

LAWRENCE COUNTY COMMISSIONERS MEETING – May 25, 2022 page-1

Chairman Randall Rosenau called the special meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 1:00 p.m. on May 25, 2022 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioner Robert Ewing and Richard Sleep present. Commissioner Randy Deibert and Brandon Flanagan were available by video conferencing (GoToMeeting).

All motions were passed by unanimous vote, by all members present, unless stated otherwise. Roll call voting was used if any member voted in the negative pursuant to SDCL 1-25-1.5.

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

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

RESOLUTION #2022-15 AMENDMENT #2 TO COUNTY PERSONNEL HANDBOOK:

Moved-Seconded (Ewing-Sleep) to approve and authorize the Chairman to sign the following Lawrence County Resolution #2022-15 Amendment #2 to the Lawrence County Personnel Manual. Motion Carried. LAWRENCE COUNTY RESOLUTION #2022-15 AMENDMENT #2 LAWRENCE COUNTY PERSONNEL MANUAL WHEREAS, the Lawrence County Commissioners have adopted the Lawrence County Personnel Manual to establish a fair system of personnel administration; and WHEREAS, updates need to be made to the manual to ensure the fair and equitable system is updated; THEREFORE, BE IT RESOLVED, that effective May 25, 2022 and upon favorable passage of this resolution and until otherwise revised, the following revision is hereby adopted for ARTICLE II GENERAL POLICIES 2.12) RESIDENCY:

Generally, County employees will not be subject to a residency policy, however certain positions with the County require residency within the County to include: elected officials, department heads, employees who drive a county vehicle to and from work. The County Commission may issue such waivers on a case-by-case basis upon a finding of special circumstances existing warranting a waiver. Dated this 25th day of May, 2022. FOR THE BOARD: Randall Rosenau, Chairman ATTEST: Brenda McGruder, Auditor.

RESOLUTION #2022-19 A RESOLUTION IN SUPPORT OF AMENDING CURRENT SOUTH DAKOTA STATE LAW 8 32-5-127 TO UPDATE ADDITIONAL CHARGES

ALLOWED FOR MAILING DECALS AND PLATES: Moved-Seconded (Ewing-Sleep) to approve and authorize the Chairman to sign the following Lawrence County Resolution #2022-19 A Resolution in Support of Amending Current South Dakota State Law 8 32-5-127 To Update Additional Charges Allowed For Mailing Decals And Plates. Motion Carried. LAWRENCE COUNTY RESOLUTION #2022-19 A RESOLUTION IN SUPPORT OF AMENDING CURRENT SOUTH DAKOTA STATE LAW 8 32-5-127 TO UPDATE ADDITIONAL CHARGES ALLOWED FOR MAILING DECALS AND PLATES WHEREAS, SDCL §32-5-127 states "in addition to the registration fees required by this chapter, the department or county treasurer shall collect from the owner one dollar per decal or set of decals and five dollars per license plate or set of plates when decals and plates are sent to the owner through the mail."; and WHEREAS, SDCL §32-5-127 was last amended by the Legislature in 2009 and the cost of sending decals and plates thru the United States Postal Service has increased significantly since; and WHEREAS, as an example, the cost of mailing out a flat rate priority envelope has increased by 81% since 2009. The Postal Service generally receives no tax dollars for operating expenses and relies on the sale of postage, products, and services to fund its operations; and WHEREAS, in November 2020, the Postal Regulatory Commission (PRC) completed its years-long review and deemed the existing rate-setting system inadequate. The recent PRC ruling provides the Postal Service more rate authority when establishing prices for mailing services, providing them the ability to adjust prices based on declining mail volumes and growing logistics costs; and WHEREAS, the Postal Service proposed dominant price changes were developed in light of the recent ruling and are a major component of the Delivering for America 10-year plan which allows for a review and adjustment of market dominant prices twice per year in January and July; and WHEREAS, the COVID-19 pandemic has changed the way citizens conduct business in general which has also resulted in an increase in the number of decals and plates being mailed to owners; and WHEREAS, South Dakota is an open registration state therefore the number of decals and plates being mailed out to owners each year continues to steadily increase; and WHEREAS, the current charges allowed per SDCL §32-5-127 are not sufficient enough to cover the actual cost of the mailing (postage), the cost of the envelopes, labels, ink, etc. and the difference is being passed on to the other property tax payers in the Counties; and WHEREAS, at the end of 2021, Lawrence County had 53,366 registrations which includes non-commercial vehicles, recreational vehicles, motorcycles, trailers, etc.; and WHEREAS, South Dakota will be issuing new license plates in

2023 and the numbers of plates that will be sent to the owners thru the mail will continue to further the negative financial impact on Counties and taxpayers; and NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF COUNTY COMMISSIONERS that SDCL §32-5-127 be amended to read as follows: "In addition to the registration fees required by this chapter, the department or county treasurer shall collect from the owner two dollars per decal or set of decals plus a one dollar handling fee and ten dollars per license plate or set of plates plus a two dollar handling fee when decals and plates are sent to the owner through the mail in order to cover the actual cost of postage and handling." Dated this 25th day of May, 2022. Chairman ATTEST: Brenda McGruder, Auditor.

BID OPENING/PUBLIC SAFETY & SERVICES CENTER PROJECT: The following bid was received for the Lawrence County Public Safety & Services Center project: R.C.S. Construction, Inc.-\$48,245,000.00 acknowledging addendum #1, 2, 3, 4 & 5.

Tony Vie and John E. Taylor, Jr., Elevatus Architecture, will review the bids for accuracy and bring back a recommendation to the board.

ITEMS FROM THE PUBLIC: None.

ITEMS FROM THE COMMISSIONERS: None.

ADJOURN: 1:24 p.m. There being no further business, Chairman Rosenau adjourned the meeting. Motion Carried.

Date Approved

Randall Rosenau, Chairperson

ATTEST:

Brenda McGruder, Auditor