

LAWRENCE COUNTY COMMISSIONERS MEETING – June 14, 2022

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 June 14, 2022 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioner Randy Deibert, Brandon Flanagan and Richard Sleep present. Absent-Commissioner Robert Ewing.

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

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

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

MINUTES: Moved-Seconded (Sleep-Deibert) to approve the minutes of June 9, 2022 Special County Commission meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Deibert-Rosenau) to approve the step raise for Raygan Mattson as a full-time permanent Dispatcher I G2 at a base rate of \$20.63 an hour, effective June 5, 2022. Motion Carried.

Moved-Seconded (Deibert-Rosenau) to approve the step raise for LauraLee Frey as a full-time permanent Correctional Officer I G2 at a base rate of \$20.63 an hour, effective June 5, 2022. Motion Carried.

Moved-Seconded (Deibert-Rosenau) to approve the step raise for Ritchey Walk as a full-time permanent Sergeant G2 at a base rate of \$30.01 an hour, effective June 5, 2022. Motion Carried.

Moved-Seconded (Deibert-Rosenau) to approve the step raise for Megan Tieszen as a full-time permanent Dispatcher II G3 at a base rate of \$22.34 an hour, effective June 19, 2022. Motion Carried.

EMERGENCY MANAGEMENT: Moved-Seconded (Deibert-Flanagan) to approve the new hire for Barbara R. Baker as a full-time permanent Administrative Secretary G2 at a base rate of \$19.38 an hour, effective July 2, 2022. 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 May 31, 2022, 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)-\$79,509.99; total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$8,934.08; petty cash-\$1,860.00; total amount of deposits in bank include: bank balance \$19,768,703.15; US Bank balance \$41,267,305.79; money market \$11,988,054.70. Total \$73,115,717.71. Motion Carried.

REEBE RANCH ESTATES ROAD DISTRICT: Moved-Seconded (Flanagan-Sleep) to canvass the Reebe Ranch Estates Road District Election showing the whole number of ballots cast was nine (9), together with the number of nine (9) voting for and the number of zero (0) voting against incorporation and authorize the signing of the Official Canvass. Motion Carried.

Moved-Seconded (Flanagan-Sleep) to approve and authorize the Chairman to sign the following Order Declaring Reebe Ranch Estates Road District Incorporated. Motion Carried. ORDER DECLARING REEBE RANCH ROAD DISTRICT INCORPORATED WHEREAS, an election was held among the eligible voters in the Reebe Ranch Road District to determine whether or not a Road District should be incorporated, WHEREAS, this vote was held on June 10, 2022, 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 Nine (9), together with the number of Nine (9) voting for and the number of Zero (0) voting against incorporation, WHEREAS, The Territory organized as a district is as follows: Reebe Ranch Estates Tracts A-2R, A-4, B, C, F, G, J & K in NW1/4; Tracts D, E Revised, H, I Revised, L & M in W1/2NE1/4; Tracts N, O, R, S, V & W in SW1/4; Tracts P, Q, T & U in NW1/4SE1/4 All in Sec. 28, T7N, R1E, B.H.M., 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 Reebe Ranch Road District is hereby incorporated pursuant to SDCL 31-12A, DATED this 14th day of June, 2022. Randall Rosenau, Chairperson Lawrence County Commission ATTEST: Brenda McGruder, Auditor.

CONTINGENCY TRANSFER: Moved-Seconded (Deibert-Flanagan) to continue the contingency transfer of \$14,000.00 to the Commissioners' Professional Service Budget until the next meeting. Motion Carried.

AUTOMATIC SUPPLEMENTS:

SHERIFF: Moved-Seconded (Flanagan-Rosenau) to approve the automatic supplement of \$44,200.00 to the Sheriff Capital Assets Budget for reimbursement for vehicle damage. Motion Carried.

PARKING RAMP USE: Moved-Seconded (Sleep-Flanagan) to approve the request from McPherson Auction & Realty to use the employee parking in the ramp in conjunction with the Deadwood Mountain Grand on June 17-18, 2022 with Deadwood Mountain Grand making alternative parking arrangements for employees to park on the upper level of the parking ramp and coordinating with the Sheriff's Office. Motion Carried.

SHERIFF:

PUBLIC SAFETY & SERVICES CENTER PROJECT UPDATE: Brian Dean, Sheriff, gave an update on the Public Safety & Service Center project. Dean stated that the committee has been meeting frequently to come up with solutions to the bid coming in over the estimate, to include value engineering. Dean stated this is a very complicated matter and the committee is working very hard to come up with viable options to aid the Board in making a decision and still get the building as designed. Dean stated that members of the committee meet with RCS Construction this morning.

Moved-Seconded (Flanagan-Deibert) to set a special meeting for June 23 & 24, 2022 at 9:00 a.m. to discuss the Public Safety & Service Center project bid. Motion Carried.

PETITION FOR VACATION OF SECTION LINE RIGHT-OF-WAY/DEWALD: A Public Hearing was held on a Petition for Vacation of Section Line Right-of-Way LEGAL DESCRIPTION FOR THE VACATION: : LEGAL DESCRIPTION FOR THE VACATION: Section Line Right-Of-Way to Be Vacated, located in Lot 5 of the Dolphin Tract Revised, formerly known as the Dolphin Tract, being portions of Fortuna M.S. 1783, Dolphin, Whale, Tiger and all of Comstock M.S. 1598, a portion of Government Lot 11 of Section 10 and a portion of Government Lot 1 of Section 15, all located in the SW1/4 of Section 10 and the NW1/4 of Section 15, T4N, R3E, B.H.M., Lawrence County, South Dakota.

Brenda McGruder, Auditor, presented Lawrence County Resolution #2022-18, A Resolution & Order to Vacate a Portion of a Highway, Part of Which Is Located On a Section Line.

No public input was voiced and the public hearing was closed.

Moved-Seconded (Flanagan-Deibert) to approve, adopt, and authorize the Chairman to sign Lawrence County Resolution #2022-18 Resolution & Order to Vacate a Portion of a Highway, Part of Which Is Located On a Section Line. Motion Carried. LAWRENCE COUNTY RESOLUTION #2022-18 RESOLUTION & ORDER TO VACATE A PORTION OF A HIGHWAY, PART OF WHICH IS LOCATED ON A SECTION LINE/HIGHWAY/RIGHT OF WAY WHEREAS, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by all adjacent landowners as there are fewer than three, requesting that a portion of a highway, part of which is located on a section line/highway/right of way 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, and

WHEREAS, the public interest will be better served by the proposed section line vacation, now therefore, BE IT RESOLVED by the Lawrence County Board of Commissioners as follows: That the described portion of a highway, part of which is located on a section line/highway/right of way be vacated: **LEGAL DESCRIPTION FOR THE VACATION:** Section Line Right-Of-Way to Be Vacated, located in Lot 5 of the Dolphin Tract Revised, formerly known as the Dolphin Tract, being portions of Fortuna M.S. 1783, Dolphin, Whale, Tiger and all of Comstock M.S. 1598, a portion of Government Lot 11 of Section 10 and a portion of Government Lot 1 of Section 15, all located in the SW1/4 of Section 10 and the NW1/4 of Section 15, T4N, R3E, B.H.M., Lawrence County, South Dakota. **AFFECTING THE LANDOWNERS:** Kevin Duane Dewald Dated this 14th day of June, 2022 Randall Rosenau, Chairman Lawrence County Commission **ATTEST:** Brenda McGruder, Lawrence County Auditor I, Brenda McGruder, the duly appointed Auditor of Lawrence County, South Dakota, do hereby certify that the within and foregoing resolution was passed by the Lawrence County Board of County Commissioners at a regular session held June 14th, 2022. Dated at Deadwood, South Dakota, the 14th day of June, 2022. Brenda McGruder, Lawrence County Auditor.

HIGHWAY:

FUEL QUOTES: The following fuel quote was submitted as of May 25, 2022 and June 9, 2022:
Spearfish Diesel #2 (dyed) 4200 gallons: (prices per gallon) CBH Cooperative –\$4.379*
Spearfish Unleaded 1000 gallons: (prices per gallon) CBH Cooperative –\$4.326* **Whitewood Diesel #2 (dyed) 900 gallons:** (prices per gallon) CBH Cooperative –\$4.809* *Represents accepted quote.

PERMITS:

MONTANA-DAKOTA UTILITIES: Moved-Seconded (Deibert-Sleep) to follow the recommendation of Allan Bonnema, Highway Superintendent, and approve the permit to occupy County highway right-of-way for Montana-Dakota Utilities located in Section 21, T6N, R4E along County Road: Whitewood Valley Road. Motion Carried.

BLACK HILLS ENERGY: Moved-Seconded (Deibert-Rosenau) to follow the recommendation of Allan Bonnema, Highway Superintendent, and approve the permit to occupy County highway right-of-way for Black Hills Energy located in Section 24, T5N, R3E along County Road: Legends Lane. Motion Carried.

BLACK HILLS ENERGY: Moved-Seconded (Deibert-Rosenau) to follow the recommendation of Allan Bonnema, Highway Superintendent, and approve the utility permit for Black Hills Energy to bore under Highway 14A approximately 1.3 miles from Highway 85 for construction of a underground power line beginning in Section 24 T5N, R3E and ending in Section 24, T5N, R3E. Motion Carried.

PROJECT UPDATES: Allan Bonnema, Highway Superintendent, gave an update on the bridge project on Lookout Mountain Road and the application of mag water and gravel.

Bonnema discussed the private approach permit for Lynn Jensen and vacation of a section line for Lynn Jensen and Dusty Morehead off of Weisman Road. Bonnema stated it is causing an issue with the neighbors.

PLANNING & ZONING:

PLATS:

PRELIMINARY AND FINAL PLAT/HOFFMAN: APPLICANT: Michael Hoffman **LEGAL DESCRIPTION:** Lot 2R and 4R of Blk 2, Story Lane Subdivision, Section 14, T5N, R4E (legal shortened) **VICINITY LOCATION:** Boulder Canyon **SUMMARY:** Lot line revision **ZONING:** SRD.

Moved-Seconded (Deibert-Rosenau) to rescind the motion from the May 10, 2022 meeting approving the preliminary plat for Michael Hoffman contingent upon contours being added to the preliminary plat and access easements being granted from Lot 2R to Lot 4R and vice versa and 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 DESCRIPTION:** Lot 2R and 4R of Blk 2, Story Lane Subdivision, Section 14, T5N, R4E (legal shortened) **VICINITY LOCATION:** Boulder Canyon **SUMMARY:** Lot line revision **ZONING:** SRD. Motion Carried.

Moved-Seconded (Deibert-Rosenau) to rescind the motion from the May 10, 2022 meeting approving the final plat for Michael Hoffman contingent upon contours being added to the preliminary plat and access easements being granted from Lot 2R to Lot 4R and vice versa and 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 DESCRIPTION: Lot 2R and 4R of Blk 2, Story Lane Subdivision, Section 14, T5N, R4E (legal shortened) VICINITY LOCATION: Boulder Canyon SUMMARY: Lot line revision ZONING: SRD. Motion Carried.

Moved-Seconded (Deibert-Rosenau) to approve the preliminary & final plat for Michael Hoffman 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 DESCRIPTION: Lot 2R and 4R of Blk 2, Story Lane Subdivision, Section 14, T5N, R4E (legal shortened) VICINITY LOCATION: Boulder Canyon SUMMARY: Lot line revision ZONING: SRD. Motion Carried.

PRELIMINARY PLAT/MAITLAND PARTNERS, LLC.: APPLICANT: Maitland Partners, LLC. LEGAL DESCRIPTION: Lots 124-132 of Paradise Acres IV located in Section 7, T5N, R3E VICINITY LOCATION: Maitland Road SUMMARY: New lots ZONING: PF.

Al Schreier, representing Maitland Partners, LLC., and Eric Neis, Attorney for Maitland Partners, LLC., were present to discuss the fire protection ordinance and road district formation. Deibert discussed the results from the fire flow testing and requested more information in order to clarify that the lines will not collapse when a pumper truck is hooked to the system. Applicants requested clarification on the fire flows required as well as clarification on whether this system is considered a central system or a municipal system. Commissioners agreed that it is a central water system.

No action was taken on the preliminary plat for Maitland Partners, LLC. LEGAL DESCRIPTION: Lots 124-132 of Paradise Acres IV located in Section 7, T5N, R3E VICINITY LOCATION: Maitland Road SUMMARY: New lots ZONING: PF.

PRELIMINARY & FINAL PLAT/MCKEE: APPLICANTS: Richard & Jody McKee LEGAL DESCRIPTION: Lot of Lot 1 & 2 of McKee Estates formerly HES 123 located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 and N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, T3N, R4E VICINITY LOCATION: Misty Meadows Road SUMMARY: New lot ZONING: PF.

Moved-Seconded (Deibert-Sleep) to deny the preliminary plat for Richard & Jody McKee due to lack of access to internal lots. LEGAL DESCRIPTION: Lot of Lot 1 & 2 of McKee Estates formerly HES 123 located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 and N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, T3N, R4E VICINITY LOCATION: Misty Meadows Road SUMMARY: New lot ZONING: PF. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to not consider the final plat for Richard & Jody McKee as the preliminary plat has been denied. LEGAL DESCRIPTION: Lot of Lot 1 & 2 of McKee Estates formerly HES 123 located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 and N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, T3N, R4E VICINITY LOCATION: Misty Meadows Road SUMMARY: New lot ZONING: PF. Motion Carried.

PRELIMINARY PLAT/DAKOTA ENERGY & RESOURCES, INC.: APPLICANT: Dakota Energy & Resources, Inc. LEGAL DESCRIPTION: Lot of Lots 1 & 2 of Jack Redden Sub, formerly M.S. 2206, Alsoop Lode 7 in Section 27, T3N, R5E (legal shortened) VICINITY LOCATION: Nemo Road SUMMARY: New Lot for donation to SD Board of Regents ZONING: PF.

Moved-Seconded (Deibert-Flanagan) to approve the preliminary plat for Dakota Energy & Resources, Inc. contingent upon the fire plan being submitted/completed and the easement being recorded and 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 DESCRIPTION: Lot of Lots 1 & 2 of Jack Redden Sub, formerly M.S. 2206, Alsoop Lode 7 in Section 27, T3N, R5E (legal shortened) VICINITY LOCATION: Nemo Road SUMMARY: New Lot for donation to SD Board of Regents ZONING: PF. Motion Carried.

PRELIMINARY AND FINAL PLAT/PETERSON: APPLICANTS: Richard and Patti Peterson
LEGAL DESCRIPTION: Lot 41A of Frawley Ranch East, Section 7 & 18, T6N, R4E (legal shortened)
VICINITY LOCATION: Acorn Ridge Road SUMMARY: Lot line revision ZONING: A-1.

Moved-Seconded (Deibert-Flanagan) to approve the preliminary & final plat for Richard and Patti Peterson 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 DESCRIPTION: Lot 41A of Frawley Ranch East, Section 7 & 18, T6N, R4E (legal shortened) VICINITY LOCATION: Acorn Ridge Road SUMMARY: Lot line revision ZONING: A-1. Motion Carried.

PRELIMINARY PLAT/CANYON, LLC.: APPLICANT: Canyon, LLC LEGAL DESCRIPTION: Lots 1-8 of Rimrock Canyon Subdivision, being a sub of the NE ¼ NE ¼ of Section 35, T3N, R1E VICINITY LOCATION: Hwy 85/Boles Canyon Road SUMMARY: New subdivision ZONING: PF.

Moved-Seconded (Deibert-Flanagan) to continue until the next meeting due to lack of required information on the plat regarding access and pending a review of the road design by the Highway Superintendent. LEGAL DESCRIPTION: Lots 1-8 of Rimrock Canyon Subdivision, being a sub of the NE ¼ NE ¼ of Section 35, T3N, R1E VICINITY LOCATION: Hwy 85/Boles Canyon Road SUMMARY: New subdivision ZONING: PF. Motion Carried.

PRELIMINARY & FINAL PLAT/RUE & KRACHT: APPLICANTS: Myrun & Judy Rue and Lonny & Vicki Kracht, LLC. LEGAL DESCRIPTION: Lots 35A and 36A-1 of Block 1 of Boulder Park Sub; all located in Section 15, T5N, R4E (legal shortened) VICINITY LOCATION: Boulder Canyon SUMMARY: Lot line revision ZONING: SRD.

Moved-Seconded (Deibert-Flanagan) to approve the preliminary & final plat for Myrun & Judy Rue and Lonny & Vicki Kracht, 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 DESCRIPTION: Lots 35A and 36A-1 of Block 1 of Boulder Park Sub; all located in Section 15, T5N, R4E (legal shortened) VICINITY LOCATION: Boulder Canyon SUMMARY: Lot line revision ZONING: SRD. Motion Carried.

PRELIMINARY & FINAL PLAT/RUPP & EMMERT: APPLICANTS: Ernest & Kimberley Rupp and Emmert Family Trust LEGAL DESCRIPTION: Plat of Lots 1A-1 and 6A-1 of Estates at Pillar Peak in Section 20 & 21, T5N, R4E VICINITY LOCATION: Boulder Canyon SUMMARY: Lot line revision ZONING: PF.

Moved-Seconded (Deibert-Flanagan) to approve the preliminary & final plat for Ernest & Kimberley Rupp and Emmert Family Trust 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 DESCRIPTION: Plat of Lots 1A-1 and 6A-1 of Estates at Pillar Peak in Section 20 & 21, T5N, R4E VICINITY LOCATION: Boulder Canyon SUMMARY: Lot line revision ZONING: PF. Motion Carried.

PRELIMINARY & FINAL PLAT/EDDY & NICHOLS: APPLICANTS: Maryann Eddy Trust and Michael & Marsha Nichols LEGAL DESCRIPTION: Plat of Tract 1A Revised, Tract 1B Revised and Tract C of M.S. 1881 Section 25 & 36, T4N, R3E (legal shortened) VICINITY LOCATION: Brownsville Road SUMMARY: Lot line revision ZONING: PF.

Commissioner Deibert disclosed he had been contacted by phone by one of the applicants.

Moved-Seconded (Flanagan-Sleep) declaring that the plat for Maryann Eddy Trust and Michael & Marsha Nichols meets exemption criteria per Subdivision Ordinance, Chapter 4 Article 3. Motion Carried.

Moved-Seconded (Flanagan-Rosenau) to approve the preliminary & final plat for Maryann Eddy Trust and Michael & Marsha Nichols 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 DESCRIPTION: Plat of Tract 1A Revised, Tract 1B Revised and Tract C of M.S. 1881 Section 25 & 36, T4N, R3E (legal shortened) VICINITY LOCATION: Brownsville Road SUMMARY: Lot line revision ZONING: PF. Motion Carried.

PRELIMINARY & FINAL PLAT/BH DEVELOPMENT LLC.: APPLICANT: BH Development, LLC. LEGAL DESCRIPTION: Plat of Lot 1-3 of Dancing Sky Addition of Powder House Pass in Section 7, T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New lots ZONING: PF.

Moved-Seconded (Deibert-Flanagan) to approve the preliminary plat for BH Development, LLC. contingent upon the either the legend being added or proper notation of utilities and 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 DESCRIPTION: Plat of Lot 1-3 of Dancing Sky Addition of Powder House Pass in Section 7, T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New lots ZONING: PF. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve the final plat for BH Development, LLC. contingent upon the preliminary plat being completed and 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 DESCRIPTION: Plat of Lot 1-3 of Dancing Sky Addition of Powder House Pass in Section 7, T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New lots ZONING: PF. Motion Carried.

COMPREHENSIVE PLAN ADDENDUM: Moved-Seconded (Deibert-Sleep) to continue discussion until the next meeting on Lawrence County Resolution #2022-13, Comprehensive plan addendum known as the Colorado Boulevard Study Area.

RECESS: 10:00 a.m. Moved-Seconded (Flanagan-Sleep) to recess the County Commission meeting and convene as the Board of Adjustment. Motion Carried. At 10:10 a.m., the Chairman called the Commission meeting back to order. See Board of Adjustment minutes for detail.

ITEMS FROM THE PUBLIC: The Board acknowledged an email from Randy Caldwell in reference to the road conditions on Tinton Road.

ITEMS FROM THE COMMISSIONERS: Commissioner Deibert discussed the Forest Plan Revision and hiring a facilitator to review the 17 assessments.

Commissioner Deibert stated that the membership dues have increased for the Black Hills Council of Local Governments and suggested having Jennifer Sietsema come to the meeting to explain the increase.

The Board acknowledged letters from the Black Hills National Forest, Northern Hills Ranger District, in reference to an exploration drilling project for iron minerals near the town of Nemo, SD and the installation of a communications tower and buried fiber optic line immediately east of Rochford, SD.

The Board acknowledged a letter that was forwarded to them from the Lead Fire Protection District in reference to the SD Division of Wildland Fire seeking office accommodation in other locations than their current lease with the district. The Board will seek out more information and revisit at the next meeting.

BILLS: Moved-Seconded (Flanagan-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-\$14,940.00; Elect-\$1,947.70; Aud-\$24,787.02; Treas-\$30,365.50; States Atty-\$31,251.61; Pub Def-\$23,160.09; Gen Govt Bldg-\$21,632.92; Equal-\$29,805.54; Rod-\$19,400.85; Vso-\$3,816.40; Ist-\$21,183.97; Sher-\$105,209.82; Jail-\$58,558.03; Coroner-\$1,728.08; 24/7-\$877.82; Emerg Mgnt-\$5,642.69; E911-\$31,153.60; Highway-\$97,940.11; Mh Serv-\$101.00; Weed-\$18,228.72; P&Z-\$16,252.49; **Bills:** Adams, Julia-\$62.60; Haupt, Janice-\$20.00; Moser, Douglas-\$81.60; Green, Masin-\$433.44; A To Z Shredding-\$23.78; A&B Business, Inc Solutions-\$3,514.88; A&B Welding Supply-\$99.65; A&I Distributors-\$2,809.30; Ace Hardware Of Lead-\$73.73; Air Connection-\$2,815.50; At&T Mobility-\$1,114.65; Axon Enterprise-\$375.00; BH Pest Control-\$190.00; BH Physical Therapy-\$200.00; BH Pioneer-\$2,515.63; BI Inc-\$73.60; Black Hills Chemical-\$1,741.23; Black Hills Energy-\$141.78; Black Hills Pure-\$31.75; Bomgaars Supply-\$599.98; Brosz Engineering-\$13,965.00; Butler Machinery

Co-\$1,575.57; Butte Electric Coop-\$525.47; Cbh Cooperative-\$22,841.51; Cdw Government-\$2,027.22; Century Business Products-\$443.33; Centurylink-\$526.01; Charm-Tex-\$89.80; Clinical Lab Of BH-\$2,013.00; Cornelius, Kaylee-\$180.00; Dakota Equip Rental/Chain Saw-\$3,911.40; Deadwood, City Of-\$1,353.18; Dept Of Hlth Lab Services-\$50.00; Dept Of The Treasury-\$67,313.80; Derby, Gail-\$33.75; Doud Counseling-\$400.00; DS Solutions-\$350.00; Elevatus Architecture-\$57,615.00; Evertel Technologies-\$1,320.00; Fastenal-\$76.31; Floyd's Truck Center-\$53.44; Frey, Greg-\$35.00; Galls-\$159.63; Grimm's Pump&Industrial Supply-\$692.18; Hartford-Priority Accounts-\$2,214.68; Hillyard/Sioux Falls-\$174.58; Innovative Office Solutions-\$122.31; Jacobs Precision Welding-\$98.32; Janke, Wendy-\$1,252.00; Job, Donna-\$52.50; Joe's Windsheild Repair-\$380.00; Johner Gravel-\$45,440.75; Karen Paige Hunt-\$544.40; Katterhagen, Mark-\$15.00; Kimball-Midwest Co-\$17.86; Lead-Deadwood Sanitary-\$671.58; Lewno, Lucy-\$166.53; Lexisnexis Risk Data Mgnt-\$82.00; Lincoln County-\$75.00; Lockwood, Darcy-\$15.00; Lynn's Dakotamart-\$14.18; Mabey, Brooke-\$120.00; Make It Happen Counseling-\$800.00; Mastercard-\$8,462.87; Mcgruder, Randall-\$20.00; Mcleod's Office Supply-\$184.06; Montana Dakota Utilities-\$478.39; Monument Health Network-\$1,162.65; Moss, William Psy-\$1,825.00; Motorola Solutions-\$88,888.25; MS Mail-\$820.00; Nelson, Christy-\$60.00; Newman Signs-\$1,238.64; North Central Int'l-\$3,452.96; Oberle's Radiators & Repairs-\$150.00; Office Of Child Support-\$234.00; PcsO Addiction Treatment Serv-\$1,356.00; Pharmchem-\$251.60; Pitney Bowes Global Financial-\$967.68; Postmaster, Deadwood-\$420.00; Powerplan-\$452.50; Precision Kiosk Technologies-\$1,350.00; Queen City Rocket Lube-\$189.98; Queen City Tire-\$1,312.28; Quik Signs-\$758.68; Quill-\$1,164.15; Ramkota Inn Pierre-\$1,232.00; Rapid Delivery-\$16.25; Redwood Toxicology Lab-\$117.53; Runnings Supply-\$59.96; Ryan, Suzanne-\$120.00; Sara J Fitzgerald-\$495.00; Schlimgen Law Firm-\$7,038.26; Sd Dept Of Transportation-\$119,836.54; Sd State Treasurer-\$1,223.26; Sdrs Supplemental Retirement-\$3,470.00; Sdvsoa-\$100.00; Seachange Print Innovations-\$185.00; Secretary Of State-\$30.00; Semerad, Sandra-\$20.40; Servall Towel & Linen-\$305.80; Sikich-\$3,565.00; Silverado-\$1,178.60; Simon North Region-\$56,950.60; Spearfish Auto Supply-\$1,864.07; Spearfish City Of-\$1,000.90; Staples-\$71.45; Sterna, Laura-\$291.10; Sturdevant's Auto Parts-\$672.96; Sysco Montana-\$2,313.26; Thinkmate-\$1,686.00; Tolsma, Kathleen-\$20.00; Transource Truck & Equip-\$95.11; Triple K Tire & Repair-\$1,829.27; Turnkey Corrections-\$2.86; Twin City Hardware & Lumber-\$667.18; Urbaniak, Beverly-\$35.00; Vroman, Jo-\$20.00; Waste Connections-\$1,175.64; Watertree-\$126.00; Wells Fargo Banks-\$256.65; Wells Plumbing & Farm Supp-\$1,785.89; Western SD Juvenile Serv-\$610.00; Wex Bank-\$435.08; White Drug-\$20.07; White's Canyon Motors-\$562.02; Yankton Co Sheriff-\$50.00; Zoll Medical Corporation-\$225.00; **Witness & Jurors:** \$1,252.73.

ADJOURN: 10:52 p.m. There being no further business, Chairman Rosenau adjourned the meeting. Motion Carried.

Date Approved

Randall Rosenau, Chairperson

ATTEST:

Brenda McGruder, Auditor

LAWRENCE COUNTY BOARD OF ADJUSTMENT – June 14, 2022

Chairman Randall Rosenau called the meeting of the Lawrence County Board of Adjustment to order at 10:00 a.m. on June 14, 2022, in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioner Randy Deibert, Brandon Flanagan and Richard Sleep present. Absent-Commissioner Robert Ewing,

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

DECLARE CONFLICTS: Commissioner Deibert disclosed receiving a phone call from Matt Simon and left the Board of Adjustment meeting at 10:00 a.m.

VARIANCE #200/M&M SISK FARMS, LLC. & DIVERSIFIED CONSTRUCTION: A public hearing was held on Variance #200 APPLICANTS: M & M Sisk Farms, LLC/Diversified Construction LEGAL DESCRIPTION: Lot 7, Blk 8 of Wilderness Estates 2nd Addition in Section 8, T4N, R3E VICINITY LOCATION: Hwy 85 SUMMARY: Requesting a 1.9’ variance to the 10’ SW side setback for an existing residence ZONING: PUD ACREAGE: .558.

Amber Vogt, Planning & Zoning Administrator, presented her staff report.

No public input was voiced and the hearing was closed.

Moved-Seconded (Flanagan-Sleep) to deny Variance #200 due to no hardship in terms of topography, etc. and otherwise no lot limitations. APPLICANTS: M & M Sisk Farms, LLC/Diversified Construction LEGAL DESCRIPTION: Lot 7, Blk 8 of Wilderness Estates 2nd Addition in Section 8, T4N, R3E VICINITY LOCATION: Hwy 85 SUMMARY: Requesting a 1.9’ variance to the 10’ SW side setback for an existing residence ZONING: PUD ACREAGE: .558. Motion Carried.

Commissioner Deibert returned to the Board of Adjustment meeting at 10:10 a.m.

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

Date Approved

Randall Rosenau, Chairman

ATTEST:

Brenda McGruder, Auditor