

LAWRENCE COUNTY COMMISSIONERS MEETING – January 2, 2018

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 January 2, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Brandon Flanagan, Daryl Johnson, Richard Sleep, and Randy Deibert present.

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

CHAIRMAN OF COUNTY COMMISSIONERS: Moved-Seconded (Sleep-Rosenau) to appoint Commissioner Flanagan as the Chairman of the Lawrence County Commissioners for 2018. Motion Carried.

VICE-CHAIRMAN OF COUNTY COMMISSIONERS: Moved-Seconded (Johnson-Flanagan) to appoint Commissioner Deibert as the Vice-Chairman of the Lawrence County Commissioners for 2018. Motion Carried.

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

SPECIAL RULE OF ORDER & ROBERTS RULES OF ORDER: Moved-Seconded (Sleep-Rosenau) to adopt the special rule of order requiring three members approval to pass a motion for 2018, and the Newly Revised Roberts Rules of Order for the County Commissioners and all County Boards and Committees. Motion Carried.

MINUTES: Moved-Seconded (Deibert-Rosenau) to approve the minutes of December 28, 2017 County Commission meeting. Motion Carried.

PERSONNEL:

STATES ATTORNEY: Moved-Seconded (Deibert-Rosenau) to approve Tom Adams as a Permanent Half-Time (20-29) Deputy States Attorney G2 at the base rate of \$1,180.08 per pay period, effective January 2, 2018. Motion Carried.

COUNTY BOARDS AND COMMITTEES:

FAIR BOARD: Moved-Seconded (Rosenau-Deibert) to appoint Commissioner Sleep to the Fair Board for 2018. Motion Carried.

Moved-Seconded (Rosenau-Deibert) to appoint Matthew Sleep to the Fair Board for a 3 year term to expire 12-2020. Motion Carried.

HOUSING & REDEVELOPMENT COMMISSION: Moved-Seconded (Johnson-Sleep) to appoint Commissioner Flanagan to the Housing and Redevelopment Commission for 2018. Motion Carried.

Moved-Seconded (Johnson-Sleep) to appoint Jaci Pearson to the Housing and Redevelopment Commission for a 5 year term to expire 12-31-2022. Motion Carried.

INSURANCE COMMITTEE: Moved-Seconded (Rosenau-Flanagan) to appoint Commissioner Deibert to the Insurance Committee for 2018. Motion Carried.

INVASIVE SPECIES MANAGEMENT: Moved-Seconded (Sleep-Rosenau) to appoint Commissioner Deibert to the Invasive Species Management Board for 2018 and to appoint Commissioner Sleep as the alternate for 2018. Motion Carried.

Moved-Seconded (Sleep-Rosenau) to appoint Kyle Vavruska to the Invasive Species Management Board District #1 for a 3 year term to expire 12-31-2020. Motion Carried.

Moved-Seconded (Sleep-Rosenau) to appoint Mike Whalen to the Invasive Species Management Board District #4 for a 3 year term to expire 12-31-2020. Motion Carried.

MENTAL ILLNESS: Moved-Seconded (Johnson-Flanagan) to appoint Bonnie Dittus to the Lawrence County Mental Illness Board for a three year term to expire 12-31-2020. Motion Carried.

PLANNING & ZONING BOARD: Moved-Seconded (Sleep-Flanagan) to appoint Commissioner Johnson to the Planning and Zoning Board for 2018 and to appoint Commissioner Sleep as the alternate for 2018. Motion Carried.

Moved-Seconded (Sleep-Flanagan) to appoint Julie Stone and Travis Schenk to the Planning and Zoning Board for a 5 year term to expire 12-31-2022. Motion Carried.

PUBLIC DEFENDER: Moved-Seconded (Rosenau-Deibert) to appoint Commissioner Flanagan, and Commissioner Rosenau to the Public Defender Board for 2018 and to appoint Jaci Pearson to the Public Defender Board for 2018. Motion Carried.

LAWRENCE COUNTY REVOLVING LOAN FUND: Moved-Seconded (Sleep-Flanagan) to appoint Commissioner Flanagan, Commissioner Deibert, Ali DeMerssman, Ron Rosenbloom, Kevin Whitlock, and Jeremy Hoven to the Lawrence County Revolving Loan Fund Board for 2018. Motion Carried.

B.H. COUNCIL OF LOCAL GOVERNMENTS: Moved-Seconded (Rosenau-Deibert) to appoint Commissioner Flanagan as Representative and Commissioner Sleep as Alternate to the Black Hills Council of Local Governments for 2018. Motion Carried.

LAWRENCE EMERGENCY PLANNING COMMISSION: Moved-Seconded (Johnson-Deibert) to appoint Commissioner Rosenau to the LEPC for 2018. Motion Carried.

WESTERN SD JUVENILE SERVICES CENTER COMPACT: Moved-Seconded (Johnson-Deibert) to appoint Commissioner Rosenau and Brian Dean, Sheriff to the Western SD Juvenile Services Center Compact for 2018. Motion Carried.

LIBRARY BOARD: Moved-Seconded (Rosenau-Sleep) to appoint Commissioner Deibert to the Lawrence County Library Board for 2018 and Spearfish Library Board for 2018. Motion Carried.

SPEARFISH ECONOMIC DEVELOPMENT BOARD: Moved-Seconded (Deibert-Rosenau) to appoint Commissioner Deibert to the Spearfish Economic Development Board for 2018 and Commissioner Johnson as the alternate for 2018 and Commissioner Sleep as the second alternate for 2018. Motion Carried.

MULTIPLE USE COMMITTEE: Moved-Seconded (Deibert-Sleep) to appoint Commissioner Sleep to the Multiple Use Committee for 2018 and Commissioner Deibert as the alternate for 2018. Motion Carried.

STATE DIVISION OF FORESTRY CONTACT PERSON / RANGE LAND FIRES: Moved-Seconded (Deibert-Sleep) to appoint Chairman Flanagan as the State Division of Forestry / Range Land Fires Contact Person for 2018. Motion Carried.

Moved-Seconded (Deibert-Sleep) to appoint Emergency Management Director, Paul Thomson as the additional State Division of Forestry / Range Land Fires Contact Person for 2018. Motion Carried.

WESTERN SD COMMUNITY ACTION: Moved-Seconded (Johnson-Rosenau) to appoint Ida Marie Snorteland to Western SD Community Action for 2018. Motion Carried.

HAZARDOUS MATERIALS COORDINATOR: Moved-Seconded (Johnson-Rosenau) to appoint Paul Thomson as the Hazardous Materials Coordinator for 2018. Motion Carried.

HOMESTAKE OPERA HOUSE BOARD: Moved-Seconded (Sleep-Johnson) to appoint Commissioner Flanagan to the Homestake Opera House Board for 2018 and Commissioner Deibert as the alternate for 2018. Motion Carried.

RESOLUTION #18-01 / ELECTION OFFICIALS COMPENSATION: Moved-Seconded (Rosenau-Johnson) to approve the following Resolution #2018-01 Election Officials Compensation. Motion Carried. **RESOLUTION #2018-01 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 2nd day of January 2018. For the Board, Brandon Flanagan, Chairperson. ATTEST: Brenda McGruder, Deputy Auditor.

RESOLUTION #18-02 POLLING PLACES & PRECINCTS: Moved-Seconded (Johnson-Rosenau) to approve the following resolution setting the polling places and precincts in 2018. Motion Carried. **RESOLUTION #2018-02 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: **Spearfish 1st Ward**-Senior Citizen's Center; **Spearfish 2nd Ward**-Senior Citizen's Center; **Spearfish 3rd Ward**-Senior Citizen's Center; **Lead** – Sanford Lab Homestake Visitor Center; **Deadwood**-Lawrence County Administrative Annex; **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 2nd day of January 2018. For the Board, Brandon Flanagan, Chairperson. ATTEST: Brenda McGruder, Deputy Auditor.

RESOLUTION #18-03 TO ESTABLISH OFFICIAL DEPOSITORIES: Moved-Seconded (Rosenau-Deibert) to follow the recommendation of Deb Tridle, Treasurer and approve the following Resolution #18-03 to Establish Official Depositories in Lawrence County. Motion Carried. **RESOLUTION 18-03 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 2018: 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 2018. Dated this 2nd day of January

2018. For the Board of County Commissioners: Brandon Flanagan, Chairperson Attest: Brenda McGruder, Deputy Auditor

RESOLUTION #18-04 – LAWRENCE COUNTY PLANNING & ZONING FEE

SCHEDULE: Moved-Seconded (Deibert-Sleep) to approve and authorize the Chairman to sign Resolution #2018-04 to set the following fees charged by the Lawrence County Planning and Zoning Department. Motion Carried. Lawrence County Resolution # 2018-04 PLANNING & ZONING FEE SCHEDULE **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
MISC PERMITS		
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 Commercially Zoned Property
BUILDING PERMITS		
Sewer Permits	\$10.00	
Building Permit-Initial	● \$142 finished	

<p>\$30 for the first \$1,000 of the structure's value and \$3 for each additional \$1,000</p> <p>The base valuation shall be determined by a dollar per square foot. (see fee schedule in next column)</p> <p>Structure's value shall be determined by the total valuation of each building permit.</p>	<ul style="list-style-type: none"> ● 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
SIGNAGE		
Off Premise Signs (Billboards)	\$250	
On Premise Signs; Home Occupation; or Community Signs	\$100	

Adopted this 2nd day of January, 2018 For the Board, Brandon Flanagan, Chairperson ATTEST:
Brenda McGruder, Deputy Auditor.

RESOLUTION #18-05 DAILY INMATE INCARCERATION FEE SCHEDULE: Moved-Seconded (Rosenau-Sleep) to approve and authorize the Chairman to sign Resolution #2018-05 and to set the following daily inmate incarceration fee schedule. Motion Carried. LAWRENCE COUNTY RESOLUTION 2018-05 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 2nd day of January, 2018. Lawrence County Commission: Brandon Flanagan, Chairman BRIAN DEAN, Sheriff ATTEST: Brenda McGruder, Deputy Auditor.

RESOLUTION #18-06 INDIGENT BURIAL EXPENSES: Moved-Seconded (Sleep-Rosenau) to approve and authorize the Chairman to sign Resolution #2018-06 and to set the following fees for indigent burial expenses as stated in the Lawrence County Welfare Program Rule. Motion Carried. Resolution #2018-06 A RESOLUTION ESTABLISHING FEES FOR INDIGENT BURIAL EXPENSES WHEREAS, pursuant to SDCL 28-17-1, if any person dies within any county, who does not have money or means necessary to defray the funeral expenses, and whose relatives or friends are unable or unwilling to defray the expenses, the county commissioners shall employ a funeral director to provide for and superintend the burial or cremation of the deceased person; WHEREAS, pursuant to SDCL 28-17-2, if any person who is destitute and has no estate dies within the state, and who has no one legally bound for funeral expenses, and where there is no other source to pay the cost of burial or cremation expense, the funeral expenses shall be borne by the county in which the deceased was a resident at time of death. If no residence can be determined for the deceased person, the funeral expenses shall be borne by the county in which death occurred; WHEREAS, pursuant to SDCL 28-17-3, the selection of a funeral director may be made by the tribe or next of kin, if any, otherwise by the board of county commissioners. The determination whether the decedent is buried or cremated may be made by the tribe or next of kin, if any, otherwise by the board of county commissioners. In no case may the county commissioners advertise for bids on burial or cremation of indigent poor; WHEREAS, pursuant to SDCL 28-17-4, on county burials, the funeral director in charge shall furnish a casket and outside container and conduct the funeral services. On county cremations, the funeral director in charge shall furnish an urn or container and conduct the funeral services. The county shall allow the funeral director for merchandise and services

rendered, a sum to be established by resolution of the board of county commissioners at the annual organizational meeting; and WHEREAS, pursuant to SDCL 28-17-6, the necessary and reasonable expenses of burial or cremation under this chapter shall be paid by the county treasurer, upon the order of the commissioners. If the decedent had an established residency according to SDCL 28-13-3 in a county in this state different from that in which the decedent died, the county paying the funeral expenses shall be reimbursed by the county in which the decedent had an established residency. If the decedent was an honorably discharged United States soldier, sailor, marine, or aviator, the funeral shall be conducted and expenses paid as provided in chapter 33A-5; now THEREFORE BE T RESOLVED, that the allowable fees and expenses for indigent burials shall be as set forth below: APPENDIX D. (Revised 01/05/2016) BURIAL AND FUNERAL ASSISTANCE A. For those county residents who die in a state of indigency or who are otherwise qualified under SDCL Ch. 28-17, the county shall allow burial and funeral expenses as follows: 1. Standard funeral, casket and burial \$2,210.00 (Including vault) This price includes removal from place of death, embalming, dressing, casketing, funeral, one-hour visitation before service, minimum casket and transportation and burial at a local Lawrence County cemetery. County will be billed separately from the vendor for the cost of the vault. * County will also be billed separately for the cost of opening and closing the grave.** Family is responsible for any cost associated with printed goods, cash advance items: flowers, death certificates, gratuity to minister, musicians, newspaper notice, etc. 2. Standard funeral, casket and burial \$1,760.00 (No vault required) This price includes removal from place of death, embalming, dressing, casketing, funeral, one-hour visitation before service, minimum casket and transportation and burial at a local Lawrence County cemetery. Family is responsible for any cost associated with printed goods, cash advance items: flowers, death certificates, gratuity to minister, musicians, newspaper notice, etc. County will also be billed separately for the cost of opening and closing the grave.** 3. Funeral followed by cremation \$1,985.00 This price includes removal from place of death, embalming, dressing, casketing, funeral, one-hour visitation before service, rental casket and cremation fee. Family is responsible for any cost associated with printed goods, cash advance items: flowers, death certificates, gratuity to minister, musicians, newspaper notice, etc. County will also be billed separately for the cost of opening and closing the grave.** 4. Direct cremation - no services or services held by family \$1,170.00 This price includes removal from place of death, transportation to crematory and cremation fee. Family is responsible for any cost associated with printed goods, cash advance items: flowers, death certificates, gratuity to minister, musicians, newspaper notice, etc. County will also be billed separately for the cost of opening and closing the grave, if burial of cremains occurs in Lawrence County.** 5. Cremation with memorial service \$1,450.00 Removal from place of death, transportation to crematory and cremation fee and memorial service conducted by funeral home staff. Family is responsible for any cost associated with printed goods, cash advance items: flowers, death certificates, gratuity to minister, musicians, newspaper notice, etc. County will also be billed separately for the cost of opening and closing the grave, if burial of cremains occurs in Lawrence County.** * Black Hills Wilbert Vault will bill Lawrence County at a rate of \$450.00 for the concrete grave liner required by most cemeteries in Lawrence County - the amount of \$450.00 will be deducted from the \$2,210.00 allowed for Standard Funeral with outer burial container requirement. **Opening and closing of grave space: Traditional casket burial: Spearfish \$400.00 Lead/Deadwood/St. Onge \$450.00 Cremains burial \$150.00 NOTE: Opening and Closing Winter differential - add \$50.00 B. The funeral director shall explain the above options to the nearest relative or representative. C. Before any reimbursement is made, the

following criteria and guidelines must be met: 1. The county must receive notification of the death as soon as possible. The funeral director may do this by telephone to the Commission Assistant or the Chairperson of the Lawrence County Commission. 2. All paperwork, including the application for assistance, must be completed by the nearest relative/representative or the funeral director. The county will then make a final determination of the indigency and eligibility. D. The county shall not supplement any of the costs of the funeral service or be obligated for any more than set out above. When the decedent has a death benefit paid to a survivor, the charges to the county shall be adjusted by that amount. It is the survivor's responsibility to reimburse the funeral home for that amount. E. In determining eligibility for assistance, the ability of the surviving family members to pay the burial costs may be the determinant for county assistance rather than the indigency of the deceased. F. Each year a letter will be sent by the Commission Assistant notifying each funeral home in Lawrence County that such rates will be up for review. Duly passed and adopted at a regular meeting of the Lawrence County Commission on the 2nd day of January, 2018. Lawrence County Commission: Brandon Flanagan, Chairman ATTEST: Brenda McGruder, Deputy Auditor

LEGAL NEWSPAPERS: Moved-Seconded (Johnson-Deibert) to designate the B.H. Pioneer as the legal newspapers for 2018. Motion Carried.

BOARD OF ADJUSTMENTS: Moved-Seconded (Sleep-Rosenau) to appoint Daryl Johnson, Randall Rosenau, Brandon Flanagan, Richard Sleep, and Randy Deibert as the Board of Adjustment for 2018. Motion Carried.

BUILDING CODE: Moved-Seconded (Johnson-Flanagan) to appoint Daryl Johnson, Randall Rosenau, Brandon Flanagan, Richard Sleep, and Randy Deibert as the Building Code Board of Resolution for 2018. Motion Carried.

VOLUNTEER FIRE FIGHTER / SEARCH & RESCUE MEMBERS: Moved-Seconded (Rosenau-Deibert) to approve the following list of 2018 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, Derek Berman, Shane Croft, Shannon Croft, Loren Dobyns, Jimmy Jordan, Robert Mattox, Paul Thomson, Bryce Quaschnick, Jared Quaschnick, Lynette Quaschnick, Don Quaschnick, Tim Quaschnick, Scott Reif, Frank Stamp, Steve Thomas, Rich Uhl, Loren Vrem, Jason Wichterman, Frederick Pearson, Suzanne Pearson, and Tom Moysis. **Search & Rescue:** Hunter Bradley, Jesse Bradley, Richard Carlson, Lynn Davis, Chris Huhnerkoch, Rob Leonard, Gary Lillehaug, Rob Mattox, Lynette Quaschnick, Fred Raubach, Kay Rear, Daniel Regan, Danielle Bradley, Jeff Schroeder, Mike Stahl, Jamey Tollefson, Bill Weber, Rick Wisser and Terry Frederick. **Nemo:** Randy Albright, Jeremy Azevedo, Kara Azevedo, Janna Bechard, Jeff Bechard, Virginia Clark, Megan Eggers, Melissa Eggers, Jeane Henrichsen, Justin Henrichsen, Jerry Hood, Patrica Hood, Greg Nepstad, Mica Nepstad, Vince Pfeifle, Traci Rambo, Rae Rowell, Clint Schell, Clint W Schell, Chad Solaas, and Cindy Solaas. **Emergency Management:** Ken Hawki and J.D. Geigle.

2018 WAGES & SCALES: Moved-Seconded (Rosenau-Flanagan) to accept the following 2018 longevity pay policy, 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 24, 2017. 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.

2018 WAGES (per SDCL 6-1-10): 2018 WAGES (per SDCL 6-1-10): Commissioners: Deibert, Randy-534.21; Flanagan, Brandon-534.21; Johnson, Daryl-534.21; Rosenau, Randall-534.21; Sleep, Richard-534.21; Outka, Bruce-3,963.64. Auditor: Atkinson, Connie-2,962.05; Atkins, Kimberly- 15.00; Lucero, Robin-19.12; McGruder, Brenda-26.41; Nelson, Melody-21.06; Sargent, Debbie-19.96; Stulken, Krystal-15.86. Treasurer: Tridle, Debora-2,766.61; Adams, Julia-19.12; Atkinson, Sally-23.81; Brownlow, Carleen-19.34; Derby, Gail-18.94; Marshall, Laurie-19.12; Quenzer, Linda-19.04; Haupt, Janice-18.39. States Attorney: Fitzgerald, John-3,586.10; Baumann, Michelle-26.70; Fitzgerald, Sara-22.28; Harvey, Brenda-2,897.54; Silvernail, Janice-22.77; Stoflet, Margie-25.07. Public Defender: Pike, Matthew-3,448.50; Caserio, Beverly-20.04; Lopez, Amber-2,910.34; Pickett, Michael-2,314.90; Smith, Molly-25.26. Maintenance: Frerichs, Richard-30.53; Agena, Timothy-25.58; Latuseck, Kelby-15.10; Lee, Laura-17.80; Mattson, Robert-14.49; Mund, Priscilla- 14.05. Director of Equalization: Hodson, Timothy-2,293.99; Fisher, Jason-22.03; Geuke, Nicole-19.61; Hohn, Louise-21.93; Meehan, Michael-22.03; Phinney, Desiree-19.30; Runge, Brett-25.53; Symonds, Carmen-22.37. Register of Deeds: Green, Sheree-2,685.34; Carr, Marie-17.73; Feterl, Florence-20.20; Hansen, Davida-23.13; Podoll, Keri-19.38. Veterans Service Officer: Ketzer, Jesse- 20.60. Information System & Technology: Dias, Gregory-3,390.45; Kline, Steven-25.10; Leatherman, Debra-21.10; McGruder, Randall-28.43. Sheriff: Dean, Brian-3,362.50; Abernathy, Emily-20.35; Greeley, Laurie-20.77; Hamilton, Marian-22.25; Johnson, Ross-20.25; Pesicka Olson, Jamie-20.25; Steffen, Peggy-20.69; White, Richard-21.27; Black, Sue-25.66; Hast, Kathryn-19.85; O'Bryan, Katie-19.08; Schrader, Robbie-18.33; Capp, Jacob- 23.43; Davis, Nathaniel-26.76; Derby, Tommie II-27.32; Dragoo, Shelley-22.06; Goetsch, Dylan-17.32; Hansen, Paul-2,825.06; Hardin, Matt-25.38; Johnson, Patrick-27.32; Kellogg, Susan-19.84; Little, Tavis-2,751.62; McCroden, Matthew-26.76; Merwin, Megan-26.00; Moser, Douglas-19.92; Nelson, Kesha-21.51; Rakow, Julie-20.74; Riley, David-25.88; Ruffatto, Robert-26.32; Schumacher, Dustin-25.88; Symonds, Matthew-19.92; Torgerson, Daleen-18.94; Wainman, John J Jr-19.92; Walk, Ritchey 25.88; Walker, John-19.92; Myers, Thomas-18.33; Hernandez, Amanda-18.33; Torres, Robert-18.33. Jail: Abell, Mary-20.25; Brennan, Seth-26.90; Carter, Zachary-18.33; Cortez, Frank-21.44; Johnson, Michael-21.38; Kampa, Kerry-20.39; Kotak, Joe-19.46; Lechner, Nathan-20.25; Moraga, Virginia-19.46; Mudgett, Shawn-Dylan-18.33; Nash, Christina-20.39; Paklin, Melody-19.46; Palmer, Lance-20.25; Rommen, Brianna-18.33; Schleep, Neil-20.04; Sherer, Stacey-20.25; Wainman, John J Sr-15.10; Wetz, Jolene-19.85; Kellogg, Susan-21.15. Coroner: Goetsch, Martin-417.07 ppd & 130.00 call; Fahey, Patrick-200.00 call; Isburg, Damon-200.00 call;

Muckle, Thomas-200.00 call; Pedneau, Darin-200.00 call. Emergency Management: Thomson, Paul-2,645.48; Larson, Rene- 20.26. Highway: Bonnema, Allan-3,105.24; Bey, John-30.77; Bracha, Maria-22.49; Burleson, Norman-25.34; Burnitt, James-23.58; Cooper, John-23.58; Eide, Curtis-26.22; Ford, Jacob-23.58; Harley, Toby-23.58; Harper, Jeffrey-24.10; Herman, Joshua-23.58; Heying, Bradley-25.50; Holen, Gerald-23.70; Larimore, Mark-24.02; Magnusson, Michal-23.58; Matton, Justin- 23.58; Nelson, Paul-23.58; Patino, Mark-24.66; Rear, Krista-19.30; Ryan, Steve-31.17; Sheeler, Daniel-23.70; Skavang, Robert-23.76; Stanger, Richard-23.58. Mental Health Board: Baczowski, Brian-94.00; Barnaud, Timothy-94.00; Dittes, Bonnie-15.00; Foral, Francy-94.00; Johns, Timothy-94.00; Pentheny, Charlotte-15.00. Invasive Species Management: Heck, David-2,289.98; Palmer, Ryan-17.11; Hauge, John-40.00 meeting; Ridley, Clint-40.00 meeting; Vavruska, Kyle-40.00 meeting; Whalen, Michael-40.00 meeting; Seasonal Invasive Species Employees- Beehler, Jeremy-15.14; Hunter, Bradley-15.14; Lindsey, Zane-13.60; Tuten, Jeremy-15.30; Tyson, Chase-15.42. Planning&Zoning: Vogt, Amber- 2,365.61; Schroeder, Jeffery- 23.42; Sprenger, Janette- 17.89; Brady, Thomas- 40.00 meeting; Fuller, Kelly- 40.00 meeting; Gulickson, Scott- 40.00 per meeting; Schenk, Travis-40.00 meeting; Stone,Julie- 40.00 meeting; Tysdal, Richard- 40.00 meeting;

<i>NEWLY ELECTED BASE</i>	<i>2018 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

2018 SHERIFF DEPUTIES/CORRECTIONAL OFFICERS PER DIEM: Moved-Seconded (Deibert-Rosenau) to approve the following 2018 Sheriff Deputies and Correctional Officers per diem, effective December 24, 2017. Sheriff Deputies-\$6.00 per day, for a maximum of 5 days a week. Correctional Officers-\$1.00 per each day physically worked. Motion Carried.

2018 CELL PHONE ALLOWANCE: Moved-Seconded (Deibert-Sleep) to approve the following 2018 cell phone allowance effective December 24, 2017. Bruce Outka-75.00; Greg Dias-75.00; Randy McGruder-75.00; Steven Kline-75.00; Allan Bonnema-75.00; Steve Ryan-50.00; John Bey-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; Janice Silvernail-45.00; Marjorie Stoflet-45.00; Brenda Harvey- \$45.00; Amber Vogt-60.00; Jeff Schroeder-50.00; Paul Thomson-136.00; Rene' Larson-68.00; Jason Fisher-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; Tavis Little-104.00; Nathaniel Davis-104.00; Rob Ruffatto-104.00; Jacob Capp-104.00; Seth Brennan-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; Matt Hardin-104.00; Rich Walk-104.00; Julie Rakow-\$50.00; Dave Heck-50.00; Ryan Palmer-50.00; and Marty Goetsch-50.00. Motion Carried.

SHERIFF'S OFFICE POSITIONS: Moved-Seconded (Johnson-Rosenau) to restate the full time positions in the Lawrence County Sheriff's office for 2018 as follows: (1) Chief Deputy (1)

Captain, (4) Sergeants, (8) Deputies, (4) Office Personnel (11) Jailers, (1) E911 Coordinator, and (7) Dispatchers. Motion Carried.

SHERIFF: Paul Hansen, Chief Deputy gave an update on average daily population in the Jail.

HIGHWAY:

HIGHWAY 14A AND MCGUIGAN ROAD APPROACHES: David and Spencer Rossi, Top Shelf Developers and Brandon Foster, Site Work Specialist updated the board on Highway 14A and McGuigan Road approaches.

Moved-Seconded (Johnson-Rosenau) to allow Allan Bonnema, Highway Superintendent to sign as the highway road authority on the plat of Lot 11 of Block 1, Utility Tract C, Utility Tract D and dedicated Street Right-of-Way of Top Shelf Subdivision. Motion Carried.

APPROACH PERMIT:

GREGG WOLFF: Moved-Seconded (Johnson-Rosenau) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the Approach Permit for Gregg Wolff to construct an approach on the West side of Industrial drive approximately 720 feet South of the intersection of 427th & Industrial Drive. Motion Carried. Abstain-Deibert.

BILLS:

Moved-Seconded (Deibert-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-\$6,477.28; Aud-\$11,784.55; Treas-\$12,004.75; States Atty-\$13,872.58; Pub Def-\$11,944.25; Gen Govt Bldg-\$9,154.95; Equal-\$14,237.11; Rod-\$8,794.03; Vso-\$960.00; Ist-\$9,125.21; Disp-\$14,042.82; Sher-\$39,438.49; Jail-\$20,695.02; Coroner-\$892.66; 24/7-\$187.44; Emerg Mgnt-\$4,275.82; E911-\$1,996.80; Highway-\$45,284.27; Mh Serv-\$2,474.00; Weed-\$3,601.42; Pz-\$8,037.50; **Bills:** A&B Business,Inc Solutions-\$230.89; BH Regional Multiple-\$100.00; Deadwood, City Of-\$948.70; Heartland Paper Co-\$472.02; LC Conservation Dist-\$5,000.00; Lincoln County-\$180.00; Lueders-\$42.21; Mcarthur, Janet-\$65.12; Montana Dakota Utilities-\$3,040.31; Phoenix Investigations-\$3,292.54; Quill-\$139.92; Sd Assn Of Co Comm-\$4,597.00; Sdaco-\$2,211.79; Semerad, Sandra-\$23.80; Twin City Hardware & Lumber-\$24.99; **Witness & Jurors:** Havens,T-\$65.12; Kaiser,H-\$58.40; Kruske,N-\$55.04; Merchen,J-\$59.24; Stahl,M-\$62.60; Vanzee,K-\$66.80; Weimer,K-\$62.60

ADJOURN: 9:13 a.m. There being no further business, it was Moved-Seconded (Deibert-Rosenau) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Deputy Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – January 23, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on January 23, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Richard Sleep, and Randall Rosenau present. Absent Daryl Johnson

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 (Deibert-Sleep) to approve the minutes of January 2, 2018 County Commission meeting. Motion Carried.

DUI COURT GRADUATION: Moved-Seconded (Sleep-Flanagan) to allow DUI Court to hold graduation in the Lawrence County Annex Building on May 17, 2018. Motion Carried.

TRAVEL REQUEST:

PUBLIC DEFENDER: Moved-Seconded (Rosenau-Flanagan) to approve the travel request for Amber Richey to attend the NADCP Annual Training Conference in Houston, TX from May 29, 2018 thru June 3, 2018. Motion Carried.

PLANNING & ZONING: Moved-Seconded (Deibert-Rosenau) to approve the travel request for Amber Vogt to attend the Western Places/Western Spaces Rocky MT Land Use Institute Conference in Denver , Co from March 7-9, 2018. Motion Carried.

HIGHWAY: Moved-Seconded (Rosenau-Flanagan) to approve the travel request for Allan Bonnema to attend the National Association of County Engineers Annual Conference in Wisconsin Dells, WI from April 22-25, 2018. Motion Carried.

PERSONNEL:

HIGHWAY: Moved-Seconded (Rosenau-Deibert) to approve for the advertisement of a Full-Time Heavy Equipment Operator. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Deibert) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of December 31, 2017 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)-\$74,492.16; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$1,771.08; Petty Cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,000,000; Bank Balance \$10,991,952.56, Money Market \$8,725,033.09 Total \$22,796,458.89.

DELINQUENT TAXES REPORT: Per SDCL 7-21-35 the total 2016 taxes levied for in 2017 was \$37,539,981.88 and the total unpaid as of 12-31-17 was \$141,528.13 which represents a 0.38% delinquency.

TYLER TECHNOLOGY LICENSE AND SERVICE AGREEMENT: Moved-Seconded (Deibert-Flanagan) to approve and authorize the Chairman to sign the License and Services Agreement with Tyler Technology. Motion Carried.

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COUNTY POOL VEHICLE: Moved-Seconded (Deibert-Rosenau) to advertise and set the bid opening for February 13, 2018 at 8:25 a.m. for a 2018 half ton SUV. Motion Carried.

SLA QUARTERLY REPORT: The Chairman signed the Quarterly SLA report.

SHERIFF:

VEHICLE BIDS: The following bids were received for three Sheriff vehicles: Juneks - (3) 2018 Dodge Durango Special Service AWD - \$94,500.00 (\$24,500 trade-ins) = \$70,000.00. Whites Queen City Motors - (3) 2018 Chevy Tahoe Police Vehicles - \$111,144.00 (\$14,000 trade-ins) = \$97,144.00.

Moved-Seconded (Deibert-Flanagan) to accept the lowest responsible bid from Juneks and waive any irregularities for (3) 2018 Dodge Durango Special Service AWD - \$94,500.00 (\$24,500 trade-ins) = \$70,000.00 and to declare the 2013 Chevy Tahoe VIN#1GNSK2E04DR309082, 2013 Chevy Tahoe VIN#1GNSK2E04DR311494 and the 2014 Ford Explorer VIN#1FM5K8AR3EGC49754 surplus and allow them to be considered for trade in. Motion Carried.

COURTHOUSE SECURITY PROJECT UPDATE: Brian Dean, Sheriff gave an update on the Courthouse Security Project. He stated that the Courthouse Staff is very appreciative of all the work that is being done.

The Sheriff outlined that the final piece of the project would be to incorporate a technological solution to allow for inter-office communication.

Moved-Seconded (Rosenau-Deibert) to allow for an expenditure not to exceed \$4,000.00 for the incorporation of an inter-office communication solution. Motion Carried.

RETAIL (ON-SALE) LIQUOR LICENSE TRANSFER / VEZARO INC: A public hearing was held on an application to transfer a Class-Retail (On-Sale) Liquor License for Vezaro, Inc. to Vezaro, Inc. No public input was voiced and the public hearing was closed. Moved-Seconded (Rosenau-Flanagan) to approve the following transfer of Retail (on-sale) License due to corporate officer membership change. PREVIOUS LICENSE: 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. TRANSFER TO: 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. Motion Carried.

HIGHWAY:

STATEWIDE PLANNING AND RESEARCH STUDY: Allan Bonnema, Highway Superintendent informed the board of a program that is administered by the South Dakota Department of Transportation. The program allows for the agency to have a transportation study to be completed through the use of these SPR funds. No interest was expressed in participating in the program.

NORTH ROCHFORD ROAD PAVING PROJECT: Moved-Seconded (Sleep-Deibert) to advertise and set the bid opening for February 13, 2018 at 8:30 a.m. for North Rochford Road Paving Project. Motion Carried.

HIGHWAY SUPPLIES BID OPENING: Moved-Seconded (Sleep-Rosenau) to advertise and set the bid opening for March 27, 2018 at 8:30 a.m. for Magnesium Chloride, Asphalt Hot Mix, Asphalt Cold Mix, Gravel Aggregate, De-Icing Sand, Hot Mix Asphalt Paver Patching, Precast Concrete Culverts, Box Culverts, Bridge Beams and Bridge Deck Units. Motion Carried.

PICK-UP TRUCK CHASSIS: Moved-Seconded (Deibert-Rosenau) to advertise and set the bid opening for March 13, 2018 at 8:30 a.m. for a Pick-Up Truck Chassis. Motion Carried.

R.O.W. ENCROACHMENTS: A survey map of the Right-of-Way determination of the south side of West Highway 14 from Crow Peak Brewing through KOA Campground was presented to the Board.

PLANNING & ZONING:

MUNRO/KIRK DEVELOPEMENTS AT TERRY PEAK: Matt Kirk and Scott Munro, developers were present to discuss their respective developments at Terry Peak. Scott Munro explained he was not asking for any approvals presently as he decided to develop the lots he owns according to the plat already on file. Matt Kirk presented 2 plans to the County Commission for approval. Plan A was the best option to develop the lots previously platted at

Terry Peak according to the health, safety and welfare of Lawrence County while still keeping the integrity of the Lawrence County Subdivision Ordinance intact. Moved-Seconded (Rosenau-Deibert) to allow Amber Vogt, Planning & Zoning Administrator to issue building permits on lots adjacent to Annie Creek Road and lots adjacent to the newly built 50' dedicated private access easement per Exhibit A upon the building of an emergency access and the continued effort to gain access across Forest Service land. Motion Carried.

ANNUAL REVIEWS:

C.U.P. #205-15 DUCO MINING: An annual review was conducted on C.U.P. #205-15 Duco Mining. Cody Schad was present and stated that he has not done much this year but spraying of weeds due to the metal prices being so low. He plans to start mining in the Spring. Jeff Schroeder, Building Code Enforcer will need to check with Dave Heck, Invasive Species Manager regarding the weeds being sprayed on this property. Schad stated they would get a hold of Dave Heck soon. Moved-Seconded (Deibert-Rosenau) to schedule the annual review in June after the mining has started. Motion Carried.

C.U.P. #390 SADDLE MOUNTAIN (CHURCH): An annual review was conducted on C.U.P. #390 Saddle Mountain (Church). Moved-Seconded (Deibert-Sleep) to follow the request from Jimmy Don and Tamara Montieth and cancel CUP #390 for Saddle Mountain (Church). Motion Carried.

C.U.P. #402 DECOOK (2ND RESIDENCE): An annual review was conducted on C.U.P. #402 Decook (2nd Residence). Mrs. DeCook has passed away, but Mr. DeCook is still residing at this residence which is allowed per the CUP. No violations were found and will be reviewed in one year.

C.U.P. #434 TRIPLE H/MYSTIC HILLS (RECREATIONAL VEHICLE RENTALS): An annual review was conducted on C.U.P. #434 Triple H/Mystic Hills (Recreational Vehicle Rentals). Mike Herrick with Mystic Hills asked the Commission about selling the older stock directly from the property designated in the CUP. The Commission decided this did not need anything from them and it is not a part of the CUP. Vogt will send a letter to the State regarding the property zoning and ordinance requirements. No violations were found and will be reviewed in one year.

C.U.P. #438 RON WALDNER (LIGHT MANUFACTURING): An annual review was conducted on C.U.P. #438 Ron Waldner (Light Manufacturing). No violations were found and will be reviewed in one year.

PLATS:

PRELIMINARY & FINAL PLAT/STEVE & MICHEL THOMAS/JAN CARTER & LORA BAUMANN: Moved-Seconded (Rosenau-Flanagan) to declare this plat for Steve & Michel Thomas/Jan Carter & Lora Baumann meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Deibert-Rosenau) to follow Planning and Zoning Board and P&Z Staff Report and approve the Preliminary and Final Plat with the condition that the access easement be

shown on the Preliminary Plat for Steve & Michel Thomas/Jan Carter & Lora Baumann.
LEGAL: Lot 2 Revised of Rentto SD, Being a Sub of Tract A of HES 170 and the Anticipation, Madora, and Vermont Lodes of MS 1307 and Tract C-1 Revised of the SD of HES 170. All located in the SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4 of Section 30, T4N, R4E
VICINITY LOCATION: Nemo Road. Motion Carried

PRELIMINARY & FINAL PLAT/GREG SWENSEN: Moved-Seconded (Deibert-Sleep) to follow Planning and Zoning Board and P&Z Staff Report and approve the Preliminary and Final Plat with the condition that an easement be dedicated depicting the actual location where the existing utilities were installed to service the lots shown in the plats for Greg Swensen. LEGAL: Lots 1-3, Block 6 of Wilderness Estates 2nd Addition in Powder House Pass Located in Section 8, T4N, R3E VICINITY LOCATION: Hwy 85. Motion Carried.

CONDITIONAL USE PERMIT #443/AUER: A Public Hearing was held on C.U.P. # 443. APPLICANT: Robin Auer SUMMARY: Request for Temporary 2nd Residence for Family Member with Medical Condition VICINITY LOCATION: Located 1 Mile South of Whitewood on Crook City Road LEGAL: Property Described as Tract A-2 of the SW ¼, Section 27, T6N, R4E. No public input was voiced and the hearing was closed. Moved-Seconded (Rosenau-Deibert) 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 #443 for Robin Auer to allow for a temporary 2nd residence for family member with medical condition. Motion Carried.

CONDITIONAL USE PERMIT #62-17/ARNIO: A Public Hearing was held on C.U.P. # 62-17. APPLICANT: David Arnio SUMMARY: Request for an Amendment to Existing CUP #62 Permitting a Logging/Trucking Business on the Premises and Add as Permitted Uses a Construction Business, Garage Unit Rental and Parking Area for Outside Storage (Campers, Etc.) VICINITY LOCATION: Old Belle Road LEGAL: Property Described as the North 485' of a Portion of the N 950' of the E 460' of the NE ¼ all in Section 32, T7N, R2E. Moved-Seconded (Deibert-Sleep) to approve Amended Conditional Use Permit #62-17 for David Arnio to allow for a logging/trucking business on the premises and add as permitted uses a construction business, garage unit rental and parking area for outside storage (campers, etc.); and to revise the legal description to be Tract A2 located in the NE 1/4 NE 1/4 of Section 32, T7N, R2E and 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. Motion Carried.

EMERGENCY MANAGEMENT:

2017 SAFETY SYNOPSIS: Paul Thomson, Emergency Management Supervisor and Rene' Larson, Administrative Assistant presented the 2017 Safety Synopsis.

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

BILLS:

Moved-Seconded (Rosenau-Deibert) 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-\$6,669.31; Aud-\$12,341.18; Treas-\$13,307.11; States Atty-\$14,857.80; Pub Def-\$12,297.74; Gen Govt Bldg-\$9,138.15; Equal-\$14,775.33; Rod-\$9,333.97; Vso-\$988.80; Ist-\$9,464.72; Disp-\$18,266.24; Sher-\$44,480.21; Jail-\$31,777.95; Coroner-\$570.15; 24/7-\$165.80; Emerg Mgnt-\$4,372.44; E911-\$2,052.80; Highway-\$48,712.41; Mh Serv-\$1,222.00; Weed-\$3,704.94; Pz-\$5,721.20; **Bills:** Thomson, Paul-\$67.00; 2-1-1 Helpline Center-\$1,000.00; A To Z Shredding-\$129.40; A&B Business,Inc Solutions-\$3,040.13; A&B Welding Supply-\$21.90; A&J Supply-\$136.90; Ace Hardware Of Lead-\$9.99; Ainsworth Benning Const-\$30,278.70; Allied Oil & Tire Company-\$16,049.60; American Red Cross-\$1,000.00; Amiotte,Edward-\$500.00; At&T Mobility-\$919.36; Audra Hill Consulting-\$1,229.55; BH Occupational Medicine-\$180.00; BH Pest Control-\$190.00; BH Physcial Therapy-\$240.00; BH Pioneer-\$543.32; Barnaud Law Firm-\$2,560.16; Behavior Mngt Systems-\$50.00; Bi Geo Group Co-\$542.80; Bickle's Truck & Diesel-\$4,111.53; Black Hills Energy-\$11,816.11; Black Hills Pure-\$11.50; Burton,Dennon-\$210.00; Butler Machinery Co-\$241,254.88; Butte Electric Coop-\$539.91; Campbell Co Sheriffs Off-\$50.00; Century Business Products-\$490.87; Centurylink-\$2,053.98; Centurylink (Damage)-\$1,285.54; City Of Rapid City-\$805.00; City/County Alcohol&Drug-\$2,309.00; Clinical Lab Of BH-\$407.00; Credit Collections Bureau-\$64.54; Dakota Equipment Rental-\$89.68; Dean Schaefer Court Reporting-\$30.00; Deepnet Security Ltd-\$631.00; Dentz,Christine-\$450.00; Dept Of Hlth Lab Services-\$470.00; Dept Of The Treasury-\$69,237.85; Dmc Wear Parts-\$478.00; Eddie's Truck Sales/Serv-\$14.56; Election Sys & Software-\$6,060.00; Ellingson,Joseph-\$1,234.90; Esri-\$400.00; Fassbender Photographic-\$7,500.00; Fastenal-\$606.24; First Western Ins Deadwood-\$50.00; Frederickson,John R-\$400.00; Galls-\$81.69; Geigle,Jd-\$67.00; Godfrey's Brake Serv-\$262.11; Hartford-Priority Accounts-\$2,119.95; Hawki,Ken-\$67.00; Heartland Paper Co-\$686.54; Heisler Hardware-\$14.99; Interstate Engineering-\$9,620.30; Jacobs Precision Welding-\$79.09; Janke, Wendy-\$2,166.00; Karen Paige Hunt, Prof-\$3,452.56; Kimball-Midwest Co-\$233.16; Kinkade Funeral Chapel-\$975.00; Kinney,Matthew-\$3,404.41; Kosel,Joseph-\$9,427.42; LC Assessor-\$31.47; Lamb Painting-\$4,693.89; Lawson Products-\$119.66; Lead, City Of-\$104.85; Lead-Deadwood Regional Hospital-\$20.48; Lead-Deadwood Sanitary-\$703.40; Lee, James-\$15.00; Lexisnexis Risk Data Mgnt-\$75.50; Lincoln County-\$389.60; Lynn's Dakotamart-\$10.65; McClure, Susan-\$300.00; Microfilm Imaging Systems-\$2,605.00; Mid States Organized-\$150.00; Midcontinent Communications-\$111.54; Montana Dakota Utilities-\$1,340.14; Murphy Law Office-\$16.00; Nacvso-\$155.00; Nalco Company-\$239.20; Nasppg Insurance Services-\$2,680.85; National Sheriff's Assoc-\$115.00; Nelson Law-\$2,415.80; Nelson,Christy-\$100.00; Nelson,Tonya-\$450.00; Office Depot-\$91.86; Office Of Attorney General-\$302.77; Office Of Child Support-\$960.01; Onsolve-\$5,600.00; Overhead Door Company Of Rapid-\$420.17; Pennington Co Jail-\$410.60; Pennington County Public-\$131.00; Pennington County Sheriff-\$400.00; Pfefferle, Sarah-\$70.00; Phoenix Investigations-\$402.80; Pitney Bowes-\$2,295.72; Pizza Lab-\$76.35; Program Works-\$864.96; Quik Signs-\$135.67; Quill-\$930.99; Rabe Elevator-\$2,197.43; Radiology Associates-\$26.60; Rapid Delivery-\$12.94; Rcs Construction-\$6,908.00; Regional

Health-\$1,768.89; Rocket Lube-\$148.98; Sd Cvso-\$50.00; Sd Dept Of Transportation-\$1,683.99; Sd Emergency Mngt Association-\$380.00; Sd Public Assur Alliance-\$203.20; Sd State Treasurer-\$14,151.88; Sd Unemployment Ins Division-\$368.21; Sdrs Supplemental Retirement-\$2,841.00; Secretary Of State-\$60.00; Semerad,Sandra-\$352.80; Servall Towel & Linen-\$1,129.19; Spearfish Auto Supply-\$1,084.41; Spearfish Police Dept-\$10,479.49; Spearfish Regional Hospital-\$650.22; Strain Morman Law Firm-\$6,410.99; Sturdevant's Auto Parts-\$2,325.71; Sysco Montana-\$4,257.29; Thomson Reuters-West-\$948.64; Triple K Tire & Repair-\$686.10; Turnkey Corrections-\$23.83; Twin City Hardware & Lumber-\$407.19; Vast Broadband-\$1,390.34; Verizon Wireless-\$105.44; Victims Of Violence-\$670.00; Waste Connections-\$758.24; Watertree-\$66.65; Wegner Auto Co-\$28,293.00; Wells Fargo Business Card-\$2,030.50; West River International-\$369.96; Western Sd Juvenile Serv-\$3,580.00; Wex Bank-\$817.36; White Drug-\$2,256.99; Whitewood Senior Citizens-\$1,000.00; Wolff's Plumbing & Heating-\$85.50; Yankton Co Sheriff-\$50.00; Z&S Dust Control-\$204,478.50; **Witness & Jurors:** Goetsch,M-\$30.92; Lopez,A-\$16.72; Allerdings,E-\$52.52; Arithson,R-\$23.44; Birk,C-\$21.76; Bordewyk,T-\$62.60; Carroll,P-\$66.80; Cockreham,R-\$64.28; Crawford,G-\$60.92; Crowley,M-\$20.92; De Lano,M-\$14.28; Derosia,N-\$10.84; Engle,L-\$26.80; Fishman,R-\$16.72; Frederickson,T-\$25.12; Geppert,T-\$31.00; Gostola,C-\$12.52; Gruenwald,P-\$66.80; Gusso,T-\$21.76; Haefs,D-\$11.68; Hansen,M-\$62.60; Hansen,T-\$50.84; Haught,M-\$24.28; Hayward,N-\$12.52; Howard,S-\$31.00; Johnson,A-\$21.76; Kinghorn,S-\$20.08; Jones,M-\$35.20; Kusser,B-\$19.24; Lampe,B-\$66.80; Langer,D-\$20.08; Mcmillin,G-\$23.44; Myers,D-\$23.44; Niesent,R-\$24.28; Potratz,A-\$22.60; Rhodes,J-\$58.40; Ryan,M-\$21.76; Scherer,S-\$12.52; Sternhagen,L-\$12.52; Stork,W-\$12.52; Teel-Hartman,M-\$20.92; Ardis,G-\$35.12; Barrera,L-\$114.50; Childers,I-\$32.60; Comer,K-\$30.92; Eischens,T-\$334.58; Kallis,H-\$35.12; Lavoy,P-\$45.20; Merrill,D-\$26.97; Ritch,S-\$20.00; Volk,C-\$35.12; Waisanen,D-\$20.00; Anderson,B-\$32.60;

ADJOURN: 11:10 a.m. There being no further business, it was Moved-Seconded (Deibert-Rosenau) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Deputy Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – February 13, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on February 13, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Richard Sleep, and Daryl Johnson present. Absent Randall Rosenau.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Deibert-Sleep) to approve the minutes of January 23, 2018 County Commission meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Sleep-Flanagan) to approve Shelley M. Dragoo as a permanent full-time Sheriff's Administrative Assistant G3 at the base rate of \$22.51 an hour, effective February 11, 2018. Motion Carried.

Moved-Seconded (Johnson-Deibert) to allow for the advertisement of two part-time correctional officers. Motion Carried.

EQUALIZATION: Moved-Seconded (Deibert-Flanagan) to approve the job description for an Equalization 1st Deputy/GIS Coordinator G1-\$25.72hr, G2-\$26.42hr, G3-\$27.12hr. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve the job description for an Equalization Office Manager G1-\$19.99hr, G2-\$20.59hr, G3-\$21.19hr. Motion Carried.

Moved-Seconded (Deibert-Johnson) to approve Brett Runge as a Equalization 1st Deputy/GIS Coordinator G1 at the base rate of \$25.72 an hour, effective February 11, 2018. Motion Carried.

Moved-Seconded (Deibert-Johnson) to approve Nicolle Geuke as a Equalization Office Manager G1 at the base rate of \$19.99 an hour, effective February 11, 2018. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Deibert) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of

January 31, 2018 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)-\$140,456.18; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$4,188.96; petty cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,000,000; bank balance \$12,461,431.88, money market \$8,729,782.62 Total \$24,191,214.50.

TRANSFER OF FUNDS: Moved-Seconded (Deibert-Johnson) to approve the annual budgeted transfer of \$2,500,000 from General Fund to Road & Bridge Fund and to transfer \$135,000 from General Fund to Emergency & Disaster Fund. Motion Carried.

2018 BUTTE/LAWRENCE COUNTY FAIR AGREEMENT: Moved-Seconded (Sleep-Johnson) to approve and authorize the Chairman to sign the 2018 Fair Agreement with Butte County. Motion Carried.

TREASURER:

WHEEL TAX: Deb Tridle, Treasurer gave a report on the amount of wheel tax collected in 2017. This was the first full year of the wheel tax.

HISTORICAL TAX BOOK: Deb Tridle informed the Commission that in the 1990's the Historic Tax Books were donated to the Case Library at Black Hills State University. The Deadwood Historical Preservation Board is partnering with the Case Library at Black Hills State University and as part of their archive budget, the books from 1890 to 1977 will be put on micro film and digitized. The books will be available to the public and the County will also receive a copy at no charge.

ABATEMENTS:

MLJ PROPERTIES SD LLC: Moved-Seconded (Johnson-Flanagan) to approve the abatement for MLJ Properties SD LLC on parcel #32970-00160-011-00 because the mobile home has been demolished. Motion Carried.

CABLE, DARLENE/C/O STARTZ, ZACHARY & JACOB: Moved-Seconded (Johnson-Deibert) to approve the abatement for Cable, Darlene/C/O Starts, Zachary & Jacob on parcel #26400-01135-000-93 because the mobile home has been demolished. Motion Carried.

CITY OF DEADWOOD: Moved-Seconded (Sleep-Johnson) to approve the abatement for the City of Deadwood on parcel #26910-02122-000-30 because the property is tax exempt. Motion Carried.

SHERIFF:

JSC COMPACT REBATE: Brian Dean, Sheriff informed the Board that the County has received a rebate check in the amount of \$15,912.01.

COOPERATIVE LAW ENFORCEMENT AGREEMENT: Moved-Seconded (Deibert-Sleep) to approve and authorize the Chairman to sign Modification #4 Cooperative Law Enforcement Annual Operating Plan & Financial Plan between the Lawrence County Sheriff's Department and the USDA, Forest Service Black Hills National Forest. Motion Carried.

COUNTY POOL VEHICLE: The following bids were received for one (1) New model year 2018, half ton SUV. Juneks - Option #1 (1) 2018 Dodge Durango SXT AWD - \$33,000.00 (\$2,000 trade-ins) = \$31,000.00; Option #2 (1) 2018 Dodge Durango GT AWD - \$40,000.00 (\$2,000.00) = \$38,000.00. Whites Queen City Motors - (1) 2018 Chevy Tahoe LS - \$39,479.00 (\$1,750 trade-ins) = \$37,729.00.

Moved-Seconded (Deibert-Flanagan) to accept the lowest responsible bid from White's Queen City Motors and waive any irregularities for (1) 2018 Chevy Tahoe LS - \$39,479.00 (\$1,750 trade-ins) = \$37,729.00 and to declare the 1999 Mercury Villager VIN#4M2XV11T3XDJ35520 and the 2003 Ford Explorer VIN#1FMZU73K63ZA76870 surplus and allow them to be considered for trade in. Motion Carried.

HIGHWAY:

FUEL QUOTES: The following fuel quotes were submitted as of January 24, 2018 and February 5, 2018: **Deadwood Diesel Blended 50/50 (dyed) 7700 gallons:** (prices per gallon) CBH Cooperative - \$2.559; MG Oil - \$2.476*; Harms Oil Co - No bid. **Spearfish Diesel #2 (dyed):** 3000 gallons: (prices per gallon) CBH Cooperative - \$2.302; MG Oil - \$2.2718*; Harms Oil Co-No Bid. **Spearfish Unleaded 1100 gallons:** (prices per gallon) CBH Cooperative - \$2.259; MG Oil - \$2.219*; and Harms Oil Co - No bid. *Represents lowest quote awarded.

NORTH ROCHFORD ROAD OVERLAY PROJECT: The following bids were received for the North Rochford Road Overlay Project: Sacrison Paving Inc.-\$1,140,763.25; Simon Contractors of SD, Inc.-\$1,069,940.60; Bituminous Paving Inc.-\$983,961.00; Western Construction Inc.-\$871,574.40.

Moved-Seconded (Sleep-Flanagan) to follow the recommendation of the Highway Superintendent and accept the lowest responsible bid from Western Construction, Inc. for \$871,574.40, to waive any irregularities, and to approve and authorize the Chairman to sign the construction agreement and notice to proceed. Motion Carried.

SPRING LOAD LIMIT RESOLUTION #18-07: Moved-Seconded (Johnson-Sleep) to approve the following LAWRENCE COUNTY SPRING LOAD LIMIT RESOLUTION #2018-07, to become effective when the road conditions warrant. Motion Carried. Lawrence County Spring Load Limit Resolution No. 2018-07. Whereas, seasonal climatic changes can be detrimental to our Highways and create dangerous driving conditions and Whereas, the Lawrence County Board of County Commissioners desires to protect existing Lawrence County

Highways, ultimately saving tax dollars and, Whereas, The Lawrence County Board of County Commissioners, Desire 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 spring load limits on the following Lawrence County Highways shall be set at Seven (7) tons per axle on Nemo Road, North Rochford Road, Vanocker Canyon Road, Old Belle Road, Hillsview 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 SDCL32-22-55. Dated, this 13th day of February, 2018 at Deadwood, South Dakota. LAWRENCE COUNTY BOARD OF COMMISSIONERS Brandon Flanagan, Chairman of The Board ATTEST: CONNIE ATKINSON
Lawrence County Auditor.

Moved-Seconded (Deibert-Johnson) to authorize the Chairman to sign the letter requesting the enforcement of the spring weight limit from the South Dakota Motor Carrier. Motion Carried.

Moved-Seconded (Johnson-Sleep) to place the 80,000 ton weight limit back on Old Highway 14 and to allow Allan Bonnema, Highway Superintendent to use his digression to remove the weight limits thereafter when conditions warrant. Motion Carried.

UTILITY PERMIT:

BLACK HILLS ENERGY: Moved-Seconded (Deibert-Flanagan) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the Application for a Permit to Occupy County Highway Right-of-Way for Black Hills Energy on Maitland Road located in Section 12, Township 5N, Range 2E. Motion Carried.

CENTURYLINK: Moved-Seconded (Deibert-Johnson) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the Application for Permit to Occupy County Highway Right-of-Way for CenturyLink on Crook City Rd located in Section 27 and 28, Township 6N Range 4E. Motion Carried.

CENTURYLINK: Moved-Seconded (Deibert-Flanagan) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the Application for Permit to Occupy County Highway Right-of-Way for CenturyLink on Whitewood Valley Road located in Section 2, 10, 11 and 15, Township 6N, Range 4E and Section 25, 35 and 36, Township 7N, Range 4E. Motion Carried.

CENTURYLINK: Moved-Seconded (Deibert-Sleep) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the Application for Permit to Occupy County Highway Right-of-Way for CenturyLink on Acorn Road located in Section 7 and 8, Township 6N Range 4E. Motion Carried.

PLANNING & ZONING:

POWDER HOUSE PASS: Moved-Seconded (Johnson-Flanagan) to waive the Building and Sewer permit fee for the construction of the wastewater treatment facility at Powder House pass. Motion Carried.

ORDINANCES/SETBACKS/COMPREHENSIVE PLAN UPDATE: Amber Vogt, Planning and Zoning Administrator gave an update on the possible revision of variance related ordinances, consider requirement to stake setbacks on building sites and budgeting for the update of the comprehensive plan in 2019.

PLAT:

PRELIMINARY AND FINAL PLAT: - Moved-Seconded (Deibert-Flanagan) to note on the plat that the maximum density may or may not allow for sub-dividing on Lot 13A and to follow Planning and Zoning Commission and P&Z Staff Report and approve the Preliminary and Final Plat for Rochford Ridge Estates Bowar/Percevich/McGrath. LEGAL: Lot 12 & 13 A of Rochford Ridge Estates, All Located in Section 31, T4N, R3E. VICINITY LOCATION: Rochford Road. Motion Carried

RECESS: 9:19 a.m. Moved-Seconded (Deibert-Johnson) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 9:45 a.m. The Chairman called the meeting back to order.

EXECUTIVE SESSION PENDING LITIGATION: 10:00 a.m. Moved-Seconded (Sleep-Deibert) to go into executive session pursuant SDCL 1-25-2(3) with Bruce Outka and John Frederickson. Motion Carried. 10:31 a.m. The Board opened for regular business with no action taken.

EMERGENCY MANAGEMENT: Paul Thomson, Emergency Management Director presented the Board with the 2018 Elected Officials Briefing. Moved-Seconded (Deibert-Johnson) to authorize the Chairman to sign the 2018 South Dakota Office of Emergency Management Elected Officials Briefing. Motion Carried.

BILLS:

Moved-Seconded (Deibert-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-\$6,669.31; Aud-\$12,317.39; Treas-\$11,903.39; States Atty-\$15,470.13; Pub Def-\$12,297.74; Gen Govt Bldg-\$9,434.16; Rod-\$9,158.36; Vso-\$988.80; Ist-\$9,464.72; Disp-\$13,470.73; Sher-\$40,726.97; Jail-\$22,290.70; Coroner-\$960.15; 24/7-\$207.40; Emerg Mgnt-\$4,387.44; E911-\$2,052.80; Highway-\$45,809.13; Weed-\$3,904.94; Pz-\$5,743.20; **Bills:** Tridle,

Debora-\$26.00; Vogt,Amber-\$108.00; Palmer,Ryan-\$79.38; Davis,Nathaniel-\$160.00; A To Z Shredding-\$17.20; A&B Business,Inc Solutions-\$1,918.53; A&B Welding Supply-\$66.38; A&I Distributors-\$2,216.40; Alpine Impressions-\$285.00; American Family Life-3,153.44; Apco International-\$184.00; Armstrong Extinguisher-\$1,605.00; Arrigo,Kali-\$100.00; At&T Mobility-\$919.36; Axon Enterprise-\$117.00; BH Council Of Local Govt-\$6,265.00; BH Occupational Medicine-\$35.00; BH Pioneer-\$640.52; Barnaud Law Firm-\$666.50; Behavior Mngt Systems-\$24,097.00; Black Hills Energy-\$251.97; Black Hills Pure-\$35.50; Black Hills Urgent Care-\$50.00; Brown & Saenger-\$60.08; Bruemmer,Lynnel-\$11.60; Butler Machinery Co-\$589.87; Butte Electric Coop-\$659.83; Century Business Products-\$493.56; Centurylink-\$109.84; Charm-Tex-\$1,959.20; City/County Alcohol&Drug-\$1,057.50; Clinical Lab Of BH-\$1,711.00; Clubhouse Hotel & Suites Pierre-\$154.00; Cochran,Leslie-\$47.60; Credit Collections Bureau-\$482.12; Culligan Water-\$2,749.00; Dakota Equipment Rental-\$172.78; Deadwood Carnegie Library-\$91,801.00; Deadwood, City Of-\$1,050.67; Deadwood Recreation Center-\$786.00; Delta Dental Of South Dakota-\$7,315.78; Denny's Welding-\$6.50; Dept Of Hlth Lab Services-\$35.00; Dept Of The Treasury-\$120,131.88; Dmc Wear Parts-\$3,553.00; Express Toll-\$7.40; Fastenal-\$65.85; Federal Express Corp-\$23.62; Fox & Youngberg-\$195.32; G&H Distributing Of Rc-\$323.88; Galls-\$212.90; Gene's Lock Shop-\$54.98; Goodie's Uniforms-\$795.00; Gould Upholstery-\$228.00; Grace Balloch Mem Library-\$230,421.00; Great Western Tire Company-\$69.95; Grimm's Pump Service-\$13,639.91; Harrisburg Funeral Chapel-\$1,000.00; Hartford-Priority Accounts-\$2,119.95; Heartland Paper Co-\$2,265.82; Hp-\$636.65; Ibm Corporation-\$437.13; Interstate Engineering-\$1,755.52; Jacobs Precision Welding-\$58.64; Jenner Equipment-\$55.52; Katterhagen,Mark-\$37.50; Kinkade Funeral Chapel-\$975.00; Kosel,Joseph-\$17,477.87; LC Treasurer-\$20.00; Lamb Painting-\$816.33; Language Line Services-\$153.95; Lead, City Of-\$108,797.25; Lead-Deadwood Reg Hospital-\$5,225.00; Lead-Deadwood Regional Hospital-\$1,397.50; Lead-Deadwood Sanitary-\$655.19; Lee,James-\$15.00; Lewis & Clark Bhs-\$160.00; Lewno,Lucy-\$439.42; Lincoln County-\$9.40; Lockwood,Darcy-\$37.50; Marshall & Swift/Boeckh-\$1,008.40; McClure,Susan-\$200.00; Mg Oil Company-\$27,185.60; Microfilm Imaging Systems-\$2,266.50; Mid-Continent Testing-\$77.00; Mikelson,Gary-\$260.46; Minnehaha County-\$155.80; Montana Dakota Utilities-\$6,466.24; Moore Medical-\$1,172.76; Moss, William Psy-\$750.00; NH Alcohol & Drug Services-\$10,000.00; NH Training Center-\$5,000.00; National Assoc Of Co Engineers-\$670.00; Nebraska Salt & Grain Co-\$5,800.86; Nelson,Tonya-\$250.00; Nichols, Helen Rd Ln Cde-\$125.00; Northern Hills Casa-\$7,500.00; Northern Hills Rec Center-\$177.00; Northern Truck Equip-\$387.60; Oberle's Radiators & Repairs-\$720.00; Office Depot-\$53.66; Office Of Attorney General-\$605.54; Office Of Child Support-\$1,966.18; Outdoor Motor Sports-\$41.95; Pennington County Public-\$66.00; Pennington County Sts Attny-\$215.00; Pfefferle,Sarah-\$210.00; Phoenix Investigations-\$1,493.52; Plumbmaster-\$36.11; Prairie Hills Transit-\$7,500.00; Proguard-\$27.93; Quill-\$522.29; Radiology Associates-\$27.77; Rapid Transcript-\$39.00; Regional Health-\$133.42; Rocket Lube-\$57.99; Root Spring Scraper-\$20,346.84; Sd Aao-\$450.00; Sd Assn Of Co Comm-\$50.00; Sd Assoc Code Enforcement-\$50.00; Sd Building Officials Assoc-\$75.00; Sd Dept Of Public Safety-\$5,400.00; Sd Human Services Center-\$23.60; Sd State Treasurer-\$1,831.36; Sd Retirement System-\$63,331.64; Sdrs Supplemental Retirement-\$5,732.00; Semerad,Sandra-\$668.80; Servall Towel & Linen-\$660.73; Shopko Pharmacy-\$8.99; Silverado-\$99.05; Spearfish Ambulance Service-\$5,225.00; Spearfish Auto Supply-\$1,277.12; Spearfish Senior Citizens-\$2,000.00; State Bar Of South Dakota-\$415.00; Sterna,Laura-\$150.00; Strain Morman Law Firm-\$1,450.26; Streicher's-\$364.74; Sturdevant's Auto Parts-\$2,015.97; Sysco Montana-

\$3,715.39; Thomson Reuters-West-\$184.64; Top Quality-\$390.00; Triple K Tire & Repair-\$87.06; Turnkey Corrections-\$21.35; Twin City Hardware & Lumber-\$392.19; Twin City Senior Citizens-\$2,000.00; Vast-\$348.77; Versatile Carpets & Inter-\$408.50; Victims Of Violence-\$355.00; Waste Connections-\$800.52; Watertree-\$59.70; Weed & Pest Assoc Sd Co Boards-\$415.00; Wells Fargo Business Card-\$5,403.91; Wellmark Blue Cross-\$85,943.57; West River International-\$554.72; Western Communication-\$3,031.80; Western State Fire Protection-\$560.00; Wex Bank-\$623.75; Whitewood Library-\$61,320.00; Williams & Associates-\$5,450.95; Yankton Co Sheriff-\$100.00; Yankton County-\$142.25; Zep Manufacturing Co-\$169.87; **Witness & Jurors:** Goetsch,M-\$30.92; Allerdings,E-\$52.52; Bordewyk,T-\$62.60; Carroll,P-\$66.80; Cockreham,R-\$64.28; Crawford,G-\$60.92; De Lano,M-\$14.28; Geppert,T-\$71.00; Gostola,C-\$52.52; Gruenwald,P-\$66.80; Hansen,M-\$62.60; Hansen,T-\$50.84; Hayward,N-\$52.52; Jones,M-\$75.20; Kinghorn,S-\$60.08; Mcmillin,G-\$63.44; Rhodes,J-\$58.40; Ryan,M-\$61.76; Sternhagen,L-\$52.52; Teel-Hartman,M-\$60.92; Anderson,B-\$32.60; Adam,L-\$20.00; Baumgartner,K-\$20.00; Two Bulls Cypher,J-\$33.27; Hamak,A-\$22.52; Nohr,J-\$35.12

ADJOURN: 11:03 a.m. There being no further business, it was Moved-Seconded (Deibert-Sleep) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Deputy Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – February 13, 2018

Chairman Brandon Flanagan called the meeting of the Lawrence County Board of Adjustment to order at 9:19 a.m. on February 13, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Richard Sleep, and Daryl Johnson present. Absent Randall Rosenau.

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

VARIANCE #163/HENSLY: A Public Hearing was held on Variance #163. Jerry Aberle, Powder House Pass, spoke in favor of the variance. The public hearing was closed.
APPLICANTS: Mark and Kristi Hensly/Legacy Custom Homes & Design **SUMMARY:** Variance request for 8.8' Variance to the 25' Front Setback, Leaving a 16.2' Front Setback for Residence Under Construction **LEGAL:** Lot 1, Blk 1 of Wilderness Estates 2nd Addition in Powder House pass, located in Section 17, T6N, R3E **VICINITY LOCATION:** Highway 85.

Moved-Seconded (Sleep-Johnson) to approve Variance #163 with an increased setback to take into account the soffits. **APPLICANTS:** Mark and Kristi Hensly/Legacy Custom Homes & Design **SUMMARY:** Variance request for 11' variance to the 25' front setback, leaving a 14' front setback for residence under construction **LEGAL:** Lot 1, Blk 1 of Wilderness Estates 2nd Addition in Powder House pass, located in Section 17, T6N, R3E **VICINITY LOCATION:** Highway 85. Aye-Deibert, Johnson, Sleep and Flanagan. Motion Carried.

VARIANCE #164/IPROPERTIESSD: A Public Hearing was held on Variance #164. Jerry Aberle, Powder house Pass spoke in favor of the variance. The public hearing was closed.
APPLICANT: IpropertiesSD/Legacy Custom Homes & Design **SUMMARY:** Variance request for 3.8' variance to 25' front setback, leaving a 21.2' front setback at the SE corner and a .20' variance to the 25' front setback, leaving a 24.8' front setback at the NE corner for new residence under construction **LEGAL:** Lot 2, Blk 4 of Wilderness Estates 2nd Addition in Powder House Pass, located in Section 17, T4N, R3E **VICINITY LOCATION:** Highway 85.

Moved-Seconded (Deibert-Johnson) to approve Variance #164 with an increased setback to take into account the soffits. **APPLICANT:** IpropertiesSD/Legacy Custom Homes & Design **SUMMARY:** Variance request for 6' variance to 25' front setback, leaving a 19' front setback at the SE corner and a 2.5' variance to the 25' front setback, leaving a 22.5' front setback at the NE Corner for a new residence under construction **LEGAL:** Lot 2, Blk 4 of Wilderness Estates 2nd Addition in Powder House Pass, Located in Section 17, T4N, R3E **VICINITY LOCATION:** Highway 8. Aye-Deibert, Johnson, Sleep and Flanagan. Motion Carried.

After the public hearings were closed, the Board of County Commissioners stated that this type of variances request - failure to undertake due diligence - will not be tolerated. Further, that setbacks need to be staked out before building starts and that the contractor is the person responsible for the building permit and making sure applicable requirements are met.

ADJOURN: 9:45 a.m. There being no further business, it was Moved-Seconded (Deibert-Flanagan) to adjourn the Board of Adjustment Meeting. Motion Carried.

Date Approved

Brandon Flanagan, Vice-Chairman

ATTEST:

Brenda McGruder, Deputy Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – March 13, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on March 13, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Daryl Johnson and Richard Sleep present. Absent Randall Rosenau.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Deibert-Sleep) to approve the minutes of February 13, 2018 County Commission meeting. Motion Carried.

Moved-Seconded (Johnson-Flanagan) to approve the minutes of February 13, 2018 Board of Adjustment meeting. Motion Carried.

TRAVEL REQUEST:

SHERIFF: Moved-Seconded (Deibert-Johnson) to approve the travel request for Tom Derby and Shelley Dragoo to attend the AJA National Conference in Sacramento, CA on April 21-26, 2018. Aye-Deibert, Johnson and Flanagan. Nay-Sleep. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Sleep-Flanagan) to approve Robert Torres as a permanent full-time Correction Officer G2 at the base rate of \$18.70 an hour, effective February 25, 2018. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Deibert-Sleep) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of February 28, 2018 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)-\$108,178.25; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$8,099.97; petty cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,000,000; bank balance \$10,995,530.50, money market \$8,734,746.38 Total \$22,849,765.10.

PETITION TO VACATION OF PLAT: Moved-Seconded (Johnson-Deibert) to set a public hearing for March 27, 2018 at 9:00 a.m. for legal description: Plat of Lots RH and FS being a Replat of Lot H of Nemo Placer M.S. 1368 and a portion of Nemo Placer M.S. 1368 Section 27, T3N, R5E, B.H.M., Lawrence County, South Dakota. Motion Carried.

ABATEMENT:

ROBERT JOHNSTON: Moved-Seconded (Sleep-Deibert) to approve the abatement for Robert Johnston on parcel #20970-00015-013-00 because the mobile home has been removed from the County. Motion Carried.

SHERIFF: Brian Dean, Sheriff gave a report on the Average Daily Population of the Jail and a large expenditure that will be coming due to an inmate having to spend 5 days in the hospital.

HIGHWAY:

FUEL QUOTES: The following fuel quotes were submitted as of February 15, 2018 and March 1, 2018: **Whitewood Diesel Blended 50/50 800 gallons:** (prices per gallon) CBH Cooperative - \$2.356*; MG Oil - No bid; Harms Oil Co - No bid. **Spearfish Diesel #2 (dyed): 4300 gallons:** (prices per gallon) CBH Cooperative - No bid; MG Oil - \$2.1718*; Harms Oil Co-No Bid. **Spearfish Unleaded 1000 gallons:** (prices per gallon) CBH Cooperative - No bid; MG Oil - \$2.155*; and Harms Oil Co - No bid.*Represents lowest quote awarded.

2018 CHASSIS CAB TRUCK: The following bid was received for One (1) New 2018 Chassis Cab Truck: White's Canyon Motors-\$52,629.20.

Moved-Seconded (Johnson-Flanagan) to follow the recommendation of Allan Bonnema, Highway Superintendent and accept the only bid from White's Canyon Motors and waive any irregularities for One (1) New 2018 Chassis Cab Truck-\$52,629.20. Aye-Deibert, Johnson and Flanagan. Nay-Sleep. Motion Carried.

APPROACH PERMIT:

MARK STOCKS/ROGER SIECK: Moved-Seconded (Sleep-Deibert) to follow the recommendation of the Highway Superintendent and approve the Approach Permit for Mark Stocks/Roger Sieck to construct an approach on the north side of 194th Street approximately 1 3/8 miles west of Highway 34 and 194th Street junction. Motion Carried.

HORIZON INVESTMENTS, LLC: Moved-Seconded (Sleep-Johnson) to follow the recommendation of the Highway Superintendent and approve the Approach Permit for Horizon Investments, LLC to construct an approach on the East side of Evans Lane approximately half way between Hillsvie Rd and Highway 14. Motion Carried. Abstain-Randy Deibert.

CULVERT BIDS: Moved-Seconded (Johnson-Sleep) to approve and authorize the purchase of Corrugated Metal Culverts, Aluminum Box Culverts, Steel Culvert Headwalls, Grader Blades, Snowplow Blades, Galvanized Steel Sheet Piling, Steel Bridge Piling, Steel Guardrail, Galvanized Steel Bridge Decking, and Modular Steel Pre-engineered Bridges off the Beadle County Bid from TrueNorth Steel for 2018, per the recommendation of the Highway Superintendent. Motion Carried. (Bid on file in the Lawrence County Auditor's Office)

BRIDGE INSPECTIONS: Moved-Seconded (Johnson-Flanagan) to follow the recommendation of the Highway Superintendent and approve and authorize the Chairman to sign the BRIDGE REINSPECTION RESOLUTION #18-08. Motion Carried. Resolution #2018-08 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 Brosz Engineering, Inc. (Sturgis) (Consulting Engineers) 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 13th day of March, 2018, at Deadwood, South Dakota. Board of County Commissioners of Lawrence County Brandon Flanagan, Chairman of the Board. ATTEST: Brenda McGruder, Deputy County Auditor.

CITY OF SPEARFISH/COUNTY ROAD JURISDICTION: The Board asked that Allan Bonnema, Highway Superintendent and Bruce Outka, Deputy State's Attorney, draft and be prepared to present a resolution transferring jurisdiction of certain roads from the County to the City of Spearfish.

FEDERAL LANDS ACCESS PROGRAM: A request will be made to Ali DeMersseman, Black Hills Council of Local Governments, to have her attend the next commission meeting to discuss the Federal Lands Access Program.

R.O.W. ENCROACHMENTS: An updated survey map of the Right-of-Way determination of the south side of West Highway 14 from Black Hills Energy Sports Complex through KOA Campground was presented to the Board. Further discussion has been scheduled for the next meeting.

PLANNING & ZONING:

PLATS:

PRELIMINARY AND FINAL PLAT/LINNEMAN: Moved-Seconded (Deibert-Johnson) to follow Planning and Zoning Commission and P&Z Staff Report and approve the Preliminary Plat for Brian & Lisa Linneman. Legal: Lots 35 & 36 of the Estates at Pillar Peak in Section 20 and 21, T5N, R4E. Vicinity Location: Hwy 85/Boulder Canyon SUMMARY: Allow for 2 Homes on 101 acres. Motion Carried.

Moved-Seconded (Deibert-Johnson) to approve the final plat with the condition that the areas depicted in the fire plan along the road be completed as well as the notation that any further subdivision would need fire plan review in affected areas and to follow Planning and Zoning Commission and P&Z Staff Report for Brian & Lisa Linneman. Legal: Lots 35 & 36 of the Estates at Pillar Peak in Section 20 and 21, T5N, R4E. Vicinity Location: Hwy 85/Boulder Canyon SUMMARY: Allow for 2 Homes on 101 acres. Motion Carried

PRELIMINARY PLAT/BH DEVELOPMENT, LLC: APPLICANTS: BH Development, LLC/Mid America Holdings, Co./Perlebach Investments, LLC. Legal: Lots 1-14, Blk 7 and Lots 1-10, Blk 8 of Wilderness Estates 2nd Addition, (legal shortened) in Section 8 T4N, R3E. Vicinity Location: Powder House Pass. Jerry Aberle, Powder House Pass Manager requested that consideration of the plat be continued until the next commission meeting to allow the legal description to be corrected.

FINAL PLAT/BH DEVELOPMENT, LLC: Legal: Lots 2, 3 & 8 Blk 7 of Wilderness Estates 2nd Addition, (legal shortened) in Section 8 T4N, R3E. Vicinity Location: Powder House Pass Moved-Seconded (Sleep-Flanagan) to continue until the next meeting on March 27, 2018. Motion Carried. Moved-Seconded (Sleep-Flanagan) to rescind the prior motion based on additional information being provided at the time of the meeting. Motion Carried.

Moved-Seconded (Johnson-Flanagan) to follow Planning and Zoning Commission and P&Z Staff Report and approve the Final Plat for BH Development, LLC. Legal: Lots 2, 3 & 8 Blk 7 of Wilderness Estates 2nd Addition, (legal shortened) in Section 8 T4N, R3E. Vicinity Location: Powder House Pass. Motion Carried.

PRELIMINARY PLAT/BH DEVELOPMENT, LLC: APPLICANTS: BH Development, LLC/BH Properties. LEGAL: Lots 1-12, Blk 1 and Lots 1-14, Blk 2 of Ridgewood Addition of Wilderness Estates 2nd Addition, (legal shortened) in Section 8 T4N, R3E. Vicinity Location: Powder House Pass. Moved-Seconded (Sleep-Flanagan) to continue until the next meeting on March 27, 2018. Motion Carried.

LAYOUT PLAN/STARZ: APPLICANTS: James and Tina Startz LEGAL: M.S. 1135 Claire #4 Located in Section 16, T4N, R4E. VICINITY LOCATION: Hwy 385 SUMMARY: Subdivide 10 Acre Parcel into 8 Acre and 2 Acre Parcels. Motion was made by Sleep to deny the Layout Plan for James and Tina Startz. Motion died due to lack of second. The issue discussed was access to the property crossing USFS property. While the Applicants are pursuing an access permit from the USFS, no permit has been issued. The Commission stated its reluctance to approve subdivision of the property under such circumstances. Applicants were encouraged to continue the access permitting process with the USFS and report back when that task is accomplished.

TRANSFER C.U.P. 62-17: Moved-Seconded (Johnson-Deibert) to approve the transfer of C.U.P. 62-17. From: David Arnio. To: Old Belle Road Enterprises, LLC. Legal: Tract A2

located in the NE 1/4 NE 1/4 of Section 32, T7N, R2E SUMMARY: Permit Trucking/Logging Business; Construction Business; Rental Units and Parking for Outside Storage. Motion Carried.

SETBACK MEASUREMENT: Jeff Schroeder, Deputy Code Enforcement Officer offered a report as to how neighboring counties and cities measure building setbacks - whether from the foundation or the outmost projection. Schroeder noted that both methods were used, and that Lawrence County has historically measured setbacks from the outmost projection. The Board referred the matter to the Planning & Zoning Commission for recommendations as to the best method for the County to employ going forward.

THERMAL IMAGING CAMERAS: Moved-Seconded (Deibert-Flanagan) to set the bid opening for April 10, 2018 at 8:25 a.m. for (6) Thermal Imaging Cameras. Motion Carried.

HOMELAND SECURITY GRANT: Moved-Seconded (Johnson-Deibert) to allow Paul Thomson, EM, to submit applications for the following Homeland Security Grants: HLS-2018-Lawrence County Emergency Management-00246, HLS-2018-Deadwood Police Department-00016, HLS-2018-Spearfish Fire Department-00317 and HLS-2018-Spearfish School District-00146. Motion Carried.

EXECUTIVE SESSION PENDING LITIGATION: 11:04 a.m. Moved-Seconded (Sleep-Flanagan) to go into executive session pursuant SDCL 1-25-2(3) with Bruce Outka and John Frederickson. Motion Carried. 11:43 a.m. The Board opened for regular business with no action taken.

Moved-Seconded (Deibert-Johnson) directing staff to file a claim with Claims Associates for legal representation regarding ongoing litigation in the matter of Oyen v. Lawrence County. Motion Carried.

WEED ENFORCEMENT TASK FORCE: Moved-Seconded (Sleep-Flanagan) to establish a weed enforcement task force for the specific and limited purpose of developing an active and manageable process to mitigate and proactively manage the continued expansion of invasive species in existing and future development. Motion Carried.

BILLS:

Moved-Seconded (Deibert-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-\$13,338.62; Aud-\$23,431.95; Treas-\$24,397.03; States Atty-\$30,895.70; Pub Def-\$24,595.48; Gen Govt Bldg-\$18,563.48; Equal-\$29,687.29; Rod-\$18,316.74; Ist-\$18,929.42; Disp-\$28,863.65; Sher-\$80,258.61; Jail-\$50,129.75; Coroner-\$1,476.70; 24/7-\$352.58; Emerg Mgnt-\$8,799.88; E911-\$4,105.60; Highway-\$95,820.52; Mh Ser-\$846.00; Weed-\$11,628.28; Pz-\$11,442.38; **Bills:** Ruffatto,Robert-\$69.00; Johnson,Patrick-\$69.00;

Merwin,Megan-\$69.00; Pickett,Michael-\$25.20; A To Z Shredding-\$17.40; A&B Business,Inc Solutions-\$2,179.43; A&B Welding Supply-\$144.28; A&I Distributors-\$723.90; A&J Supply-\$13.98; Ace Hardware Of Lead-\$2.60; Active Data Systems-\$26.02; Ainsworth Benning Const-\$10,760.70; Alpine Impressions-\$225.00; American Family Life-\$3,056.91; At&T-\$10.99; Black Hills Energy-\$11,912.42; Breit Law Offices-\$297.18; Centurylink-\$1,944.74; Credit Collections Bureau-\$64.54; Deadwood Recreation Center-\$811.00; Delta Dental Of South Dakota-\$7,275.18; Dept Of The Treasury-\$58,825.03; Hartford-Priority Accounts-\$2,169.89; Midcontinent Communications-\$111.54; Montana Dakota Utilities-\$388.40; Northern Hills Rec Center-\$177.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$983.09; Sd Assn Of Co Comm-\$100.00; Sd Retirement System-\$59,331.14; Sdrs Supplemental Retirement-\$2,866.00; Vast Broadband-\$1,685.47; Verizon Wireless-\$105.44; Wellmark Blue Cross-\$85,337.27; At&T Mobility-\$919.36; Audra Hill Consulting-\$1,594.17; Avera Mckennan Hospital-\$349.75; BH Land Analysis-\$999.00; BH Pest Control-\$190.00; BH Pioneer-\$807.36; Barnaud Law Firm-\$412.30; Bi Geo Group-\$464.60; Black Hills Disposal-\$90.00; Black Hills Energy-\$250.36; Black Hills Pure-\$11.50; Bob Barker Company-\$241.38; Breit Law Offices-\$297.18; Brown & Saenger-\$400.71; Bruemmer,Lynnel-\$70.20; Butler Machinery Co-\$4,817.92; Butte County-\$44,117.00; Butte Electric Coop-\$658.95; Cbh Cooperative-\$1,778.78; Century Business Products-\$487.87; Centurylink-\$109.84; Charm-Tex-\$148.32; City Of Rapid City-\$805.00; City/County Alcohol&Drug-\$226.00; Clinical Lab Of BH-\$1,646.00; Cochran, Leslie-\$142.80; Convergint Technologies-\$881.11; Credit Collections Bureau-\$64.54; Dakota Equipment Rental-\$885.84; Deadwood, City Of-\$1,040.69; Dept Of Hlth Lab Services-\$1,050.00; Dept Of The Treasury-\$59,025.39; Digital Paging Company-\$1,358.63; Dmc Wear Parts-\$541.84; Ecolab-\$156.42; Ellingson,Joseph-\$1,768.30; Epc-\$139.26; Fastenal-\$117.35; G&H Distributing Of Rc-\$72.55; Galls-\$113.85; Gene's Lock Shop-\$911.96; Godfrey's Brake Serv-\$869.94; Grafix Shoppe-\$1,449.89; Harkins,Carolyn-\$103.25; Heartland Paper Co-\$1,546.58; High Plains Business Forms-\$78.73; Hilpert & Hale Prof-\$246.40; Interstate Engineering-\$4,015.00; Jacobs Precision Welding-\$274.02; Janke,Wendy-\$1,666.00; Jensen, Alana-\$30.34; Karl's-\$73.94; Katterhagen,Mark-\$15.00; Kimball-Midwest Co-\$808.64; Kinkade Funeral Chapel-\$975.00; Kinney,Matthew-\$5,163.20; LC Sheriff-\$291.80; L-3 Mobile Vision-\$235.54; Lead, City Of-\$62.85; Lead-Deadwood Sanitary-\$658.00; Lewis & Clark Bhs-\$320.00; Lewno,Lucy-\$166.47; Lexisnexis Risk Data Mgnt-\$151.00; Lincoln County-\$142.53; Lockwood, Darcy-\$15.00; Mack's Auto Body-\$384.85; Megas Propane-\$819.41; Mcleod's Office Supply-\$99.80; Mg Oil Company-\$10,846.53; Montana Dakota Utilities-\$5,093.78; Mountain Vista Dental-\$122.00; Murphy Petroleum Transport-\$30.00; Nalco Company-\$239.20; Nebraska Salt & Grain Co-\$5,739.29; Nelson,Christy-\$150.00; Nelson,Tonya-\$450.00; North Central Int'l-\$1,473.73; Northern Truck Equip-\$3,631.35; Office Depot-\$1,410.37; Office Of Attorney General-\$302.77; Office Of Child Support-\$983.09; Pennington Co Jail-\$763.35; Pennington County Sheriff-\$400.00; Pennington County Sts Attny-\$215.00; Phoenix Investigations-\$1,536.21; Pictometry International-\$750.00; Pitney Bowes-\$353.15; Pitney Bowes Global Financial-\$992.04; Postmaster, Deadwood-\$90.00; Public Safety Source-\$2,157.15; Quill-\$965.24; Rabe Elevator-\$1,125.51; Radiology Associates-\$53.87; Rapid Delivery-\$67.00; Rasmussen Mechanical Serv-\$1,518.35; Regional Health-\$923.69; Regional Health Home Plus Hme-\$40.42; Rena M Hymans-\$1,773.33; Reserve Account-\$7,000.00; Rhomar Industries-\$276.34; Rocket Lube-\$82.99; Root Spring Scraper Co-\$296.88; Sand Creek Printing-\$404.00; Sd Assoc Of County Commission-\$929.00; Sd Public Assur Alliance-\$176,234.38; Sd State Treasurer-\$1,152.44; Sdrs Supplemental Retirement-\$2,816.00; Sdsu

Extension-\$6,307.00; Servall Towel & Linen-\$1,088.42; Shopko Pharmacy-\$16.24; Spearfish Auto Supply-\$807.60; Spearfish Police Dept-\$10,450.88; Stretch's Glass & Mirror-\$322.09; Sturdevant's Auto Parts-\$1,980.75; Sysco Montana-\$5,469.35; The Glass Shop-\$377.16; Thomson Reuters-\$186.61; Transource Truck & Equip-\$1,495.98; Triple K Tire & Repair-\$274.98; Twilight First Aid & Safety-\$107.35; Twin City Hardware & Lumber-\$2,545.08; Warne Chemical-\$1,542.40; Waste Connections Of Sd-\$800.52; Watertree-\$52.75; Wells Fargo Business Card-\$4,398.51; Wells Plumbing & Farm Supp-\$38.13; West River International-\$495.53; Western Sd Juvenile Serv-\$1,090.00; Wex Bank-\$925.47; White Drug-\$1,735.00; White's Canyon Motors-\$235.01; Yankton Co Sheriff-\$100.00; **Witness & Jurors:** Allerdings,E-\$52.52; Bordewyk,T-\$62.60; Carroll,P-\$66.80; Cockreham,R-\$64.28; Crawford,G-\$60.92; De Lano,M-\$14.28; Geppert,T-\$71.00; Gostola,C-\$52.52; Gruenwald,P-\$66.80; Hansen,M-\$62.60; Hansen,T-\$50.84; Hayward,N-\$52.52; Kinghorn,S-\$10.08; Lampe,B-\$66.80; Mcmillin,G-\$63.44; Rhodes,J-\$58.40; Ryan,M-\$61.76; Sternhagen,L-\$52.52; Teel-Hartman,M-\$60.92; Dinel,D-\$107.00; Morton,A-\$107.00; Morton,A-\$107.00; Carista,T-\$22.52; Thorman,J-\$32.44

ADJOURN: 12:02 p.m. There being no further business, it was Moved-Seconded (Sleep-Flanagan) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Deputy Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – March 27, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on March 27, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Daryl Johnson, Richard Sleep and Randall Rosenau present.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Deibert-Sleep) to approve the minutes of March 13, 2018 County Commission meeting. Motion Carried.

PERSONNEL:

HIGHWAY: Moved-Seconded (Rosenau-Flanagan) to approve Brady Maynard as a permanent full-time Heavy Equipment Operator at the base rate of \$23.58 an hour, effective April 2, 2018. Motion Carried.

VOLUNTEER FIRE FIGHTER: Moved-Seconded (Sleep-Rosenau) to approve Chelsey Lynn Swanson as a Volunteer Fire Fighter for insurance purposes. Motion Carried.

RAFFLE REQUEST / SPEARFISH AREA CHAMBER OF COMMERCE RAFFLE:

Moved-Seconded (Deibert-Johnson) to not object to the request to conduct a raffle for the Spearfish Area Chamber of Commerce, with the drawing taking place on September 27, 2018. Motion Carried.

FUNDING REQUEST / CITY OF DEADWOOD: Moved-Seconded (Sleep-Deibert) to deny the funding request made by the City of Deadwood for recycling services for 2018. Motion Carried.

AUTOMATIC SUPPLEMENTS:

SHERIFF: Moved-Seconded (Deibert-Rosenau) to approve the automatic supplement of \$5,007.85 to the Sheriff travel budget for hail damage to a patrol vehicle. Motion Carried.

DISSOLUTION OF THE WOODLANDS OF SPEARFISH ROAD DISTRICT: The Board acknowledged the receipt of the Dissolution of the Woodlands of Spearfish Road District as the area encompassing the district has been annexed into the City of Spearfish.

INVASIVE SPECIES MANAGEMENT WEED SPRAYING AGREEMENT: Moved-Seconded (Johnson-Rosenau) to approve and authorize the Chairman to sign the South Dakota Department of Transportation Weed Spraying Agreement. Motion Carried.

FEMA CERTIFICATE OF ACHIEVEMENT: Paul Thomson, Emergency Management Director was presented with a FEMA Certificate of Achievement for advanced professional series.

MALT-BEVERAGE & SD FARM WINE LICENSE TRANSFER / SD CAMPGROUND AND RESIDENCY CENTER INC. (SPEARFISH KOA): A public hearing was held on an application to transfer a Class-Retail (On-Off Sale) Malt Beverage & SD Farm Wine License for Spearfish SD Kampland Inc (Spearfish KOA) to SD Campground and Residency Center Inc (Spearfish KOA): No public input was voiced and the public hearing was closed. Moved-Seconded (Rosenau-Deibert) to approve the following transfer of Class-Retail (On-Off Sale) Malt Beverage & SD Farm Wine License. Previous License: Spearfish SD Kampland Inc (Spearfish KOA): Parcel B (KOA Campground) NW1/4NW1/4, Sec.3, T6N, R2E, BHM. Transfer To: SD Campground and Residency Center Inc (Spearfish KOA): Parcel B (KOA Campground) NW1/4NW1/4, Sec.3, T6N, R2E, BHM. Motion Carried.

HIGHWAY:

FUEL QUOTES: The following fuel quotes were submitted as of March 27, 2018: **Deadwood Diesel #2 (dyed) 6500 gallons:** CBH Cooperative-\$2.237*; MG Oil-\$2.271; Harms Oil Co.-No Bid. **Deadwood Unleaded 7100 gallons:** CBH Cooperative-\$2.27; MG Oil-\$2.24*; Harms Oil Co.-No bid. **Spearfish Diesel #2 (dyed): 1500 gallons:** (prices per gallon) CBH Cooperative - \$2.287; MG Oil - \$2.271*; Harms Oil Co-No Bid. **Spearfish Unleaded 950 gallons:** (prices per gallon) CBH Cooperative - 2.32; MG Oil - \$2.24*; and Harms Oil Co - No bid. **Whitewood Diesel #2 (dyed) 600 gallons:** (prices per gallon) CBH Cooperative - \$2.287; MG Oil - \$2.271*; Harms Oil Co - No bid. *Represents lowest quote awarded.

HIGHWAY SUPPLIES BIDS:

MAGNESIUM CHLORIDE: Moved-Seconded (Deibert-Johnson) to accept the only bid from Z&S Dust Control at \$153.00 per ton, \$18.50 per ton application, and \$5,000 for rental of a truck if needed, to waive any irregularities, and allow the Chairman to sign the Contract with Z&S Dust Control. Motion Carried.

HOT MIX ASPHALT: The following bids were received for Asphalt Hot Mix F.O.B.: Sacrison Paving- E-1 \$60.00 per ton & E-2 \$60.00 per ton at Exit 8 Plant; Simon Contractors of South Dakota, Inc.-E-1 \$58.50 per tone & E-2 \$59.00 per ton at the Centennial Quarry. Moved-Seconded (Deibert-Rosenau) to accept all bids received thereby allowing the Highway Superintendent to use the most advantageous price and desired location, and to waive any irregularities. Motion Carried.

COLD MIX ASPHALT: The following bid was received for Asphalt Cold Mix: Simon Contractors of South Dakota, Inc. - \$104.00 per ton at the Centennial Quarry. Moved-Seconded (Johnson-Deibert) to accept the only bid received from Simon Contractors of South Dakota, Inc. and to waive any irregularities. Motion Carried.

GRAVEL SURFACING AGGREGATE: The following bids were received for Gravel Aggregate: Simon Contractors of South Dakota, Inc.: 3/4" Gravel Surfacing- Hansen Pit-\$7.50 per ton; 1" Gravel Base- Hansen Pit-\$7.50 per ton; Centennial Quarry-\$9.50 per ton; 1/2" Clean Rock-Centennial Quarry-\$11.50 per ton; 3/4" Clean Rock-Centennial Quarry-\$11.00 per ton; 1" Clean Rock-Kost Pit-\$10.80 per ton; Centennial Quarry-\$10.80 per ton; 3/8" Chips-Centennial Quarry-\$15.50 per ton; 1" Gravel Base-Kost Pit-\$8.90 per ton. Johner Gravel, Inc.: 3/4" Gravel Surfacing-Hurm Pit-\$7.25 per ton with \$.25 loading fee; Evans Pit-\$7.25 with \$.25 loading fee; 1" Gravel Base-Hurm Pit-\$7.50 per ton with \$.25 loading fee; Evans Pit-\$7.50 with \$.25 loading fee; 1" Clean Rock-Hurm Pit-\$10.00 per ton with \$.25 loading fee; Evans Pit-\$10.00 with \$.25 loading fee. Moved-Seconded (Johnson-Rosenau) to accept all bids received, depending on the most advantageous price and desired location, and to waive any irregularities. Motion Carried.

DE-ICING SAND: The following bid was received for 4,000 ton of De-Icing Sand: Simon Contractors of South Dakota, Inc.: Centennial Quarry-\$14.60 per ton (Total Bid Price-\$58,400). Moved-Seconded (Deibert-Sleep) to accept the only bid from Simon Contractors of South Dakota, Inc.: Centennial Quarry-\$14.60 per ton (Total Bid Price-\$58,400). Motion Carried.

IN-PLACE HOT MIX ASPHALT PAVER PATCHING: The following bids were received for In-Place Hot Mix Asphalt Paver Patching: Sacrison Paving: Type 1-\$147.50 per ton & Type 2-\$147.50 per ton; Simon Contractors of South Dakota, Inc.: Type 1-\$127.00 per ton & Type 2-\$128.50 per ton. Moved-Seconded (Johnson-Sleep) to accept the lowest responsible bid from Simon Contractors of South Dakota, Inc.: Type 1-\$127.00 per ton & Type 2-\$128.50 per ton and to waive any irregularities. Motion Carried.

PRECAST CONCRETE CULVERTS/BOX CULVERTS/BRIDGE BEAMS/DECK UNITS: Moved-Seconded (Deibert-Rosenau) 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, to waive any irregularities, allow the Chairman to sign the contracts and allow for the option to buy off state bid. Motion Carried.

APPROACH PERMIT:

MIKE ANDERSON: Moved-Seconded (Sleep-Rosenau) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the approach permit for Mike Anderson

located on the north side of Gilt Edge Road approximately 2 tenths of a mile from the intersection of 385. Motion Carried.

CITY OF SPEARFISH/COUNTY ROAD JURISDICTION: Allan Bonnema, Highway Superintendent and Bruce Outka, Deputy State's Attorney will be meeting with Larry Dean, Department of Transportation and Beau Riopel, City of Spearfish on April 3, 2018.

FLAP OVERVIEW: Ali DeMersseman, Black Hills Council of Local Governments was present to give an overview of the Federal Lands Access Program.

VACATION OF PLAT / HOOD AND NEMO VOLUNTEER FIRE DEPARTMENT: A public hearing was held on a Petition to Vacate a Plat from Jerry D. & Patricia A. Hood and Nemo Volunteer Fire Department: Plat of Lots RH and FS being replat of Lot H of Nemo Placer M.S. 1368 and a portion of Nemo Placer M.S. 1368 Section 27, T3N, R5E, B.H.M., Lawrence County, South Dakota. No public input was voiced and the hearing was closed. Moved-Seconded (Rosenau-Deibert) to approve and authorize the Chairman to sign the following Resolution #18-10. Motion Carried.

Resolution #18-10 Resolution & Order Vacating a Plat WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, by Jerry D. Hood & Patricia A. Hood, husband and wife; and the Nemo Volunteer Fire Department, a South Dakota Nonprofit Corporation, requesting for the Vacation of a Plat, 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; Jerry D. Hood & Patricia A. Hood, Husband and Wife, PO Box 78, Nemo, SD 57759; and the Nemo Volunteer Fire Department, a South Dakota Nonprofit Corporation, PO Box 93, Nemo, SD 57759, and WHEREAS, the legal description is as follows: Plat of Lots RH and FS being a Replat of Lot H of Nemo Placer M.S. 1368 and a portion of Nemo Placer M.S. 1368 Section 27, T3N, R5E, B.H.M., Lawrence County, South Dakota, as shown by Plat recorded as Document Number 2016-5490 on the 10th day of November, 2016, in the office of the Register of Deeds Office, Lawrence County, South Dakota., Exhibit A attached hereto and incorporated herein, and WHEREAS, the names of the legal voters residing upon the platted property are Jerry D. Hood & Patricia A. Hood, and WHEREAS, the character and use of the plat is as follows: Jerry D. Hood and Patricia A. Hood utilize their property for residential purposes. The Nemo Volunteer Fire Department uses its property as a fire station and community hall, and WHEREAS, there are no public highways located upon said Plat, the Nemo Road is the only road shown on the plat, and vacating this plat will have no effect on the Nemo Road's location or use, and WHEREAS, the parties intended to adopt this plat to permit the Hoods to build a garage on property received from the Nemo Volunteer Fire Department; however, the parties mutually agreed to abandon such endeavor and desire to return ownership of such parcels to their original state prior to the filing of the Plat to be vacated, and 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, 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 27th day of March, 2018. Brandon Flanagan, Chairperson Lawrence County Commissioner. ATTEST: Brenda McGruder, Deputy Auditor Lawrence County.

PLANNING & ZONING:

PLATS:

PRELIMINARY AND FINAL PLAT/WILLIAMSON (Reconsideration): APPLICANTS: Joshua & Dianna Williamson & Keith & Michael Williamson Legal: Lots 128-A and 141-A of Spearfish Canyon Lots All Located in NE 1/4 of Section 4, T5N, R2E Vicinity Location: Spearfish Canyon.

Moved-Seconded (Deibert-Rosenau) declaring that the plat for Joshua & Dianna Williamson & Keith & Michael Williamson meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Deibert-Rosenau) to approve the Preliminary and Final Plat for Joshua & Dianna Williamson & Keith & Michael Williamson based upon the Planning and Zoning Commission recommendation for approval, the concurrent recommendation of P&Z staff, as reflected in the staff report, and upon a letter received from Department of Environment and Natural Resources. Legal: Lots 128-A and 141-A of Spearfish Canyon Lots All Located in NE 1/4 of Section 4, T5N, R2E Vicinity Location: Spearfish Canyon. Motion Carried.

PRELIMINARY PLAT/BH DEVELOPMENT, LLC: APPLICANTS: BH Development, LLC/Mid America Holdings, Co./Perlebach Investments, LLC. Legal: Lots 1-14, Blk 7 and Lots 1-10, Blk 8 of Wilderness Estates 2nd Addition, (legal shortened) in Section 8 T4N, R3E. Vicinity Location: Powder House Pass.

Moved-Seconded (Deibert-Rosenau) to follow Planning and Zoning Commission recommendation for approval and upon the concurrent recommendation of P&Z staff, as reflected in the staff report submitted, to approve the Preliminary and Final Plat for BH Development, LLC/Mid America Holdings, Co./Perlebach Investments, LLC. Legal: Lots 1-14, Blk 7 and Lots 1-10, Blk 8 of Wilderness Estates 2nd Addition, (legal shortened) in Section 8 T4N, R3E. Vicinity Location: Powder House Pass. Motion Carried.

FINAL PLAT/BH DEVELOPMENT, LLC:

Moved-Seconded (Sleep-Flanagan) to allow the Chairman to update the date to March 27, 2018 on the Final Plat for BH Development, LLC. Legal: Lots 2, 3 & 8 Blk 7 of Wilderness Estates 2nd Addition, (legal shortened) in Section 8 T4N, R3E. Vicinity Location: Powder House Pass. Motion Carried.

PRELIMINARY PLAT/BH DEVELOPMENT, LLC: APPLICANTS: BH Development, LLC/BH Properties. LEGAL: Lots 1-12, Blk 1 and Lots 1-14, Blk 2 of Ridgewood Addition of

Wilderness Estates 2nd Addition, (legal shortened) in Section 8 T4N, R3E. Vicinity Location: Powder House Pass.

Moved-Seconded (Deibert-Rosenau) to approve a Preliminary Plat for BH Development, LLC/BH Properties, to include certain exceptions to the subdivision regulations as requested by the engineering firm AE2S, to-wit: reduced ROW on Twilight Court, reduction in the cul-de-sac radius from 37 feet from 70 feet, and to reduce the ROW from 66 feet to 50 feet along Ridgewood Trail, all pursuant to the recommendation of the Planning and Zoning Commission and the concurrent recommendation contained in the P&Z Staff Report. LEGAL: Lots 1-12, Blk 1 and Lots 1-14, Blk 2 of Ridgewood Addition of Wilderness Estates 2nd Addition, (legal shortened) in Section 8 T4N, R3E. Vicinity Location: Powder House Pass. Motion Carried.

COMPREHENSIVE PLAN UPDATE: Ali DeMersseman, Black Hills Council of Local Governments was present to answer questions about a potential update to Lawrence County's Comprehensive Plan.

RECESS: 9:42 a.m. Moved-Seconded (Johnson-Rosenau) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. 10:30 a.m. The Chairman called the meeting back to order.

EXECUTIVE SESSION PERSONNEL: 10:54 a.m. Moved-Seconded (Rosenau-Deibert) to go into executive session pursuant SDCL 1-25-2(1) to discuss personnel. Motion Carried. 11:28 a.m. The Board opened for regular business with no action taken.

Chairman Flanagan on behalf of the Board regretfully accepted the resignation of Connie Atkinson, Lawrence County Auditor, effective April 14, 2018. The Board collectively offered its congratulations to Connie on her pending retirement, specifically noting the 31 years of devoted service to the citizens of Lawrence County.

Moved-Seconded (Deibert-Flanagan) to appoint Brenda McGruder as Lawrence County Auditor effective April 15, 2018 at 12:01 a.m. for the length of the term pursuant to SDCL 3-4-3 and to set the base pay at \$2,770.05 per pay period. Motion Carried.

MALT-BEVERAGE LICENSE TRANSFER / CUSTER CROSSING CAMPGROUND LLC: A public hearing was held on an application to transfer a Class-Retail (On-Off Sale) Malt Beverage License for Janell F. Andis (Custer Crossing) to Custer Crossing Campground LLC. No public input was voiced and the public hearing was closed. Moved-Seconded (Deibert-Sleep) to approve the following transfer of Class-Retail (On-Off Sale) Malt Beverage License. Previous License: 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. Transfer To: Custer Crossing Campground LLC:

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

BILLS:

Moved-Seconded (Johnson-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-\$6,669.31; Aud-\$12,389.63; Treas-\$12,350.83; States Atty-\$15,436.70; Pub Def-\$12,207.14; Gen Govt Bldg-\$9,315.50; Equal-\$14,865.73; Rod-\$9,158.36; Vso-\$988.80; Ist-\$9,464.71; Disp-\$13,888.42; Sher-\$39,919.02; Jail-\$22,390.73; Coroner-\$576.55; 24/7-\$145.18; Emerg Mgnt-\$4,386.44; E911-\$2,052.80; Highway-\$47,727.22; Weed-\$3,709.74; Pz-\$5,721.19; **Bills:** Larson, Rene-\$32.00; Moser, Douglas-\$93.96; A To Z Shredding-\$39.80; A&B Business,Inc Solutions-\$402.40; Ainsworth Benning Const-\$26,760.60; American Family Life-\$3,056.91; At&T-\$7.34; BH Pediatrics & Neonatology-\$1,077.96; BH Pest Control-\$190.00; BH Pioneer-\$15.25; BH Resource Conservation-\$100.00; BH Truck And Trailer-\$987.60; Barnaud Law Firm-\$440.45; Bi Geo Group-\$391.00; Big Sky Communications-\$296.00; Black Hills Energy-\$11,692.35; Breit Law Offices-\$297.18; Bruemmer,Lynnel-\$47.60; Butler Machinery Co-\$1,153.17; Centurylink-\$1,944.87; Childrens Home Society-\$39.14; Chris Supply Co-\$48.89; Clinical Lab Of BH-\$19.70; Credit Collections Bureau-\$64.54; Dakota Equipment Rental-\$71.71; David Wolfskill Investigation-\$287.50; Deadwood Recreation Center-\$803.00; Delta Dental Of South Dakota-\$7,344.52; Denny's Welding II-\$10.00; Dept Of The Treasury-\$57,220.32; Eddie's Truck Sales/Serv-\$388.70; Fastenal-\$106.70; Fidler-Isburg Funeral Chapel-\$190.00; Frederickson, John R-\$1,485.00; Galls-\$587.23; Godfrey's Brake Serv-\$2,099.57; Heartland Paper Co-\$1,344.10; Hill City Ambulance-\$650.00; Interstate Engineering-\$1,718.90; Karl's-\$169.94; Katterhagen, Mark-\$42.00; Kimball-Midwest Co-\$943.76; Kinney, Matthew-\$1,751.81; L-3 Mobile Vision-\$125.00; Law Enforcement Seminars-\$350.00; Lawson Products-\$315.79; Lee,James-\$15.00; Lewno, Lucy-\$487.90; Lockwood, Darcy-\$42.00; Mack's Auto Body-\$6,007.85; McClure, Susan-\$100.00; Microfilm Imaging Systems-\$1,220.00; Midcontinent Communications-\$111.82; Midwest Card & Id Solutions-\$500.00; Montana Dakota Utilities-\$721.20; Moss,William Psy-\$400.00; Mountain Vista Dental-\$660.00; Nalco Company-\$239.20; National Assoc Legal Assistant-\$140.00; Nebraska Salt & Grain Co-\$2,894.66; North Central Int'l-\$137.70; Northern Hills Rec Center-\$177.00; Northern Truck Equip-\$283.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$983.09; Pennington Co Jail-\$910.00; Pennington County Sts Attny-\$430.00; Pizza Lab-\$244.80; Quill-\$152.83; Radiology Associates-\$36.00; Ramkota Inn Pierre-\$260.98; Rasmussen Mechanical Serv-\$272.50; Regional Health-\$1,503.52; Rena M Hymans, PC-\$1,200.41; Root Spring Scraper-\$1,794.76; Schilling,Kevin-\$500.00; Sd Law Review-\$35.00; SD Ltap/Sdsu-\$150.00; SD Retirement System-\$59,779.06; Sdrs Supplemental Retirement-\$2,841.00; Servall Towel & Linen-\$660.73; Silverado-\$387.00; Spearfish Ambulance Service-\$80.00; Spearfish Police Dept-\$10,549.34; Sterna, Laura-\$250.00; Strain Morman Law Firm-\$1,567.83; Stretch's Glass & Mirror-\$818.63; Sysco Montana-\$2,700.36; Thomas L Bennett, MD-\$2,000.00; Track-\$93.08; Turnkey Corrections-\$44.23; Twin City Hardware & Lumber-\$291.07; Vast Broadband-\$1,699.01; Verizon Wireless-\$105.44; Victims Of Violence-\$440.00; Wellmark Blue Cross-\$86,591.70; Western Communication-\$226.00; Western Hills Humane Society-\$2,000.00; White

Drug-\$2,712.59; White's Queen City Motors-\$553.44; Yankton Co Sheriff-\$150.00; Yankton County-\$237.50; **Witness & Jurors:** Lee,L-\$152.52; Feterl,F-\$15.04; Outka,B-\$20.08; Podoll,K-\$20.92; Moraga,V-\$24.28; Fitzgerald,S-\$31.00; De Lano,M-\$14.28; Geppert,T-\$71.00; Gostola,C-\$52.52; Hayward,N-\$52.52; Kinghorn,S-\$10.08; Jones,M-\$75.20; Mcmillin,G-\$63.44; Ryan,M-\$61.76; Teel-Hartman,M-\$60.92; Allen,K-\$12.52; Allender,D-\$18.40; Berman,D-\$22.60; Black,R-\$22.60; Boyd,J-\$35.20; Burrows,K-\$12.52; Carlson,S-\$38.56; Centofanti,A-\$226.88; Chamberlain,D-\$250.40; Clark,K-\$11.68; Clem,S-\$20.92; Cowen,M-\$14.20; Cox,J-\$21.76; Coyle,A-\$22.60; Davis,H-\$26.80; Donat,D-\$22.60; Dorfschmidt,D-\$33.52; Draine,H-\$20.08; Eddie,S-\$233.60; Edwards,D-\$26.80; Fairchild,C-\$15.04; Fosso,T-\$10.84; France,K-\$12.52; Griffin,G-\$250.40; Guttery,J-\$14.20; Harmon,M-\$22.60; Harris,M-\$20.92; Hauge,V-\$11.68; Hawthorne,A-\$10.84; Hess,G-\$12.52; Hodgs,M-\$250.40; House,A-\$267.20; House,J-\$26.80; Johnson,R-\$24.28; Johnson,T-\$210.08; Jones,D-\$26.80; Kerr,A-\$29.32; Kinghorn,N-\$25.12; Koehler,A-\$31.00; Kotke,S-\$11.68; Krogstad,D-\$18.40; Lawson,C-\$18.40; Lester,J-\$12.52; Manning,L-\$23.44; Mathis,R-\$22.60; Melton,J-\$13.36; Mollman,P-\$11.68; Moore,J-\$20.92; Myers,J-\$210.08; Narem,J-\$213.44; Nicholas,D-\$33.52; Olsen,V-\$15.04; Ooka,V-\$18.40; Ott,G-\$11.68; Paulson,R-\$253.76; Rabenberg,R-\$18.40; Reausaw,C-\$20.08; Reid,B-\$247.04; Rommen,T-\$250.40; Ross,B-\$22.60; Savage,S-\$22.60; Schaefer,L-\$25.12; Schmidt,J-\$22.60; Schultz,C-\$34.36; Schuman,R-\$22.60; Sigle,K-\$26.80; Solvie,A-\$240.32; Spitler,G-\$25.12; Stuen,L-\$10.84; Sulzbach,M-\$10.84; Sundjordet,S-\$22.60; Swanson,N-\$247.04; Tillman,E-\$22.60; Tobin,J-\$26.80; Uhrig,L-\$12.52; Vega,E-\$31.00; Wallace,S-\$10.00; Wheaton,K-\$22.60; Williams,D-\$26.80; Wellard,K-\$10.84; Albrecht,L-\$31.00; Allard,S-\$22.60; Anderson,R-\$12.52; Baird,P-\$26.80; Bauer,C-\$18.40; Bauer,L-\$26.80; Bridges,S-\$175.20; Brott,J-\$25.12; Bulat,J-\$28.48; Byers,P-\$19.24; Cooney,J-\$187.80; Crago,S-\$26.80; Dagit,E-\$12.52; Daywitt,I-\$12.52; Dean,S-\$19.24; Domogalski,W-\$172.68; Douglas,D-\$18.40; Dragoo,A-\$12.52; Dufek,K-\$16.72; Evers,J-\$21.76; Farmer,D-\$18.40; Feterl,J-\$11.68; Feterl,S-\$22.60; Frasier,K-\$192.84; Garbel,L-\$33.52; Gerving,R-\$13.36; Grenstiner,D-\$165.12; Guthmiller,J-\$22.60; Hahn,K-\$22.60; Hansen,A-\$35.20; Hartman,S-\$26.80; Heberlig,G-\$20.92; Hesson,M-\$22.60; Higgins,J-\$182.76; Johnson,L-\$20.08; Johnson,M-\$180.24; Johnston,W-\$22.60; Jorgenson,D-\$22.60; Karlson,C-\$22.60; Keough,D-\$28.48; Kerber,L-\$157.56; Kerney,M-\$21.76; Laporte,L-\$19.24; Lessard,J-\$26.80; Lind,C-\$25.12; Macleod,F-\$210.48; Mattson,J-\$12.52; Maynard,D-\$10.84; McNary,I-\$10.84; Millard,P-\$13.36; Miller-Perrett,D-\$26.80; Narem,S-\$14.20; Neiman,J-\$22.60; Pharr,J-\$21.76; Pluimer,R-\$26.80; Ramsey,J-\$23.44; Richards,T-\$11.68; Ringling,D-\$157.56; Robideau,J-\$16.72; Ruff,T-\$26.80; Sargent,J-\$155.04; Stambaugh,S-\$192.84; Stone-Douglas,S-\$12.52; Sundsted,W-\$20.08; Tripp,M-\$20.08; Verhulst,J-\$27.64; Wagner,K-\$26.80; Wescott-Toth,M-\$22.60; Williams,G-\$21.76; Winter,D-\$25.12; Glenn,R-\$30.92; Eggleston,B-\$31.76; Hochstetler,T-\$32.60

ADJOURN: 11:41 a.m. There being no further business, it was Moved-Seconded (Rosenau-Deibert) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Deputy Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – March 27, 2018

Chairman Brandon Flanagan called the meeting of the Lawrence County Board of Adjustment to order at 9:42 a.m. on March 27, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Daryl Johnson, Richard Sleep and Randall Rosenau present.

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

VARIANCE #165/LAUSSER: A Public Hearing was held on Variance #165. APPLICANT: John Lausser SUMMARY: Personal Use Airstrip Requiring a 400' Variance to the 500' Setback VICINITY LOCATION: Upper Redwater LEGAL: E1/2 SE1/4 Lying S and W of the Redwater River & SW1/4 SW1/4 Lying S and E of the Redwater River in Section 10 & 11, T7N, R1E and E1/2 Section 12, T7N, R4E. John Lausser, property owner gave his credentials as a pilot. He also stated that he has his plane inspected once every year at a cost of \$4,000.00 and that he would only be using the landing strip approximately once a week. He would not practice take offs and landings at the airstrip. Matt Jaacks, 19471 Brady Lane, Spearfish, spoke in opposition of the airstrip. He stated that he would not have purchased his home had an airstrip been in place at the time of purchase. Bob Ferrell, 10233 Upper Red Water Rd, Spearfish spoke in opposition of the airstrip. He stated that take offs and landings are the most dangerous part of flying and the homes in the area are in danger. John Swanson, 10459 Upper Red Water Rd, Spearfish, spoke in opposition to the airstrip. He stated that his homestead is a centennial ranch and wants to keep it going for future generations of his family. His son is looking to build across the road on Brady Lane. He would not build if an airstrip is approved. He pointed out the power lines are a concern. Debra Hayes, property owner spoke in favor of the airstrip. She stated that John has had a dream of owning this property since his childhood and he would not do anything to harm anyone. Aaron Thompson, 19461 Crocus Hills Dr, Spearfish, spoke in opposition of the airstrip. He stated that the use of their ranch proceeds was to fund the upbringing of their children. The public hearing was closed. Commissioner Flanagan stated the longer the runway the better for safety purposes. Deibert stated that the variance of 500' would need to be granted on all three sides. Commissioner Sleep asked why would one not just leave a car at the airport and drive back and forth? Commissioner Johnson stated that he would have a hard time voting for the variance due to the size and the opinions of the neighbors. Commissioner Rosenau stated that a 20-30 foot variance would not be a problem, but 500 feet is just too much.

Moved-Seconded (Deibert-Sleep) to deny the Variance #164 as requested because it does not meet the considerations of Chapter 16-Variences and the Board would like consistency with variance requests. APPLICANT: John Lausser SUMMARY: Personal Use Airstrip Requiring a 400' Variance to the 500' Setback VICINITY LOCATION: Upper Redwater LEGAL: E1/2 SE1/4 Lying S and W of the Redwater River & SW1/4 SW1/4 Lying S and E of the Redwater River in Section 10 & 11, T7N, R1E and E1/2 Section 12, T7N, R4E. Motion Carried.

ADJOURN: 10:30 a.m. There being no further business, it was Moved-Seconded (Rosenau-Flanagan) to adjourn the Board of Adjustment Meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairman

ATTEST:

Brenda McGruder, Deputy Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – April 10, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on April 10, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Richard Sleep and Randall Rosenau present. Absent Daryl Johnson.

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 (Deibert-Rosenau) to approve the minutes of March 27, 2018 County Commission meeting and Board of Adjustment. Motion Carried.

TRAVEL REQUEST:

SHERIFF: Moved-Seconded (Rosenau-Deibert) to approve the travel request for David Riley to attend the Alert Lockdown Inform Counter Execute (ALICE) training in Rapid City, SD on July 17-18, 2018. Motion Carried.

Moved-Seconded (Sleep-Rosenau) to approve the travel request for Jolene Wetz and Christina Nash to attend the Cell Block Survival training in Bismarck, ND on April 25-26, 2018. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Rosenau-Flanagan) to approve Jacob Capp as a permanent full-time Deputy Sheriff I G2 at the base rate of \$23.92 an hour, effective April 15, 2018. Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve Patrick Johnson as a permanent full-time Sergeant G3 at the base rate of \$27.74 an hour, effective April 15, 2018. Motion Carried.

Moved-Seconded (Deibert-Rosenau) to approve Jolene Wetz as a permanent full-time Correctional Officer II G3 at the base rate of \$20.25 an hour, effective April 15, 2018. Motion Carried.

Moved-Seconded (Rosenau-Sleep) to approve Anthony Spencer as a fill-in part-time (under 20) Correctional Officer I G1 at the base rate of \$18.33 an hour, effective April 8, 2018. Motion Carried.

Moved-Seconded (Deibert-Sleep) to allow for the advertising of a full-time Deputy and to congratulate Deputy Ritchey Walk on his retirement and thank him for his years of service. Motion Carried.

Moved-Seconded (Rosenau-Sleep) to allow for the advertising of a part-time Dispatcher. Motion Carried.

AUDITOR: Moved-Seconded (Deibert-Flanagan) to approve Kimberly Atkins as a permanent full-time Accounting Clerk G2 at the base rate of \$15.86 an hour, effective April 29, 2018. Motion Carried.

HIGHWAY: Moved-Seconded (Sleep-Deibert) to follow the recommendation of Allan Bonnema, Highway Superintendent and allow for a Personnel Manual wavier for John Cooper, Heavy Equipment Operator to live outside of Lawrence County upon the conditions that he holds his current position at the Whitewood shop and resides on the approved deeded property in Meade County. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Deibert-Flanagan) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of March 31, 2018 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)-\$183,802.38; Total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$5,430.99; petty cash-\$1,860.00; Total amount of deposits in bank include: CD's-\$3,000,000; bank balance \$10,966,775.17, money market \$8,739,137.09 Total \$22,705,912.26.

SLA QUARTERLY REPORT: The Chairman signed the quarterly SLA report.

DEADWOOD MOUNTAIN GRAND PARKING RAMP USE: Moved-Seconded (Sleep-Rosenau) to approve the request from McPherson's Auto to use the lower level of the parking ramp on Friday May 4th and Saturday May 5th, 2018 for the Wheels of Steel Classic Car Auction. Motion Carried.

RAFFLE REQUEST / NORTHERN HILLS CASA: Moved-Seconded (Deibert-Flanagan) to not object to the request to conduct a raffle for the Northern Hills CASA, with the drawing taking place on May 1, 2018. Motion Carried.

SHERIFF'S REPORT: Brian Dean, Sheriff, gave an update on the Average Daily Population (ADP) of the jail.

EMERGENCY MANAGEMENT:

THERMAL IMAGING CAMERA BIDS: No bids were received for 6 new thermal imaging camera's. Moved-Seconded (Deibert-Flanagan) to allow Paul Thomson, Emergency Manager to negotiate a contract for the purchase of new thermal imaging camera's pursuant to SDCL 5-18A-5(9) not to exceed the grant amount of \$64,022.21. Motion Carried.

HIGHWAY:

APPROACH PERMIT:

NEIL BEETZ: Moved-Seconded (Deibert-Rosenau) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the Approach Permit for Neil Beetz to construct an approach on the south side of Old Highway 14. The approximate location is the north east corner of lot. This driveway is to be a shared driveway with the adjacent lot to the east. Motion Carried

CITY OF SPEARFISH/COUNTY ROAD JURISDICTION: Allan Bonnema, Highway Superintendent updated the Board that he would be meeting with Larry Dean, Department of Transportation and Beau Riopel, City of Spearfish on the afternoon of April 10, 2018.

PLANNING & ZONING:

PLATS:

FINAL PLAT/T PLOT'S RETREAT: - APPLICANT: T Plot's Retreat, LLC LEGAL: Lot 68R, Blk 2 of Tract C of Lost Camp Valley Acreage, Section 2, T4N, R2E VICINITY LOCATION: Located Near Terry Peak SUMMARY: Replat of Lots 68 & 69 into 1 lot known as 68R.

Moved-Seconded (Deibert-Rosenau) declaring that the plat for T Plot's Retreat meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve the Final Plat for T Plot's Retreat based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report. LEGAL: Lot 68R, Blk 2 of Tract C of Lost Camp Valley Acreage, Section 2, T4N, R2E VICINITY LOCATION: Located Near Terry Peak SUMMARY: Replat of Lots 68 & 69 into 1 lot known as 68R. Motion Carried.

FINAL PLAT/HOHLE: - APPLICANTS: Jeffrey Hohle & Johanna Meinhardt-Hohle LEGAL: Hohle Tract Located in Section 13, T5N, R2E VICINITY LOCATION: Ida Grey Subdivision SUMMARY: Combining Mineral Survey Lodes into 1 Lot.

Moved-Seconded (Rosenau-Flanagan) declaring that the plat for Jeffrey Hohle & Johanna Meinhardt-Hohle meets exemption criteria per Subdivision Ordinance, Chapter 4. Aye-Flanagan, Sleep and Rosenau. Nay-Deibert. Motion Carried.

Moved-Seconded (Deibert-Sleep) to approve the Final Plat for Jeffrey Hohle & Johanna Meinhardt-Hohle based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report
LEGAL: Hohle Tract Located in Section 13, T5N, R2E VICINITY LOCATION: Ida Grey Subdivision SUMMARY: Combining Mineral Survey Lodes Into 1 Lot. Motion Carried.

PRELIMINARY & FINAL PLAT/NELSON: - APPLICANT: Terry Nelson LEGAL: Tract 2B, Being a Portion of ACME Lode No 2, Acme Lode No 3, and Acme Lode No 4 M.S. 1732 and West Lode MS 1302, Located in SE 1/4 Section 25, T4N, R3E VICINITY LOCATION: Hwy 385/Brownsville Road SUMMARY: Combining 2 Mineral Survey Lodes.

Moved-Seconded (Sleep-Flanagan) declaring that the plat for Terry Nelson meets exemption criteria per Subdivision Ordinance, Chapter 4. Aye-Flanagan, Sleep and Rosenau. Nay-Deibert. Motion Carried.

Moved-Seconded (Deibert-Sleep) to approve the Preliminary & Final Plat for Terry Nelson based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report. LEGAL: Tract 2B, Being a Portion of ACME Lode No 2, Acme Lode No 3, and Acme Lode No 4 M.S. 1732 and West Lode MS 1302, Located in SE 1/4 Section 25, T4N, R3E VICINITY LOCATION: Hwy 385/Brownsville Road SUMMARY: Combining 2 Mineral Survey Lodes. Motion Carried.

PRELIMINARY & FINAL PLAT/WORTMAN/GLADER: - APPLICANTS: Wortman/Glader LEGAL: Lots W1, W2 and W3, Blk D in Section 18, T5N, R3E VICINITY LOCATION: Maitland SUMMARY: Combining Old Town Lots into W3 and Subdividing the Original Lot 1 into W1 & W2.

Moved-Seconded (Deibert-Rosenau) to approve the Preliminary Plat for Wortman/Glader consolidating 9 lots into 3 lots, all based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report. LEGAL: Lots W1, W2 and W3, Blk D in Section 18, T5N, R3E VICINITY LOCATION: Maitland. SUMMARY: Combining Old Town Lots into W3 and Subdividing the Original Lot 1 into W1 & W2. Motion Carried.

Moved-Seconded (Deibert-Sleep) to approve the Final Plat for Wortman/Glader based upon the Planning and Zoning Commission recommendation for approval, the concurrent recommendation of P&Z staff, as reflected in the staff report, with filing of the plat conditioned upon receipt of the final fire plan. LEGAL: Lots W1, W2 and W3, Blk D in Section 18, T5N, R3E VICINITY LOCATION: Maitland. SUMMARY: Combining Old Town Lots into W3 and Subdividing the Original Lot 1 into W1 & W2. Motion Carried.

PRELIMINARY & FINAL PLAT/SCOTT & SCHNELLER: - APPLICANTS: Jason & Mandi Scott/Thomas & Bobbie Schneller LEGAL: Lots 13A and 26A of Spruce Mountain Estates No. 1 Sub. in Section 13 & 14, T6N, R4E VICINITY LOCATION: Whitewood Valley Road SUMMARY: Lot Line Revision

Moved-Seconded (Rosenau-Flanagan) declaring that the plat for Jason & Mandi Scott/Thomas & Bobbie Schneller meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Deibert-Sleep) to approve the Preliminary & Final Plat for Jason & Mandi Scott/Thomas & Bobbie Schneller based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report LEGAL: Lots 13A and 26A of Spruce Mountain Estates No. 1 Sub. in Section 13 & 14, T6N, R4E VICINITY LOCATION: Whitewood Valley Road SUMMARY: Lot Line Revision. Motion Carried.

FINAL PLAT/KIRK: - APPLICANT: Matt Kirk LEGAL: Lot 11A and Lot 12A, Blk 9 of Tract A of Lost Camp Valley in Section 2 & 11, T4N, R2E VICINITY LOCATION: Terry Peak SUMMARY: Lot Line Revision.

Moved-Seconded (Deibert-Flanagan) declaring that the plat for Matt Kirk meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve the Final Plat for Matt Kirk based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report LEGAL: Lot 11A and Lot 12A, Blk 9 of Tract A of Lost Camp Valley in Section 2 & 11, T4N, R2E VICINITY LOCATION: Terry Peak SUMMARY: Lot line revision. Motion Carried.

FINAL PLAT/ANDERSON: - APPLICANT: David Anderson LEGAL: Lot 13A Part of Smokey Mt. Ranch Sub in Section 28 & 33, T6N, R4E VICINITY LOCATION: Crook City Road SUMMARY: Combining Lot 13 & 14 into one lot.

Moved-Seconded (Deibert-Rosenau) to approve the Final Plat for David Anderson based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report LEGAL: Lot 13A Part of Smokey Mt. Ranch Sub in Section 28 & 33, T6N, R4E VICINITY LOCATION: Crook City Road SUMMARY: Combining Lot 13 & 14 into one lot. Motion Carried.

FINAL PLAT/BH DEV., LLC & BH PROPERTIES, LLC: - APPLICANTS: BH Dev., LLC and BH Properties, LLC LEGAL: Lots 4, 5, 6, and 11, Blk 1 of Ridgewood Addition of Powder House Pass in Sections 7 & 8, T4N, R3E. (Legal Shortened) SUMMARY: Lot 4 (.869 Acres); Lot 5 (.886 Acres); Lot 6 (1.350 Acres); Lot 11 (.765 Acres) and dedicated public R.O.W. (1.397 Acres) ZONING: PUD.

Moved-Seconded (Deibert-Rosenau) to approve the Final Plat for BH Dev., LLC and BH Properties, LLC based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report LEGAL: Lots 4, 5, 6, and 11, Blk 1 of Ridgewood Addition of Powder House Pass in Sections 7 & 8, T4N, R3E. (Legal Shortened) SUMMARY: Lot 4 (.869 Acres); Lot 5 (.886 Acres); Lot 6 (1.350

Acres); Lot 11 (.765 Acres) and dedicated public R.O.W. (1.397 Acres) ZONING: PUD. Motion Carried.

It was the consensus of the Commission that upon approval of the first final plat in the Ridgewood Addition, all subsequent final plats, being consistent with the approved preliminary plat, are eligible for administrative approval by the Planning and Zoning Administrator and need not be presented to the Commission.

PRELIMINARY & FINAL PLAT/DOERR: - APPLICANTS: Ronald & Kathleen Doerr
LEGAL: Lot 26A, Blk 7 of Lost Camp Valley Acreage Sections 2 & 11, T4N, R2E. (Legal Shortened)
VICINITY LOCATION: Buffalo Trail in Terry Peak Subdivision
SUMMARY: Combining lots 26 & 27.

Moved-Seconded (Sleep-Flanagan) declaring that the plat for Ronald & Kathleen Doerr meets exemption criteria per Subdivision Ordinance, Chapter 4. Aye-Flanagan, Sleep and Rosenau. Nay-Deibert. Motion Carried.

Moved-Seconded (Rosenau-Flanagan) to approve the Preliminary & Final Plat for Ronald & Kathleen Doerr based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report
LEGAL: Lot 26A, Blk 7 of Lost Camp Valley Acreage Sections 2 & 11, T4N, R2E. (Legal Shortened)
VICINITY LOCATION: Buffalo Trail in Terry Peak Subdivision
SUMMARY: Combining lots 26 & 27. Motion Carried.

POWDER HOUSE PASS: Moved-Seconded (Deibert-Rosenau) to accept the amended Powder House Pass Community Improvement District (CID) Irrevocable Standby Letter of Credit and incorporating Exhibit A attached thereto for the infrastructure development projects identified therein. The term of the bond covers May 2017–May 2018. Motion Carried.

BUILDING PERMIT LIMIT: Moved-Seconded (Deibert-Rosenau) to lift the restriction for the number of building permits in Powder House Pass CID, and to revisit the matter at the July 10, 2018 Commission meeting anticipating an update regarding the construction status of the sewage treatment facility . Motion Carried.

RESOLUTION #18-09 / SUPPLEMENTAL BUDGET: A Public Hearing was held on Resolution #18-09 for a Supplemental Budget for GENERAL FUND PLANNING & ZONING - PROFESSIONAL SERVICES - \$20,075.00. No public input was voiced and the hearing was closed. Moved-Seconded (Deibert-Rosenau) to approve and adopt the following Resolution #18-09 for a Supplemental Budget. Motion Carried. **RESOLUTION #18-09 TO ADOPT A SUPPLEMENTAL BUDGET** WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2018, 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 2018, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND PLANNING & ZONING - PROFESSIONAL SERVICES - \$20,075.00 The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated fund. Be it further RESOLVED that a hearing was held on the 10th day of April, 2018 at the hour of 10:00 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 10th day of April, 2018. FOR THE BOARD OF COUNTY COMMISSIONERS Brandon Flanagan, Chairman ATTEST: Brenda McGruder Lawrence County Deputy Auditor.

MALT BEVERAGE LICENSE/WILD BILL'S CAMPGROUND: A public hearing was held on an application for a Class-Retail (On-Off Sale) Malt Beverage License for Alicia Grimm & Keith Grimm/Wild Bills Campground: 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 public hearing was closed. Moved- Seconded (Sleep-Rosenau) to approve the following application of a Class-Retail (On-Off Sale) Malt Beverage License. Alicia Grimm & Keith Grimm/Wild Bills Campground: Lot E EX H1 (.04AC) & H2 (.06A) & Lot E-2 of HES 137 (Wild Bill's Campground) Sec 18 , T4N, R4E. Motion Carried.

CIVIL DISTURBANCE ANNEX: Moved-Seconded (Deibert-Rosenau) to approve the Civil Disturbance Annex to County Local Emergency Operations Plan pursuant to SDCL 1-27-1.5(8) and 1-27-1.5(17). Motion Carried.

FOREST SERVICE LEASE/TERRY PEAK COMMUNICATIONS TOWER: Paul Thomson, Emergency Manger gave an update on the Forest Service Lease for the Terry Peak Communications Tower. He stated that after 15 years of effort he has signed a lease agreement on behalf of the County with the remaining formality being USFS sign-off.

BILLS:

Moved-Seconded (Deibert-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-\$6,659.31; Aud-\$11,718.54; Treas-\$12,350.84; States Atty-\$15,437.85; Pub Def-\$12,297.74; Gen Govt Bldg-\$9,202.05; Equal-\$14,865.73; Rod-\$9,138.36; Vso-\$988.80; Ist-\$9,466.32; Disp-\$13,018.73; Sher-\$39,667.37; Jail-\$21,590.71; Coroner-\$1,566.55; 24/7-\$165.92; Emerg Mgnt-\$4,390.44; E911-\$2,052.80; Highway-\$46,478.77; Mh Serv-\$30.00; Weed-\$3,869.74; Pz-\$5,721.19; **Bills:** Nelson, Melody-\$21.00; Ruffatto, Robert-\$146.00; Hansen, Paul-\$146.00; Palmer, Ryan-\$8.50; Derby, Tommie-\$42.00; A To Z Shredding-\$20.00; A&B Business,Inc Solutions-\$1,628.92; A&B Welding Supply-\$20.44; A&I Distributors-

\$126.45; Ace Hardware Of Lead-\$15.45; Alpine Impressions-\$15.00; American Stamp & Marking-\$44.34; Amick Sound-\$7,738.49; At&T Mobility-\$919.36; Audra Hill Consulting-\$1,293.45; BH Legal Professionals Assoc-\$160.00; BH Pest Control-\$190.00; BH Physical Therapy-\$80.00; Barnaud Law Firm-\$2,041.24; Black Hills Energy-\$201.82; Black Hills Pure-\$23.50; Breit Law Offices-\$297.18; Butler Machinery Co-\$693.51; Butte Electric Coop-\$587.63; Carls Trailer Sales-\$1,400.00; Cbh Cooperative-\$14,540.50; Century Business Products-\$508.63; Centurylink-\$109.84; Chris Supply Co-\$9.36; City Of Rapid City-\$560.00; City/County Alcohol&Drug-\$226.00; Clinical Lab Of BH-\$1,978.00; Credit Collections Bureau-\$64.54; Dakota Equipment Rental-\$220.94; Dale's Tire & Retread-\$2,492.56; Deadwood, City Of-\$1,038.39; Dean Schaefer Court Reporting-\$159.00; Dept Of The Treasury-\$56,108.48; Ellingson, Joseph-\$3,284.48; Epc0-\$14.31; Fastenal-\$23.31; Frederickson, John-\$1,140.00; Galls-\$41.90; Glock Professional-\$250.00; Godfrey's Brake Serv-\$327.21; Great Western Tire-\$900.95; Harmelink, Fox & Ravnsborg-\$180.50; Hartford-Priority Accounts-\$2,129.52; Heartland Paper Co-\$623.56; Heisler Hardware-\$13.94; Inland Truck Parts-\$71.77; Interstate Batteries-\$149.95; Jacobs Precision Welding-\$10.60; Kch Law-\$137.08; LC Conservation Dist-\$5,000.00; Lawson Products-\$148.19; Lead, City Of-\$60.05; Lead-Deadwood Sanitary-\$652.17; Leads Online-\$1,758.00; Lee, James-\$15.00; Lewis & Clark Bhs-\$320.00; Lexisnexis Risk Data Mgmt-\$0.50; Lincoln County-\$74.75; Matthew Bender & Company-\$138.00; Mg Oil Company-\$22,801.10; Microfilm Imaging Systems-\$240.00; Montana Dakota Utilities-\$4,193.79; Ms Mail-\$540.00; Nelson, Christy-\$200.00; Nelson,Tonya-\$300.00; North Central Int'l-\$32.00; Northern Truck Equip-\$129.20; Office Of Attorney General-\$302.77; Office Of Child Support-\$983.09; Plumbmaster-\$121.09; Pmb 0112-\$280.35; Quill-\$341.81; Rabe Elevator-\$1,125.51; Rapid Delivery-\$12.94; Rapid Fire Protection-\$364.80; Rapid Transcript-\$546.00; Regional Health-\$321.88; Rena M Hymans-\$185.02; Ro Investigations&Research-\$4,368.89; Rocket Lube-\$166.98; Root Spring Scraper-\$558.05; SD Assn Of Co Comm-\$75.00; SD State Treasurer-\$12,940.25; Sdaco-\$1,175.00; Sdrs Supplemental Retirement-\$2,841.00; Semerad, Sandra-\$27.20; Servall Towel & Linen-\$427.69; Southern Folgers Detention-\$286.40; Spearfish Auto Supply-\$937.27; Stahl, Mike-\$178.16; Sturdevant's Auto Parts-\$1,960.78; Sysco Montana-\$2,844.19; Thomson Reuters-West-\$184.64; Transource Truck & Equip-\$240.80; Twin City Hardware & Lumber-\$177.46; Waste Connections Of Sd-\$800.52; Watertree-\$45.80; Wex Bank-\$1,028.51; Winner Police Department-\$74.80; **Witness & Jurors:** Allerdings,E-\$52.52; Carroll,P-\$66.80; Gruenwald,P-\$66.80; Hansen,M-\$62.60; Hansen,T-\$50.84; Lampe,B-\$66.80; Rhodes,J-\$58.40; Marsh,D-\$45.20; Wiseman,C-\$33.44

ADJOURN: 10:37 a.m. There being no further business, it was Moved-Seconded (Deibert-Sleep) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Auditor

2018 COUNTY BOARD OF EQUALIZATION

The Lawrence County Board of Equalization was called to order on Tuesday April 10, 2017 at 10:43 a.m. with the following members present: Brandon Flanagan, Randy Deibert, Richard Sleep and Randall Rosenau. Absent Daryl Johnson.

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

The 2018 Board of Equalization Oath was signed.

Moved-seconded (Rosenau-Sleep) to approve the following list of 2018 Exempt properties.
Motion Carried.

BENEVOLENT

26580-01372-000-15	SAWYER MEMORIAL PARK TRUST	MINERAL 1299 THRU 1398	M.S. 1372 LOT 1 OF NORWOOD #8 & LOT 1 OF TR 0067"B"
29700-00200-150-00	WEST RIVER FOUNDATION	THOMPSON ADDN WHITEWOOD	PT LOTS 13-14 & 15 BLK 2
30025-02000-120-10	MASONIC TEMPLE ASSOCIATION	ORIGINAL TOWN DEADWOOD	LOTS 10-11 & 12B OF LOT 12 BLK 20
30025-02100-120-00	DEADWOOD LODGE #508 BPOE	ORIGINAL TOWN DEADWOOD	LOT 11 & ALL EX 5' OF LOT 12 BLK 21 (ELKS)
30025-03300-350-00	V F W POST #5969	ORIGINAL TOWN DEADWOOD	VFW LOT
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
31440-00300-005-00	BLACK HILLS ROD & GUN CLUB	HOMESTAKE ADDN LEAD	LOT 5 TRACT 3 (ROD & GUN CLUB) & INCLUD. A POR. OF LOT AB1 (97-2859)
31450-00800-010-15	WEST RIVER FOUNDATION	KENWOOD ADDN LEAD	LOT 1B BLK 8
32090-04300-120-00	SPEARFISH MASONIC BLDG ASSOC	ORIGINAL TOWN SPEARFISH	LOTS 11 & 12 BLK 43
32180-14200-040-15	BEHAVIOR MANAGEMENT SYSTEMS INC	CONNORS ADDN SPEARFISH	LOT 4B OF SW1/4 NW1/4
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)

32310-00000-010-00	QUEEN CITY VFW POST #5860	HIGGINS CREEK ADDN	SW1/4 SW1/4 LOT 1 (1.0 AC MINUS R/W)
32465-00200-020-00	WEST RIVER TRANSIT AUTHORITY INC	MCGUIGAN RANCH ADDN	TIF #3 LOT 2 BLK 2
<u>CHARITABLE</u>			
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)
26180-01300-050-00	GALENA HISTORICAL SOCIETY	GALENA M.S. 4-4-4	LOTS 1 THRU 5 BLK 13 MS 913
26580-01368-000-33	NEMO VOLUNTEER FIRE DEPARTMENT	MINERAL 1299 THRU 1398	M.S. 1368 LOT FS
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)
26580-01372-000-20	KINSHIP MOUNTAIN MINISTRIES INC	KINSHIP MTN ESTATES	M.S. 1730 TRACT 1A S/D OF TRACT 1
26698-01730-010-00	WHITEWOOD SENIOR CITIZENS	ORIGINAL TOWN WHITEWOOD	LOTS 1-2-3-4 & 5 BLK 27
29100-02700-030-00	NORTHERN HILLS ALLIANCE FOR CHIL	KENNEDY & CAMERON ADDN	LOTS 8 THRU 12 BLK 2 EX RW & EASEMENTS
30600-00200-170-00	BLACK HILLS MINING MUSEUM INC	ORIGINAL TOWN LEAD	130.16' N OF JULIUS & PT OF 4 AND E PT LOT 5 BLK 26
31090-02600-050-20	TWIN CITIES & AREA SR CITIZEN INC	ORIGINAL TOWN LEAD	E 30' OF LOT 8 BLK 30
31090-03000-080-00			

31440-00300-002-00	HOMESTAKE VISITOR CENTER INC	HOMESTAKE ADDN LEAD	LOT 2A TRACT 3 (TOUR OFFICE)
31510-04000-135-01	NORTHERN HILLS YOUNG MEN'S	DENVER ADDN LEAD	TRACT E BLK Y
32030-02200-040-00	NORTHERN HILLS AREA COURT APPOIN	ORIGINAL TOWN SPEARFISH	TIF #5 S 40' LOT 3 & N 10' LOT 4 BLK 22
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
32120-00400-000-30	NORTHERN HILLS TRAINING CENTER	BEETS S/D 3 & 10-6-2 SP	LOT C OF LOT 4
32180-14200-020-00	SPEARFISH EMERGENCY AMBULANCE SE	CONNORS ADDN SPEARFISH	LOT 2 OF SW1/4 NW1/4
32180-14200-060-11	NORTHERN HILLS ALCOHOL AND DRUG	CONNORS ADDN SPEARFISH	LOTS 6A2 & 6A3 OF LOT 6A SW1/4 NW1/4
32210-19100-040-00	NORTHERN HILLS TRAINING CENTER	GREEN ACRES ADDN SPEARFI	LOT 4 BLK 10
32290-00000-000-00	HIGH PLAINS HERITAGE SOCIETY INC	HERITAGE ADDN SPEARFISH	TIF #2 TR A SE1/4 NE1/4
32540-00100-000-15	SPEARFISH SENIOR SERVICE CENTER	PARK PLACE ADDN SPEARFIS	TRACT 2-A (SENIOR CENTER)
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
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
32655-01700-010-10	LUTHERAN SOCIAL SERVICES OF SD	SANDSTONE HILLS ADDN	TIF #2 LOT 1A BLK 17
32660-00100-010-20	FRIENDS OF NORTHERN HILLS	SCHAR ADDN SPEARFISH	TIF #5 LOT B EX THE W 11' BLK 1
32660-01400-100-00	NORTHERN HILLS TRAINING CENTER	SCHAR ADDN SPEARFISH	LOT 9A BLK 14

32660-01600-160-00	NORTHERN HILLS TRAINING CENTER	SCHAR ADDN SPEARFISH	TRACT A BLK 16
32660-01700-080-00	NORTHERN HILLS TRAINING CENTER	SCHAR ADDN SPEARFISH	TRACT A BLK 17
<u>EDUCATION</u>			
26050-00100-000-00	LEAD- DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN OUTSIDE	POR TRACT 1 OUTSIDE
29100-01900-070-00	MEADE SCHOOL DISTRICT 46-1	ORIGINAL TOWN WHITEWOOD	LOTS 1 THRU 7 BLK 19 & PT VACATED WALNUT ST.
29500-00000-020-30	MEADE SCHOOL DISTRICT 46-1	OUTLOTS S/D WHITEWOOD	TR C OF OUTLOT B & PT VACATED WALNUT ST.
30025-02300-000-00	DEADWOOD IND SCHOOL DIST 102	ORIGINAL TOWN DEADWOOD	TRACT IN M.C. 71 BLK 23
30025-02300-260-00	BOARD OF EDUCATION	ORIGINAL TOWN DEADWOOD	LOTS 13 & 15 THRU 26 BLK 23
30075-00036-000-15	LEAD- DEADWOOD SCHOOL DIST.	SCHOOL LOTS DEADWOOD	M & B SCHOOL LOT 36
30075-00038-000-10	LEAD- DEADWOOD SCHOOL DIST.	SCHOOL LOTS DEADWOOD	PT SCHOOL LOT 38
31590-00100-000-00	LEAD- DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN	POR TRACT 1 INSIDE
31590-00200-000-00	LEAD- DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN	TRACT 2
31590-00300-000-00	LEAD- DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN	TRACT 3
31590-00400-000-00	LEAD- DEADWOOD SCHOOL DISTRICT 40	MITCHELL ADDN	TRACT 4
31730-00100-030-00	LEAD- DEADWOOD SCHOOL DISTRICT	PARK PLACE ADDN LEAD	LOT 3 EX H1(.09)

31730-00100-040-00	LEAD- DEADWOOD SCHOOL DISTRICT	PARK PLACE ADDN LEAD	LOT 4
	LEAD- DEADWOOD SCHOOL DISTRICT	PARK PLACE ADDN 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
31730-00100-050-00	LEAD- DEADWOOD SCHOOL DISTRICT	PARK PLACE ADDN LEAD	LOT 5 EX PT IN TRACT "AB" AND H1(.015)
31730-00100-050-10	LEAD- DEADWOOD SCHOOL DISTRICT	PARK PLACE ADDN LEAD	LOT 6A(EX H1(.02) & 6B(EX H1(.03) OF LOT 6 & LOT 315
31730-00100-050-20	LEAD- DEADWOOD SCHOOL DISTRICT	SCHOOL ADDITION	TRACT S
31760-00000-000-00	DISTRICT 40		
	SPEARFISH SCHOOL DIST 40-2	ORIGINAL TOWN SPEARFISH	LOT A BLK 32
32030-03200-060-00	SPEARFISH SCHOOL DIST 40-2	ORIGINAL TOWN SPEARFISH	LOTS 7 THRU 12 BLK 34
32030-03400-120-00	SPEARFISH SCHOOL DIST 40-2	ORIGINAL TOWN SPEARFISH	BLK 106
32090-10600-000-00	SPEARFISH SCHOOL DISTRICT NO 40- 2	DELLA VECCHIA ADDN	BLOCK 1 & SCHOOL AVE PUBLIC ROW(.70)
32198-00100-000-00	SPEARFISH SCHOOL DISTRICT NO 40- 2	DELLA VECCHIA ADDN	BLOCK 2
32198-00200-000-00	BLACK HILLS CHRISTIAN ACADEMY	GREEN ACRES ADDN SPEARFI	LOTS 11 & 12 OF GOVT LOT 1
32210-19010-110-00	B H STATE UNIVERSITY	HILLSVIEW ADDN SPEARFISH	LOTS 2,3,4,5,6,7 & 8 OF NE1/4 NE1/4 EX LOT 1
32320-00090-000-00	SPEARFISH SCHOOL DISTRICT 40-2 &	VOORHEES ADDN	TRACT S
32730-00600-000-10			

32750-00100-120-00	BLACK HILLS STATE UNIVERSITY	WEST ADDN SPEARFISH	LOTS 11 & 12 BLK 1 & POR VAC ROW (1432SF)
32750-00900-080-00	BLACK HILLS STATE UNIVERSITY	WEST ADDN SPEARFISH	LOT 8 BLK 9
32750-00900-090-00	BLACK HILLS STATE	WEST ADDN SPEARFISH	LOT 9 BLK 9
32750-01300-060-00	BOARD OF REGENTS SPEARFISH SCHOOL DIST 40-2	WEST ADDN SPEARFISH WEST ADDN SPEARFISH	LOT 6 BLK 13 LOTS 1 THRU 12 BLK 16
32750-01600-120-00	SPEARFISH SCHOOL DIST 40-2	WEST ADDN SPEARFISH	LOTS 1 THRU 12 BLK 17
32750-01700-120-00	SPEARFISH SCHOOL DIST 40-2	WEST ADDN SPEARFISH	LOTS 7 THRU 12 BLK 18
32750-01800-120-00	BLACK HILLS STATE UNIVERSITY FOU	SUB 9-6-2 SPEARFISH	W1/2 NW1/4 SE1/4 TR 1 OF LOT 1A
32840-00602-094-10			
	<u>MEDICAL</u>		
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
30025-07100-000-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	TRACT B OF BLK 71
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
30025-07100-410-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	LOTS 25 THRU 41 BLK 71
30025-07100-490-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	LOTS 43,45,47,49 & VACATED CEDAR ST BLK 71
30025-07400-050-00	WEST DAKOTA HEALTH CARE INC	ORIGINAL TOWN DEADWOOD	LOTS 1-3-5 BLK 74
32120-00400-000-50	REGIONAL HEALTH NETWORK INC	BEETS S/D 3 & 10-6-2 SP	LOT E-1A
32390-00800-010-00	PONDEROSA APARTMENTS INC	LOOKOUT VALLEY S/D SPEAR	LOT 1A BLK 8

32390-00800-010-10	PONDEROSA APARTMENTS INC	LOOKOUT VALLEY S/D SPEAR	LOT 1B BLK 8 (HICKORY HOUSE)
32420-00400-000-30	REGIONAL HEALTH NETWORK INC	MATTHEWS ADDN SPEARFISH	HOSPITAL TRACT 1
32455-00100-020-01	RAPID CITY REGIONAL HOSPITAL INC	MEIER ADDN	UNIT 1 OF YANKEE ST CONDO
32455-00100-020-02	RAPID CITY REGIONAL HOSPITAL INC	MEIER ADDN	UNIT 2 OF YANKEE ST CONDO
32540-00100-000-20	REGIONAL HEALTH NETWORK INC	PARK PLACE ADDN SPEARFIS	TRACT 1-B
32540-00100-000-40	REGIONAL HEALTH NETWORK INC	PARK PLACE ADDN SPEARFIS	LOT D-1 OF LOT 1
32540-00100-000-55	REGIONAL HEALTH NETWORK INC	PARK PLACE ADDN SPEARFIS	LOT E1-C(.391A) & LOT E2(.7918A)
32720-02900-120-60	PIONEER MEMORIAL MANORS INC	UHLIG ADDN SPEARFISH	TRACTS H & I
<u>RELIGIOUS</u>			
06000-00301-230-20	CHAPTER OF CALVARY CATHEDRAL	T-003 R-01	PT HES 243 (STRUCTURES PARTIAL EXEMPTION)
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.)
18120-00504-001-04	DEADWOOD SD CONGREGATION OF JEHOVAH'S WITNESSES	OAK MTN COUNTRY ESTATES	LOT 4 BLK 1 EX H1 (1.8 AC)(CHURCH)
20450-00602-050-20	DAKOTA CONFERENCE CORPORATION	DON DEBERG S/D	LOT 7
21200-00603-085-45	FIRST BAPTIST CHURCH	SUB OF 8-6-3	LOT 3A A SUB OF TR 3 SE1/4 SE1/4 EX N 60' EASEMENT (.68 AC.) & E 33' ROW
22000-00604-164-45	BLACK HILLS BAPTIST CHURCH SBC	T-006 R-04	TRACT 2 PT SW1/4 SE1/4
24000-00702-102-15	NORTHERN HILLS CHURCH OF CHRIST	T-007 R-02	HAUCK TRACTS 1 & 2 EX H1(.02 AC)

	OLD APOSTOLIC LUTHERAN CHURCH	T-007 R-02	TRACT 2 PT OF NE1/4
24000-00702-321-20	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)
24800-00702-330-36	DAKOTA CONFERENCE OF 7TH	TRUCANO S/D	LOT 1 OF SW1/4 SE1/4
24900-00702-330-01	PRESBYTERY OF SOUTH DAKOTA OF THE	MINERAL 1564 THRU 1742	M.S. 1697 ETNA #1 ETAL
26680-01697-000-00	ST ONGE UNITED CHURCH OF CHRIST	TOWN LOTS S. HALF-ST.ONGE	LOTS 6 & 7 BLK 10
28800-01000-070-00	ST ONGE UNITED CHURCH OF CHRIST	TOWN LOTS S. HALF-ST.ONGE	LOTS 1 THRU 4 BLK 11 (PARKING-EMMA)
28800-01100-040-00	PRESBYTERIAN CHURCH	ORIGINAL TOWN	LOT 6 BLK 28 (CHURCH)
29100-02800-060-00	IMMANUEL LUTHERAN CHURCH	WHITEWOOD FILLMORE ADDN	LOTS 1-2 & W 50' OF LOT 3 BLK 1 (CHURCH)
29200-00100-030-00	IMMANUEL LUTHERAN CHURCH	WHITEWOOD FILLMORE ADDN	LOT 2 BLK 7 (PARSONAGE)
29200-00700-020-00	BAPTIST CHURCH	WHITEWOOD ORIGINAL TOWN	LOT 26 & 20' OF LOT 28 BLK 37
30025-03700-280-00	FIRST BAPTIST CHURCH	DEADWOOD ORIGINAL TOWN	N 50' OF LOT 28 & ALL LOTS 30-32 & 34 BLK 37
30025-03700-340-00	ST JOHN'S EPISCOPAL CHURCH	DEADWOOD ORIGINAL TOWN	LOTS 21 & 22 BLK I (CHURCH)
30025-08200-220-00	ST AMBROSE CHURCH	DEADWOOD PROBATE LOTS	PROBATE LOT 224 (LAND BEHIND CHURCH)
30050-00224-000-00	ST AMBROSE CHURCH	DEADWOOD KENNEDY & CAMERON	LOTS 3 & 4 BLK 1 (PARSONAGE)
30600-00100-040-00	ST AMBROSE CHURCH	ADDN KENNEDY & CAMERON	LOTS 1-2-3-4-6-7-8-9 & 10 BLK 1 (CHURCH)
30600-00100-100-00		ADDN	

30800-00100-110-00	GRACE LUTHERAN CHURCH	SUNNYSIDE ADDN DEADWOOD	LOTS 6 THRU 11 EX RW BLK A
31090-02400-130-00	ASSEMBLY OF GOD CHURCH	ORIGINAL TOWN LEAD	PT OF LOT 13 BLK 24
31090-02400-140-00	ASSEMBLY OF GOD CHURCH	ORIGINAL TOWN LEAD	N 10' OF 13 & PT OF 14 BLK 24
31090-02800-010-00	TWIN CITIES CHURCH OF CHRIST	ORIGINAL TOWN LEAD	300' VACATED ALLEY & PT LOT 1 BLK 28
31090-03000-090-40	CHRIST CHURCH EPISCOPAL	ORIGINAL TOWN LEAD	W OF LOT 9 BLK 30 (N OF JULIUS)
31090-03600-020-00	ST PATRICKS CATHOLIC CHURCH	ORIGINAL TOWN LEAD	LOTS 2-3-4-5-6-7 & PT LOT 8 BLK 36 (CHURCH)
31090-03600-090-10	ST PATRICKS CATHOLIC CHURCH	ORIGINAL TOWN LEAD	E PT LOT 9 & ALL LOTS 10 & 11 BLK 36
31360-00100-010-00	FIRST PRESBYTERIAN CHURCH	FULLER ADDITION LEAD	LOT 1 BLK 1
31440-00500-005-00	ASSEMBLY OF GOD CHURCH	HOMESTAKE ADDN LEAD	LOT 5 TRACT 5
31450-00600-020-10	GOLDEN HILLS BAPTIST CHURCH OF L	KENWOOD ADDN LEAD	LOT 908 WASHINGTON ST BLK 6 (CHURCH)
31510-00200-010-00	CHRIST CHURCH EPISCOPAL	DENVER ADDN LEAD	PT OF LOT 1 BLK 2
31510-00400-010-20	SHEPHERD OF THE HILLS LUTHERAN	DENVER ADDN LEAD	N OF JULIUS-NW PT LOT 1 BLK 4 & M & B DESCRIPTION OF M.S. 744 (PARKING LOT)
31510-00400-020-00	SHEPHERD OF THE HILLS LUTHERAN	DENVER ADDN LEAD	N PT LOT 3 BLK 4 (PARKING LOT)
31510-00400-040-00	BETHEL LUTHERAN CHURCH	DENVER ADDN LEAD	SW PT LOT 3 & S PT LOT 4 & TRACT C(.08) BLK 4 (CHURCH)
31510-00500-000-00	TRINITY UNITED METHODIST CHURCH	DENVER ADDN LEAD	LOT K EXCEPT LOT K-1(.22AC) BLK 5 (CONTAINING .46 ACRES)(LEASE .39 AC TO CHURCH)
31510-00500-000-05	TRINITY UNITED METHODIST CHURCH	DENVER ADDN LEAD	LOT M S/D OF BLK 5 DENVER ADD & LOT 1 BLK 4 MAY ADD(.10AC) ASSESS WITH #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 LOTS 1 & 2 BLK 5 (CHURCH)
31570-00500-020-00	FIRST PRESBYTERIAN CHURCH	MAYS S/D LEAD	W PT LOT 3 BLK 5
31570-00500-030-20	TRINITY UNITED METHODIST CHURCH	NISICK HEIGHTS S/D LEAD	LOT 4 BLK 1 (PARSONAGE)
31660-00100-040-00	BETHEL LUTHERAN CHURCH	SUNNYSIDE ADDITION LEAD	LOT 512 (PARSONAGE)
31810-01400-100-00	ST JOSEPHS CATHOLIC CHURCH	ORIGINAL TOWN SPEARFISH	FRACTIONAL LOT INCLUDED IN BLK 49 RAMSDELL (PARKING LOT)
32030-00100-010-00	SPEARFISH UNITED METHODIST CHURCH	ORIGINAL TOWN SPEARFISH	TIF #5 LOTS 1-2 & 3 BLK 7 (CHURCH)
32030-00700-030-00	SPEARFISH UNITED METHODIST CHURCH	ORIGINAL TOWN SPEARFISH	TIF #5 LOTS 4 THRU LOT 12 BLK 7 (OUTREACH CENTER)
32030-00700-120-00	ST JOSEPHS CATHOLIC CHURCH	ORIGINAL TOWN SPEARFISH	TIF #5 LOTS 9 THRU 12 BLK 8 (CHURCH & PARKING)
32030-00800-120-00	ST PAUL LUTHERAN CHURCH	ORIGINAL TOWN SPEARFISH	TIF #5 LOTS 10, 11 & 12 BLK 10
32030-01000-120-00	CHRISTIAN SCIENCE SOCIETY	ORIGINAL TOWN SPEARFISH	TIF #5 W 83' OF 7 & W 83' OF LOT 8 BLK 19 (CHURC)
32030-01900-080-20	SUMMIT AT SPEARFISH	ORIGINAL TOWN SPEARFISH	LOTS 2 & 3 BLK 41 (CHURCH)
32090-04100-030-00	SALVATION ARMY	BEETS S/D 3 & 10-6-2 SP	LOT 3-B OF LOT 3
32120-00300-000-20	DAKOTA DISTRICT OF THE WESLEYAN	COUNTRYSIDE S/D	TRACT 1 REVISED
32185-00000-130-30	HOPE EVANGELICAL LUTHERAN CHURCH	GREEN ACRES ADDN SPEARFI	LOTS 7,8 & 9 BLK 10
32210-19100-070-00	HILLSVIEW CHURCH OF NAZARENE	PARK PLACE ADDN SPEARFIS	LOT A-1AR OF LOT 1
32540-00100-000-10			

	NEW COVENANT CHRISTIAN FELLOWSHIP	RAMSDELL ADDN SPEARFISH	LOT 2 BLK 33 (CHURCH)
32570-03300-020-20	FIRST BAPTIST CHURCH OF SPF	RAMSDELL ADDN SPEARFISH	LOT 8A BLK 37 (PARSONAGE)
32570-03700-080-00	FIRST BAPTIST CHURCH OF SPF	RAMSDELL ADDN SPEARFISH	LOTS 7A & 9 BLK 37 (CHURCH)
32570-03700-090-00	ALL ANGELS EPISCOPAL CHURCH	RAMSDELL ADDN SPEARFISH	LOT 10 BLK 42
32570-04200-100-00	ALL ANGELS EPISCOPAL CHURCH	RAMSDELL ADDN SPEARFISH	LOTS 11 & 12 BLK 42
32570-04200-120-00	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN SPEARFISH	LOT 1 BLK 1 ORIG & LOT 7 BLK 49 (PARKING)
32570-04900-070-00	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN SPEARFISH	LOT 8 BLK 49 (PARKING)
32570-04900-080-00	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN SPEARFISH	LOT 9 BLK 49 (PARKING)
32570-04900-090-00	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN SPEARFISH	LOT 10 BLK 49 (PARKING)
32570-04900-100-00	ST JOSEPHS CATHOLIC CHURCH	RAMSDELL ADDN SPEARFISH	LOTS 11 & 12 BLK 49
32570-04900-120-10	UNITED CHURCH OF CHRIST	RAMSDELL ADDN SPEARFISH	S 3' OF LOT 3 & ALL LOT 4 BLK 50 (PARKING LOT)
32570-05000-040-00	UNITED CHURCH OF CHRIST	RAMSDELL ADDN SPEARFISH	LOTS 5 & 6 BLK 50 (PARKING LOT)
32570-05000-060-00	SPEARFISH UNITED CHURCH OF	RAMSDELL ADDN SPEARFISH	LOT 7A BLK 50
32570-05000-120-00	ST PAUL LUTHERAN CHURCH	RAMSDELL ADDN SPEARFISH	TIF #5 FRACTIONAL BLK 52 (CHURCH)
32570-05200-000-00	MOUNTAIN VIEW BAPTIST CHURCH	REVISED GOLDEN BELT ADDN	TIF #5 TRACT A OF BLK 1
32630-00100-060-00	SPEARFISH CONGREGATION OF	SANDSTONE HILLS ADDN	LOT 1 BLK 15
32655-01500-010-00			

32660-00500-080-00	OUR SAVIORS LUTHERAN CHURCH	SCHAR ADDN SPEARFISH	LOTS 7 & 8 BLK 5 (CHURCH)
32685-00000-000-10	NORTH POINT CHRISTIAN CHURCH	SPEARFISH PRAIRIE ADDN	MOUNTAIN VIEW BAPTIST CHURCH TRACT NW4NE4
32720-02900-020-00	OUR SAVIOR'S LUTHERAN CHURCH	UHLIG ADDN SPEARFISH	LOTS 1 & 2 BLK 29
32720-02900-110-00	OUR SAVIORS LUTHERAN CHURCH	UHLIG ADDN SPEARFISH	LOTS 7 THRU 12 BLK 29
32720-03900-000-00	ST PAUL LUTHERAN CHURCH	UHLIG ADDN SPEARFISH	TIF #5 FRACTIONAL BLK 39 (CHURCH)
32730-00000-000-10	SOLID ROCK CHURCH	VOORHEES ADDN	LOT "V" OF GOVT LOT 3
32750-01200-090-00	CAMPUS MINISTRY EDUCATION ENTERP	WEST ADDN SPEARFISH	LOT 9 BLK 12
32750-01800-050-00	CHURCH OF ST JOSEPH OF SPEARFISH	WEST ADDN SPEARFISH	LOT 4 & N 25' OF LOT 5 BLK 18
32750-01800-060-10	CHURCH OF ST JOSEPH OF SPEARFISH	WEST ADDN SPEARFISH	S 40' OF LOT 6 BLK 18
32750-01800-060-20	CHURCH OF ST JOSEPH OF SPEARFISH	WEST ADDN SPEARFISH	S 25' OF 5 & N 10' OF LOT 6 BLK 18

#0001 ALLEN, NORMA J: 22650-00604-100-00 FRAWLEY RANCH EAST LOT 10. Moved-Seconded (Sleep-Rosenau) Change land value from \$125,000 to \$99,900. Motion Carried: Absent: (Johnson). Remarks: After review of the property an adjustment was needed for topography and the listing of property proves that.

#0002 ALLEN, DONALD L TRUST C/O ALLEN, NORMA: 18650-00504-020-15 BOULDER CANYON S/D LOT 215 BLK 2 Moved-Seconded (Deibert-Sleep) Change land value from \$65,050 to \$55,000. Motion Carried. Absent: (Johnson). Remarks: Owner has been trying to sell this lot at \$55,000.00, adjusted to listing price.

#0003 ALTMYER, MATTHEW: 20050-00602-036-17 SUB 3-6-2 LOT 5 N1/8 SW1/4 NW1/4 Moved-Seconded (Rosenau-Deibert) No change in land value. Change structure value from \$100,930 to \$68,470. Change structure value from \$22,340 to \$28,940. Motion Carried: Absent: (Johnson). Remarks: After interior inspection, an adjustment was necessary to equalize this property with similar properties in the County.

#0004 BUTTE ELECTRIC CO-OP INC: 18000-00504-142-85 T-005 R-04 SE1/4 NW1/4 UTILITY LOT 1 Moved-Seconded (Sleep-Rosenau) Change land value from \$30,000 to \$0 Motion Carried: Absent: (Johnson). Remarks: After the review of a building permit on this property it was discovered that the parcel needed to be moved into the centrally assessed neighborhood. Once the building was complete and being used by Butte Electric Co-op Inc it can no longer be assessed on the local level.

#0005 CENTENNIAL VISTA ESTATES- COMMUNITY ASSOCIATION: 21300-00603-000-10 CENTENNIAL VISTA COMMONS 1 Moved-Seconded (Deibert-Sleep) Change land value from \$63,400 to \$14,140. Motion Carried: Absent: (Johnson). Remarks: Value equal to other subdivisions with common area/green space.

#0006 CENTENNIAL VISTA ESTATES- COMMUNITY ASSOCIATION: 21300-00603-000-20 CENTENNIAL VISTA COMMONS 2 Moved-Seconded (Deibert-Flanagan) Change land value from \$61,320 to \$13,250. Motion Carried: Absent: (Johnson). Remarks: Value equal to other subdivisions with common area/green space.

#0007 DEWEY, THOMAS O & JEANNA M: 18500-00504-143-02 STORY LANE S/D SE 1/4 14-5-4 LOT 2 BLK 3. Moved-Seconded (Deibert-Rosenau) No change in land value. Change structure value from \$159,740 to \$147,170. Motion Carried: Absent: (Johnson). Remarks: After interior inspection, record corrected to reflect basement area as not finished.

#0008 NELSON, DONALD D & SANDRA K: 24000-00702-184-10 T-007 R-02 NE1/4 SE1/4 Moved-Seconded (Sleep-Rosenau) Change land value from \$110,250 to \$25,150 Change abstract class from NA to AG. Change structure value from \$180,650 to \$167,010. Motion Carried: Absent: (Johnson). Remarks: After the owner brought in the necessary documentation to determine Ag status, a record correction was needed to reflect the current land use.

#0009 PEPIN, RAYMOND L & ANITA L: 24000-00702-111-15 T-007 R-02 Johnson's TRACT Moved-Seconded (Deibert-Flanagan) No change in land value. Change structure value from \$162,940 to \$156,460. Motion Carried: Absent: (Johnson). Remarks: After a review of the property, an adjustment was necessary to equalize the property with similar properties in the county.

#0010 QUINN, DANIEL J & JANICE A: 24000-00702-094-30 T-007 R-02 NW1/4 SE1/4 Moved-Seconded (Rosenau-Deibert) No change in land value. Change structure value from \$20,750 to \$14,630. Motion Carried: Absent: (Johnson). Remarks: After a review of the property, an adjustment was necessary to reflect there being no concrete floor in the new pole building.

#0011 SMITH, ARDIE K SMITH, LISE K: 21000-00603-331-40 T-006 R-03 TRACT D-2 S/D OF TRACT D Moved-Seconded (Rosenau-Deibert) Change land value from \$153,600 to \$130,560. Motion Carried: Absent: (Johnson). Remarks: After review of the property it was determined that the topography adjustment needed to be put back on this acreage.

#0012 SMITH, ARDIE K & LISE K: 21000-00603-331-38 T-006 R-03 TRACT D-1 S/D OF TRACT D Moved-Seconded (Sleep-Deibert) Change land value from \$76,000 to \$64,600. No change in structure value. Motion Carried: Absent: (Johnson). Remarks: After review of the property it was determined that there was a topography issue and the adjustment reflects that.

#0013 SMITH, BARRY A & MARY P REVOCABLE TRUST: 20650-00602-228-72 MT. PLAINS DEVELOPMENT #2 LOT 172 Moved-Seconded (Deibert-Flanagan) No change in land value. Change structure value from \$592,270 to \$534,780. Motion Carried: Absent: (Johnson). Remarks: After interior inspection determined the amount of basement finish was overstated and depreciation was understated for year built.

#0014 SOLSBERY, LORETTA: 23000-00701-212-40 T-007 R-01 LOT S OF NE1/4 NW1/4 Moved-Seconded (Rosenau-Sleep) No change in land value. Change structure value from \$8,190 to \$1,000. Motion Carried: Absent: (Johnson). Remarks: The owners name on the land and the mobile home were different, therefore we needed to split the mobile home off and onto its own parcel.

#0015 WILLIAMS, RAND T & GAYLA J: 31090-01500-100-00 ORIGINAL TOWN LEAD N PT LOT 10 BLK 15 Moved-Seconded (Rosenau-Sleep) No change in land value. Change structure value from \$35,920 to \$25,980. Motion Carried: Aye-3 Nay-1 Nay: (Deibert). Absent: (Johnson). Remarks: After review of the property, an adjustment was necessary to reflect the interior condition, square footage and the foundation problems

#0016 WUNDER, JAMES: 23500-00701-287-30 REEBE RANCH ESTATES TRACT U Moved-Seconded (Deibert-Rosenau) No change in land value. Change structure value from \$348,990 to \$340,280. Motion Carried: Absent: (Johnson). Remarks: After a review of the property, an adjustment was necessary to adjust the finished area of the basement and to equalize the property with similar properties in the County.

#0017 WORDEMAN, RYAN W & WHITNEY C/O VANHORN, ERIK & MAGDALENA (C: 19000-00601-113-80 T-006 R-01 SW1/4 SW1/4 Moved-Seconded (Rosenau-Flanagan) Change land value from \$147,000 to \$6,880. Change abstract class from NA to AG. Motion Carried: Absent: (Johnson). Remarks: Mr. Vanhorn brought in his Ag application and information to prove his Ag status.

#0018 VANHORN, ERIK & MAGDALENA: 19000-00601-113-70 T-006 R-01 SE1/4 SW1/4 Moved-Seconded (Deibert-Rosenau) Change land value from \$147,000 to \$19,520. Change abstract class from NA to AG. No change in structure value. Motion Carried: Absent: (Johnson) Remarks: Mr. Vanhorn brought in his Ag application and information to prove his Ag status.

#0019 BETTMENG, RAYMOND T & RAE JEAN: 18010-00100-040-10 APPLE SPRINGS S/D LOT 4A BLK 1 Moved-Seconded (Sleep-Deibert) No change in land value. Motion Carried: Absent: (Johnson). Remarks: To follow the recommendation of the Equalization Office and uphold the valuation as the assessment is supported by fair and equitable sales and comparables, and further that the property is not assessed at more than its full and true value.

#0020 BETTMENG, RAYMOND T & RAE JEAN: 18010-00100-090-20 APPLE SPRINGS S/D LOT 9B BLK 1 Moved-Seconded (Deibert-Flanagan) No change in land value. Motion Carried: Absent: (Johnson). Remarks: To follow the recommendation of the Equalization Office and uphold the valuation as the assessment is supported by fair and equitable sales and comparables, and further that the property is not assessed at more than its full and true value.

#0021 BETTMENG, RAYMOND T & RAE JEAN: 18010-00100-110-10 APPLE SPRINGS S/D LOT 11A BLK 1 Moved-Seconded (Deibert-Sleep) No change in land value. Motion Carried: Absent: (Johnson). Remarks: To follow the recommendation of the Equalization Office and uphold the valuation as the assessment is supported by fair and equitable sales and comparables, and further that the property is not assessed at more than its full and true value.

#0022 BETTMENG, RAYMOND T & RAE JEAN: 18010-00100-110-20 APPLE SPRINGS S/D LOT 11B BLK 1 Moved-Seconded (Rosenau-Deibert) No change in land value. Motion Carried: Absent: (Johnson). Remarks: To follow the recommendation of the Equalization Office and uphold the valuation as the assessment is supported by fair and equitable sales and comparables, and further that the property is not assessed at more than its full and true value.

#0023 MOELLER, RONALD J & GABRIELLE J: 26680-01732-010-00 MINERAL 1564 THRU 1742 M.S. 1732 TRACT 1 S/D OF POUNT #1 LODGE Moved-Seconded (Deibert-Sleep) No change in land value. Motion Carried: Absent: (Johnson). Remarks: To follow the recommendation of the Equalization Office and uphold the valuation as the assessment is supported by fair and equitable sales and comparables, and further that the property is not assessed at more than its full and true value.

#0024 TOUSSAINT, GILLES: 23000-00701-343-30 T-007 R-01 NW1/4 SW1/4 PT S CTY ROAD Moved-Seconded (Deibert-Sleep) No change in land value. Change structure value from \$101,670 to \$87,150. Motion Carried: Absent: (Johnson). Remarks: After review of the property, an adjustment was necessary to equalize the property with similar properties in the county.

#0025 SPEARFISH UNITED METHODIST CHURCH: 32655-00100-010-00 LOT 1A-1 BLK 1. Moved-Seconded (Rosenau-Flanagan) to approve the property as tax exempt. Motion Carried. Absent: (Johnson).

#0026 SOCIETY OF ST VINCENT DEPAUL RAP: 32030-03000-030-00 LOTS 1 & 2 BLK 30 (EX WLY 33'). Moved-Seconded (Deibert-Rosenau) to approve the property as tax exempt. Motion Carried. Absent: (Johnson).

#0027 RAPID CITY REGIONAL HOSPITAL INC: 32455-00100-020-00 LOT 2 BLK 1 (REMAINDER). Moved-Seconded (Sleep-Flanagan) to approve the property as tax exempt. Motion Carried. Absent: (Johnson).

#0028 SOUTH DAKOTA STATE UNIVERSITY: 31090-02500-050-00 S 70' OF LOT 5 BLK 25. Moved-Seconded (Deibert-Rosenau) to approve the property as tax exempt. Motion Carried. Absent: (Johnson).

#0029 SOUTH DAKOTA SCIENCE AND: 31910-00600-000-00 TRACT F INSIDE CITY LIMITS. Moved-Seconded (Rosenau-Deibert) to approve the property as tax exempt. Motion Carried. Absent: (Johnson).

#0030 NR-G2 REAL ESTATE HOLDINGS II LLC: 32315-01600-070-00 THE RESERVE ON HIGGINS CR LOT 7 BLK 16 Moved-Seconded (Deibert-Sleep) No change in land value. No change in structure value. Motion Carried: Absent: (Johnson) Remarks: To follow the recommendation of the Equalization Office and uphold the valuation as the assessment is supported by fair and equitable sales and comparables, and further that the property is not assessed at more than its full and true value. Jonathan McCoy, Attorney appearing on behalf of owner, offered that the property owner was not meeting his investment objectives for the subject property and attributed this failure to the assessed value and resulting taxes due. Tim Hodson, Director of Equalization, explained that the increase in assessed value was attributable to the fact that the buildings were now fully constructed, and that past years assessments were based on percentage of construction completed.

RECESS: Moved-Seconded (Deibert-Flanagan) to recess the County Board of Equalization at 1:36 p.m. April 10th 2018. Motion Carried.

9:15 a.m. April 24th, 2018 the County Board of Equalization reconvened with Brandon Flanagan, Randy Deibert, Daryl Johnson, Richard Sleep and Randall Rosenau, present.

The 2018 Board of Equalization Oath was signed by Daryl Johnson.

#0031 RENAUD, CHRISTOPHER C NEWELL, SAMUEL M: 26680-01742-000-12 MINERAL 1564 THRU 1742 M.S. 1742 LEE #6 (14.80) & LEE #8 (9.52) & FINN LOT(.72) Moved-Seconded (Deibert-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 the assessment is supported by fair and equitable sales and comparables, and further that the property is not assessed at more than its full and true value. Jonathan McCoy, Attorney appearing on behalf of owner, stated that the property has landslide issues and sustaining power. These were not disclosed at time of purchase, but now have to be disclosed. This property has been listed for \$950,000.

#0032 LILLIBRIDGE, JODY R: 26280-00363-000-00 MINERAL 108 THRU 758 M.S. 363 WAR EAGLE Moved-Seconded (Johnson-Rosenau) Change land value from \$4,030 to \$4,680 and update acres from 5.75 to 8.10. Motion Carried. Remarks: During a review of mineral surveys this last year, the acreage was changed. Further research showed a major conflict with parcel #26800-01901-000-00 Both mineral surveys are returning to their original acres and will not be changed until property owners provide legal documents resolving the conflict.

#0033 DOUBLE RAINBOW MINE C/O MOTT, NANCY: 26800-01901-000-00 MINERAL 1887 THRU 1917 M.S. 1901 WAR EAGLE LODGE Moved-Seconded (Johnson-Rosenau) Change land value from \$5,950 to \$5,130 and update acres from 3.40 to 8.89. Motion Carried. Remarks: During a review of mineral surveys this last year, the acreage was changed. Further research showed a major conflict with parcel #26280-00363-000-00. Both mineral surveys are

returning to their original acres and will not be changed until property owners provide legal documents resolving the conflict.

#0034 PLUM WILD PERMACULTURE: 200000-00602-201-30 NE1/4 NE1/4. Moved-Seconded (Rosenau-Deibert) to deny tax exempt status due to failure to provide documents proving exempt status. Motion Carried.

#0035 PLUM WILD PERMACULTURE: 200000-00602-174-10 SE1/4 SE1/4 - REMAINDER SW1/4 SE1/4(35A). Moved-Seconded (Rosenau-Deibert) to deny tax exempt status due to failure to provide documents proving exempt status. Motion Carried.

#0036 PLUM WILD PERMACULTURE: 200000-00602-201-10 NW1/4 NE1/4 EX 2.50A. Moved-Seconded (Rosenau-Deibert) to deny tax exempt status due to failure to provide documents proving exempt status. Motion Carried.

ADJOURN: Being no further appeals to be heard Moved-Seconded (Deibert-Sleep) to adjourn the 2018 Board of Equalization at 9:44 a.m. the 24th day of April 2018. Motion Carried.

Date Approved

Brandon Flanagan, Chairman

ATTEST:

Brenda McGruder, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – April 24, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on April 24, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Daryl Johnson, Richard Sleep and Randall Rosenau present.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Deibert-Rosenau) to approve the minutes of April 10, 2018 County Commission meeting. Motion Carried.

TRAVEL REQUEST:

PLANNING & ZONING: Moved-Seconded (Rosenau-Flanagan) to approve the travel request for Jeff Schroeder to attend the Code Enforcement Conference in Pierre, SD on May 8-10, 2018 and approve the travel advance in the amount of \$53.00. Motion Carried.

APPLE SPRINGS WATER WORKS SANITARY DISTRICT: Moved-Seconded (Johnson-Rosenau) to approve and authorize the Chairperson to sign the following Amended Order Declaring Apple Springs Water Works Sanitary District Incorporated. Motion Carried.
AMENDED ORDER DECLARING APPLE SPRINGS WATER WORKS SANITARY DISTRICT INCORPORATED. WHEREAS, an election was held among the registered voters in the Apple Springs Water Works Sanitary District to determine whether or not a Water Works Sanitary District should be incorporated. WHEREAS, this vote was held on January 19, 2010. 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 7 (seven), together with the number of 6 (six) voting for and the number of 0 (zero) voting against incorporation; WHEREAS, The Territory organized as a district is as follows: APPLE SPRINGS TRACT LOCATED IN: NE $\frac{1}{4}$ NW $\frac{1}{4}$ LESS ROW; UNPLATTED BALANCE OF W $\frac{1}{2}$ NE $\frac{1}{4}$ LYING NORTH OF US HWY 14-A ROW; UNPLATTED BALANCE SE $\frac{1}{4}$ NW $\frac{1}{4}$ LYING NORTH OF US HWY 14-A ROW; OF SECTION 14, T5N, R4E BHM AND SE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; UNPLATTED BALANCE OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 11, T5N, R4N, BHM ALL LOCATED IN LAWRENCE COUNTY, SOUTH DAKTOA. THE SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ OF SECTION 2, E $\frac{1}{2}$ NE $\frac{1}{4}$ OF SECTION 14 EXCLUDING LOT H2,

LOT D REVISED OF THE SW1/4 NW1/4 OF SECTION 13 AS SHOWN ON PLAT #1985-759 EXCLUDING LOT H1, ALL LOCATED IN 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 Apple Springs Water Works Sanitary District is hereby incorporated pursuant to SDCL 34A-5. DATED this 24th day of April, 2018 (nunc pro tunc 26th day of January 2010). Brandon Flanagan, Chairperson Lawrence County Commission ATTEST: BRENDA MCGRUDER, Auditor.

TYLER TECHNOLOGY LICENSE AND SERVICE AGREEMENT: Moved-Seconded (Sleep-Flanagan) to approve and authorize the Chairman to sign the Amended License and Services Agreement with Tyler Technology. Aye-Flanagan, Johnson, Sleep and Rosenau. Nay-Deibert. Motion Carried.

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

EMERGENCY MANAGEMENT: Paul Thomson, Emergency Management Supervisor was present to inform the board that Search & Rescue would be holding a full-scale exercise in Custer State Park on May 5, 2018. A meal will be provided and the cost split between Lawrence County and Custer County. He also stated that a letter was sent to the Spearfish Fire Department requesting that the line gun be returned to Lawrence County Search & Rescue.

PETITION FOR VACATION OF SECTION LINE RIGHT-OF-WAY / SUEPER AND POTTER: A Public Hearing was held on a Petition for Vacation of Section Line Right-of-Way APPLICANT - Raymond S. Sueper and Cara E. Potter. LEGAL: That portion of section line running north and south between Section 25, T4N, R2E, and Section 30, T4N, R3E, lying within Lot 3-C and Lot 3-B, of Mountain Stream Estates, a subdivision of HES43, located in Section 25, T4N, R2E, and Section 30, T4N, R3E, BHM; Lawrence County, South Dakota, as shown on Exhibit A, attached hereto and by such reference incorporated herein. No public input was voiced and the Public Hearing was closed. Moved-Seconded (Deibert-Flanagan) to approve, adopt, and authorize the Chairman to sign the Following Lawrence County Resolution #2018-11 Resolution & Order To Vacate A Portion Of A Highway, Part Of Which Is Located On A Section Line. Motion Carried. LAWRENCE COUNTY RESOLUTION #2018-11 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, WHEREAS, the public interest will be better served by the proposed section line vacation, and 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: That portion of section line running north and south between Section 25, T4N, R2E, and Section 30, T4N, R3E, lying within Lot 3-C and Lot 3-B, of Mountain Stream Estates, a subdivision of HES43, located in Section 25, T4N, R2E, and Section 30, T4N, R3E, BHM; Lawrence County, South Dakota, as shown on Exhibit A, attached hereto and by such reference incorporated herein. AFFECTING THE LANDOWNERS: Raymond S. Sueper and Cara E. Potter. Dated this 24th day of April, 2018. Brandon Flanagan, Chairman Lawrence County Commission. ATTEST: Brenda McGruder, Lawrence County Auditor.

HIGHWAY:

PERMITS:

APPROACH PERMIT/WESTBERG: Moved-Seconded (Deibert-Rosenau) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the approach permit for Jeff Westberg to construct an approach on the west side of Whitewood Valley Rd. The approximate location is 11,835' N.E. of the intersection of Bighorn Road and Whitewood Valley Road. Motion Carried.

UTILITY PERMIT/VAST BROADBAND: Moved-Seconded (Deibert-Rosenau) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the Application for a Permit to Occupy County Highway Right-of-Way for Vast Broadband on McGuigan Road located in Section 4, T6N, R2E. Motion Carried.

PLANNING & ZONING:

CONDITIONAL USE PERMIT #444/GARDNER: A Public Hearing was held on C.U.P. #444.

APPLICANT: Kenny Gardner LEGAL: Lot D of Sawpit Tract, Being a Portion of the Bingham Lode MS 1379, et al All Located in Section 29, T5N, R3E VICINITY LOCATION: Cutting Mine Road SUMMARY: Storage Units. No public input was voiced and the hearing was closed. Moved-Seconded (Deibert-Rosenau) to approve Conditional Use Permit #444 for Kenny Gardner to allow for storage units and specifically noting the setbacks shown on the site survey were NOT approved, and further that the word "will," where ever it appears in the proposed conditions, be changed to "shall" as set forth in the Lawrence County Planning and Zoning Staff report. Motion Carried.

SETBACK MEASUREMENT: Moved-Seconded (Deibert-Rosenau) to follow the Planning & Zoning Board's recommendation and establish a policy that setbacks shall be measured from the foundation of the structure (replacing the prior policy of measurement from the outmost projection). The Board also noted that covered porches are allowed in the setback unless it becomes an enclosed porch. Motion Carried.

RECESS: 9:15 a.m. Moved-Seconded (Rosenau-Sleep) to recess the County Commission meeting and convene as the Board of Equalization. Motion Carried. 9:44 a.m. The Chairman called the meeting back to order.

C.U.P. #412 SACHAU (PERSONAL USE AIRSTRIP): An annual review was conducted on C.U.P. #412 Randy Sachau (Personal Use Airstrip). Moved-Seconded (Deibert-Rosenau) to place C.U.P #412 back on a annual review. Motion Carried.

MALT BEVERAGE LICENSE/ELKHORN RIDGE @ FRAWLEY RANCHES LLC: A public hearing was held on an application for a RETAIL ON-OFF SALE WINE: ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION SW ¼ OF SECTION 18 LYING SOUTH OF THE COUNTY ROAD T6 R4; ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION S ½ SECTION 26, E ½ NE ¼ SECTION 26, W ½ NW ¼ SECTION 26, E ½ NE SECTION 27, E ½ SE SECTION 27, SW SW SECTION 23, S ½ SE SECTION 22 T6 R3. RETAIL ON-OFF MALT BEVERAGE: ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION SW ¼ OF SECTION 18 LYING SOUTH OF THE COUNTY ROAD T6 R4; ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION S ½ SECTION 26, E ½ NE ¼ SECTION 26, W ½ NW ¼ SECTION 26, E ½ NE SECTION 27, E ½ SE SECTION 27, SW SW SECTION 23, S ½ SE SECTION 22 T6 R3. No public input was voiced and the public hearing was closed. Moved- Seconded (Rosenau-Johnson) to approve the following application of a RETAIL ON-OFF SALE WINE: ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION SW ¼ OF SECTION 18 LYING SOUTH OF THE COUNTY ROAD T6 R4; ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION S ½ SECTION 26, E ½ NE ¼ SECTION 26, W ½ NW ¼ SECTION 26, E ½ NE SECTION 27, E ½ SE SECTION 27, SW SW SECTION 23, S ½ SE SECTION 22 T6 R3. RETAIL ON-OFF MALT BEVERAGE: ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION SW ¼ OF SECTION 18 LYING SOUTH OF THE COUNTY ROAD T6 R4; ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION S ½ SECTION 26, E ½ NE ¼ SECTION 26, W ½ NW ¼ SECTION 26, E ½ NE SECTION 27, E ½ SE SECTION 27, SW SW SECTION 23, S ½ SE SECTION 22 T6 R3. Motion Carried.

TIMBER COMMITTEE:

B.H. RESILIENCY LANDSCAPES PROJECT DRAFT D.E.IS./COOPERATING AGENCY STATUS/COMMUNITY WILDFIRE PROTECTION PLAN: Bill Coburn and Paul Schipke, on behalf of the Timber Committee, presented a draft letter for review by the Lawrence County Commission. Moved-Seconded (Rosenau-Deibert) to approve the Chairman to sign the comments to be submitted to Mark Van Every, Forest Supervisor. Aye-Flanagan, Johnson, Sleep and Rosenau. Nay-Deibert. Motion Carried. Moved-Seconded (Johnson-Deibert) to amend the prior motion to change the last paragraph of the letter to read: We thank you for

your time and attention in these important matters, and look forward to working with the BHNF on gaining "immediate" Cooperating Agency status, and meeting annually to discuss mutual concerns. Motion Carried.

BILLS:

Moved-Seconded (Rosenau-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-\$6,669.31; Aud-\$12,347.79; Treas-\$11,436.91; States Atty-\$12,297.74; Pub Def-\$12,297.74; Gen Govt Bldg-\$9,241.89; Equal-\$14,866.54; Rod-\$9,158.36; Vso-\$988.80; Ist-\$9,466.33; Disp-\$14,972.69; Sher-\$41,460.08; Jail-\$24,664.33; Coroner-\$576.55; 24/7-\$197.03; Emerg Mgnt-\$4,381.44; E911-\$2,052.80; Highway-\$53,126.40; Weed-\$3,709.74; Pz-\$5,721.19; **Bills:** Dragoo,Shelley-\$49.00; Hansen,Paul-\$36.47; Palmer,Ryan-\$8.50; A To Z Shredding-\$707.20; A&B Business,Inc Solutions-\$446.65; A&B Welding Supply-\$180.48; AED Superstore-\$159.30; Air Connection-\$838.88; American Family Life-\$3,056.91; Armstrong Extinguisher-\$150.00; At&T-\$3.63; BH Pioneer-\$1,061.24; Barnaud Law Firm-\$1,675.18; Bi Geo Group Co-\$427.80; Bickle's Truck & Diesel-\$3,401.44; Black Hills Energy-\$11,559.70; Breit Law Offices-\$297.18; Butler Machinery Co-\$4,920.01; Central Restaurant Products-\$247.44; Centurylink-\$1,943.43; City Of Rapid City-\$140.00; City/County Alcohol&Drug-\$678.00; Clinical Lab Of BH-\$3,730.00; Credit Collections Bureau-\$64.54; Dakota Equipment Rental-\$142.30; Dale's Tire & Retread-\$201.00; Deadwood Recreation Center-\$808.00; Dean Schaefer Court Reporting-\$30.00; Delta Dental Of South Dakota-\$7,344.52; Dept Of Hlth Lab Services-\$475.00; Dept Of The Treasury-\$60,969.64; Division Of Motor Veh-\$5.00; Ellingson,Joseph-\$7,389.67; Fastenal-\$17.53; Federal Express Corp-\$29.21; Flir Outdoor Tactical Systems-\$62,700.00; G&H Distributing Of Rc-\$22.72; Galls-\$119.67; Godfrey's Brake Serv-\$67.78; Goodie's Uniforms-\$477.05; Heartland Paper Co-\$1,770.23; Inland Truck Parts-\$143.54; Jacobs Precision Welding-\$54.60; Karen Paige Hunt, Prof-\$4,462.09; Katterhagen,Mark-\$30.00; Lead-Deadwood Regional Hospital-\$946.95; Lewis & Clark Bhs-\$160.00; Lewno,Lucy-\$357.94; Lexisnexis Risk Data Mgnt-\$75.00; Lincoln County-\$153.30; Lockwood, Darcy-\$30.00; M&R Properties-\$400.00; Matthew Bender & Company-\$50.00; Mcclure,Susan-\$50.00; Mid-Continent Testing-\$20.00; Midcontinent Communications-\$111.43; Montana Dakota Utilities-\$510.01; Ms Mail-\$225.00; Nalco Company-\$239.20; Napd-\$60.00; National Assoc Of Criminal-\$139.00; Nelson Law-\$985.85; Nelson, Tonya-\$200.00; North Central Int'l-\$406.68; Northern Hills Rec Center-\$177.00; Northern Truck Equip-\$218.00; Office Depot-\$190.07; Office Of Attorney General-\$302.77; Office Of Child Support-\$983.09; Pennington Co Jail-\$1,392.20; Powerplan-\$83.22; Priority Dispatch-\$147.00; Quill-\$25.47; RC Journal-\$320.81; Sara J Fitzgerald-\$201.00; Rasmussen Mechanical Serv-\$3,843.25; Regional Health-\$510.79; Sd Aao-\$1,050.00; SD Retirement System-\$60,470.68; SD Unemployment Ins Division-\$5,668.76; Sdrs Supplemental Retirement-\$2,841.00; Servall Towel & Linen-\$233.04; Spearfish City Of-\$20,075.00; Spearfish Police Dept-\$10,295.18; Spearfish Regional Hospital-\$396.08; Sterna, Laura-\$200.00; Sturdevant's Auto Parts-\$24.89 ; Subway-\$15.00; Sysco Montana-\$2,730.83; Top Quality Mfg Co-\$260.00; Triple K Tire & Repair-\$113.16; Truenorth Steel-\$11,275.00; Turnkey Corrections-\$35.34; Twilight First Aid & Safety-\$59.94; Twin City Hardware & Lumber-\$445.73; Vanway Trophy And Award-\$56.20; Vast Broadband-\$1,647.72;

Verizon Wireless-\$105.36; Victims Of Violence-\$690.00; Weber, Bill-\$40.00; Wellmark Blue Cross-\$87,448.00; Wells Fargo Business Card-\$4,829.86; Wells Plumbing & Farm Supp-\$378.59; Western Sd Juvenile Serv-\$5,300.00; Wheeler Lumber-\$21,575.16; White Drug-\$1,902.30; Yankton Co Sheriff-\$100.00; Yankton County-\$346.85; **Witness & Jurors:** Kinghorn,S-\$10.08; Delano,M- \$14.28; Geppert,T-\$71.00; Gostola,C-\$52.52; Hayward,N-\$52.52; Jones,M-\$75.20; Mcmillin,G-\$63.44; Ryan,M-\$61.76; Sternhagen,L-\$52.52; Teel-Hartman,M-\$60.92; Carsten,J-\$27.35; Lee,J-\$35.12; Mason,K-\$23.36; Mcbeath,D-\$221.60

ADJOURN: 11:39 a.m. There being no further business, it was Moved-Seconded (Deibert-Flanagan) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – April 24, 2018

Chairman Brandon Flanagan called the Special meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 3:30 p.m. on April 24, 2018 at the Spearfish City Hall located at 625 Fifth Street, Spearfish, SD with Commissioners Randy Deibert, Richard Sleep, Daryl Johnson and Randall Rosenau present.

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

AE2S ENGINEERING: AE2S gave a presentation on the FEMA Flood Map.

ADJOURN: 4:23 p.m. There being no further business, it was Moved-Seconded (Deibert-Johnson) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – May 8, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on May 8, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Daryl Johnson, Richard Sleep and Randall Rosenau present.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Deibert-Rosenau) to approve the minutes of April 24, 2018 County Commission meeting, the April 24, 2018 special meeting and 2018 Board of Equalization meeting. Motion Carried.

PERSONNEL:

HIGHWAY & PHYSICAL PLANT APPOINTMENT: Moved-Seconded (Johnson-Sleep) to appoint Allan Bonnema as the Highway & Physical Plant Superintendent for a two year term to expire 5-2020. Motion Carried.

INFORMATION SYSTEMS & TECHNOLOGY: Moved-Seconded (Deibert-Flanagan) to approve Steven Kline as a Information System & Technology Deputy Director G1 at the base rate of \$25.19 an hour, effective May 13, 2018, approve to advertise for a Information System & Technology Specialist and to regretfully accept the resignation of Randall McGruder. Motion Carried.

SHERIFF: Moved-Seconded (Rosenau-Flanagan) to approve Anna Masden as a part-time (under 20) fill-in Dispatcher I G3 at the base rate of \$19.08 an hour, effective May 8, 2018. Motion Carried.

Moved-Seconded (Deibert-Rosenau) to approve Thomas Myers as a full-time temporary Correctional Officer I G1 at the base rate of \$18.33 an hour, effective May 27, 2018. Motion Carried

Moved-Seconded (Deibert-Rosenau) to approve Brianna Rommen as a full-time Dispatcher I G1 at the base rate of \$18.33 an hour, effective May 27, 2018. Motion Carried

Moved-Seconded (Johnson-Deibert) to approve Emily Abernathy as a part-time (under 20) fill-in Dispatcher II G3 at the base rate of \$20.25 an hour, effective May 25, 2018. Motion Carried

Moved-Seconded (Sleep-Johnson) to waive the (5) days posting requirement, the newspaper publication requirement and allow the use of already filed applications in the Sheriff's Office to replace two deputy positions due to retirement of Paul Hansen and Ritchey Walk. Motion Carried.

CORONER:

Moved-Seconded (Johnson-Deibert) to approve Robert M. Leonard as a Deputy Coroner at \$200.00 per call , effective May 8, 2018. Motion Carried

VOLUNTEER FIRE FIGHTER: Moved-Seconded (Rosenau-Deibert) to approve Bruce Keller, Jon LaFramboise and Joshua Welke as Volunteer Fire Fighters for insurance purposes. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Johnson-Rosenau) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of April 30, 2018 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)-\$1,479,561.60; total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$22,658.71; petty cash-\$1,860.00; total amount of deposits in bank include: CD's-\$3,000,000; bank balance \$22,884,987.81, money market \$8,743,948.14. Total \$36,134,366.26.

FREE DUMP WEEK ALLOCATION 2017 (SPEARFISH): The City of Spearfish was not paid its free dump week yearly allocation in 2017. A motion was made to pay the 2017 free dump week allocation from contingency funds.

CONTINGENCY TRANSFER: Moved-Seconded (Deibert-Flanagan) to approve the contingency transfer of \$5,000 to Commissioners-Professional Services. Motion Carried.

CITY OF SPEARFISH RELEASE OF INFORMATION HOLD HARMLESS

AGREEMENT: Moved-Seconded (Deibert-Flanagan) to approve and authorize the Chairman to sign the Release of Information and Hold Harmless Agreement with the City of Spearfish. The Agreement will allow for the sharing of flood plain information between AE2S and the County. Motion Carried.

SHERIFF: Brian Dean, Sheriff gave an update on the Average Daily Population in the Jail.

HIGHWAY:

FUEL QUOTES: The following fuel quotes were submitted as of May 7, 2018: **Spearfish Diesel #2 (dyed): 2600 gallons:** (prices per gallon) CBH Cooperative - \$2.561; Harms Oil Co - No Bid; MG Oil - \$2.47*. **Spearfish Unleaded 1200 gallons:** (prices per gallon) CBH Cooperative - 2.577; Harms Oil Co - No bid; MG Oil - \$2.39*. **Whitewood Diesel #2 (dyed) 700 gallons:** (prices per gallon) CBH Cooperative - \$2.561; Harms Oil Co - No bid; MG Oil - \$2.47*. *Represents lowest quote awarded.

DEPARTMENT OF TRANSPORTATION MAINTENANCE AGREEMENT: Moved-Seconded (Deibert-Rosenau) to approve and authorize the Chairman to sign the South Dakota Department of Transportation Agreement to provide for the striping and continuing maintenance of County roads within Lawrence County. Motion Carried.

BRIDGE IMPROVEMENT GRANT (B.I.G.) APPLICATIONS: Jason Hanson, Brosz Engineering was present to discuss future B.I.G. applications and options to make County projects more competitive for funding. Moved-Seconded (Deibert-Johnson) to fund design of the Whitewood Valley Road bridge project anticipating that the project shall be bid ready by the next B.I.G. application deadline. Motion Carried. The board also requested that Mr. Hanson prepare preliminary engineering costs for the two St Onge Oil Road bridges and the Whitewood Service Road bridge.

PLANNING & ZONING:

PLATS:

FINAL PLAT/CALLAHAN: OWNERS/APPLICANTS: Charlette and Vicki Callahan
LEGAL: Lot 22A of Spruce Mountain #2 in Section 24, T6N, R4E VICINITY LOCATION: Antler Road Near Whitewood
SUMMARY: Combine Lot 22 and Lot 19 into one lot.

Moved-Seconded (Deibert-Flanagan) to approve the final plat for Charlette and Vicki Callahan based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report. **LEGAL:** Lot 22A of Spruce Mountain #2 in Section 24, T6N, R4E VICINITY LOCATION: Antler Road near Whitewood
SUMMARY: Combine Lot 22 and Lot 19 into one lot. Motion Carried.

FINAL PLAT/SANDFORD: OWNER/APPLICANT: Andrew Sandford
LEGAL: Lot PR in Elkhorn No.4 and Elkhorn No. 5, M.S. 1914 Section 13, T5N, R2E VICINITY LOCATION: Ida Grey
SUMMARY: Combine Lot P-1 and Lot P-2 into one lot.

Moved-Seconded (Deibert-Rosenau) declaring that the plat for Andrew Sandford meets exemption criteria per Subdivision Ordinance, Chapter 4. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve the final plat for Andrew Sandford based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report. **LEGAL:** Lot PR in Elkhorn No.4 and Elkhorn No. 5, M.S. 1914 Section 13, T5N, R2E VICINITY LOCATION: Ida Grey
SUMMARY: Combine Lot P-1 and Lot P-2 into one lot. Motion Carried.

FINAL PLAT TWO BIT, LLC: OWNER/APPLICANT: Two Bit, LLC LEGAL: Lot 20 of Golden Hills and dedicated public R.O.W. All located in Sections 25 and 36, T5N, R3E and Sections 30 and 31, T5N, R4E VICINITY LOCATION: Two Bit Road SUMMARY: new lot in approved subdivision.

Moved-Seconded (Sleep-Flanagan) to approve the final plat for Two Bit, LLC based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report. LEGAL: Lot 20 of Golden Hills and dedicated public R.O.W. All located in Sections 25 and 36, T5N, R3E and Sections 30 and 31, T5N, R4E VICINITY LOCATION: Two Bit Road SUMMARY: New lot in approved subdivision. Aye-Flanagan, Johnson, Sleep and Rosenau. Nay-Deibert. Motion Carried.

C.U.P. #336/BERGUM: PERMITTEE: Gerald Bergum LOCATION: Buffalo Berry Lane, Whitewood SUMMARY: Stable and Riding Arena. Gerald Bergum was present to discuss his option for his current C.U.P. #336. He proposed two options: 1. Amend the C.U.P. to limit horse boarding to 10 animals, or 2. Cancel the C.U.P. Sleep made a motion to cancel C.U.P. #336. Motion died due to lack of second. Moved-Seconded (Deibert-Flanagan) to amend the existing Condition #19 C.U.P. as follows: There shall not be more than 10 horses onsite except for a specialty event such as a clinic or 4-H event. Further that an additional Condition be added (Condition #22) noting that upon a change of ownership, of all or a part, of the property covered under the C.U.P. (to-wit: acreage owned by Permittee falls under 15 acres), Permittee shall promptly notify the Planning and Zoning Office of this change. The 2 amendments referenced above are considered to be minor amendments allowing for administrative adjustment. Aye-Flanagan, Deibert, Johnson and Rosenau. Nay-Sleep. Motion Carried.

FOREST SERVICE DISTRICT RANGER: Steve Kozel, District Ranger for the Northern District was present to give an activities report. Items discussed: weed management, Cooperating Agency Status with respect to future projects, the Maverick Timber Sale and the ongoing Black Hills Resilient Landscape Project.

EXTENSION UPDATE: Michelle May, Butte/Lawrence County Extension was present to give an update on the 4-H Youth Program.

BILLS:

Moved-Seconded (Sleep-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-\$6,669.31; Treas-\$12,939.31; States Atty-\$15,452.64; Pub Def-\$12,300.94; Gen Govt Bldg-\$9,362.23; Equal-\$14,867.34; Rod-\$9,158.36; Vso-\$988.80; Ist-\$9,466.32; Disp-\$13,378.82; Sher-\$42,872.26; Jail-\$23,500.02; Coroner-\$706.55; 24/7-\$181.48; Emerg Mgnt-\$4,390.44; E911-\$2,052.80; Highway-\$44,072.37; Weed-\$3,709.74; Pz-\$5,743.19; **Bills:** Schroeder,Jeffery-\$53.00; A&B Business,Inc Solutions-\$787.90; A&B Welding Supply-\$27.63;

Ace Hardware Of Lead-\$153.76; Amick Sound-\$5,151.51; At&T Mobility-\$919.86; BH Pest Control-\$190.00; BH Pioneer-\$929.59; Barnaud Law Firm-\$2,257.75; Bickle's Truck & Diesel-\$695.34; Big Sky Communications-\$59.00; Black Hills Energy-\$382.62; Black Hills Pure-\$11.50; Breit Law Offices-\$297.18; Butler Machinery Co-\$774.47; Butte Electric Coop-\$505.05; Century Business Products-\$364.63; Centurylink-\$109.48; Childrens Home Society-\$153.22; Chris Supply Co-\$64.93; Clinical Lab Of BH-\$407.00; Credit Collections Bureau-\$64.54; Dakota Equipment Rental-\$114.28; Deadwood, City Of-\$1,090.78; Dept Of The Treasury-\$61,344.17; Dmc Wear Parts-\$717.00; Election Sys & Software-\$1,902.42; Fastenal-\$119.53; Federal Express Corp-\$22.30; Fidler-Isburg Funeral Chapel-\$1,170.00; Foothills Seed-\$4,000.00; G&H Distributing Of Rc-\$484.67; Galls-\$304.73; Geigle,Jd-\$200.60; Godfrey's Brake Serv-\$64.34; Goodie's Uniforms-\$60.40; Gould Upholstery-\$100.00; Great Western Tire Company-\$933.80; Grimm's Pump Service-\$3,644.85; Hartford-Priority Accounts-\$2,129.52; Heartland Paper Co-\$440.20; Jacobs Precision Welding-\$59.50; Johnson Machine-\$64.89; Karen Paige Hunt, Prof-\$1,344.11; Katterhagen,Mark-\$22.50; Kch Law-\$221.68; Kimball-Midwest Co-\$553.36; Lacial Equipment-\$851.14; Lead, City Of-\$85.25; Lead-Deadwood Regional Hospital-\$1,716.17; Lead-Deadwood Sanitary-\$731.34; Lee,James-\$15.00; Lewno,Lucy-\$164.97; Lockwood,Darcy-\$22.50; Mack's Auto Body-\$241.86; Mcclure,Susan-\$300.00; Mcpherson Propane-\$69.00; Minnehaha County-\$90.00; Montana Dakota Utilities-\$3,158.30; Moss,William Psy-\$1,050.00; Ms Mail-\$50.00; Nelson Law-\$1,339.80; Nelson,Tonya-\$400.00; North Central Int'l-\$51.79; Northern Truck Equip-\$37.00; Office Depot-\$74.97; Office Of Attorney General-\$302.77; Office Of Child Support-\$983.09; Plumbmaster-\$5.20; Postmaster, Deadwood-\$144.00; Powerplan-\$96.66; Quill-\$836.74; RC Regional Hospital-\$5,533.90; Rasmussen Mechanical Serv-\$55.55; Regional Health-\$348.97; Rena M Hymans, PC-\$619.24; Reserve Account-\$5,000.00; Rockmount Research & Alloys-\$499.43; SD State Treasurer-\$1,827.93; Servall Towel & Linen-\$788.10; Sierra Design Vinyl Lettering-\$270.00; Spearfish Auto Supply-\$493.71; Spearfish Building Supply-\$44.32; Sterna, Laura-\$200.00; Strain Morman Law Firm-\$2,592.72; Sturdevant's Auto Parts-\$2,195.41; Subway-\$58.34; Sysco Montana-\$2,265.39; Thomson Reuters-West-\$184.64; Triple K Tire & Repair-\$900.00; Twin City Hardware & Lumber-\$1,377.70; Ultramax-\$2,365.00; Vast Broadband-\$59.99; Waste Connections Of SD-\$467.60; Watertree-\$38.85; Western Communication-\$582.00; Wex Bank-\$662.49; Yankton Co Sheriff-\$50.00; **Witness & Jurors:** Allerdings,E-\$52.52; Bordewyk,T-\$62.60; Carroll,P-\$66.80; Cockreham,R-\$64.28; Crawford,G-\$60.92; Gruenwald,P-\$66.80; Hansen,M-\$62.60; Hansen,T-\$50.84; Rhodes,J-\$58.40; Dinel,D-\$20.00; Morton,A-\$20.00; Lee,J-\$26.80; Ahlers,D-\$25.12; Aiken,M-\$26.80; Anderson,C-\$26.80; Bailey,M-\$12.52; Berberick,M-\$26.80; Beuckens,G-\$11.68; Brengle,S-\$25.96; Bruha,J-\$22.60; Bustillos,C-\$20.08; Cahoy,A-\$22.60; Cortez,N-\$26.80; Dana-Samuelson,N-\$133.60; Daniels,A-\$22.60; Delahoyde,R-\$22.60; Dietrich,L-\$125.20; Eckhart,D-\$13.36; Engebretson,B-\$22.60; Falzerano,E-\$24.28; Fox,R-\$18.40; Freeman,R-\$106.72; Gayer,M-\$126.88; Gillies,W-\$22.60; Giuseffi,K-\$125.20; Goetz,G-\$111.76; Gradinaru,K-\$133.60; Grone,J-\$20.08; Haase,E-\$22.60; Hamak,C-\$110.08; Hansen,L-\$20.92; Heisinger,H-\$111.76; Heller,T-\$105.04; Henning,S-\$13.36; Hoffman,T-\$24.28; Horsman,E-\$17.56; Hughes,D-\$26.80; James,E-\$17.56; Jensen,K-\$133.60; Juso,G-\$16.72; Kack,L-\$26.80; Kennedy,R-\$12.52; Klein,M-\$13.36; Leige,D-\$125.20; Linafelter,W-\$14.20; Ludeman,H-\$22.60; Luze,T-\$17.56; Lynch,D-\$26.80; Covell,H-\$34.28; Rose,B-\$20.84; Rose,S-\$20.00; Chamley,B-\$34.28

ADJOURN: 10:35 a.m. There being no further business, it was Moved-Seconded (Deibert-Flanagan) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – May 22, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on May 22, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Daryl Johnson and Richard Sleep. Randall Rosenau absent.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Deibert-Johnson) to approve the minutes of May 8, 2018 County Commission meeting. Motion Carried.

TRAVEL REQUEST:

INVASIVE SPECIES MANAGEMENT: Moved-Seconded (Johnson-Deibert) to approve the travel request for Ryan Palmer and Chase Tyson to attend the Medusa-nata field tour in Sheridan, WY on June 19, 2018. Motion Carried.

PERSONNEL:

SHERIFF: Paul Hanson received a certificate of appreciation for his 19 years of service to Lawrence County. The board thanked him for his years of service.

Moved-Seconded (Johnson-Flanagan) to approve Patrick Johnson as a full-time permanent Captain G2 at the base rate of \$2,571.70 per pay period, effective May 27, 2018. Motion Carried.

Moved-Seconded (Deibert-Johnson) to approve Ritchey Walk as a part-time fill-in Deputy II G3 at the base rate of \$25.88 an hour, effective May 27, 2018. Motion Carried

Moved-Seconded (Johnson-Flanagan) to approve Cody Loftin as a full-time permanent Deputy I G1 at the base rate of \$23.43 an hour, effective June 10, 2018. Motion Carried

Moved-Seconded (Deibert-Johnson) to approve Samuel McCue as a full-time permanent Deputy I G1 at the base rate of \$23.43 an hour, effective June 10, 2018. Motion Carried

Moved-Seconded (Deibert-Johnson) to approve Tommie Derby II as a full-time permanent Sergeant I G3 at the base rate of \$27.74 an hour, effective June 10, 2018. Motion Carried

Moved-Seconded (Deibert-Johnson) to approve Dustin Schumacher as a full-time permanent Sergeant I G1 at the base rate of \$26.66 an hour, effective June 10, 2018. Motion Carried

AUDITOR:

Moved-Seconded (Johnson-Deibert) to approve Melody A. Nelson as a full-time permanent First Deputy I G1 at the base rate of \$22.89 an hour, effective May 27, 2018. Motion Carried

Moved-Seconded (Johnson-Deibert) to approve Debbie A. Sargent as a full-time permanent Administrative Secretary G3 at the base rate of \$19.30 an hour, effective May 27, 2018. Motion Carried

Moved-Seconded (Johnson-Deibert) to approve Robin A. Lucero as a full-time permanent Administrative Secretary G3 at the base rate of \$19.30 an hour, effective May 27, 2018. Motion Carried

VETERAN SERVICE: Moved-Seconded (Deibert-Flanagan) to approve the cell phone per diem of \$5.00 per pay period for Jesse Ketzner, effective May 13, 2018. Motion Carried.

USFS / WEED SPRAYING AGREEMENT: Moved-Seconded (Sleep-Deibert) to approve and authorize the Chairman to sign the United States Forest Service (USFS) Master Participating Agreement #18-PA-11020308-042 for weed spraying. Motion Carried.

Moved-Seconded (Sleep-Deibert) to approve and authorize the Chairman to sign the United States Forest Service (USFS) Participating Agreement Supplemental Project Agreement #18-PA-11020308-033 for weed spraying. Motion Carried.

CITY OF SPEARFISH WEED SPRAYING: Moved-Seconded (Deibert-Flanagan) to allow Invasive Species Management to spray the following areas for the City of Spearfish, at a cost of \$45.00 per hour plus the cost of herbicide, based upon a reciprocal motion to be made by the City of Spearfish: Lookout Mountain, Black Hills Clyde Ice Field, Wal-Mart Detention Area, McGuigan Ranch Addition Detention Basin & Drainage Areas, The Reserve on Higgins Creek Detention Basin, McLaughlin Sawmill Area Along Falsebottom Creek, South of Camp Comfort Road and East of Spearfish Creek, Carlstrum Property South of Black Hills Clyde Ice Field, City Restricted Use Site, Hydro Plant South Area & Natural Area, Disc Golf Course-South of Winterville Road & South Canyon Street and North and South Side of Roughlock Lane Nature Area. Motion Carried.

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

ALCOHOLIC BEVERAGE LICENSES: A public hearing was held on the applications for 2018-2019 Malt Beverage licenses. No public input was voiced and the hearing was closed. Moved-Seconded (Deibert-Flanagan) to approve the following 2018-2019 Malt Beverage Licenses. Motion Carried. **NEW: RETAIL (ON-OFF SALE) MALT BEVERAGE:** AKELA SPA OF DEADWOOD LLC: Lot 3 BLK 1 EX H1 (.68 AC) Oak Mt. Country Est.. Sec 18 T5N R4E B.H.M. AW RENTALS 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. 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. BOARS NEST LLC (BELL LTD): Tract 59 Section 7, T4N, R3E, BHM. CUSTER CAMP 1874 LLC (THE PASTA CORRAL): Lot 1 OF HES 286 in Sec 4, T3N, R5E, BHM. EAGLE TREE RESORTS CO LLC (RIM ROCK LODGE & CANYON BISTRO): BLDGS ON LEASED SITE; SPEARFISH CANYON LOT C-2 Sec 4 T5N R2E. PLACER 601 INC (DEADWOOD KOA): M.S. 601 Scott & Crist Ex Lot A Sec 28-T5N-R3E. SD BOONDOCKS LLC (BOONDOCKS): Tract C of HES 54 Sec 25 T4N, R3E, BHM. SD CAMPGROUND AND RESIDENCY CENTER INC (SPEARFISH KOA): Parcel B (KOA Campground) NW1/4NW1/4, Sec.3, T6N, R2E, BHM. 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) TROUT HAVEN PROPERTIES LLC: Tract 1 & 2 S/D of SW1/4 SW1/4, Sec 7 T2N, R5E. **RENEWAL: RETAIL (ON-OFF SALE) MALT BEVERAGE:** 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. Sec. 2-T4N-R2E of Black Hills. 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. 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. CROW PEAK BREWING COMPANY, LLC: Crow Peak Brewing Company Tract Sec 4, T6N, R2E. CUSTER CROSSING CAMPGOUND LLC: Tract B-1 (3.44 AC) & Lot C (2.20 AC) HES 246 Except Lot 1 in Sec 21, T3N, R4E, BHM. EBRIGHT ENTERPRISES INC (TRAILSHEAD LODGE INC): Lot 4 Revised O'Neill Pass Ranchettes S/D of HES 617 Section 20 T3N R1E. ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION SW ¼ OF SECTION 18 LYING SOUTH OF THE COUNTY ROAD T6 R4. ELKHORN RIDGE @ FRAWLEY RANCHES LLC; BLDGS ON LEASED SITE; FRAWLEY RANCHES ADDITION S ½ SECTION 26, E ½ NE ¼ SECTION 26, W ½ NW ¼ SECTION 26, E ½ NE SECTION 27, E ½ SE SECTION 27, SW SW SECTION 23, S ½ SE SECTION 22 T6 R3. 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. JANICE G. KABERNA (HOM CAMPGROUND): Lot A of CRM Ex Tract 1 (10.01) and Lot 2. (3.09) Sec 27, T3N, R5E. LARRY KAISER (NEMO MERCANTILE): M.S. 1368 Tract 3 Sec 27, T3N, R5E, B.H.M. NEMO BRANDIN' IRON LLC (BRANDIN' IRON RESTAURANT & PONDEROSA BAR): M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D 28-003-05. NEMO GUEST RANCH BUSINESS ENTERPRISE (NEMO GUEST RANCH CONVENIENCE STORE): M.S. 1368 Lots 1, 2 and 3 of Nemo Guest Ranch S/D 28-003-05. REYNOLDS & LIVINGSTON LLC (COUSINS BIG CHAIR): Lawrence County portion of Lot 1, Boyle S/D LOC SW1/4, SW1/4, S7, T2N, R5E, BHM, Lawrence County. SEVEN DOWN LLC: Tract 7 (Seven Downs Arena) Section 27, T6N, R3E. LONNY OR SUSAN SMITH (ST.ONGE BAR & GRILL): Lots 1 & 2 Block 8 in Sec 23 R7E T3N. 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. TRIPLE H HILLS LLC (MYSTIC HILLS HIWAY): M.S. 1748 TRACT 1 OF ST JOHN LODES ETAL Sec 1, Twp 3N, R3E. WICHTERMAN & SONS INC (STEEL WHEEL CAMPGROUND): Tract D revised

HES 297 in Sections 19 R4E T4N. WILD BILL'S CAMPGROUND (ALICIA GRIMM & KEITH GRIMM): Lot E EX H1 (.04AC) & H2 (.06A) & Lot E-2 of HES 137 (Wild Bill's Campground)
Sec 18 , T4N, R4E.

A public hearing was held on the applications for 2017-2018 Malt Beverage licenses. No public input was voiced and the hearing was closed. Moved-Seconded (Johnson-Deibert) to approve the following 2017-2018 Malt Beverage Licenses. Motion Carried. CLASS-RETAIL (ON-OFF SALE) MALT BEVERAGE & SD FARM WINE SD BOONDOCKS LLC (BOONDOCKS): Tract C of HES 54 Sec 25 T4N, R3E, BHM. Motion Carried.

HIGHWAY:

BRIDGE IMPROVEMENT GRANT (B.I.G.) UPDATE: Jason Hanson, Brosz Engineering, was present to discuss design for the bridge replacement on Whitewood Valley Road over Whitewood Creek #SN 41-212-091. Moved-Seconded (Johnson-Flanagan) to authorize the Chairman to sign an agreement with Brosz Engineering to prepare a bid ready design for the bridge replacement on Whitewood Valley Road over Whitewood Creek #SN 41-212-091. Motion Carried.

HOMESTAKE ROAD BRIDGE: Allan Bonnema, Highway Superintendent informed the Board that the wood planks have been replaced on the Homestake Road bridge.

PLANNING & ZONING:

CHANGE OF ZONING #322/NELSON: First Reading and a Public Hearing was held on COZ #322 APPLICANT: Terry Nelson SUMMARY: PF to HSC LEGAL: Tract 2B in Section 25, T4N, R3E VICINITY LOCATION: Highway 385 and Brownsville Road. Dennis Anderson, 21554 Buffalo Lane, Deadwood SD 57732, spoke against the change of zoning. He stated his concern for safety at an already busy intersection, rural setting, emergency traffic from the fire department and flood plain issues. Terry Nelson, 7608 Bluebird Lane, Black Hawk SD 57718, Applicant, gave a background of his business experience. He stated that he did not object to Planning & Zoning's decision to split the property into two classifications. No other public input was voiced and the hearing was closed. Commissioner Flanagan stated his concerns were access onto the Brownsville Road and flood plain. Commissioner Sleep stated he doesn't feel that the entirety of the property should be changed as it would detrimentally affect the dynamics of the area. Commissioner Johnson stated his concern was the potential for businesses offering off-road vehicle rental and/or a campground, and that either of these types of businesses would compound existing issues concerning off-road vehicle traffic. Second reading scheduled for June 12, 2018.

ORDINANCE #18-02/WILSON: First Reading and a Public Hearing was held on proposed ORD #18-02. APPLICANT: David Wilson SUMMARY: Add taxi business as an Allowed Use in SRD VICINITY LOCATION: Highway 14A (Spearfish) No public input was voiced and the public hearing was closed. David Wilson, applicant stated that there will be no activity on the property except for the employee's picking up their vehicles. He also commented that the neighbors who attended the Planning and Zoning meeting were mostly curious with how business activities would be conducted on the property. Commissioner Sleep stated that he did not feel this type of business is appropriate in a residential area. Second reading scheduled for

June 12, 2018.

BUREAU OF LAND MANAGEMENT COOPERATING AGENCY STATUS: Chip Kimball, Field Manager was present to discuss the agency's current projects, and the topic of cooperating agency status with Lawrence County.

ABATEMENTS:

CITY OF SPEARFISH: Moved-Seconded (Deibert-Flanagan) to approve the abatement for the City of Spearfish on parcel #32680-00800-010-00 because the property is tax exempt. Motion Carried.

CITY OF SPEARFISH: Moved-Seconded (Deibert-Flanagan) to approve the abatement for the City of Spearfish on parcel #32630-00800-030-00 because the property is tax exempt. Motion Carried.

LSBENNETT PROPERTIES LLC: Moved-Seconded (Sleep-Flanagan) to approve the abatement for the LSBennett Properties LLC on parcel #27300-00096-000-10 because the property was assessed for more acreage than existed. Motion Carried.

SURPLUS PROPERTY / CITY OF SPEARFISH: Moved-Seconded (Deibert-Flanagan) to declare the following real property as surplus property, authorize the transfer of the property to City of Spearfish, and allow the Chairman to sign the Deed. Legal Description: Part of Lot 1 Block 8 in the revised golden belt addition to the City of Spearfish, Lawrence County, South Dakota. Subject to covenants, restrictions, rights-of-way, and easements of record, if any; and Part of Lot 2 and 3 in the revised golden belt addition to the City of Spearfish, Lawrence County, South Dakota. Subject to covenants, restrictions, rights-of-way, and easements of record, if any; Motion Carried.

COMMUNITY WILDFIRE PROTECTION PLAN UPDATE: Megan Burke, Hydrologist RESPEC, was present to discuss fire planning in Wildland Urban Interface areas of the county, the Community Wildfire Protection Plan and Cooperating Agency status.

ZONING COMPLAINT/COIN: Zoning Complaint/Violation OWNER: Jamie Coin d.b.a. Canyon Concrete LEGAL: Tract C-R-1 of the SE 1/4 SE 1/4 in Section 5, T6N, R2E ZONING: SRD SUMMARY: Contractor Storage/Home Occupation. Jeff Schroeder, Deputy Code Enforcement Officer explained that several neighboring landowners had contacted the office to complain about the operation of a commercial business on the subject lot and also certain activities they have witnessed thereon. Schroeder then offered an overview of the Planning and Zoning Department's efforts to address the complaints since 2016, the date of first complaint.

Schroeder noted that the subject property is zoned SR and that commercial activities are generally not an allowed use in the SR zoning district.

Jamie Coin, owner, was present and explained that prior to purchasing the subject lot, that he stored his concrete business equipment on a lot located at an industrial lot. Upon purchasing the subject lot, he then moved his equipment and vehicles to the subject lot. Further, he explained that he intends to build a home and a separate building to house his business equipment. Mr. Coin, stated that he has shored up financing to start the building process and that he hopes to commence construction soon.

Written complaints were received from Lyle Baumeister, Jeff & Mary Burket, Craig Mickelson, Bob Wilson and Bonnie Carr. Craig Mickelson-2015 Mineral Place, David Wilson-1930 Mica Drive and Mary Burket-1950 Mineral Place were present to discuss their specific concerns. Mickelson noted that neighboring landowner, Lyle Baumeister, previously requested permission from the county to store U-Hauls on his property, and was told that this was not the place to store them and that the appropriate location was in an industrial park. Mickelson opined that based on his long history as a member of the Lawrence County Planning and Zoning Commission, that the operation of a commercial business is not an allowed use in SRD, adding this is the second summer that people have been allowed to park on the property and sleep over night. Burket stated that her view from her deck was the subject property. She offered that it is commonplace to see men sleeping in vehicles parked on the subject property and relieving themselves. She has concern regarding the disposal of this human waste.

Commissioner Deibert commented that Coin has been given two requests in the past 18 months to move the forms and nothing has been done to date. He also added that Mr. Coin should follow the process for compliance as a home based business. Commissioner Johnson pointed out that Mr. Coin has neighbors on all sides, and they have rights too. Commissioner Sleep commented that he felt that this type of business is probably not appropriate in this area.

Moved-Seconded (Deibert-Flanagan) to have all construction materials removed, to include rebar and forms within 30 days (June 21, 2018), and thereafter until Mr. Coin can come into compliance, if at all, with the requirements of a home based business. The motion also included that no employee parking shall be allowed and the number of trailers is limited to two with Skid-Steer loaded. Motion Carried. Commissioner Deibert offered that Mr. Coin is allowed to come again before the commission in the future to discuss the number of vehicles allowed on the property.

REQUEST TO OPEN SECTION LINE/GRAN: Heath Gran was present to discuss gaining access to his property. Gran stated he was working with the adjacent landowner regarding access. Moved-Seconded (Sleep-Deibert) to not object to the existing driveway being improved with the cooperation of neighboring landowners, and in compliance with City of Spearfish Development Agreement #24-16. Motion Carried.

BILLS:

Moved-Seconded (Deibert-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-\$6,669.31; Aud-\$10,237.17; Treas-\$12,939.31; States Atty-\$15,459.05; Pub Def-\$12,300.94; Gen Govt Bldg-\$9,332.03; Equal-\$14,867.35; Rod-\$9,179.85; Vso-\$988.80; Ist-\$14,744.66; Disp-\$12,527.46; Sher-\$39,740.38; Jail-\$21,454.27; Coroner-\$1,036.55; 24/7-\$207.40; Emerg Mgnt-\$4,412.44; E911-\$2,052.80; Highway-\$43,863.97; Mh Ser-94.00; Weed-\$4,937.95; Pz-\$5,721.19; **Bills:** Mcgruder, Brenda-\$42.00; Nelson, Melody-\$42.00; Nash, Christina-\$66.00; Bonnema, Allan-\$403.20; Wetz, Jolene-\$66.00; A To Z Shredding-\$86.60; A&B Business,Inc Solutions-\$1,541.16; A&I Distributors-\$3,847.55; A&J Supply-\$154.89; Ace Hardware Of Lead-\$18.98; Air Connection-\$484.50; At&T-\$23.60; Audra Hill Consulting-\$216.09; BH Occupational Medicine-\$30.00; BH Pioneer-\$335.95; Baymont Inn & Suites Pierre-\$55.00; Bi Geo Group-\$13.80; Big Sky Communications-\$142.00; Black Hills Energy-\$13,388.34; Black Hills Urgent Care-\$340.00; Bomgaars Supply-\$293.16; Box Butte County Court-\$1.50; Breit Law Offices-\$297.18; Butler Machinery Co-\$2,496.86; Campbell Supply Co-\$32.74; Canyon Estates Apartments-\$400.00; Cdw Government-\$1,029.00; Century Business Products-\$308.03; Centurylink-\$1,944.75; City Of Rapid City-\$840.00; Claggett & Dill, Prof-\$291.80; Cow Country Equipment-\$12,120.00; Credit Collections Bureau-\$64.54; D Ware-\$135.00; Dakota Equipment Rental-\$95.10; Deadwood Mountain Grand-\$584.75; Dept Of Hlth Lab Services-\$1,190.00; Dept Of The Treasury-\$56,883.77; Ecolab-\$156.42; Eddie's Truck Sales/Serv-\$484.04; Ellingson, Joseph-\$548.75; Fastenal-\$10.40; Firefly Computers-\$3,000.00; G&H Distributing Of Rc-\$123.40; Galls-\$1,993.37; Godfrey's Brake Serv-\$149.71; Grimm's Pump Service-\$228.36; Heartland Paper Co-\$487.02; Jacobs Precision Welding-\$390.21; Janke, Wendy-\$1,732.00; Katterhagen, Mark-\$22.50; Kinghorn, Sheila-\$10.08; Kinney, Matthew-\$3,846.25; LC Emerg Mgnt-\$47.96; LC Sheriff-\$430.00; LC Treasurer-\$21.20; Lawson Products-\$633.48; Lead-Deadwood Regional Hospital-\$983.78; Lewis & Clark Bhs-\$480.00; Lewno, Lucy-\$191.47; Lexisnexis Risk Data Mgnt-\$75.00; Lincoln County-\$1,035.16; Lockwood, Darcy-\$22.50; Mcleod's Office Supply-\$99.95; Menards-\$125.94; Metrocount Usa-\$381.00; Mg Oil Company-\$9,664.50; Midcontinent Communications-\$111.43; Montana Dakota Utilities-\$310.36; Ms Mail-\$300.00; Murphy Petroleum Transport-\$40.00; Nalco Company-\$254.74; ND Sheriff's & Deputies-\$220.00; Nelson Law-\$2,613.29; Nelson, Christy-\$250.00; Nelson, Tonya-\$100.00; North Central Int'l-\$275.57; Office Of Attorney General-\$302.77; Office Of Child Support-\$983.09; Pennington Co Jail-\$1,207.80; Pennington County Sheriff-\$400.00; Plumbmaster-\$338.68; Powerplan-\$108.25; Proguard-\$268.17; Quill-\$289.66; Rasmussen Mechanical Serv-\$3,088.65; Redwood Mediation Services-\$143.40; Regional Health-\$74.59; Rena M Hymans-\$4,888.24; Rocket Lube-\$96.97; Ru2 Systems-\$418.95; SD Dept Of Transportation-\$8,019.89; SD Federal Property Agency-\$11.50; Sdrs Supplemental Retirement-\$2,700.01; Servall Towel & Linen-\$621.06; Sierra Design Vinyl Lettering-\$40.00; Silverado-\$225.11; Spearfish City Of-\$10,000.00; Stadler Ind Service-\$103.75; Stan Houston Equip Co-\$1,012.52; Steffen, Lyle-\$2,400.00; Sturdevant's Auto Parts-\$82.04; Summit Signs & Supply-\$43.80; Sysco Montana-\$2,002.18; Top Quality Mfg-\$130.00; Triple K Tire & Repair-\$69.99; Truenorth Steel-\$624.00; Turnkey Corrections-\$74.64; Twilight First Aid & Safety-\$90.15; Twin City Hardware & Lumber-\$695.32; Vanway Trophy And Award-\$68.85; Vast Broadband-\$1,744.46; Verizon Wireless-\$105.38; Veterans Of Foreign War-\$86.00; Victims Of Violence-\$755.00; Waste Connections-\$332.92; Wells Fargo Business Card-\$5,527.40; Wells

Plumbing & Farm Supp-\$488.98; Western Sd Juvenile Serv-\$265.00; Whisler Bearing Co-\$26.88; White Drug-\$2,016.73; White's Canyon Motors-\$811.49; White's Queen City Motors-\$411.26; Yankton County-\$379.75; **Witness & Jurors:** De Lano,M-\$14.28; Pummel,K-\$22.60; Wagner,C-\$121.84; Gostola,C-\$52.52; Hayward,N-\$52.52; Jones,M-\$75.20; Mcmillin,G-\$63.44; Ryan,M-\$61.76; Sternhagen,L-\$52.52; Teel-Hartman,M-\$60.92; Andersen,S-\$22.60; Arehart,H-\$123.52; Bates,K-\$21.76; Benenga,E-\$22.60; Carr,D-\$15.04; Cass,B-\$105.04; Christian,R-\$22.60; Cleaver,S-\$24.28; Cornell,D-\$12.52; Croft,M-\$10.84; Culver,R-\$22.60; Davis,K-\$18.40; Davis,M-\$25.12; Engbrecht,J-\$26.80; Engen,K-\$22.60; Erickson,R-\$12.52; Findley,J-\$10.84; Fitzgerald,S-\$22.60; Forney,S-\$26.80; Grant,K-\$21.00; Graveman,K-\$22.60; Grimsley,R-\$26.80; Hartman,G-\$22.60; Hayes,L-\$22.60; Hayes,R-\$19.24; Hem,S-\$23.44; Hemeyer,C-\$26.80; Hesar,J-\$22.60; Hughes,J-\$26.80; Job,D-\$12.52; Johannesen,J-\$22.60; Johnson,C-\$22.60; Johnson,T-\$25.96; Kapsa,C-\$22.60; Kerr, A-\$26.80; Kershner,J-\$23.44; Kraemer,N-\$31.00; Lantis,A-\$22.60; Lundeen,K-\$130.24; Matson,T-\$26.80; May,E-\$18.40; Mcanlis,G-\$23.44; Morgan,M-\$121.84; Nelson,C-\$28.48; Olheiser,B-\$116.80; Olson,J-\$25.12; Orwick,A-\$22.60; Ostman, C-\$21.76; Oyen,R-\$30.16; Pederson,D-\$22.60; Penton,L-\$22.60; Philipsen,R-\$26.80; Price,R-\$22.60; Rath,J-\$22.60; Redd,D-\$18.40; Reiling,R-\$105.04; Roberts,L-\$125.20; Rosencranz,M-\$10.00; Schmidt,N-\$23.44; Schnabel,S-\$20.92; Silva,E-\$22.60; Sjomeling,M-\$10.84; Smith,J-\$101.68; Smith,K-\$22.60; Snorteland,I-\$22.60; Speed,J-\$126.88; Stahl,A-\$108.40; Stocker,N-\$13.36; Sulcer,R-\$22.60; Suzuki,N-\$22.60; Swisher,D-\$25.12; Tarrant,S-\$22.60; Thompson,J-\$21.76; Toller,D-\$26.80; Tysdal,R-\$128.56; Walkins,L-\$26.80; West,P-\$10.84; Whitted,D-\$22.60; Wildman, K-\$23.44; Zambon,J-\$26.80

ADJOURN: 12:12 p.m. There being no further business, it was Moved-Seconded (Deibert-Flanagan) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – June 7, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on June 7, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Richard Sleep and Randall Rosenau. Randy Deibert absent.

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 (Johnson-Sleep) to approve the minutes of May 22, 2018 County Commission meeting. Motion Carried.

2018 PRIMARY ELECTION: Moved-Seconded (Rosenau-Sleep) to canvass the 2018 Primary Election Results for Lawrence County. Motion Carried.

REGISTER OF DEEDS: Sheree Green, Register of Deeds was present to offer an overview of software she is looking to purchase from Tyler Technologies, Inc. She stated that she can purchase the software using her Modernization and Preservation funds but will need an additional \$30,000.00 which she would budget for in 2019. More in-depth discussion will occur at an upcoming commission meeting.

ADJOURN: 8:43 a.m. There being no further business, it was Moved-Seconded (Rosenau-Sleep) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – June 12, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on June 12, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Daryl Johnson, Richard Sleep and Randall Rosenau.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Deibert-Flanagan) to approve the minutes of June 7, 2018 County Commission meeting. Motion Carried.

PERSONNEL:

PUBLIC DEFENDER: Moved-Seconded (Rosenau-Deibert) to follow the recommendation of the Public Defender Board and approve Amber L. Lopez as a full-time permanent Public Defender Director G10 at the base rate of \$3,413.30 per pay period, effective June 24, 2018, and to express gratitude to Matt Pike for his years of service as Director of the Public Defender Office. Motion Carried

HIGHWAY: Moved-Seconded (Rosenau-Flanagan) to approve Richard Hagerty as a full-time seasonal summer help/mowing at the base rate of \$22.44 per hour, effective June 4, 2018. Aye-Flanagan, Deibert, Johnson and Rosenau. Nay-Sleep. Motion Carried.

SHERIFF: Moved-Seconded (Johnson-Deibert) to approve Robert Torres as a part-time (under 20) fill-in Correctional Officer G2 at the base rate of \$18.70 per hour, effective June 18, 2018. Motion Carried.

Moved-Seconded (Rosenau-Sleep) to approve Koreena Schultes as a part-time (under 20) fill-in Correctional Officer G1 at the base rate of \$18.33 per hour, effective June 10, 2018. Motion Carried.

Moved-Seconded (Rosenau-Deibert) to allow for the advertising of a full-time Correctional Officer. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Johnson-Rosenau) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of May 31, 2018 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)-\$103,370.82; total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$5,334.13; petty cash-\$1,860.00; total amount of deposits in bank include: CD's-\$3,000,000.00; bank balance \$15,431,544.63, money market \$8,748,712.00. Total \$27,180,256.63.

USFS COOPERATING AGENCY STATUS: Moved-Seconded (Deibert-Rosenau) to contact the Forest Service and enter into a formal agreement similar to the terms and conditions contained in the model MOU and to include in Section I "Purpose" additional language recognizing that the opportunity for county involvement at the inception of any environmental analysis process is a vital component in furtherance of the mutual benefit and interests of the parties as contemplated in this MOU. Motion Carried.

SHERIFF: Brian Dean, Sheriff gave an update on the Average Daily Population of the Jail.

JAIL CONTRACT:

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

HIGHWAY:

FUEL QUOTES: The following fuel quotes were submitted as of May 29, 2018: **Deadwood Diesel #2 (dyed): 6700 gallons:** (prices per gallon) CBH Cooperative - \$2.456*; Harms Oil Co - No Bid; MG Oil - \$2.659. **Deadwood Unleaded 4100 gallons:** (prices per gallon) CBH Cooperative - 2.741*; Harms Oil Co - No bid; MG Oil - No Bid. **Spearfish Unleaded 900 gallons:** (prices per gallon) CBH Cooperative - \$2.791*; Harms Oil Co - No bid; MG Oil - No Bid. *Represents lowest quote awarded.

PERMITS:

APPROACH PERMIT/CHASE: Moved-Seconded (Sleep-Deibert) to follow the recommendation of Allan Bonnema, Highway Superintendent and deny the approach permit for Kay Chase to construct an approach on the north side of Kerwin Lane. Motion Carried.

APPROACH PERMIT/BLACK HILLS ENERGY: Moved-Seconded (Deibert-Rosenau) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the approach permit for Black Hills Energy to construct an approach on the north side of Weisman Road (0262) located approximately 2.65 miles east of Highway 34 intersection. Motion Carried. Special conditions: Temporary approach must be removed once access to the project yard is no longer needed.

APPROACH PERMIT/PEPPING: Moved-Seconded (Johnson-Sleep) to follow the recommendation of Allan Bonnema, Highway Superintendent and approve the approach permit for Mike Pepping to construct an approach on the west side of Bear Ridge Rd located approximately 1.5 miles south of Homestake Road. Aye-Flanagan, Johnson, Sleep and Rosenau. Nay-Deibert. Motion Carried. Special conditions: Hidden driveway signage must be installed.

COUNTY HIGHWAY SYSTEM REVISIONS: Moved-Seconded (Rosenau-Deibert) to advertise and set a public hearing for June 26, 2018 at 8:30 am for a resolution transferring road jurisdiction. Motion Carried.

2018 CHIP & SEAL PROJECTS: Moved-Seconded (Johnson-Deibert) to approve and authorize the advertising for bid opening for the 2018 Chip & Seal Projects for July 10, 2018 at 8:30 a.m. Motion Carried.

BRIDGE 41-092-060: Allan Bonnema, Highway Superintendent informed the board that the deck on Bridge 41-092-060 needs to be replaced. He also stated that the Bridge Improvement Grant has a rehabilitation program. Moved-Seconded (Deibert-Rosenau) to negotiate a design contract with Brosz engineering for the bridge deck overlay for Bridge 41-092-060 and to pursue the rehabilitation grant through the Bridge Improvement Grant program. Motion Carried.

PLANNING & ZONING:

PLANNING AND ZONING UPDATE: Amber Vogt, Planning & Zoning Administrator gave an update on Nuisance Complaint Process and 2018 Budget.

ZONING CLARIFICATION: Amber Vogt, Planning & Zoning Administrator presented a letter from Faegre Baker Daniels LLP re: the Valley Corner property requesting a zoning clarification. She asked the Commission for their opinion on the letter and they stated that she should put the property owners on notice that there are existing zoning regulations issues related to the setbacks, parking, loading/unloading and sign regulations.

PLATS:

PRELIMINARY AND FINAL PLAT/MAAG: APPLICANTS: Aaron & Kimberly Maag
LEGAL: Tract 4, Blk A of Bowman Sub all located in Sections 34, T5N, R3E (Legal Shortened)
VICINITY LOCATION: Highway 385 **SUMMARY:** Combine 5 lots into 1.

Moved-Seconded (Sleep-Johnson) declaring that the plat for Aaron & Kimberly Maag meets exemption criteria per Subdivision Ordinance, Chapter 4. Aye-Flanagan, Johnson, Sleep and Rosenau. Nay-Deibert. Motion Carried.

Moved-Seconded (Sleep-Johnson) to approve the preliminary & final plat for Aaron & Kimberly Maag based upon the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report. **LEGAL:** Tract 4, Blk A of Bowman Sub all located in Sections 34, T5N, R3E (Legal Shortened) **VICINITY LOCATION:** Highway 385 **SUMMARY:** Combine 5 lots into 1. Motion Carried.

PRELIMINARY AND FINAL PLAT/BERGUM: APPLICANTS: Gerald & Sharleen Bergum
LEGAL: Tract 1A1-A, 1A1-B and Tract B Revised of Gray Subdivision in Section 36, T6N,
R4E VICINITY LOCATION: Whitewood Service Road SUMMARY: Additional Lot in the
Gray SD/D.

Moved-Seconded (Deibert-Rosenau) to approve the preliminary & final plat for Gerald &
Sharleen Bergum based upon the Planning and Zoning Commission recommendation for
approval and the concurrent recommendation of P&Z staff, as reflected in the staff report.
LEGAL: Tract 1A1-A, 1A1-B and Tract B Revised of Gray Subdivision in Section 36, T6N,
R4E VICINITY LOCATION: Whitewood Service Road SUMMARY: Additional Lot in the
Gray SD/D. Motion Carried.

CHANGE OF ZONING #322/NELSON: Second Reading Hearing was held on COZ #322.
APPLICANT: Terry Nelson SUMMARY: PF to HSC LEGAL: VICINITY LOCATION:
Highway 385 and Brownsville Road.

Commissioner Deibert felt that the Recreation/Commercial Zoning classification was a more apt
fit for the subject property. Commissioner Sleep questioned the requested change of zoning
asking whether the change was for need or want. Commissioner Flanagan noted that a
development plan was not a prerequisite to request a change of zoning. Terry Nelson, Applicant
stated he was in favor of Planning & Zoning recommendation to split the property in half leaving
the west half Park Forest and the eastern portion Highway Service Commercial. Commissioner
Johnson expressed his concern with problems posed by the ever-increasing popularity of off-road
vehicle use, and the possibility of this type of business being operated on the property.

Sleep made a motion to deny the application for COZ #322. Motion Died for lack of second.

Moved-Seconded (Rosenau-Flanagan) to follow Planning & Zoning and P&Z Staff report, and
approve COZ #322 with the condition that no campground or off-road vehicle rentals be allowed
on the subject property and that access from the Brownsville road be approved by the Highway
Superintendent. APPLICANT: Terry Nelson SUMMARY: PF to HSC LEGAL: VICINITY
LOCATION: Highway 385 and Brownsville Road. Aye-Rosenau and Flanagan. Nay-Deibert,
Johnson and Sleep. Motion Failed.

Moved-Seconded (Deibert-Sleep) to deny the application for COZ #322. APPLICANT: Terry
Nelson SUMMARY: PF to HSC LEGAL: VICINITY LOCATION: Highway 385 and
Brownsville Road. Aye-Deibert, Johnson, Sleep and Rosenau. Nay-Flanagan. Motion Carried.

ORDINANCE #18-02/WILSON: Second Reading was held on proposed ORD #18-02.
APPLICANT: David Wilson SUMMARY: Add Taxi Business as Allowed Use in SRD. Moved-
Seconded (Deibert-Rosenau) to follow Planning and Zoning and P&Z Staff and approve and
adopt Ordinance #18-02. Motion Carried.

CONDITIONAL USE PERMIT #445/WILSON: A Public Hearing was held on C.U.P. #445.
APPLICANT: David Wilson LEGAL: Lot 2 OF Hoffman S/D Formerly Tract B-2 OF Tract B of
Lot 7 of Gov't Lot 1 and a Portion of Lot 8 of Gov't Lot 1 Located in Gov't Lot 1 of Section 4,

T6N, R2E, B.H.M., Lawrence County, South Dakota SUMMARY: Operate Taxi Business
VICINITY LOCATION: Highway 14A (Spearfish). No public input was voiced and the hearing was closed.

David Wilson, applicant explained his business plan to the Commissioners.

Two additional conditions were discussed. 1. When the proposed applicant owns 20 or more fleet vehicles the parking area will be required to be paved and striped. 2. All improvements in the flood plain shall be approved by the City of Spearfish.

Moved-Seconded (Johnson-Rosenau) to follow the recommendation for approval found in the Planning and Zoning staff report for the reasons set forth therein incorporating the conditions contained therein and adding the two additional conditions regarding paving of the parking area and coordination of site improvements with the City of Spearfish, all as on file in the Planning and Zoning Office, Conditional Use Permit #445 for David Wilson to Operate a Taxi Business. Motion Carried.

AGNICO EAGLE MINES, LTD/GREGG LOPTIEN: Gregg Loptien and Sandor Ringhoffer, Agnico Eagle Mine, Joy Jenkins, EPA, and Pat Gochnour, Gochnour & Associates, Inc. were present to give a summary of the Gilt Edge Project and Remedial/Investigative drill program.

BAD CHECK CHARGES: Moved-Seconded (Johnson-Sleep) to approve and authorize the Chairperson to sign the following Resolution 2018-12 for Dishonored Checks And Procedure For Collecting For Insufficient Fund Or No Account Checks. Motion Carried. A RESOLUTION FIXING COSTS AND EXPENSES CHARGEABLE FOR DISHONORED CHECKS AND PROCEDURE FOR COLLECTING FOR INSUFFICIENT FUND OR NO ACCOUNT CHECKS WHEREAS, Lawrence County receives insufficient fund or no account check from individuals conducting business with Lawrence County; WHEREAS, Lawrence County incurs costs and expenses collecting insufficient fund or no account checks; WHEREAS, pursuant to SDCL 57A-3-422 Lawrence County is authorized to collect forty dollars for costs and expenses from any person who issues a check or other draft to Lawrence County, including any of its departments, which is not honored upon presentation; WHEREAS, pursuant to SDCL 7-11-4.2, if a county receives an insufficient fund or no account check, the county shall institute a collection procedure; and WHEREAS, SDCL Ch. 22-30A details the procedure for collecting insufficient fund or no account checks; NOW, THEREFORE, BE IT RESOLVED, any person who issues a check or other draft to Lawrence County, including any of its departments, which is not honored upon presentation, may be charged a fee of \$40.00 for costs and expenses incurred in collection; IT IS FURTHER RESOLVED THAT, that the Lawrence County Treasurer shall follow the procedure for collecting insufficient fund or no account checks as set forth in SDCL 22-30A and according to any other applicable statute or rule. Dated this 12th day of June, 2018. Brandon Flanagan, Chairman. ATTEST: Brenda McGruder, Auditor.

ABATEMENTS:

LAWRENCE COUNTY: Moved-Seconded (Deibert-Sleep) to approve the abatement for Lawrence County on parcel #26999-00005-000-60 because the cabin was torn down. Motion Carried.

BILLS:

Moved-Seconded (Deibert-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-\$6,669.31; Aud-\$10,237.18; Treas-\$12,350.83; States Atty-\$15,462.25; Pub Def-\$12,300.94; Gen Govt Bldg-\$9,315.70; Equal-\$14,867.34; Rod-\$9,158.36; Vso-\$993.80; Ist-\$7,162.89; Disp-\$14,278.08; Sher-\$46,991.32; Jail-\$22,195.31; Coroner-\$966.55; 24/7-\$207.40; Emerg Mgnt-\$4,412.44; E911-\$2,052.80; Highway-\$44,199.11; Mh Ser-\$376.00; Weed-\$6,690.95; Pz-\$5,721.19; **Bills;** Tridle,Debora-\$41.00; Green,Sheree-\$26.00; Agena,Timothy-\$10.62; Atkinson,Sally-\$41.00; Bracha,Maria-\$184.80; Kline,Steven-\$12.60; Moser,Douglas-\$93.96; American Family Life-\$2,902.07; At&T Mobility-\$682.13; Breit Law Offices-\$297.18; Credit Collections Bureau-\$64.54; Deadwood Recreation Center-\$756.00; Delta Dental Of South Dakota-\$7,547.52; Dept Of The Treasury-\$58,144.57; Hartford-Priority Accounts-\$2,011.35; Northern Hills Rec Center-\$177.00; Office Of Attorney General-\$302.77; Office Of Child Support-\$983.09; Sdrs Supplemental Retirement-\$2,660.00; Wellmark Blue Cross-\$87,210.73; 5.11-\$223.98; A&B Business,Inc Solutions-\$1,683.54; A&B Welding Supply-\$498.34; A&J Supply-\$79.99; Aberdeen Llc-\$46.00; At&T Mobility-\$247.51; Audra Hill Consulting-\$699.63; Axon Enterprise-\$1,331.00; BH Pest Control-\$190.00; BH Physical Therapy-\$160.00; BH Pioneer-\$1,323.00; Barnaud Law Firm-\$820.74; Black Hills Energy-\$162.61; Black Hills Pure-\$11.50; Bob Barker Company-\$47.85; Butler Machinery Co-\$1,356.46; Butte Electric Coop-\$411.97; Cbh Cooperative-\$30,205.20; Cdw Government-\$3,338.00; Central Restaurant Products-\$29.36; Century Business Products-\$548.69; Centurylink-\$109.48; Chris Supply Co-\$10.35; City/County Alcohol&Drug-\$1,338.50; Clinical Lab Of B.H-\$4,222.00; Clubhouse Hotel & Suites Pierre-\$584.00; Cow Country Equipment-\$3,610.20; Dakota Equipment Rental-\$1,447.70; Deadwood, City Of-\$1,106.41; Dmc Wear Parts-\$1,450.00; Ds Solutions-\$175.00; Eb Communications-\$110.00; Eddie's Truck Sales/Serv-\$75.84; Election Sys & Software-\$2,059.48; Ellingson,Joseph-\$3,039.16; Fastenal-\$30.65; G&H Distributing Of Rc-\$152.09; Galls-\$734.76; Gene's Lock-\$8.00; Godfrey's Brake Serv-\$846.84; Great Western Tire-\$610.00; Grimm's Pump Service-\$1,090.33; Harding Co State's Attorney-\$58.80; Heartland Paper Co-\$925.88; Horn Law Office Prof-\$403.80; Hp-\$5,264.64; Jacobs Precision Welding-\$35.00; Johner Gravel-\$9,258.16; Johnson Machine-\$37.98; Katterhagen, Mark-\$6.00; Kiesler's Police Supply-\$1,303.00; Kimball-Midwest Co-\$293.68; Kinney, Matthew-\$568.90; Knecht Home Center Of Spf-\$655.19; Kosel,Joseph-\$15,760.50; LC Assessor-\$25.42; LC Plan & Zone-\$35.33; Lawson Products-\$341.49; Lead, City Of-\$91.97; Lead-Deadwood Sanitary-\$766.89; Lee, James-\$15.00; Lewis & Clark Bhs-\$480.00; Lewno, Lucy-\$113.25; Lexisnexis Risk Data Mgnt-\$77.50; Lincoln County-\$37.60; Lockwood, Darcy-\$6.00; McClure, Susan-\$100.00; Montana Dakota Utilities-\$2,342.80; Ms Mail-\$60.00; Nelson Law-\$786.45; Nelson, Christy-\$250.00; Nelson, Tonya-\$350.00; North Central Int'l-\$1,186.27;

Northern Hills Casa-\$7,500.00; Novus-\$60.00; Office Depot-\$95.74; Pennington County Sheriff-\$400.00; Pictometry International Corp-\$13,678.33; Pitney Bowes Global Financial-\$992.04; Pizza Lab-\$174.90; Plumbmaster-\$77.94; Postmaster, Deadwood-\$378.00; Proguard-\$169.32; Quill-\$449.44; Rabe Elevator-\$1,431.35; Ramkota Inn Pierre-\$203.98; Rapid City Police Dept-\$710.00; Rasmussen Mechanical Serv-\$2,460.00; Regional Health-\$1,036.72; Rena M Hymans-\$868.24; Rocket Lube-\$54.99; Sd State Treasurer-\$600.00; Sears-\$1,905.95; Servall Towel & Linen-\$1,009.08; Simon-\$486.01; Spearfish Auto Supply-\$2,039.97; Spearfish Motors-\$633.16; Spearfish Police Dept-\$10,724.79; Sturdevant's Auto Parts-\$1,212.89; Sysco Montana-\$2,915.54; Thomson Reuters-West-\$184.64; Transource Truck & Equip-\$1,105.38; Triple K Tire & Repair-\$2,326.16; Truenorth Steel-\$12,369.10; Twilight First Aid & Safety-\$155.45; Twin City Hardware & Lumber-\$546.51; Waste Connections Of Sd-\$800.52; Watertree-\$45.80; Wells Plumbing & Farm Supp-\$1,010.00; Western Communication-\$347.50; Wex Bank-\$792.34; White's Canyon Motors-\$52,738.48; White's Queen City Motors-\$420.00; Yankton Co Sheriff-\$150.00; **Election Workers, Witness & Jurors:** Aman,B-\$170.00; Ammons,S-\$174.20; Asmussen,P-\$199.20; Benning,E-\$211.80; Bruce,A-\$170.00; Calabro,P-\$166.80; Caserio,C-\$211.78; Cook,S-\$170.00; Frederickson,J-\$37.50; Garlick,D-\$170.00; Geigle,E-\$209.28; Glanzer,C-\$170.00; Goss,D-\$150.00; Gustafson,A-\$170.00; Headley,P-\$170.00; Hughes,L-\$150.00; Jorgensen,K-\$211.80; Kellogg,D-\$211.80; Kinghorn,S-\$150.00; Littleton,D-\$170.00; Lungren,B-\$211.80; Ommen,C-\$195.00; Pisani,S-\$150.00; Quaschnick,E-\$216.00; Rech,J-\$170.00; Robinson,P-\$150.00; Sager,M-\$170.00; Silvernail,G-\$195.00; Taylor,J-\$207.60; Tetrault,R-\$170.00; Waisanen,A-\$150.00; Weber,P-\$150.00; Wuitschick,C-\$170.00; Allerdings,E-\$52.52; Bordewyk,T-\$62.60; Carroll,P-\$66.80; Cockreham,R-\$64.28; Crawford,G-\$60.92; Hansen,M-\$62.60; Lampe,B-\$66.80; Rhodes,J-\$58.40; Hamann,A-\$22.52; Schafer,M-\$55.28; Chyba,R-\$42.68; Matamoros,J-\$35.12; Wood,T-\$35.12; Sorenson,R-\$42.68; Sorenson,K-\$20.00; Kyte,M-\$35.12

ADJOURN: 11:40 a.m. There being no further business, it was Moved-Seconded (Deibert-Flanagan) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Auditor

LAWRENCE COUNTY COMMISSIONERS MEETING – June 26, 2018

Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on June 26, 2018 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Randy Deibert, Richard Sleep and Randall Rosenau. Absent Daryl Johnson.

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

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

DECLARE CONFLICTS: No conflicts were declared by the Lawrence County Commission.

MINUTES: Moved-Seconded (Deibert-Rosenau) to approve the minutes of June 12, 2018 County Commission meeting. Motion Carried.

TRAVEL REQUEST:

SHERIFF: Moved-Seconded (Deibert-Rosenau) to approve the travel request for Tavis Little and Tom Derby to attend the 2018 Northpointe Regional Inmate Classification Workshop in Sioux City, IA on August 7-8, 2018. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Sleep-Deibert) to approve Anthony Spencer as a full-time permanent Correctional Officer I G1 at the base rate of \$18.33 per hour, effective June 26, 2018. Motion Carried.

INFORMATION SYSTEMS AND TECHNOLOGY: Moved-Seconded (Deibert-Rosenau) to approve Jeffrey E. Bitting as a full-time permanent Information Systems & Technology Specialist G1 at the base rate of \$23.29 per hour, effective July 16, 2018. Motion Carried.

GENERAL FUND SURPLUS ANALYSIS: The General Fund Surplus Analysis for Lawrence County as of March 31, 2018 is \$2,442,218.94 or 19%.

ABATEMENTS:

SPEARFISH UNITED METHODIST CHURCH: Moved-Seconded (Deibert-Sleep) to approve the abatement for Spearfish United Methodist Church on parcel #32655-00100-010-00 because the property is tax exempt. Motion Carried.

DEER MOUNTAIN SANITARY DISTRICT: The Board acknowledged receipt of the proposed Deer Mountain Sanitary District Petitions. Public examination of survey, map and petition will be posted according to SDCL 34A-5-5.

SHERIFF:

TYLER TECHNOLOGIES SUPPORT AGREEMENT: Moved-Seconded (Rosenau-Deibert) to approve and authorize the Chairman to sign the Tyler Technologies Support Agreement. Motion Carried.

SPEED LIMIT ENFORCEMENT/TERRY PEAK: Mike Hale, Terry Valley Road District and Roger Tellinghuisen, attorney for the Terry Valley Road District, were present to discuss speed limit enforcement within the Terry Valley Road District and their concern with traffic safety. A resolution was presented to the Commission by the Road District setting a speed limit of 15 MPH on all roads in the district. It was suggested that the main cause of the excessive vehicle speed is that the property owners have guest who have less regard for the safety of area residents and especially children at play. Sheriff Dean was present and noted that the area is patrolled; however, he added that the issues in the Terry Valley Road District are illustrative of issues he has observed county-wide with the popularity of ATVs. Moved-Seconded (Deibert-Rosenau) to ratify the Terry Valley Road District resolution establishing a 15 MPH speed limit on roads throughout the District but specifically noting that in so doing the County is not exercising any supervision or control over the roads within the district and further that the County does not intend to undertake maintenance, supervision or control over any roads within the Road District. Motion Carried.

MALT BEVERAGE LICENSE/WHITETAIL CREEK RESORT: A public hearing was held on the application for 2018-2019 Malt Beverage license for Whitetail Creek Resort. No public input was voiced and the hearing was closed. Moved-Seconded (Deibert-Flanagan) to approve the following 2018-2019 Retail on-off sale malt beverage license for Whitetail Creek Resort: Tract 54 Sections 5-6-7 & 8 (Whitetail Court) T4N R3E. Motion Carried.

MALT BEVERAGE/WINE LICENSE TRANSFER/BW GAS AND CONVENIENCE RETAIL, LLC (YESWAY STORE 1192): A public hearing was held on an application to transfer a Class-Retail (On-Off Sale) Malt Beverage License and Class-Retail (On-Off-Sale) Wine license to BW Gas and Convenience Retail, LLC. No public input was voiced and the public hearing was closed. Moved-Seconded (Rosenau-Flanagan) to approve the following transfer of a Class-Retail (On-Off Sale) Malt Beverage License and Class-Retail (On-Off-Sale) Wine license contingent upon the back ground check being received from Division of Criminal Investigation. Previous License: Fresh Start Convenience Stores Inc (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. Transfer To: BW Gas and Convenience Retail, LLC (Yesway Store 1192): 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. Motion Carried.

HIGHWAY:

COUNTY HIGHWAY SYSTEM REVISIONS: A public hearing was held on Resolution 2018-13 to modify its Highway System due to the review of the primary county highway system. No public input was voiced and the hearing was closed. Moved-Seconded (Rosenau-Deibert) to approve and authorize the Chairperson to sign the following Resolution 2018-13 to modify its Highway System due to the review of the primary county highway system. Motion Carried.

LAWRENCE COUNTY RESOLUTION NO. 2018-13. WHEREAS, Lawrence County would like to modify its Highway System due to the review of the primary county highway system. WHEREAS, the changes in Lawrence County's Highway System are in accordance with the South Dakota Department of Transportation's "Policy and Procedures for County Highway System Revisions" adopted 6/18/2009 and SDCL 31-12-2. THEREFORE, BE IT RESOLVED by the Lawrence County Board of Commissioners that the following changes be made to the Lawrence County Highway System. Delete from the Primary County Highway System: 1. Industrial Dr. approximately .598 miles Starting at the intersection of Airport Rd. and N. 27th St. then southeasterly approximately .598 miles to the midsection of T 6 N, R 3 E, section 7. 2. Airport Rd. approximately 2.118 miles starting at the northeast corner of T 6 N, R 3 E, section 17, at the intersection of N. Rainbow Rd, then heading west approximately 2.118 miles to the intersection of N. 27th St. 3. N 27th St approximately 1.070 miles Starting at the quarter section of T 6 N, R 3 E, section 7, then heading south approximately 1.070 miles to the intersection of 1st Ave. 4. N. Rainbow Rd. approximately .932 miles Starting at the northeast corner of T 6 N, R 3 E, section 17 then heading south approximately .932 miles to the intersection of I 90. 5. St Onge Oil Rd. approximately 1.268 miles Starting at the northeast corner of T 6 N, R 3 E, section 15, then heading south approximately 1.268 miles to the intersection of U.S. Highway 85 at the S.E. quarter section of T 6 N, R 3 E, section 22. 6. Maitland Rd. approximately 1.446 miles Starting at the northeast corner of T 6 N, R 3 E, section 19, then heading south, then west and southwesterly approximately 1.446 to Voorhees Ln. 7. Christensen Dr. approximately 1.055 miles Starting at the northeast corner of the southwest ¼ corner in the southwest ¼ of T 6 N, R 2 E, section 13, then heading southwesterly approximately 1.055 to the city limits. 8. College Ln. approximately .502 miles Starting at approximately 1,680 ft. west of the northeast corner of T 6 N, R 2 E, section 9, at the intersection of Hillsvie Rd, then south approximately .502 miles to the intersection of Oliver Rd. 9. Hillsvie Rd. approximately .692 miles Starting at the northwest corner of T 6 N, R 2 E, section 9, at the intersection of McGuigan Rd, then east approximately .692 miles to the intersection of College Ln. 10. Oliver Rd. approximately .210 miles Starting near the midsection T 6 N, R 2 E, section 9, at the intersection of College Ln. then west approximately .210 miles. Add to the Primary County Highway System: 11. Hillsvie Rd. approximately .251 miles Starting at the northeast corner of T 6 N, R 2 E, section 8, at the intersection of McGuigan Rd, then heading west approximately .251 miles to the intersection of Mineral Pl. at the quarter section of T 6 N, R 2 E, section 8. 12. Old Hwy 14 approximately 10.365 miles Starting at approximately 1,687 ft. east of the southwest corner of T 7 N, R 2 E, section 34 at the intersection of SD 14 L then west, northwesterly and west approximately 10.365 miles to the state line. The routes being deleted from the primary county highway system is due to a jurisdictional agreement between Lawrence County and the City of Spearfish. Adopted this

26th day of June, 2018. Brandon Flanagan, Chairperson, Lawrence County, Board of County Commissioners. Brenda McGruder, Lawrence County Auditor.

PLANNING & ZONING:

ANNUAL REVIEWS:

CONDITIONAL USE PERMIT #132, #224 & # 398/COEUR WHARF: Matt Zietlow, Environmental Manager for Coeur Wharf was present for the Annual Review of Conditional Use Permit #132, #224 and #398. No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #205-15/DUCO MINING (Mining Operation): An annual review was conducted on CUP #205-15, DUCO MINING (Mining Operation). Cody Schad, was present and stated that he has performed weed control and would be starting mining activity in the next month. Commissioner Deibert stated he just received an e-mail from Dave Heck, Invasive Species Manager replying that only 1% of the weeds have been treated. Schad agreed he will need to get in contact with Heck to get a weed management plan in place. Another review will be held on CUP #205-15 in September or October, 2018.

CONDITIONAL USE PERMIT #307/CHARLES RAMSEY (2nd Residence): An annual review was conducted on CUP #307, CHARLES RAMSEY (2nd Residence). No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #373/HURM PIT (Operator: Johner and Sons) (Gravel Quarry): An annual review was conducted on CUP #373, HURM PIT (Operator: Johner and Sons) (Gravel Quarry). No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #400/EVANS PIT (Operator: Johner and Sons): An annual review was conducted on CUP #400, EVANS PIT (Operator: Johner and Sons). No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT # 402/NICOLE DECOOK (2nd Residence): An annual review was conducted on CUP #402, NICOLE DECOOK (2nd Residence). Nicole Decook, applicant, questioned whether her son would be allowed to purchase the property from Lyle DeCook under the current CUP conditions? Commissioner Flanagan stated that this would not be allowed under the current CUP. DeCook was informed to contact the Planning & Zoning office if the current situation changes.

CONDITIONAL USE PERMIT #416/SHERRIE ANDERSON (2nd Residence): An annual review was conducted on CUP #416, SHERRIE ANDERSON (2nd Residence). No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #417/DONALD KISSACK (2nd Residence): An annual review was conducted on CUP #417, DONALD KISSACK (2nd Residence). No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #426/ DR. ELSOM (Dog Daycare and Boarding): An annual review was conducted on CUP #426, DR. ELSOM (Dog Daycare and Boarding). No violations were found and will be reviewed in one year.

CONDITIONAL USE PERMIT #437/T & M TRAIL RIDES (Horse Trail Rides): An annual review was conducted on CUP #437, T & M TRAIL RIDES (Horse Trail Rides). Moved-Seconded (Sleep-Flanagan) to place CUP #437, T & M TRAIL RIDES (Horse Trail Rides) on a as needed basis. Aye-Flanagan, Sleep and Rosenau. Nay-Deibert.

CONDITIONAL USE PERMIT #446/KINDZERSKI: A Public Hearing was held on C.U.P. #446. APPLICANT: Mike Kindzerski SUMMARY: Lodge Hall/Meeting Place LEGAL: 20829 Mattson Lane/Tract 37 in Section 24, T5N, R3E. No public input was voiced and the hearing was closed. Commissioner Flanagan pointed out that the concerns from the surrounding residents focused on water, noise, security, septic system, parking and liability issues, but that most of these concerns were addressed with additional conditions. Commissioner Deibert question whether or not the barn would be required to have sprinkler system. Mike Kindzerski, applicant stated he would contact the State Fire Marshall and comply with any such requirements. Commissioner Sleep questioned whether the property was in city limits and what was the surrounding land use. Kindzerski replied that the area around him was farm and ranch land and a construction business. Commissioner Deibert addressed the continued concern with off road vehicles. He suggested that a condition be added requiring that loading and off-loading of ATV vehicles shall occur only at a trail head. It was concluded that such a condition was not necessary at present, but the issue of ATVs can be addressed in the future as is deemed appropriate. Moved-Seconded (Deibert-Rosenau) to follow the recommendation for approval found in the Planning and Zoning staff report for the reasons set forth therein incorporating the conditions contained therein, all as on file in the Planning and Zoning Office, Conditional Use Permit #446 for Mike Kindzerski to Operate a lodge hall/meeting place. Aye-Flanagan, Deibert and Rosenau. Nay-Sleep. Motion Carried.

REGISTER OF DEEDS:

TYLER TECHNOLOGY LICENSE AND SERVICE AGREEMENT: Moved-Seconded (Deibert-Rosenau) to approve and authorize the Chairman to sign the License and Service Agreement with Tyler Technologies. Motion Carried.

BILLS:

Moved-Seconded (Deibert-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-\$6,669.31; Elect-\$594.43; Aud-\$12,427.04; Treas-\$12,444.48; States Atty-\$15,468.64; Pub Def-\$12,140.62; Gen Govt Bldg-\$9,410.91; Equal-\$14,867.34; Rod-\$9,158.37; Vso-\$993.80; Ist-\$7,162.89; Disp-\$15,327.59; Sher-\$38,088.71; Jail-\$27,054.21; Coroner-\$1,436.55; 24/7-\$186.66; Emerg Mgnt-\$4,113.93; E911-\$2,052.80; Highway-\$44,956.61; Weed-\$6,452.64; Pz-\$5,738.79; **Bills:** Sargent,Debbie-\$47.00; Lopez,Amber-\$400.75;

Lucero,Robin-\$47.00; Palmer,Ryan-\$278.46; Moser,Douglas-\$71.00; A To Z Shredding-\$82.40; A&B Business,Inc Solutions-\$436.72; A&B Welding Supply-\$87.50; A&J Supply-\$8.45; Active Data Systems-\$135.00; At&T-\$7.26; BH Occupational Medicine-\$125.00; BH Pioneer-\$783.50; BH Truck And Trailer-\$83.86; BH Window Cleaning-\$3,733.00; Baker Mudjacking-\$4,081.64; Barnaud Law Firm-\$13,218.78; Bi Geo Group-\$377.20; Black Hills Disposal-\$90.00; Black Hills Energy-\$14,982.15; Bomgaars Supply-\$56.99; Breit Law Offices-\$297.18; Bruemmer,Lynnel-\$72.20; Butler Machinery Co-\$645.44; Century Business Products-\$6,411.25; Centurylink-\$2,198.05; City/County Alcohol&Drug-\$930.00; Credit Collections Bureau-\$64.54; Dakota Equipment Rental-\$166.64; Dept Of Hlth Lab Services-\$760.00; Dept Of The Treasury-\$58,034.51; Ellingson,Joseph-\$4,502.36; Fastenal-\$1,068.80; G&H Distributing Of Rc-\$167.84; Galls-\$433.06; Godfrey's Brake Serv-\$581.90; Heartland Paper-\$809.71; Highway Improvement-\$24,290.42; Hilpert & Hale Prof-\$404.00; Hp-\$129.00; Interstate Engineering-\$3,120.46; Intoximeters-\$205.25; Jacobs Precision Welding-\$39.36; Jenner Equipment-\$10.13; Johner Gravel-\$2,606.30; Juneks' Chrysler/Dodge-\$70,000.00; Katterhagen,Mark-\$21.00; Kinney,Matthew-\$961.15; Knecht Home Center Of Spf-\$31.35; Kolbeck Law Office-\$13,042.54; LC Treasurer-\$21.20; Language Line Services-\$53.55; Lewno, Lucy-\$309.72; Lockwood,Darcy-\$21.00; Mcgas Propane-\$491.90; Midcontinent Communications-\$111.94; Montana Dakota Utilities-\$76.44; Nalco Company-\$239.20; Nelson Law-\$1,089.80; North Central Int'l-\$503.70; Office Of Attorney General-\$302.77; Office Of Child Support-\$983.09; Pennington Co Jail-\$2,989.60; Pennington County Sts Attny-\$215.00; Quill-\$365.55; Ramkota Inn Pierre-\$296.97; Sara J Fitzgerald-\$288.00; Regional Health-\$297.36; Root Spring Scraper-\$756.32; Sd Public Assur Alliance-\$303.86; Sdrs Supplemental Retirement-\$2,610.00; Semerad,Sandra-\$53.20; Servall Towel & Linen-\$388.02; Silverado-\$404.03; Spearfish Police Dept-\$10,269.20; Stadler Ind Service-\$103.75; Sterna,Laura-\$300.00; Stretch's Glass & Mirror-\$77.64; Subway-\$20.00; Sysco Montana-\$1,529.27; Transource Truck & Equip-\$176.48; Turbiville Industrial Electric-\$249.86; Turnkey Corrections-\$11.62; Twin City Hardware & Lumber-\$662.26; Vast Broadband-\$1,702.88; Verizon Wireless-\$105.36; Victims Of Violence-\$1,365.00; Wells Fargo Business Card-\$9,950.75; Wells Plumbing & Farm Supp-\$509.14; Western Communication-\$1,111.91; Western Sd Juvenile Serv-\$6,920.00; Wheeler Lumber-\$1,937.76; White Drug-\$2,124.24; Yankton Co Sheriff-\$50.00; Yankton County-\$232.80; Z&S Dust Control-\$107,506.98; **Witness & Jurors:** Allerdings,E-\$52.52; Bordewyk,T-\$62.60; Carroll,P-\$66.80; Cockreham,R-\$64.28; Hansen,M-\$62.60; Lampe,B-\$66.80; Rhodes,J-\$58.40; Brassfield,B-\$30.08; Rowell,D-\$20.00

ADJOURN: 10:43 a.m. There being no further business, it was Moved-Seconded (Deibert-Rosenau) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Auditor