO VACATE A PORTION OF A HIGHWAY, PART OF WHICH IS LOCATED ON A SECTION LINE. WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by at least one percent of the ballots cast for the last gubernatorial election in Lawrence County, requesting that a portion of a highway, part of which is located on a section line be vacated, **WHEREAS**, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the B.H. Pioneer Times, Lead, South Dakota once each week for two consecutive weeks prior to the date of hearing and **WHEREAS**, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and **WHEREAS**, said section line does not constitute a portion of a South Dakota State Trunk Highway System nor the Lawrence County Highway System, now therefore, **BE IT RESOLVED** by the Lawrence County Board of Commissioners as follows: That the described portion of a highway, part of which is located on a Section Line be vacated: **LEGAL DESCRIPTION FOR THE VACATION:** VACATION OF SECTION LINE RIGHT OF WAY IN LOTS 7, 8, 16, 17, AND 19 AND A PORTION OF BOGEY CIRCLE OF COUNTRY CLUB ESTATES, A SUBDIVISION OF TRACT 2A OF COUNTRY CLUB ESTATES; BEING A PORTION OF H.E.S. 42 AND H.E.S. 39; ALL LOCATED IN SECTION 36, T.4N., R.2E., B.H.M. AND SECTION 31, T.4N., R.3E., B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA **AFFECTING THE LANDOWNERS:** Karen Dilts, Roger W. and Victoria S. Rains, Reid M. and Jodi L. Widvey, Craig Cook. Dated this 25th day of October, 2016. Daryl Johnson, Chairman Lawrence County Commission. ATTEST: Connie Atkinson, Lawrence County Auditor

PLANNING & ZONING:

PRELIMINARY & FINAL PLAT / SHONLEY: Moved-Seconded (Flanagan-Johnson) to follow Planning and Zoning and P&Z Staff recommendation and declare that this plat for Doug Shonley meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Flanagan-Johnson) to follow the recommendation of Planning & Zoning and P&Z Staff and approve the Preliminary and Final Plat for Doug Shonley for Lot 68 Revised; Lot 70, Blk 1 and Block 2 of Boulder Park Subdivision Section 15, T5N, R4E. Located off of Boulder Canyon. Motion Carried.

WILDLIFE SANCTUARY: Jeff Schroeder updated the Board on the Wildlife Sanctuary.

ITEMS FROM THE PUBLIC: The Board discussed an email received from Mike Kain in reference to the bridge in Spearfish Canyon. The Commission stated they have no plan to fix or replace the bridge.

ITEMS FROM THE COMMISSIONERS:

SALVAGE YARD ON HIGHWAY 14: The Board discussed the salvage yard on Highway 14 and steps the County can take to alleviate the problem. Outka will visit with the Sheriff's Department to see what options are available.

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-\$6,284.42; Aud-\$10,296.16; Treas-\$11,629.94; States Atty-\$13,033.54; Pub Def-\$11,719.76; Gen Govt Bldg-\$8,858.22; Equal-\$13,776.41; Rod-\$8,375.80; Vso-\$1,389.81; Ist-\$8,851.64; Disp-\$13,968.18; Sher-\$40,158.00; Jail-\$23,964.441; Coroner-\$867.45; 24/7-\$164.79; Emerg Mgnt-\$4,035.16; E911-\$1,936.00; Highway-\$42,660.31; Air-\$5,051.40; Mh Serv-\$828.00; Weed-\$4,809.36; Pz-\$5,389.23; **Bills:** Goetsch,Martin-\$587.39; Seward,James-\$100.80; A To Z Shredding-\$7.82; A&B Business,Inc Solutions-\$546.61; Alpine Impressions-\$107.00; American Family Life-\$2,811.03; AT&T-\$24.85; Audra Malcomb Consulting-\$814.19; BH Federal Credit Union-\$6,808.74; BH Pest Control-\$190.00; Barnaud Law Firm-\$1,276.75; Bi Geo Group Co-\$75.40; Black Hills Energy-\$13,026.89; Black Hills Pure-\$32.75; Black Hills Urgent Care-\$30.00; Bomgaars Supply-\$28.32; Butler Machinery Co-\$393.18; Campbell Co Sheriffs Off-\$50.00; Cbh Cooperative-\$17,199.74; Centurion Technologies-\$55.00; Century Business Products-\$444.13; Centurylink-\$2,377.69; Claggett & Dill, Prof-\$415.43; Clinical Lab Of BH-\$1,978.00; Convergint Technologies-\$1,848.05; Credit Collections Bureau-\$264.02; Dakota Equipment Rental-\$177.50; Deadwood Recreation Center-\$770.00; Delta Dental Of South Dakota-\$7,136.50; Dept Of Hlth Lab Services-\$1,067.00; Dept Of The Treasury-\$60,219.01; Diversified Collections-\$100.00; DL Economic Development Corp-\$75.00; Ds Solutions-\$175.00; Ecolab-\$146.02; Ellingson,Joseph-\$1,716.92; Emergency Services Marketing-\$3,240.00; Fox & Youngberg, Pc-\$428.64; Frederickson,John-\$2,565.00; Gene's Lock Shop-\$59.88; Godfrey's Brake Serv-\$206.88; Heartland Paper Co-\$1,144.69; Hills Material Comp-\$66,821.41; Hp-\$1,523.83; Jacobs Precision Welding-\$413.96; Johner Gravel-\$1,837.30; Katterhagen,Mark-\$15.00; Kimball-Midwest Co-\$481.61; Kinney,Matthew-\$2,470.20; LC Assessor-\$22.75; Lead-Deadwood Regional Hospital-\$1,032.56; Lee,James-\$15.00; Lewis & Clark Bhs-\$640.00; Lewno,Lucy-\$148.96; Lexisnexis Risk Data Mgnt-\$75.00; Mcleod's Office Supply-\$792.47; Mg Oil Company-\$12,274.12; Microfilm Imaging Systems-\$880.00; Montana Dakota Utilities-\$41.60; Ms Mail-\$50.00; Nalco Company-\$1,235.29; Nebraska Salt & Grain Co-\$18,710.91; Nelson,Christy-\$100.00; Neve's Uniforms-\$556.50; Northern Hills Dental-\$230.00; Northern Hills Rec Center-\$191.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$535.01; Pennington Co Auditor-\$378.00; Pennington Co Jail-\$903.85; Quik Signs-\$120.00; Quill Corporation-\$238.67; RC Journal-\$317.90; RC Regional Hospital-\$2,342.41; Rabe Elevator-\$1,020.88; Radiology Associates-\$631.46; Rasmussen Mechanical Serv-\$357.56; Regional Health-\$605.98; Rehfuss,Cathryn-\$15.00; Rsinet-\$1,180.00; SD Retirement System-\$57,711.25; Sada Systems-\$5,920.00; Sdrs Supplemental Retirement-\$2,646.00; Servall Towel & Linen-\$435.16; Silverado-\$612.00; Spearfish Police Dept-\$10,667.27; Sprenger,Maridel-\$25.00; Sterna,Laura-\$500.00; Susteen-\$1,995.00; Sysco Montana-\$1,997.98; Thomson Reuters-West-\$167.48; Top Quality-\$65.00; Triple K Tire & Repair-\$38.50; Trugreen Chemlawn-\$292.25; Turnkey Corrections-\$8.48; Twilight First Aid & Safety-\$47.90; Twin City Hardware & Lumber-\$356.83; Vast Broadband-\$3,133.71; Verizon Wireless-\$105.22; Victims Of Violence-\$1,591.00; Watertree-\$80.55; Wellmark Blue Cross-\$75,933.44; Wells Fargo Business Card-\$8,677.14; Western States Sheriff

Assoc-\$100.00; White Drug-\$2,302.29; Yankton Co Sheriff-\$50.00; Yankton County-\$371.75;
Witness & Jurors: Bailey,L-\$57.56; Butsko,S-\$68.48; Fraiser,J-\$65.12; Higgins,G-\$62.60;
Madsen,T-\$58.40; Regan,D-\$53.36; Stelter,A-\$62.60; Stillson,P-\$62.60; Fernandez,M-\$30.92;
Nero,J-\$30.92; Radach,L-\$20.00

ADJOURN: 9:36 a.m. There being no further business it was Moved-Seconded (Weisenberg-Johnson) to adjourn the meeting. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – November 10, 2016

Chairman Daryl Johnson 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 10, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Randall Rosenau, Richard Sleep, and Terry Weisenberg present.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Sleep-Rosenau) to approve the minutes of October 25th County Commission meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Weisenberg-Flanagan) to approve the new hire of Phillip Hallbeig as a part-time (under 20) fill-in Corrections I G1 at the base rate of \$15.95 an hour, effective November 13, 2016. Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve the new hire of Kathryn Hast as a part-time (under 20) fill-in Dispatch I G3 at the base rate of \$16.67 an hour, effective November 13, 2016. Motion Carried.

GENERAL GOVERNMENT BUILDINGS: Moved-Seconded (Sleep-Rosenau) to approve the new hire of Carrie Kappes as a permanent full-time Custodian I G3 at the base rate of \$13.24 an hour, effective November 21, 2016. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Weisenberg) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of October, 2016 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)-\$1,213,045.14; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$34,101.31; Petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000; Bank Balance \$3,571,712.87, Money Market \$8,563,810.95; Savings-\$6,914,720.83; Depost-\$10,000,000. Total \$33,400,601.10.

2016 GENERAL ELECTION: Moved-Seconded (Weisenberg-Flanagan) to canvass the 2016 General Election Results. Motion Carried.

AUTOMATIC SUPPLEMENTS: Moved-Seconded (Sleep-Johnson) to approve the automatic supplement of \$2,035.01 for Elections for funds received from other governmental agencies. Motion Carried.

Moved-Seconded (Sleep-Flanagan) to approve the automatic supplement of \$34,522.73 for Weed Supplies for funds received from other governmental agencies. Motion Carried.

RESOLUTION #2016-22 / AMENDMENT TO THE LAWRENCE COUNTY

PERSONNEL MANUAL / DIRECT DEPOSIT & TIME CARDS: Moved-Seconded (Weisenberg-Sleep) to approve and authorize the Chairman to sign RESOLUTION #2016-22 / AMENDMENT TO THE LAWRENCE COUNTY PERSONNEL MANUAL / DIRECT DEPOSIT & TIME CARDS. Motion Carried. LAWRENCE COUNTY RESOLUTION #2016-22 AMENDMENT #14 LAWRENCE COUNTY PERSONNEL MANUAL WHEREAS, the Lawrence County Commission adopted the Lawrence County Personnel Manual (the "Manual") pursuant to Resolution #2005-19 to establish a fair system of personnel administration; and WHEREAS, from time to time it is necessary to update the Manual to insure fair administration of the objectives provided for therein; and THEREFORE BE IT RESOLVED, that effective January 1, 2017 and upon favorable passage of this Resolution, and until otherwise revised, the following revisions are hereby adopted for Article XVIII, General Information, Section 18.2 of the Manual: 18.2 Direct Deposit: As a condition of employment at Lawrence County, employees are required to participate in payroll direct deposit. This means that your pay will be deposited directly into your account at a participating banking institution each payday. With each paycheck or direct deposit, you will receive a statement showing gross pay, itemized deductions and net pay. The statement will also show the number of hours for which you are being paid, including sick time, vacation, and holiday hours. Vacation, sick time, and personal holiday to-date accruals also appear on each pay statement. and, Article III, Salaries, Other Rates of Pay, Work Week, Payday of the Manual: 3.15 Timecards: All employees are required to turn in time cards to their department head. The department head shall approve all timecards before submittal to the Auditors Office. All hourly paid employees must reflect actual hours worked and the use of any leave time. Salaried employees must reflect the use of any leave time. Time cards shall be turned into the Auditor's Office by 12:00 p.m. on the Monday following the end of the pay period. Dated this 10th day of November, 2016. FOR THE COUNTY COMMISSION: Daryl Johnson, CHAIRMAN. ATTEST: Connie Atkinson, AUDITOR

SHERIFF:

COURTHOUSE / JAIL SAFETY IMPROVEMENTS UPDATE: Brian Dean, Sheriff recommended fixing the black door in the jail. This project would convert the door from a key to an electronic lock that is controlled from outside the jail with an approximate cost of \$22,460. Moved-Seconded (Flanagan-Johnson) to set a supplemental budget hearing for General Government Buildings Repairs for \$25,000 on November 22nd at 8:00 a.m.. Motion Carried.

PROFESSIONAL SERVICES AGREEMENT: Moved-Seconded (Weisenberg-Rosenau) to approve and authorize the chairman to sign the Professional Services Agreement with Heather Courage. Motion Carried.

2017 LIQUOR LICENSE RENEWALS: A public hearing was held on an application for new or renewal of liquor licenses for 2017. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Rosenau) to renew the following liquor licenses for 2017. Motion Carried.

PACKAGE LIQUOR - OFF SALE LICENSE: LARRY KAISER, Nemo Mercantile, M.S. 1368 Tract 3, Section 27, T3N, R5E, B.H.M.; LONNY & SUSAN SMITH (ST.ONGE BAR & GRILL), LOTS 1 & 2 BLOCK 8, Section 23, T7N, R3E, ST. ONGE, LAWRENCE CO, SD..
RETAIL AND SUNDAY ON-SALE LICENSE: LEAD COUNTRY CLUB, INC., Block 5 Ironwood Estates Section 31, T4, R3; VEZARO INC., GUADALAJARA MEXICAN RESTAURANT, Lot 3 & Pt Lots 2 & 4 & Pt of Lot B of Lot A of Lot 1 (NW4NW4) 3-6-2; SPEARFISH CANYON RESORTS LLC, P.C. 953 LOT C AND D OF LITTLE SPF. SECTION 36, T5N, R1E, B.H.M. LAWRENCE COUNTY, SD; MYSTIC MINER F&B LLC, MINE SHAFT TAVERN, M.S. 1356 Etal – Mystic Miner Tract Ex Platted Lots in Mystic Miner S/D 13-4-2; BLACK HILLS CHAIRLIFT CO.INC., (Dark Horse Saloon) GOV'T LOTS 6 EX LOT A(.329A) & 11 EX TRACT 1(12.705A) & EX TERRY PEAK ESTATES LOTS 1-7 & ROW (STEWART T-004 R-02; M.S. 1122 LITTLE HOPE FR. ETAL SUR. RITES(OLD BLUE CHAIR #1) & (NEW BLUE CHAIR # 5) MINERAL 1035 THRU 1135; TOMAHAWK LAKE COUNTRY CLUB, : M.S 1372 PT. Ex Lot 1 of Norwood #8 (5.01 AC) & Lot 1 of TR 0067'B' (5.82 AC); PT Sec 24-4-3 & PT Sec. 19 & 30-4-4; M.S. 1372 Lot 1 of Norwood # 4 of M.S. 1372 (9.58A) & TR A POR. of B (2.877) & C of Tract 0067 & TR A of HES 57 & 66 (1.35 AC). 30-4-4; 19-4-4;BOULDER CANYON COUNTRY CLUB, Golf Course Tract 1 Section14, T5N, R4E of the Black Hills Meridian – Boulder Canyon Country Club. RETAIL ON-OFF SALE WINE:

SPEARFISH CANYON RESORTS LLC, (Latchstring Village) M.S. 991 PT. LOT Ab-1 OF CASCADE PLACER SPEARFISH SCHOOL DISTRICT Section 36, T5N, R1E, B.H.M., Lawrence Co, SD; SEVEN DOWN LLC, TRACT 7 (SEVEN DOWNS ARENA) plat: 2006-201 Section 27, T6N, R3E; CHEYENNE CROSSING STORE, LLC) : M.S. 1564 SPEARFISH CANYON LOT C-3 OF MEADOW 1-2-3 M.S. 1564. (CHEYENNE XING STORE) plat: 1991-1411 Lawrence Co. 22-4-2; TRIPLE H HILLS LLC (MYSTIC HILLS HIDEAWAY): M.S. 1748 TRACT 1 OF ST JOHN LODES ETAL plat: 2013-2432 1-3-3; WICHTERMAN AND SONS INC (STEEL WHEEL CAMPGROUND): TRACT D REVISED HES 297 plat: 2004-6035 Sec 19, T4N, R4E, BHM, Lawrence County, SD.; BAREFOOT COUNCIL OF CO OWNERS (BAREFOOT RESORT) M.S. 2021 LOT 1R OF BAREFOOT EX UNITS D-1-O,D-1-1,D-2-0,D-2-1,D-2-2 & D-2-3. plat: 2004-6945 MINERAL 1995 THRU 2079, Sec. 2-T4N-R2E of Black Hills.; CROW PEAK BREWING COMPANY, LLC: Crow Peak Brewing Company Tract 4-6-2.

FRESH START CONVENIENCE STORES INC (VALLEY CORNER): 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): LAWRENCE COUNTY PORTION OF LOT 1 BOYLE S/D LOC SW1/4 SW1/4 plat: 2010-2031 Sec 7., T2N, R5E, BHM, Lawrence County NEMO GUEST RANCH BUSINESS ENT: M.S. 1368 LOTS 1,2 & 3 NEMO GUEST RANCH S/D plat: 2000-582 28-3-5; EAGLE TREE RESORTS CO LLC: DBA RIM ROCK LODGE; BLDGS ON LEASED SITE; SPEARFISH CANYON LOT C-2.

HIGHWAY:

GENERAL BUSINESS: Allan Bonnema, Highway Superintendent was present to request that two Commissioners meet with Mr. Rowett and himself in regards to the road right-of-way on McGuigan Road near Tumbleweed Road. Sleep and Rosenau will attend the meeting.

APPROACH PERMIT/ HOUSH: Moved-Seconded (Sleep-Rosenau) to follow the recommendation of the Highway Superintendent and approve and authorize the Chairman to sign the approach permit for Craig Housh on the east side of Upper Two Bit Road located approximately .5 of a mile from #385. Motion Carried.

UTILITY PERMIT / CENTURY LINK: Moved-Seconded (Rosenau-Johnson) to follow the recommendation of the Highway Superintendent and approve and authorize the Chairman to sign the Permit to Occupy County Highway Right-Of-Way with Century Link on Cactus Ln, Kerwin Ln, Brookview Rd, McGuigan Rd, Old Belle Rd, Hillsvievw Rd, St.Onge Rd, and Maitland Rd. Motion Carried.

ADOPT A HIGHWAY: Bonnema stated after research he has found that Lawrence County has had an Adopt A Highway Program since 1991 so no further action is needed.

HILLSVIEW ROAD: Bonnema reported that progress has been made on the issues and concerns on the Hillsvievw Road Project and work should resume soon.

HILLS MATERAIL / CROOK CITY ROAD: Bonnema stated Hills Material has agreed to mill the road from the highway to the main entrance of the Quarry on the Crook City Road.

INFORMATION SYSTEMS & TECHNOLOGY: Greg Dias, Information Systems & Technology Director was present to discuss Courthouse and Public Safety Building Network and Security Camera Systems Upgrades. The Estimated cost of the Security Camera System is \$198,696.20 and changing the network wiring system is \$80,781.00 for a total cost of \$279,477.20. The Board discussed funding and bid laws. Moved-Seconded (Weisenberg-Johnson) to continue the discussion to allow time to research bid issues. Motion Carried. Outka reported he discussed the project with Bruce Hintz, State Auditor and it was determined that the entire project is exempt from the state bid laws pursuant to SDCL 5-18. The estimated cost to be spent out of 2016 budget would be \$20,000. The remainder of the contracts would be paid for in 2017 when the work is completed.

Moved-Seconded (Flanagan-Rosenau) to go forward with the project using surplus funds and allow the Chairman to sign the contracts with Koala Electric and Convergent Technologies. Motion Carried. Aye-Weisenberg, Flanagan, Rosenau and Johnson. Nay-Sleep

Moved-Seconded (Weisenberg-Flanagan) to set a supplemental budget hearing for November 22, 2016 at 8:00 a.m. for General Government Building Repairs for \$45,000. Motion Carried.

The Board discussed adding additional electronic door locks for offices that have two entrances. The estimated cost would not exceed \$4,000. Moved-Seconded (Weisenberg-Flanagan) to set a supplemental budget hearing for General Government Buildings Repairs for a total of \$49,000 on November 22nd at 8:00 a.m. (25,000 jail door, \$20,000 network wiring and \$4,000 door locks). Motion Carried.

PLANNING & ZONING:

RECESS: 9:35 a.m. Moved-Seconded (Flanagan-Rosenau) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 9:51 a.m. The Chairman called the meeting back to order.

PRELIMINARY & FINAL PLAT / HOOD: Moved-Seconded (Weisenberg-Flanagan) to follow Planning and Zoning and P&Z Staff recommendation and declare that this plat for Jerry Hood meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Weisenberg-Johnson) to follow the recommendation of Planning & Zoning and Planning and P&Z Staff and approve the Preliminary and Final Plat for Jerry Hood for Lots RH and FS of Section 27, T3N, R5E, located off of Nemo Rd. Motion Carried.

BILLS:

Moved-Seconded (Rosenau-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-\$6,284.42; Elect-\$305.44; Aud-\$10,437.52; Treas-\$12,207.57; States Atty-\$13,033.54; Pub Def-\$11,719.76; Gen Govt Bldg-\$8,825.80; Equal-\$13,815.41; Rod-\$8,375.80; Vso-\$1,389.81; Ist-\$8,806.04; Disp-\$12,279.57; Sher-\$42,125.70; Jail-\$19,720.95; Coroner-\$997.45; 24/7-\$183.10; Emerg Mgnt-\$3,827.14; E911-\$1,936.00; Highway-\$42,463.15; Weed-\$5,725.16; Pz-\$5,149.23; **Bills:** Larson,Rene-\$42.00; Vogt,Amber-\$364.40; Hodson,Timothy-\$164.64; A&B Business,Inc Solutions-\$719.93; A&B Welding Supply-\$20.70; A&I Distributors-\$252.90; A&J Supply-\$41.80; Adams Salvage Recycling-\$3,383.46; Air Connection-\$251.53; Armstrong Extinguisher-\$135.71; At&T Mobility-\$915.22; Audra Hill Consulting-\$1,478.83; BH Federal Credit Union-\$6,808.74; BH Pest Control-\$190.00; BH Pioneer-\$2,689.45; Bayne,Mike-\$50.00; Black Hills Energy-\$126.45; Black Hills Pure-\$41.50; Bomgaars Supply-\$95.05; Butte Electric Coop-\$463.89; Century Business Products-\$192.89; Centurylink-\$134.09; City/County Alcohol&Drug-\$795.50; Climate Control Systems & Serv-\$1,951.67; Cna Surety-\$50.00; Credit Collections Bureau-\$264.02; Dakota Equipment Rental-\$197.38; Deadwood,City Of-\$932.60; Dept Of The Treasury-\$57,667.97; Diversified

Collections-\$100.00; Ekern,Marv-\$6.00; Election Sys & Software-\$5,647.39; Fastenal-\$17.40; Federal Express Corp-\$21.37; Frederickson,John R-\$13,440.35; G&H Distributing Of Rc-\$68.44; Goodie's Uniforms-\$417.50; Grimm's Pump Service-\$2,654.24; Hartford-Priority Accounts-\$1,964.08; LC Auditor-\$15.00; Heartland Paper Co-\$786.71; Hills Material Comp-\$4,279.11; Hp-\$1,209.10; Inspired Results-\$79.40; Jacobs Precision Welding-\$73.50; Janke,Wendy-\$1,454.00; Jensen,Lisa-\$50.00; John Deere Financial-\$14.00; Johner Gravel-\$2,846.05; Katterhagen,Mark-\$18.00; Kch Law-\$151.51; LC Sheriff-\$413.40; Lacroix Law Office-\$241.63; Lead,City Of-\$52.75; Lead-Deadwood Sanitary-\$668.35; Lee,James-\$15.00; Lewis & Clark Bhs-\$320.00; Lewno,Lucy-\$242.21; Lueders-\$39.39; Lynn's Dakotamart-\$21.15; Mcclure,Susan-\$400.00; Megas Propane-\$148.60; Montana Dakota Utilities-\$1,720.45; Nebraska Salt & Grain Co-\$21,623.84; Nelson,Christy-\$200.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$583.85; Powerplan-\$205.53; Quik Signs-\$77.80; Quill Corporation-\$448.04; RC Finance Office-\$735.00; RC Police Dept-\$16.12; RC Regional Hospital-\$1,325.29; Rabe Elevator-\$1,773.53; Rasmussen Mechanical Serv-\$133.50; Reserve Account-\$6,000.00; Rocket Lube-\$144.98; SD AAO-\$450.00; SD Sheriff's Association-\$1,072.91; SD State Treasurer-\$1,883.26; Sdrs Supplemental Retirement-\$2,646.00; Servall Towel & Linen-\$650.62; Servaty,Renae-\$50.00; Spearfish Auto Supply-\$956.55; Spearfish Regional Hospital-\$62.28; Swanda,Karen-\$12.00; Swisher Hygiene/Css-\$247.50; Sysco Montana-\$2,221.06; Thomson Reuters-West-\$167.48; Top Quality Mfg Co-\$260.00; Triple K Tire & Repair-\$241.71; Twin City Hardware & Lumber-\$227.33; Warne Chemical-\$27.60; Waste Connections-\$426.31; Watertree-\$38.85; Yankton Co Sheriff-\$50.00; **Witness & Jurors:** Beals,J-\$20.00; Brown,B-\$20.00; Derby,P-\$20.00; Fitzgerald,B-\$20.00; Hale,J-\$20.00; Zimmiond,A-\$20.00; Dinel,D-\$63.68; Finn,L-\$32.60; Lauer,R-\$32.60; Miners, L-\$32.60; Petro,T-\$54.94

ADJOURN: 10:27 a.m. There being no further business, it was Moved-Seconded (Weisenberg-Rosenau) to adjourn the meeting. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – November 10, 2016

Chairman Daryl Johnson called the Lawrence County Board of Adjustment meeting to order at 9:36 a.m. on November 10, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Randall Rosenau, Terry Weisenberg and Richard Sleep present.

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

VARIANCE #151 / MURRAY: A Public Hearing was held on Variance #151 for Robert & Jennifer Murray. The Applicant is requesting a 19' variance to the 25 ' rear setback in order to build an attached garage to an existing residence on Lot M2R of the Goetz Subdivision NW 1/4 NW 1/4 of Section 25, T6N, R2E, located on Christensen Drive. The Applicant was present and discussed the application and stated an engineer was involved to accommodate the extenuating circumstances. No public input was voiced and the hearing was closed. The original home was built on the property with the septic system on the neighboring landowners and it does not include a garage. The proposed landing and staircase on the back of the garage will be outside of the 25' setback. South Dakota DENR has already given a 5' Variance for the garage and its distance from the septic tank. The county variance is needed for the structural integrity of the building. Amber Vogt, Planning and Zoning Director read the Motion from the Planning and Zoning Meeting of November 3, 2016 as follows: *“Moved-Seconded (Brady-Mickelson) motion to move to Public Hearing, with conditions of Ordinance Ch. 16. The Board finding a Variance a reasonable necessity to facilitate the use of the property. Due to the topography of the north side of the property, along with the structural component of the existing structure. Motion Carried.”*

Moved-Seconded (Sleep-Rosenau) to follow Planning and Zoning recommendation and approve Variance #151 for Robert & Jennifer Murray. Motion Carried. Flanagan stated he was voting for Variance #151 for the reasons Brady stated in the Planning and Zoning motion.

ADJOURN: 9:51 a.m. There being no further business, it was Moved-Seconded (Sleep-Rosenau) to adjourn from the Board of Adjustment. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – November 22, 2016

Chairman Daryl Johnson 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 22, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randall Rosenau, Richard Sleep, and Terry Weisenberg present. Brandon Flanagan was available by video conference.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Weisenberg-Rosenau) to approve the minutes of November 10th County Commission meeting and Board of Adjustment meeting. Motion Carried.

PERSONNEL:

VETERAN SERVICE OFFICER: Moved-Seconded (Rosenau-Sleep) to declare the appointment of William Locken as a Permanent Half-Time Veteran Service Officer, a salaried position, with the base rate of \$1,313.01 per pay period. Motion Carried.

SDSU EXTENSION EVALUATION: Moved-Seconded (Weisenberg-Rosenau) to accept the evaluation for Michelle May, 4-H Program Advisor serving Butte and Lawrence County as submitted and forward to the SDSU Extension Office. Motion Carried.

SUPPLEMENTAL BUDGET/ GENERAL GOVERNMENT BUILDINGS: A public hearing was held for a supplemental budget for General Fund / General Government Buildings Repairs \$49,000. No public input was voiced and the hearing was closed. Moved-Seconded (Rosenau-Sleep) to approve and authorize the Chairman to sign the following Resolution #2016-25. Motion Carried. RESOLUTION #16-25 TO ADOPT A SUPPLEMENTAL BUDGET WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2016, 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 2016, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND General Government Buildings – Repairs - \$49,000 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 November, 2016 at the hour of 8:00 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 November, 2016. FOR THE BOARD OF COUNTY COMMISSIONERS Daryl Johnson, Chairman.
ATTEST: Connie Atkinson, Lawrence County Auditor

SHERIFF:

RESOLUTION #16-24 REVISED DAILY INMATE INCARCERATION FEE

SCHEDULE: Brian Dean, Sheriff was present to review the history of the daily inmate incarceration fee schedule. Moved-Seconded (Weisenberg-Rosenau) to follow the recommendation of the Sheriff and approve and authorize the adoption of Resolution #16-24 A RESOLUTION ESTABLISHING A DAILY COST OF CONFINEMENT FEE SCHEDULE FOR INMATES SERVING A SENTENCE AND ESTABLISHING A FEE SCHEDULE FOR WORK RELEASE INMATES. Motion Carried. Lawrence County Resolution 2016-24 A Resolution Establishing A Daily Cost Of Confinement Fee Schedule For Inmates Serving A Sentence And Establishing A Fee Schedule For Work Release Inmates WHEREAS, pursuant to SDCL 24-11-45, a prisoner confined to any jail while serving a sentence is liable for the cost of the prisoner's confinement including room and board charges; medical, dental, optometric, and psychiatric services charges; vocational education training; and chemical dependency treatment charges; and WHEREAS, pursuant to SDCL 24-11-32.1, the governing body or commission responsible for the operation of a jail shall adopt written policies and procedures for the regulation of the jail; and WHEREAS, pursuant to SDCL 24-11-32.1, the board of county commissioners may require by resolution that a sum not to exceed the average daily prisoner cost may be charged to work release inmates of county jails as restitution to be applied toward prisoner maintenance cost, including but not limited to, room and board; and WHEREAS, the Lawrence County Sheriff hereby requests that the Lawrence County Board of County Commissioners ratify an amended fee schedule pertaining to inmates in the Lawrence County Jail; now THEREFORE BE IT RESOLVED, Time Server Fee Schedule That a daily fee of \$10.00/day shall be charged to each inmate serving a sentence in the Lawrence County Jail, imposed as part of a criminal case venued in Lawrence County, to offset the cost of the prisoner's confinement. That a daily fee of \$55.00/day shall be charged to each inmate serving a sentence in the Lawrence County Jail, imposed as part of a criminal case not venued in Lawrence County, to offset the cost of the prisoner's confinement. Work Release Fee Schedule That a daily fee of \$20.00/day shall be charged to each inmate, serving sentence imposed as part of a criminal case venued in Lawrence County and approved for participation in the work release program, as restitution to be applied toward prisoner maintenance costs. The daily fee shall be paid in advance as a condition of the prisoner's eligibility to participate in the work release program. That a daily fee of \$55.00/day shall be charged to each inmate, serving a sentence imposed as part of a criminal case not venued in Lawrence County and approved for participation in the work release program, as restitution to be applied toward prisoner maintenance costs. The daily fee shall be paid in advance as a condition of the prisoner's eligibility to participate in the work release program. WREM Work Release Fee Schedule That a daily fee of \$15.00/day shall be charged to each inmate, approved for work release, who is subject to electronic monitoring

(WREM), except that a daily fee of \$6.00/day shall apply and be charged to approved inmates enrolled in a post secondary education program. Duly passed and adopted at a regular meeting of the Lawrence County Commission on the 22nd day of November, 2016. Lawrence County Commission: DARYL JOHNSON, Chairman, BRIAN DEAN, Sheriff. ATTEST: Connie Atkinson, Auditor

LIQUOR / MALT BEVERAGE LICENSES: A public hearing was held on an application for new Retail On-Off Sale Wine for 2017 and Retail On-Off Malt Beverage & SD Farm Wine-2016/2017 for Recreational Springs Resort: RB20734 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. No public input was voiced and the hearing was closed. Moved-Seconded (Rosenau-Sleep) to approve the following Retail On-Off Sale Wine for 2017 and Retail On-Off Malt Beverage & SD Farm Wine-2016/2017 for Recreational Springs Resort: RB20734 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.

EMERGENCY MANAGEMENT:

HOMELAND SECURITY GRANT: Paul Thomson, Emergency Management Director was present to update the Board on the Homeland Security Grant. Lawrence County was approved for 15 trauma kits and 2 electronic message boards.

CODE RED SERVICE AGREEMENT: Moved-Seconded (Rosenau-Johnson) to approve and authorize Paul Thomson, Emergency Management Director or Brian Dean, Sheriff to sign the Code Red Service Agreement. Motion Carried.

8:30 a.m. Video conference with Flanagan was disconnected.

HIGHWAY:

APPROACH PERMIT / TOP SHELF DEVELOPMENT: Allan Bonnema, Highway Superintendent was present to review the application for approach permit from Top Shelf Development off of McGuigan Road. Bonnema stated he is concerned about being able to see low profile vehicles when he did his sight line analysis. Johnson expressed concerns about approving an approach before knowing what is approved for development in the area and stated the County needs a traffic study before an approach can be determined or approved. Brandon Flanagan emailed that he would be against the approach permit and could only support an approach onto Tumbleweed Trail. Interstate Engineering stated the topography of the area would require extensive dirt work and the road would not be ideal. Sleep stated he would encourage that a road connect Top Shelf Ave to Talisker Ave to encourage access on Highway 14A. Bonnema recommended turning lanes on the affected roads. The Board stated they were not ready to take any action at this time. Bonnema recommended trying to move the road some to get better sight lines and to submit the approach permit for Green Spot Lane onto Highway 14A.

TOM ROWETT: The Board discussed the request from Tom Rowett to remove dirt out of the County's Right of way to level the area. Bonnema stated it would improve the County's back slope of the road by removing approximately 6 feet of fill. The Board discussed drainage, runoff and precedence in the future. Moved-Seconded (Sleep-Rosenau) to approve the request from Rowett with the condition that the applicant obtain engineered design plans subject to the approval of the Highway Superintendent. Any improvements shall be constructed according to the approved design plans. Any costs shall be at Rowett's sole expense. Motion Carried. Aye-Weisenberg, Rosenau, Sleep, and Johnson. Absent-Flanagan.

Flanagan was available by audio conference.

PLANNING & ZONING:

CONDITIONAL USE PERMIT #438 / WALDNER: A public hearing was held on C.U.P. #438, Applicant: Ron Waldner Purpose: Light Manufacturing Location: Crook City Road. Jeff Schroeder, Deputy Planning and Zoning Director reviewed the application and reviewed the recommendation of approval from Planning & Zoning and P&Z Staff with conditions. No public input was voiced and the hearing was closed.

Moved-Seconded (Weisenberg-Rosenau) 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 #438, Applicant: Ron Waldner. Motion Carried.

DELZER SECTION LINE OBSTRUCTION: Bruce Outka, County Attorney updated the Board on the Delzer Section Line obstruction and the next step per SDCL 31-32-9 for the County. The parties affected were not able to come to an agreement. Eric Neis, Attorney for the proponent spoke in support of going forward per SDCL 31-32-9 with sufficient access width. Outka stated the section line has never been opened so improvements to the section line would not be allowed. John Burke, Attorney for opponent stated they were willing to clear one half of north-south section line but stated vehicular access is not approved on an unimproved section line. Burke asked the Board to note that they were not making any declaration that vehicular access is allowed.

Moved-Seconded (Rosenau-Weisenberg) pursuant to SDCL 31-32-9 the owner is directed to remove any obstructions and unlock the gate on the south part of the east / west section line as of today and further to remove any obstructions on the west ½ of the north south section line before April 1, 2017. Motion Carried.

BILLS:

Moved-Seconded (Weisenberg-Rosenau) 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-\$6,287.62; Elect-\$2,138.47; Aud-\$10,757.95; Treas-\$12,278.96; States Atty-\$13,077.66; Pub Def-\$11,568.64; Gen Govt Bldg-\$13,389.59; Equal-\$13,804.41; Rod-\$8,305.98; Vso-\$1,389.81; Ist-\$8,692.85; Disp-\$12,862.60; Sher-\$41,415.18; Jail-\$23,080.39; Coroner-\$537.45; 24/7-\$164.79; Emerg Mgnt-\$3,158.45; E911-\$1,936.00; Highway-\$42,347.32; Mh Serv-\$1,472.00; Weed-\$5,873.47; Pz-\$5,389.23; **Bills:** A To Z Shredding-\$95.88; A&B Business,Inc Solutions-\$883.96; A&J Supply-\$16.99; Ace Hardware Of Lead-\$53.49; Adams,Tom-\$105.00; Aman,Barbara-\$170.00; American Family Life-\$2,811.03; Ammons,Sue-\$170.00; Asmussen, Patricia-\$197.52; BH Federal Credit Union-\$6,808.74; BH Pioneer-\$180.67; Bangs Mccullen Law Firm-\$456.00; Barnaud Law Firm-\$4,869.32; Bi Geo Group Co-\$82.80; Black Hills Energy-\$12,381.65; Bob Barker Company-\$27.45; Bomgaars Supply-\$109.99; Brownells-\$38.75; Bruce,Alice-\$170.00; Burleson,Anna-\$150.00; Butler Machinery Co-\$3,614.55; Calabro,Patricia-\$150.00; Caserio,Clifford-\$197.50; Centurylink-\$2,183.65; Charm-Tex-\$843.78; Claggett & Dill, Prof-\$138.80; Clauser Machine Works-\$45.00; Commercial Kitchen Products-\$4,172.03; Cook,Sue-\$170.00; Courage,Heather-\$100.00; Credit Collections Bureau-\$264.02; DWare-\$2,000.00; Dakota Business Center-\$66.94; Dakota Equipment Rental-\$234.82; Dakota Fluid Power-\$100.00; Deadwood Recreation Center-\$753.00; Dept Of Hlth Lab Services-\$275.00; Dept Of The Treasury-\$60,971.22; Diversified Collections-\$100.00; Eddie's Truck Sales/Serv-\$22.50; Eddy,Helene-\$170.00; Federal Express Corp-\$23.64; Fidler-Isburg Funeral Chapel-\$1,170.00; Frederickson,John-\$105.00; Garlick,Dora Jean-\$170.00; Geigle,Elsie Jane-\$206.76; Glanzer, Cheryl-\$170.00; Goodie's Uniforms-\$111.90; Goss,Diane-\$150.00; Gustafson,Arlene-\$170.00; Heartland Paper Co-\$288.05; High Plains Business Forms-\$897.84; Hills Material Comp-\$119,414.32; Hilpert & Hale Prof Llc-\$258.00; Hobart Sales & Service-\$708.00; Hughes,Linda-\$150.00; Jacobs Precision Welding-\$81.09; Jorgensen,Kay-\$207.60; Kellogg,Druse-\$207.60; Keough,Marilyn-\$190.16; Kinghorn,Sheila-\$150.00; Kinney,Matthew-\$2,040.71; Kort Herman Dmd-\$197.00; Kortmeyer,Mary Ann-\$170.00; Larimer Co Sheriff Office-\$18.60; Lawson Products-\$465.75; Lead-Deadwood Regional Hospital-\$679.41; Lexisnexis Risk Data Mgnt-\$75.00; Littleton,Donna-\$170.00; Lungren,Berniece-\$268.52; Mcpherson Propane-\$119.00; Microfilm Imaging Systems-\$1,855.00; Midcontinent Communications-\$547.99; Midwest Alarm Company-\$91.20; Moe,Patricia-\$170.00; Montana Dakota Utilities-\$70.00; Ms Mail-\$635.20; Nalco Company-\$230.00; Nebraska Salt & Grain Co-\$18,303.50; Nelson,Tonya-\$250.00; Neve's Uniforms-\$118.75; Newman Signs-\$533.87; Northern Hills Rec Center-\$164.00; Northern Truck Equip Corp-\$200.00; Nygaard,Mary-\$170.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$583.85; Ommen,Charlene-\$150.00; Pennington Co Jail-\$574.20; Pfefferle,Sarah-\$209.00; Pisani,Susan-\$207.60; Pizza Lab-\$173.25; Quaschnick,Elma-\$195.00; Quill Corporation-\$416.96; RC Regional Hospital-\$440.65; Ramkota Inn Pierre-\$1,233.95; Rear,Kay-\$195.00; Regional Health-\$326.00; Regional Health/Ref Lab-\$930.00; Rena M Hymans, PC-\$342.47; Robinson,Bill-\$150.00; Rocket Lube-\$206.45; Roselles,Leslie-\$150.00; Rushmore Office Supply-\$442.99; SD Continuing Legal Education-\$950.00; SD Dept Of Transportation-\$1,710.62; SD Retirement System-\$57,816.02; Sacrison Asphalt-\$361.80; San Miguel Combined Courts-\$24.00; Sand Creek Printing-\$134.00; Schmunk, Virginia-\$170.00; Sdrs Supplemental Retirement-\$2,646.00; Seachange Print Innovations-\$350.00; Servall Towel & Linen-\$435.16; Silvernail, Georgeann-\$195.00; Sleep,Karen-\$170.00; Spearfish Auto Supply-\$119.34; Spearfish Police Dept-\$10,640.28; Stahl, Mike-\$220.20; Sturdevant's Auto Parts-

\$2,478.58; Subway-\$15.00; Sysco Montana-\$2,129.56; Taylor,Jeannette-\$205.50; Thomson Reuters-West-\$199.50; Triple K Tire & Repair-\$441.65; Turnkey Corrections-\$18.58; Twin City Hardware & Lumber-\$32.70; Vast Broadband-\$342.83; Verizon Wireless-\$105.22; Victims Of Violence-\$865.00; Waisanen,Ardath-\$170.00; Waste Connections Of Sd-\$303.33; Wells Fargo Business Card-\$3,812.41; Werlinger,Brenda-\$150.00; Western Communication-\$22,020.00; Wex Bank-\$318.89; White Drug-\$2,739.21; White's Queen City Motors-\$165.28; Wilde & Hunt, Prof-\$2,497.42; Wuitschick, Carol-\$170.00; Yankton County-\$357.95; **Witness & Jurors:** Bey,J-\$55.88; Zerr,K-\$170.00; Bailey,L-\$57.56; Baumberger,A-\$52.52; Butsko,S-\$68.48; Diede,B-\$62.60; Fraiser,J-\$65.12; Higgins,G-\$62.60; Koppinger,A-\$60.92; Madsen,T-\$58.40; Mechaley,M-\$63.44; Raeburn,M-\$50.84; Reichert,S-\$63.44; Sprenger,M-\$62.60; Stillson,P-\$62.60; Webb,K-\$50.84; Wolff,N-\$63.44; Emme,D-\$32.60; Lueders,J-\$20.00; Jones,D-\$23.36; Cook,C-\$32.60; Groen,K-\$28.40; Heil-Klein,S-\$22.94; Snyder,R-\$32.60; Ryman,K-\$32.60; Thompson,J-\$32.60

ADJOURN: 10:11 a.m. There being no further business the Chairman adjourned the meeting.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – December 13, 2016

Chairman Daryl Johnson 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 13, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Randall Rosenau, Richard Sleep, and Terry Weisenberg present.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Weisenberg-Rosenau) to approve the minutes of November 22nd County Commission meeting. Motion Carried.

PERSONNEL:

HIGHWAY & PHYSICAL PLANT APPOINTMENT: Moved-Seconded (Rosenau-Sleep) to appoint Allan Bonnema as the Highway & Physical Plant Superintendent for a two year term to expire 5-2018, effective May 2016. Motion Carried.

SHERIFF: Moved-Seconded (Rosenau-Flanagan) to approve the new hire of Dylan Goetsch as a part-time (under 20) fill-in Special Deputy I at the base rate of \$16.33 an hour, effective December 11, 2016; contingent upon passing a physical. Motion Carried.

PLANNING & ZONING: Moved-Seconded (Weisenberg-Rosenau) to approve the step raise for Jeffery Schroeder as a Deputy/Code Enforcer/Building Official at the base rate of \$22.56 an hour, effective December 26, 2016. Motion Carried.

STATES ATTORNEY: Moved-Seconded (Weisenberg-Rosenau) to approve the monthly cell phone per diem of \$45.00 for Marjorie Stoflet and Janice Silvernail, effective December 11, 2016. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Flanagan) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of November, 2016 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)-\$89,430.70; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$6,129.21; Petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,100,000;

Bank Balance \$4,346,066.68, Money Market \$8,565,901.45; Savings-\$8,914,905.23. Total \$25,025,643.27.

SUPPLEMENTAL BUDGET HEARING: Moved-Seconded (Flanagan-Rosenau) to set a supplemental budget hearing for December 27th 2016 at 8:25 a.m. for General Fund-Courts-Teen Court -\$10,250 and Modernization and Preservation Fund-M&P \$5,000. Motion Carried.

M & M RANCH ROAD DISTRICT: Moved-Seconded (Weisenberg-Rosenau) to approve and authorize the Chairman to sign the following Order Declaring M & M Ranch Road District Incorporated. Motion Carried.

ORDER DECLARING M & M RANCH ROAD DISTRICT INCORPORATED: WHEREAS, A Petition and Application For Incorporation having been filed with the Lawrence County Board of Commissioners asking that a road district be organized to function in the territory described in the Petition and it appearing to the satisfaction of the Lawrence County Board of County Commissioners that the requirements of SDCL Chapter 31-12A have been fully complied with: WHEREAS, SDCL 31-12A-1.1 allows three or fewer landowners to form a road district. WHEREAS, McGuigan Inc. is the only landowner of the subdivided land to be included in the Road District. WHEREAS, IT IS HEREBY DECLARED that the territory proposed to be organized as a county road district to-wit: SE1/4NE1/4 of Section 31, Township 7 North, Range 2 East, Lawrence County, South Dakota and, SW1/4NW1/4 of Section 32, Township 7 North, Range 2 East, Lawrence County, South Dakota. NOW THEREFORE BE IT ORDAINED by the Lawrence County Board of Commissioners that the M & M Ranch Road District is hereby incorporated pursuant to SDCL 31-12A-11. DATED this 13th day of December, 2016. Daryl Johnson, Chairperson Lawrence County Commission. ATTEST: Connie Atkinson, Auditor

AMBULANCE AGREEMENTS 2017: Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the Lead/Deadwood and Spearfish Ambulance Service Ambulance Agreement for 2017. Motion Carried

STATES ATTORNEY / MARSEY'S LAW: John Fitzgerald, States Attorney was present to update the Board on the Marsey's Law that was passed in the General Election. Fitzgerald stated they are currently implementing it within his office and does not foresee needing any additional staff at this time. He stated things could change in the future as task force meetings are held and the law is interpreted.

2017 STATE / COUNTY COMMUNITY HEALTH NURSE AGREEMENT: Moved-Seconded (Rosenau-Sleep) to approve and authorize the Chairman to sign the 2017 State/County Community Health Nurse Agreement. Motion Carried.

ABATEMENT / JARVIS & BATTY: Moved-Seconded (Flanagan-Sleep) to approve the abatement for Rose Jarvis and Robert Batty on parcel #32570-03500-090-10 because the parcel was taxed in error as non-owner occupied. Motion Carried.

2017 COUNTY COMMISSION SCHEDULE: Moved-Seconded (Rosenau-Flanagan) to set the 2017 County Commissioners meeting dates as follows: January 3 & 24th, February 14, March 14 & 28, April 11 & 25, May 9 & 23, June 13, & 27, July 11 & 25, August 22, September 5 & 19, October 10 & 24, November 14 & 28, December 12 & 28. Motion Carried.

SHERIFF: Brian Dean, Sheriff reported that the “Black Door Project” in the Jail will not be able to be completed in 2016 so the money will need to be supplemented in 2017.

ALCOHOLIC BEVERAGE LICENSES: A public hearing was held on application for a 2017 Retail (on-off sale) Wine License for AW Rentals, LLC/Recreational Springs Resort LEGAL: M.S. 1200 Lot 3-A2 of Tract 3-A a S/D of Jay #1, 2 & 3 of Faye #3, Albert Steele Fraction, Hazard, Log Cabin & Violet #3 of Section 24, T4N, R2E, BHM and a transfer of 2016/2017 Retail (on-off sale) Malt Beverage and SD Farm Wine for AW Rentals, LLC/Recreational Springs Resort LEGAL: M.S. 1200 Lot 3-A2 of Tract 3-A a S/D of Jay #1, 2 & 3 of Faye #3, Albert Steele Fraction, Hazard, Log Cabin & Violet #3 of Section 24, T4N, R2E.

Moved Seconded (Weisenberg-Sleep) to approve the 2017 Retail (on-off sale) Wine License for AW Rentals, LLC/Recreational Springs Resort. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to approve the transfer of 2016/2017 Retail (on-off sale) Malt Beverage and SD Farm Wine License PREVIOUS LICENSE: David and Katie Holdings, LLC/Recreational Springs LEGAL: M.S. 1200 Lot 3-A2 of Tract 3-A a S/D of Jay #1, 2 & 3 of Faye #3, Albert Steele Fraction, Hazard, Log Cabin & Violet #3 of Section 24, T4N, R2E, BHM TRANSFER TO: AW Rentals, LLC/Recreational Springs Resort LEGAL: M.S. 1200 Lot 3-A2 of Tract 3-A a S/D of Jay #1, 2 & 3 of Faye #3, Albert Steele Fraction, Hazard, Log Cabin & Violet #3 of Section 24, T4N, R2E, BHM. Motion Carried.

HIGHWAY:

TOP SHELF DEVELOPMENT / APPROACH PERMIT: The applicant was present to discuss the traffic analysis study. The projection shows 10% of the traffic using Green Spot and 90% using the McGuigan Road as access. Nick Hoffman, Interstate Engineering presented the Traffic Impact Analysis Report to the Commission to review. The Applicant stated they will be coming back in the future for an additional exit onto McGuigan Road. Paul Thomson, Emergency Management Director was present to state having two accesses is necessary for emergency purposes.

Flanagan stated he would have a hard time approving only one access and the second access needs to be onto Tumble Weed Trail. Discussion followed on the grade of the proposed access

onto Tumble Weed Trail and the site distance onto McGuigan Road. Sleep and Rosenau were in agreement that two accesses need to be available. Randy Deibert, Commission Elect stated the Board could approve subject to approval of the plat as presented showing the second exit. Discussion followed on development agreements and the approval process for the City of Spearfish. Johnson stated he didn't see a problem with Green Spot Lane but Suntory Ave onto McGuigan Road needs to be cleared up.

Moved-Seconded (Sleep-Rosenau) to continue the request for the approach permit until after the City of Spearfish Council Meeting. Motion Carried.

BRIDGE IMPROVEMENT GRANT PROGRAM: Moved-Seconded (Flanagan-Rosenau) to approve and authorize the Chairman to sign the following Bridge Improvement Grant Program Resolution Authorizing Submission of Applications for Structure Number #41-212-091. Motion Carried.

Bridge Improvement Grant Program Resolution Authorizing Submission of Applications. Whereas, Lawrence County wishes to submit an application for consideration of award for the Bridge Improvement Grant Program: Structure Number and Location: #41-212-091 0.9N & 0.6E of Whitewood and Whereas, Lawrence County certifies that the project is listed in the county's Five-Year County Highway and Bridge Improvement Plan*; and Whereas Lawrence County agrees to pay the 20% match on the Bridge Improvement Grant funds; and Whereas, Lawrence County hereby authorizes the Bridge Improvement Grant application and any required funding commitments. Now Therefore Be It Resolved: That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant Application. Vote of Commissioners: Yes-5 No-0. Dated at Deadwood, SD this 13th day of December, 2016. Daryl Johnson, Chairman. Attest: Connie Atkinson.

PUBLIC SAFETY BUILDING FIRE ALARM REPLACEMENT: Alan Bonnema, Highway Superintendent informed the Board that the Public Safety Building Fire Alarm System malfunctioned and needed to be replaced. The County is required to now monitor and do physical checks of all rooms in the facility every two hours resulting in hiring additional employees to cover shifts 24 hours. The Board discussed the issue with Bruce Outka, County Attorney and referenced SDCL 5-18A-14 stating any public improvement that involves the expenditure of \$50,000 or less would not need to be bid. Public Improvement is defined as the process of building, altering, repairing or improving any public infrastructure facility, including any structure, building or other improvements SDCL 5-18A-1. The Board also discussed this would be considered an equipment repair contract for computer hardware and software, peripheral equipment, and related connectivity SDCL 5-18A-22. Outka also stated this would be considered an Emergency Procurement SDCL 5-18A-9 because of a threat to public health, welfare, and safety. Quotes were received from Amick Sound, Inc. and Western States Fire Protection Co.

Moved-Seconded (Flanagan-Rosenau) to declare an emergency pursuant to SDCL 5-18A-9 because there exists a threat to public health, welfare, and safety; to declare an exemption from the bid requirements per SDCL 5-18A-14 stating any public improvement that involves the

expenditure of \$50,000 or less would not need to be bid; to declare this would be considered an equipment repair contract for computer hardware and software, peripheral equipment, and related connectivity SDCL 5-18A-22; and to contract with Western States Fire Protection Co. to provide addressable fire alarm system replacement utilizing the existing wiring with an estimated cost of \$32,732 and the additional cost of \$1,322 to replace the horn strobes. Motion Carried.

FUEL QUOTES: The following fuel quotes were submitted as of November 28, 2016: Spearfish Diesel#2 3700 gallons: (prices per gallon) CBH Cooperative - \$1.574, South Side - \$1.67, MG Oil-\$1.469*; Spearfish Unleaded 900 gallons: (prices per gallon) CBH Cooperative - \$1.815, South Side - \$2.10, MG Oil – \$1.729*; Whitewood Diesel#1 500 gallons: (prices per gallon) CBH Cooperative - \$1.822*, South Side - \$2.24, MG Oil-\$1.919.

FUEL QUOTES: The following fuel quotes were submitted as of December 5, 2016: Deadwood Diesel 6200 gallons: (prices per gallon) CBH Cooperative - \$1.745*, South Side - \$1.77; Deadwood Unleaded 5000 gallons: (prices per gallon) CBH Cooperative - \$1.802*, South Side - \$1.80(unable to meet delivery deadline).

EXTENSION UPDATE: Michelle May, Butte / Lawrence County Extension was present to give an update on the 4-H Youth Program.

VACATION OF SECTION LINE / BLACK HILLS DEVELOPMENT: A public hearing was held on petitions received to Vacate Section Line LEGAL: Portions of the North South Section Line Running between Sections 7 and 8 and 17 and 18 Not Presently Vacated and Beginning at the North Boundary of Guild MS 1058, and Running South to the South Boundary of Cuba Fraction MS 1151; and a Portion of the Section Line Running Between Sections 18 and 19, Beginning at the West Boundary of Carter No. 1 MS 1200, and Running East along the Section Line to the East Boundary of B&M Fraction MS 1215; and a Portion of the Section Line Running between Sections 20 and 19 Running South from the East Border of B&M Fraction MS 1215 to the South Border of Caw MS 1142 in T4N, R3E; and between Sections 24, Located in T4N, R3E and Section 19, then Running South from the North Border of Browning MS 1200 to the South Border of Principal No. 1, MS 1200 Located in T4N, R3E, All in Lawrence County, South Dakota, as Shown on Exhibits, A, B, and C. John Frederickson, Attorney for the applicant was present to review the request.

Moved-Seconded (Flanagan-Rosenau) to approve and authorize the Chairman to sign the following Lawrence County Resolution #2016-23 Resolution & Order To Vacate A Portion Of A Highway, Part Of Which Is Located On A Section Line. Motion Carried.

LAWRENCE COUNTY RESOLUTION #2016-23 RESOLUTION & ORDER TO VACATE A PORTION OF A HIGHWAY, PART OF WHICH IS LOCATED ON A SECTION LINE WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by at least one percent of the ballots cast for the last gubernatorial election in Lawrence County, requesting that a portion of a highway, part of which is located on

a section line be vacated, WHEREAS, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the B.H. Pioneer times, Lead, South Dakota once each week for two consecutive weeks prior to the date of hearing and WHEREAS, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and WHEREAS, said section line does not constitute a portion of a South Dakota State Trunk Highway System nor the Lawrence County Highway System, now therefore, BE IT RESOLVED by the Lawrence County Board of Commissioners as follows: That the described portion of a highway, part of which is located on a Section Line be vacated: LEGAL DESCRIPTION FOR THE VACATION: Portions of the north south section line running between Sections 7 and 8 and 17 and 18 not presently vacated and beginning at the north boundary of Guild MS 1058, and running south to the south boundary of Cuba Fraction MS 1151; and a portion of the section line running between Sections 18 and 19, beginning at the west boundary of Carter No. 1 MS 1200, and running east along the section line to the east boundary of B&M Fraction MS 1215; and a portion of the section line running between Sections 20 and 19 running south from the east border of B&M Fraction MS 1215 to the south border of Caw MS 1142 in T4N, R3E; and between Sections 24, located in T4N, R3E and Section 19, then running south from the north border of Browning MS 1200 to the south border of Principal No. 1, MS 1200 located in T4N, R3E, all in Lawrence County, South Dakota, as shown on Exhibits A, B, and C attached hereto. AFFECTING THE LANDOWNERS: BH Development.

Dated this 13th day of December, 2016. Daryl Johnson, Chairman, Lawrence County Commission. ATTEST: Connie Atkinson, Lawrence County Auditor

2017 STATE AND LOCAL AGREEMENT WORK PLAN REVIEW AND ELECTED

OFFICIALS BRIEFING: Paul Thomson, Emergency Management Director presented the 2017 State and Local Agreement Work Plan Review and Elected Officials Briefing. Moved-Seconded (Flanagan-Johnson) to approve and authorize the Chairman to sign the 2017 Elected Official Briefing. Motion Carried.

Moved-Seconded (Sleep-Rosenau) to approve and authorize the Chairman to sign the SD Emergency Management 2016 Emergency Management Performance Grant Subaward Agreement Amendment #2. Motion Carried.

SOUTH DAKOTA GAME FISH & PARKS: Katie Ceroll, Director of the Parks Division introduced Matt Snyder, Shannon Percy and Nancy Surprenant, Representatives from the South Dakota Game Fish and Parks and Bismarck Lake Areas. Ceroll reviewed the proposed Spearfish Canyon and Bismarck Lake State Park. Ceroll stated there will not be a fee to drive through the Canyon but other fees may apply. Ceroll stated the land trade still needs to take place and the legislature has to make the designation as a State Park. The Board discussed the meetings being planned in the future for the master plan. Chairman Johnson referenced letters, emails and comments the Commissioners have received in reference to the proposed state park.

SPIRIT OF THE HILLS SANCTUARY: Tina Brents Barnhart and Fred Eerdman, Spirit of the Hills Sanctuary were present to update the Board on the Spirit of the Hills Sanctuary. They reviewed the process of restructuring the organization and shifting away their focus from animal rescue and community education regarding animals. The plan would be to continue caring for the remaining animals and integrate them into their new vision. The new vision is to create a Permaculture Education Center for the community and visitors in the area. The Board stated a new conditional use permit will need to be applied for to encompass the new vision. Eerdman reviewed the animals remaining at the sanctuary and stated they are not taking any more animals. Eerdman stated they plan on having a nativity scene but no live animals will be displayed. Amber Vogt, Planning and Zoning Director, recommended a temporary use permit for the Nativity Scene from December 17th – 24th, 2016.

Flanagan and Sleep stated Conditional Use Permit #255 is no longer in place because they can't meet all the conditions. Moved-Seconded (Flanagan-Rosenau) to cancel Conditional Use Permit #255 based on the number of the conditions that can not be met and non objection of the Board President and Board Member in attendance. Motion Carried.

Moved-Seconded (Flanagan-Johnson) To waive the fee for a Temporary Use Permit for the Nativity Scene if they apply. Motion Carried.

COUNTY ROADS: Jerry Apa was present and recommended the County appeal the court decision on South Rapid Creek Road (231) to the Supreme Court. Apa discussed road levies, road services, and road districts.

PENDING LITIGATION / EXECUTIVE SESSION: 11:19 a.m. Moved-Seconded (Sleep-Rosenau) to go into executive session pursuant SDCL 1-25-2(3)(4). Motion Carried. 11:46 a.m. The Board opened for regular business with no action taken.

Moved-Seconded (Flanagan-Sleep) to appeal Civ. No. 15-000361 Raymond C. Oyen vs. Lawrence County Commission to Supreme Court in reference to South Rapid Creek Road (231). Motion Carried.

SPEARFISH RURAL FIRE PROTECTION DISTRICT: Gerald Drain and Mike McGuigan were present to discuss the proposed Spearfish Rural Fire Protection District. Drain requested the Board waive the petition requirements for forming a Rural Fire Protection District. Drain stated they would propose a levy of .4 to .6 for the rural area but stated the ultimate decision would be up to the initial Board of Trustee's. The Board reviewed the proposed fire protection district and options available for fire protection. Discussion followed on the percentage of fire calls within the city boundaries and rural area.

PLANNING & ZONING:

FINAL PLAT / TOMAHAWK COUNTRY CLUB: Moved-Seconded (Weisenberg-Rosenau) to declare the final plat for Tomahawk Country Club LEGAL: Tomahawk Tract hwy 385 meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Weisenberg-Flanagan) to follow the recommendation of Planning & Zoning and Planning and P&Z Staff and approve the Final Plat for Tomahawk Country Club LEGAL: Tomahawk Tract hwy 385. Motion Carried.

RECESS: 9:16 a.m. Moved-Seconded (Flanagan-Weisenberg) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 9:39 a.m. The Chairman called the meeting back to order.

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-\$6,287.62; Aud-\$10,418.83; Treas-\$11,493.56; States Atty-\$13,017.80; Pub Def-\$11,719.76; Gen Govt Bldg-\$8,332.52; Equal-\$13,804.43; Rod-\$8,375.82; Vso-\$1,389.81; Ist-\$8,856.76; Disp-\$14,886.00; Sher-443,380.23; Jail-\$26,481.51; Coroner-\$407.45; 24/7-\$128.17; Emerg Mgnt-\$4,171.58; E911-\$1,936.00; Highway-\$42,708.83; Weed-\$3,494.17; Pz-\$5,149.23; **Bills:** Davis,Nathaniel-\$26.11; A&B Business,Inc Solutions-\$804.03; A&B Welding Supply-\$21.39; A&I Distributors-\$4,960.70; Aberdeen Llc-\$5,244.00; Acoustical Solutions-\$2,185.40; Applied Concepts-\$2,954.40; At&T Mobility-\$924.99; Audio-Video Solutions-\$286.20; BH Federal Credit Union-\$6,808.74; BH Occupational Medicine Corp-\$30.00; BH Pest Control-\$190.00; BH Pioneer-\$972.74; BH Window Cleaning-\$3,520.00; BH Windshield Repair-\$60.00; Barnaud Law Firm-\$1,115.42; Bi Geo Group Co-\$254.30; Black Hills Disposal-\$87.00; Black Hills Energy-\$522.93; Black Hills Pure-\$23.50; Black Hills Urgent Care-\$174.00; Bruemmer, Lynnel-\$140.80; Butler Machinery Co-\$1,335.09; Butte Electric Coop-\$465.39; Carol Butzman Consult Serv-\$75.00; Cbh Cooperative-\$20,866.79; Cdw Government-\$2,300.00; Century Business Products-\$485.61; Centurylink-\$108.46; Claggett & Dill, Prof-\$1,132.08; Clinical Lab Of BH-\$1,978.00; Cody,Denise-\$7.50; Connecting Point Comp Center-\$500.00; Credit Collections Bureau-\$264.02; Crescent Memorial-\$307.40; D Ware-\$500.00; Dakota Equipment Rental-\$192.09; Datec-\$13,615.89; Deadwood,City Of-\$916.10; Delta Dental-\$1,959.78; Dept Of The Treasury-\$65,080.86; Diversified Collections-\$100.00; Eb Communications-\$39.15; Election Sys & Software-\$2,055.18; Elite Services-\$600.00; Fastenal-\$541.15; Fred Pryor Seminars-\$158.68; Frederickson,John R-\$1,273.00; Grafix Shoppe-\$634.81; Heartland Paper Co-\$2,161.37; Heisler Hardware-\$81.88; Hills Material Comp-\$141,629.53; Hills Products Group-\$254.40; Hp-\$1,868.13; Jenner Equipment-\$6.13; John Deere Financial-\$4.79; Katterhagen,Mark-\$7.50; Kimball-Midwest Co-\$51.00; Koala Electric-\$20,000.00; Kort Herman Dmd-\$921.00; Kosel, Joseph-\$31,427.52; Lead,City Of-\$49.95; Lead-Deadwood Regional Hospital-\$713.35; Lead-Deadwood Sanitary-\$647.62; Lee,James-\$15.00; Lewno,Lucy-\$127.96; Lexisnexis Risk Data Mgnt-\$75.00; Lincoln County-\$1,118.16; Lyle Signs-\$158.62; Lynn's Dakotamart-\$5.91; M&T Fire & Safety-\$233.00; Mack's Auto Body-

\$9,402.94; Manlove Psychiatric Group-\$2,600.00; Maplogic Corporation-\$250.00; McClure,Susan-\$350.00; Mcgas Propane-\$283.42; Mg Oil Company-\$6,991.40; Microfilm Imaging Systems-\$1,078.00; Montana Dakota Utilities-\$2,682.59; Ms Mail-\$820.00; Nasppg Insurance Services-\$2,680.85; Neve's Uniforms-\$229.95; Newman Signs-\$1,334.78; Novus-\$755.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$583.85; Pheasantland Industries-\$108.03; Phoenix Investigations-\$352.94; Pitney Bowes-\$765.24; Pollard & Larson LLP-\$171.60; Powerplan-\$21,733.89; Quill Corporation-\$378.67; RC Finance Office-\$840.00; Regional Health-\$174.50; Rena M Hymans, PC-\$191.74; Rocket Lube-\$162.97; Rogers Construction-\$123,059.00; SD Continuing Legal Education-\$125.00; SD Emergency Mngt Association-\$50.00; SD State Treasurer-\$2,964.88; Scotts Bluff Co Sher Office-\$29.90; Servall Towel & Linen-\$1,527.47; Spearfish Auto Supply-\$573.01; Spearfish Family Dentistry-\$88.00; Spearfish Regional Hospital-\$94.10; State Bar Of South Dakota-\$2,590.00; Sterna,Laura-\$200.00; Sturdevant's Auto Parts-\$238.24; Sunshine Towing & Transport-\$75.00; Sysco Montana-\$3,922.64; Thomson Reuters-West-\$175.85; Triple K Tire & Repair-\$120.00; Truenorth Steel-\$24,004.80; Tschetter & Adams Law Office-\$422.36; Turbiville Industrial Electric-\$253.69; Twin City Hardware & Lumber-\$231.16; Us Armor-\$521.68; Vanway Trophy And Award-\$204.00; Varidesk-\$1,385.00; Vast Broadband-\$1,386.92; Victims Of Violence-\$540.00; Waste Connections Of Sd-\$729.64; Watertree-\$18.00; We Know Security-\$6,840.00; Wellmark Blue Cross-\$76,978.44; West River International-\$42.46; Western Communication-\$390.00; Western SD Juvenile Serv-\$2,240.00; Wex Bank-\$521.51; Wilde & Hunt, Prof-\$1,903.72; Yankton Co Sheriff-\$50.00; Yankton County-\$107.05; **Witness & Jurors:** Diede,B-\$62.60 Lungren,B-\$60.92; Koppinger,A-\$60.92; Mechaley,M-\$63.44; Reichert,S-\$63.44; Sprenger,M-\$62.60; Webb,K-\$50.84; Wolff,N-\$63.44; Bertalot,S-\$35.12; Hickstein,R-\$22.52; Pulling,C-\$32.60; Henderson,D-\$20.00

ADJOURN: 11:47 a.m. There being no further business, it was Moved-Seconded (Flanagan-Rosenau) to adjourn the meeting. Motion Carried.

Date Approved

Daryl Johnson, Chairman

ATTEST:

Connie Atkinson, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – December 27, 2016

Chairman Daryl Johnson 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 27, 2016 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Randall Rosenau, Richard Sleep, and Terry Weisenberg present.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Weisenberg-Sleep) to approve the minutes of December 13th County Commission meeting and Board of Adjustment meeting. Motion Carried.

TRAVEL REQUEST / INVASIVE SPECIES MANAGEMNT: Moved-Seconded (Flanagan-Sleep) to approve the travel request for David Heck to attend the 2017 NDWCA Annual Meeting and Conference in Bismarck ND on January 9-12, 2016, conditional upon the signed travel and training agreement. Motion Carried.

PERSONNEL:

AUDITOR: Moved-Seconded (Sleep-Johnson) to allow employees to donate leave to Krystal Stulken upon the exhaustion of the employee's accumulated vacation time, "comp. time" and sick leave. Motion Carried.

STATES ATTORNEY: Moved-Seconded (Rosenau-Weisenberg) to approve the step raise for Brenda Harvey as a permanent, full-time Deputy States Attorney G10 at the base rate of \$2,676.03 per pay period, effective December 25, 2016. Motion Carried.

Moved-Seconded (Flanagan-Weisenberg) to approve the step raise for Marjorie Stoflet as a permanent, full-time Legal Assistant G3 at the base rate of \$22.24 an hour, effective December 25, 2016. Motion Carried.

Moved-Seconded (Rosenau-Sleep) to approve the step raise for Janice Silvernail as a permanent, full-time Legal Assistant G2 at the base rate of \$21.17 an hour, effective December 25, 2016. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to deny the step raise for Sara Fitzgerald as a permanent, 3/4-time Deputy States Attorney at the base rate of \$23.00 an hour until she has obtained her State Bar License. Motion Carried.

SHERIFF: Moved-Seconded (Weisenberg-Flanagan) to approve the following classification and step raise changes for the following employees, effective December 25th, 2016: Pesicka, Jamie L. as a permanent, full-time Dispatcher II G3 at the base rate of \$19.66 an hour; Hast, Kathryn as a fill-in, part-time (under 20) Dispatcher I G3 at the base rate of \$18.52 an hour; Mowell, Sean as a fill-in, part-time (under 20) Dispatcher II G1 at the base rate of \$18.89 an hour; Black, Sue as a fill-in, part-time Dispatcher III G3 at the base rate of \$23.28 an hour when filling-in; Davis, Nathan as a permanent, full-time Sergeant G1 at the base rate of \$25.88 an hour; Derby, Tommie as a permanent, full-time Sergeant G2 at the base rate of \$26.41 an hour; Dragoo, Shelley as a permanent, full-time Sheriff Admin Assistant G1 at the base rate of \$20.99 an hour; Hansen, Paul as a permanent, full-time Chief Deputy G1 at the base rate of \$2,622.40 per pay period; Johnson, Patrick as a permanent, full-time Sergeant G2 at the base rate of \$26.41 an hour; Little, Tavis as a permanent, full-time Captain G3 at the base rate of \$2,547.20 per pay period; Palmer, Lance as a fill-in, full-time Deputy I G1 at the base rate of \$22.75 an hour (when filling in as a deputy); Torgerson, Daleen as a fill-in, part-time (under 20) Secretary 1 G3 at the base rate of \$18.39 an hour; Cortez, Frank as a permanent, full-time Correctional Sergeant G2 at the base rate of \$20.66 an hour; Hallberg, Phillip as a part-time (under 20), fill-in Correctional 1 G1 at the base rate of \$17.80 an hour; Hart, Daniel as a part-time (under 20), fill-in Correctional 1 G2 at the base rate of \$18.16 an hour; Johnson, Michael as a permanent, full-time Correctional Sergeant G2 at the base rate of \$20.66 an hour; Lechner, Nathan as a permanent, full-time Correctional II G3 at the base rate of \$19.66 an hour; Palmer, Lance as a permanent, full-time Correctional II G3 at the base rate of \$19.66 an hour; Wetz, Jolene as a permanent, full-time Correctional II G2 at the base rate of \$19.27 an hour; Kellogg, Susan as a fill-in Correctional Officer II G3 at the base rate of \$19.66 an hour (when filling in as a correctional officer); Nelson, Kesha as a fill-in Dispatcher at the base rate of \$20.38 an hour (when filling in as a dispatcher) and Rakow, Julie as a fill-in, part-time Correctional Officer at the base rate of \$19.59 an hour (when filling in as a Correctional Officer). Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve the classification change for Julie Rakow as a permanent full-time Criminal Analyst G1 at the base rate of \$19.59 an hour, effective December 25, 2016. Motion Carried.

SUPPLEMENTAL BUDGET: A public hearing was held for a supplemental budget for GENERAL FUND Courts – Teen Court - \$10,250 and MODERNIZATION & PRESERVATION FUND M&P – Services & Fees - \$5,000. No public input was voiced and the hearing was closed. Moved-Seconded (Flanagan-Rosenau) to approve and authorize the Chairman to sign the following Resolution #2016-26. Motion Carried. RESOLUTION #16-26 TO ADOPT A SUPPLEMENTAL BUDGET WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2016, 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 2016, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND Courts – Teen Court - \$10,250 and MODERNIZATION & PRESERVATION FUND M&P – Services & Fees - \$5,000. The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated fund. Be it further RESOLVED that a hearing was held on the 27th day of December, 2016 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 27th day of December, 2016. FOR THE BOARD OF COUNTY COMMISSIONERS. Daryl Johnson, Chairman. ATTEST: Connie Atkinson, Lawrence County Auditor.

SHERIFF:

VEHICLE BIDS: Moved-Seconded (Flanagan-Rosenau) to set the bid opening on January 24th at 8:15 a.m. for three new patrol vehicles, consisting of one half-ton SUV, and to declare the 2011 Chevy Tahoe VIN#1GNSK2E00BR262372, 2011 Chevy Tahoe VIN#1GNSK2E07BR264409 and the 2012 Chevy Tahoe VIN#1GNSK2E05CR242233 surplus and allow them to be considered for trade in. Motion Carried.

HIGHWAY:

APPROACH PERMIT / KAUFMANN: Moved-Seconded (Sleep-Rosenau) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the approach permit for William Kaufmann located on the east side of Crackerjack Road 2.5 miles east of Whitewood Valley. Motion Carried.

5 YEAR COUNTY ROAD PLAN: Bonnema informed the Board that the Department of Transportation has approved Lawrence County's 5 Year Road Plan.

DALTON LAKE ROAD: Bonnema discussed the Dalton Lake Road and the request from the Schmidt's for posting of a speed limit and dust control. Bonnema stated this is not a County primary or secondary road but a Forest Service Road.

CALAMITY GULCH BRIDGE: Mike Kain was present to discuss the Calamity Gulch Bridge and asked the Commissioners to put it on the County Bridge List. Kain informed the Board that he lives in Puritan Subdivision and it is accessed from this bridge. Kain stated the subdivision residents are not asking the County to maintain the road, but only to put the bridge on the County's Bridge list so it could be included for State Bridge Improvement Grant funds. Kain provided history of bridges that have been put on the County Bridge List. Sleep stated the other bridges that were put on were FEMA bridges. Discussion followed on the easement agreement (Doc. # 91-4541) with Homestake noting that the County is not responsible for maintenance on the road or bridge. Kain stated the County accepted the easement and the bridge will become a

public safety issue for the County as Black Hills Power, garbage companies, the public and private use this bridge. Flanagan stated other subdivisions have assumed responsibility of bridges and referred to the easement (Doc. #91-4541). Randy Deibert, Commissioner Elect stated BHP may have a separate agreement, and the intent was to give landowners access to the property and to dedicate public right-of-way, but the county is not required to maintain the road or bridge. Sleep stated he sees it as a qualified easement with certain restrictions.

Bonnema stated if the Commissioners would accept as a Lawrence County Bridge, a certified bridge inspection would need to be completed and the structure could be closed immediately resulting in the property owners being denied access to their property. Discussion followed on the impact on real property values and taxes raised.

Bruce Outka, Deputy State's Attorney, noted SDCL 11-3-12, which provides in pertinent part that, "No governing body shall be required to open, improve, or maintain any such dedicated streets, alleys, ways, commons, or other public ground solely by virtue of having approved a plat."

PRE-DISASTER MITIGATION PLAN GRANT: Moved-Seconded (Rosenau-Flanagan) to approve and authorize the Chairman to sign the Pre-Disaster Mitigation Notice of Grant Award and Environmental Report. Motion Carried. Sleep questioned if the County could do the project in house instead of contracting out. Paul Thomson, Emergency Management Director stated he would have to hire an employee to complete the project because if he did it he wouldn't have time to do anything else.

Moved-Seconded (Rosenau-Flanagan) to award the PDM Contract to Rob Mattox and to sign the consultant service contract. Motion Carried. Aye-Weisenberg, Flanagan, Rosenau and Johnson. Nay-Sleep.

COUNTY ASSISTANCE APPEAL: Michael Carlson was present to appeal the denial of his application for county assistance. The Board discussed the County Assistance Program and qualifying criteria. Moved-Seconded (Rosenau-Johnson) to follow the County Assistance Program criteria and deny the appeal. Motion carried.

COURTHOUSE SAFETY IMPROVEMENTS: Steve Williams, Williams and Associates was present to discuss the courthouse safety improvements and plans developed. Williams stated plans were developed to keep the historical integrity of the building intact. The Board discussed possible alternatives and Williams will research further. Moved-Seconded (Flanagan-Rosenau) to contract with Steve Williams, Williams & Associates and approve the set fee schedule as presented for the Courthouse Safety Improvements Project. Motion Carried.

SPEARFISH CANYON STATE PARK: David Miller was present to discuss the proposed Spearfish Canyon State Park and the public input process and public meetings. Miller asked the

County Commissioners to consider taking a neutral position on the proposed park. The Board stated at this time they have not been asked to take a position.

PLANNING & ZONING:

CHANGE OF ZONING #313 / ORME: A public hearing and 1st Reading was held on application for COZ #313 for Diane & Leo Orme to change the zoning from A-1 General Agriculture to RR Rural Residential in order to subdivide the lot and split it between the two landowners. Legally described as: The NW ¼ SW ¼ of Section 1, T6N, R2E, BHM, Lawrence County, South Dakota and Lot 2A-1 and Lot 2B of the SW ¼ NW ¼, SE ¼ NW ¼ and NE ¼ SW ¼ of Section 1 a subdivision of Lot 2A of the SE ¼ NW ¼ and NE ¼ SW ¼ and of the SW ¼ NW ¼ all in Section 1, T6N, R2E, BHM, Lawrence County, South Dakota. Lorna Richey was present and voiced concerns against the proposed COZ. Richey reviewed the letter they sent to the Commissioners. Brian Brooke asked what the acreage requirement is for RR. Bruce Byrum stated in the past he stood side by side with Orme and opposed the very thing he is trying to do now. He expressed concerns on the impact on the roads and stated the roads are not compatible with this request. Byrum stated he would hate to see the AG country go away affecting the neighboring landowners. Kenny Price stated he does not have any objection to the COZ. The applicant gave some history of the property. The public hearing was closed. Discussion followed on covenants in the area, possible A2 change of zoning, or platting to accommodate the intention of the applicant. The public hearing was closed and 2nd Reading was scheduled for January 3rd, 2017.

BILLS:

Moved-Seconded (Rosenau-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-\$6,287.62; Aud-\$10,415.11; Treas-\$11,743.46; States Atty-\$13,115.49; Pub Def-\$11,600.77; Gen Govt Bldg-\$11,694.23; Equal-\$13,804.42; Rod-\$8,382.20; Vso-\$1,389.81; Ist-\$8,858.04; Disp-\$12,850.58; Sher-\$40,900.73; Jail-\$21,029.24; Coroner-\$927.45; 24/7-\$164.79; Emerg Mgnt-\$4,141.59; E911-\$1,936.00; Highway-\$43,655.83; Weed-\$3,494.17; Pz-\$5,389.24; **Bills:** Eide,Curtis-\$21.00; Bey,John-\$76.88; Burleson,Norman-\$21.00; Locken,William-\$205.80; Tysdal,Richard-\$80.64; Brady,Thomas-\$53.76; Coburn,William-\$53.76; Mickelson,Craig-\$53.76; Johnson,Daryl-\$80.64; Schenk,Travis-\$80.64; Stone,Julie-\$18.48; A To Z Shredding-\$56.78; A&B Business,Inc Solutions-\$1,063.65; Aberdeen Llc-\$9,788.00; BH Federal Credit Union-\$6,808.74; BH Pioneer-\$546.87; BH Regional Multiple-\$100.00; Barnaud Law Firm-\$674.70; Black Hills Energy-\$11,861.27; Black Hills Urgent Care-\$60.00; Bob Barker Company-\$480.33; Bomgaars Supply-\$69.34; Butler Machinery Co-\$3,237.91; Cdw Government-\$3,260.00; Century Business Products-\$358.13; Centurylink-\$1,882.70; Charm-Tex-\$1,076.32; Convergent Technologies-\$10,641.67; Credit Collections Bureau-\$264.02; Crop Production Services-\$17,865.10; Dale's Tire & Retread-\$5,032.00; Dept Of Hlth Lab Services-\$167.00; Dept Of The Treasury-\$58,463.82; Diversified Collections-\$100.00; Division Of Criminal Investigation-\$438.43; Ecolab-\$146.02; Election Sys & Software-\$625.03; Esri-\$2,100.00; Fidler-Isburg Funeral Chapel-\$1,170.00; Grey Law Office

Prof-\$4,443.04; Grimm's Pump Service-\$354.52; Heartland Paper Co-\$371.50; Hewlett-Packard Company-\$920.00; Hills Material Comp-\$7,061.71; Hp-\$4,065.62; Interstate Engineering-\$14,307.46; Janke,Wendy-\$2,290.00; Kimball-Midwest Co-\$313.72; Kinney, Matthew-\$2,570.75; Kline Inc-\$1,170.00; Koala Electric-\$17,030.13; LC Emerg Mgnt-\$50.00; LC Plan & Zone-\$29.00; Lead-Deadwood Regional Hospital-\$1,014.95; Lincoln County-\$153.00; Lyle Signs-\$64.87; McClure,Susan-\$50.00; Meek,Gary-\$1,200.00; Microfilm Imaging Systems-\$1,595.00; Midcontinent Communications-\$111.35; Montana Dakota Utilities-\$290.73; Motorola Solutions-\$13,422.50; Nalco Company-\$230.00; Nelson,Christy-\$350.00; Nelson,Tonya-\$150.00; Northern Truck Equip Corp-\$87.00; Oberle's Radiators & Repairs-\$150.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$583.85; Pennington Co Jail-\$1,111.35; Pollard & Larson Llp-\$186.00; Quest Software-\$2,726.00; Quill Corporation-\$65.50; RC Finance Office-\$560.00; RC Regional Hospital-\$522.39; Rabe Elevator-\$1,020.88; Redwood Toxicology Lab-\$302.71; Regional Health-\$129.40; Reuer,Allen-\$200.00; Rocket Lube-\$72.49; Root Spring Scraper Co-\$556.68; SD Assn Of Co Comm-\$4,597.00; SD Dept Of Transportation-\$64,441.30; SD Municipal League-\$125,681.00; SD States Attorney Assoc-\$1,373.00; Sdrs Supplemental Retirement-\$2,633.50; Secretary Of State-\$60.00; Semerad,Sandra-\$278.80; Servall Towel & Linen-\$435.16; Sikich Llp-\$2,480.00; Spearfish Auto Supply-\$120.57; Spearfish Husky-\$16.00; Spearfish Police Dept-\$10,585.87; Springhill Suites Marriott-\$88.00; Sturdevant's Auto Parts-\$87.87; Sysco Montana-\$2,120.28; Taser International-\$2,027.19; Teen Court-\$10,250.00; Thomson Reuters-West-\$1,333.50; Top Quality Mfg Co-\$455.00; Triple K Tire & Repair-\$2,654.88; Twin City Hardware & Lumber-\$818.57; Vast Broadband-\$1,741.21; Verizon Wireless-\$105.28; Waytek-\$1,600.00; We Know Security-\$223.98; Wells Fargo Business Card-\$8,539.70; Western State Fire Protection-\$34,054.00; White Drug-\$1,067.22; Wolff's Plumbing & Heating-\$69.95; **Witness & Jurors:** Lungren,B-\$60.92; Baumberger,A-\$52.52; Koppinger,A-\$60.92; Mechaley,M-\$63.44; Reichert,S-\$63.44; Sprenger,M-\$62.60; Webb,K-\$50.84; Wolff,N-\$63.44; Decory,D-\$30.92; Olstad,J-\$30.08; Pelletier,M-\$29.24;

ITEMS FROM THE BOARD: The Board thanked Terry Weisenberg for his 20 years of Service to the County.

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

Date Approved

Chairman

ATTEST:

Connie Atkinson, Auditor