

LAWRENCE COUNTY COMMISSIONERS MEETING – September 6, 2022 page-1

Vice-Chairman Robert Ewing called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on September 6, 2022 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioner Randy Deibert present. Commissioner Brandon Flanagan was available by video conferencing (GoToMeeting). Absent-Commissioners Randall Rosenau and Richard Sleep.

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 (Deibert-Flanagan) to approve the agenda as presented. Motion Carried.

DECLARE CONFLICTS: Commissioner Deibert declared a conflict with the 9:30 a.m. agenda item: COZ #353 APPLICANT: Riley Fremont and the 9:45 a.m. agenda item: PRELIMINARY PLAT APPLICANT: SJL Enterprises, LLC.

MINUTES: Moved-Seconded (Deibert-Ewing) to approve the minutes of August 16, 2022 County Commission meeting. Motion Carried.

Moved-Seconded (Deibert-Ewing) to approve the minutes of August 16, 2022 Board of Adjustment meeting. Motion Carried.

PERSONNEL:

SHERIFF: Moved-Seconded (Deibert-Ewing) to approve the step raise for Matthew McCroden as a full-time permanent Lieutenant G3 at a base rate of \$32.79 an hour, effective August 28, 2022. Motion Carried.

Moved-Seconded (Deibert-Ewing) to approve the step raise for Tyler Sonne as a full-time permanent Deputy II G2 at a base rate of \$27.99 an hour, effective August 28, 2022. Motion Carried.

Moved-Seconded (Deibert-Ewing) to approve the step raise for Faith Erickson as a part-time fill-in Correctional Officer I G2 at a base rate of \$20.63 an hour, effective August 28, 2022. Motion Carried.

Moved-Seconded (Deibert-Ewing) to approve the step raise for Ishmael Perin as a full-time permanent Correctional Officer I G2 at a base rate of \$20.63 an hour, effective August 28, 2022. Motion Carried.

Moved-Seconded (Deibert-Ewing) to approve the step raise for Robert Goode as a full-time permanent Correctional Officer I G2 at a base rate of \$20.63 an hour, effective September 11, 2022. Motion Carried.

Moved-Seconded (Deibert-Ewing) to approve the step raise for Sarah DeGooyer as a full-time permanent Dispatcher II G2 at a base rate of \$21.90 an hour, effective September 11, 2022. Motion Carried.

Moved-Seconded (Deibert-Ewing) to approve the step raise for Caylor Benson as a full-time permanent Dispatcher II G2 at a base rate of \$21.90 an hour, effective September 11, 2022. Motion Carried.

Moved-Seconded (Deibert-Ewing) to approve the classification change for Brandon Rosenau as a full-time permanent Deputy I G3 at a base rate of \$26.90 an hour, effective September 11, 2022. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve the new hire for Crystal Chaffins as a part-time fill-in Correctional Officer I G1 at a base rate of \$20.22 an hour, effective September 6, 2022 pending completion of pre-work screening. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve the new hire for Elizabeth Cynkar as a full-time permanent Deputy II G3 at a base rate of \$28.55 an hour, effective September 21, 2022. Motion Carried.

Moved-Seconded (Flanagan-Deibert) as FMLA has been exhausted, to continue the employment of Jolene Wetz with reasonable accommodation for 60 days. Motion Carried.

Moved-Seconded (Deibert-Ewing) to allow employees to donate leave to Jolene Wetz upon the exhaustion of the employee's accumulated vacation time, compensatory time and sick leave-not to exceed an additional 4 weeks. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Deibert-Ewing) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of August 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)-\$80,237.21; total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$3,594.84; petty cash-\$1,860.00; total amount of deposits in bank include: bank balance \$21,212,828.81; US Bank balance \$41,266,242.75; money market \$4,997,571.99. Total \$72,563,685.60. Motion Carried.

OPIOID SETTLEMENT MEMORANDUM OF AGREEMENT: Moved-Seconded (Deibert-Flanagan) to approve and authorize the Vice Chairman to sign and enter into this 'South Dakota Opioid Settlement Memorandum of Agreement' relating to the allocation and use of the proceeds of any Settlement as described in the MOA. Motion Carried.

ABATEMENT: Moved-Seconded (Deibert-Flanagan) to approve the abatement for Nicholas N. Paladino on parcel #32740-00800-011-00 for 2021 taxes payable in 2022 as the property is tax exempt. Motion Carried.

I-90 SPEARFISH AREA WELCOME CENTER/REST AREA STAKEHOLDER

MEETING: Bruce Outka, Deputy State's Attorney, informed the board of the upcoming I-90 Spearfish Area Welcome Center/Rest Area Stakeholder meeting being held on September 27, 2022 at 1:30 p.m. at Spearfish City Hall.

SHERIFF:

PUBLIC SAFETY & SERVICES CENTER PROJECT UPDATE: Brian Dean, Sheriff, gave an update on the Public Safety & Services Center. Commissioner Deibert requested an updated construction schedule on a monthly basis.

VEHICLE BIDS: Moved-Seconded (Deibert-Flanagan) to set the bid opening for four (4) patrol vehicles model year 2023 on September 27, 2022 at 8:15 a.m. contingent upon the approval of the 2023 Budget. Motion Carried.

AXON BODY WORN CAMERA SYSTEM: Moved-Seconded (Deibert-Flanagan) to approve and authorize Brian Dean, Sheriff, to pre-order the Axon Body Worn Camera System equipment budgeted for in 2023, contingent upon the approval of the 2023 Budget. Motion Carried.

HIGHWAY:

FUEL QUOTES: The following fuel quote was submitted as of August 30, 2022: **Deadwood Diesel #2 (dyed) 6000 gallons:** (prices per gallon) CBH Cooperative - \$4.528; MG Oil -\$4.479* **Deadwood Unleaded 5000 gallons:** (prices per gallon) CBH Cooperative - \$3.722; MG Oil - \$3.709* **Spearfish Diesel #2 (dyed) 3000 gallons:** (prices per gallon) CBH Cooperative - \$4.528; MG Oil -\$4.479* **Spearfish Unleaded 1200 gallons:** (prices per gallon) CBH Cooperative - \$3.722; MG Oil -\$3.709* **Whitewood Diesel #2 (dyed) 700 gallons:** (prices per gallon) CBH Cooperative - \$4.528; MG Oil -\$4.479* *Represents accepted quote.

PERMITS:

SLH HOLDINGS (PEACEFUL PINES): Moved-Seconded (Deibert-Flanagan) to continue until September 27, 2022 the commercial approach permit for SLH Holdings (Peaceful Pines) to construct a commercial approach on the north side of St. Onge Road located approximately 600' east of the NBL of Highway 85/Colorado Blvd intersection to allow for discussion with the City of Spearfish about expanding Colorado Blvd corridor study to include this area. Motion Carried.

SLH HOLDINGS (PEACEFUL PINES): Moved-Seconded (Deibert-Flanagan) to continue until September 27, 2022 the commercial approach permit for SLH Holdings (Peaceful Pines) to construct a commercial approach on the north side of St. Onge Road located approximately 1,150'

east of the NBL of Highway 85/Colorado Blvd intersection to allow for discussion with the City of Spearfish about expanding Colorado Blvd corridor study to include this area. Motion Carried.

SODAK HOMESTAKE SPENDTHRIFT TRUST: Moved-Seconded (Deibert-Flanagan) to follow the recommendation of Allan Bonnema, Highway Superintendent, and approve the private approach permit for SODAK HOMESTAKE Spendthrift Trust to construct a private approach on the east side of Red Hill Road located approximately 900' south from the Homestake Road/Red Hill Road intersection. Motion Carried.

RATH: Moved-Seconded (Deibert-Ewing) to continue until September 27, 2022 the private approach permit for Anthony Rath to construct a private approach on the north side of Crook City Road located approximately 1/8 mile east of 11896 Crook City Road driveway to get agreement for the section line in place with the approach permit. Motion Carried.

DEER MOUNTAIN SANITARY DISTRICT: Moved-Seconded (Deibert-Flanagan) to continue until September 27, 2022 the permit to occupy County highway right-of-way for Deer Mountain Sanitary District located in Section 19 & 20, T4N, R3E along County Road: Brownsville/Englewood/Deer Mountain to allow for a representative and/or legal counsel to be present. Motion Carried.

BRIDGE REPLACEMENT JOINT POWERS AND FUNDING AGREEMENT: Moved-Seconded (Deibert-Flanagan) to approve and authorize the Vice-Chairman to sign the Bridge Replacement Joint Powers and Funding Agreement (Whitewood Service Road Bridge structure number 41-228-112 project number BRF-B 6545(04) PCN 08N0) between the State of South Dakota, acting by and through its Department of Transportation and Lawrence County. Motion Carried.

2020 BRIDGE REPLACEMENT FUNDING AGREEMENT AMENDMENT: Moved-Seconded (Deibert-Flanagan) to follow the recommendation of Allan Bonnema, Highway Superintendent, to approve and authorize the Vice-Chairman to sign Amendment Number 1 (Elmore Bridge structure number 41-079-199 project number BRO 8041(184) PCN 0854) to the Department of Transportation Funding Agreement (717442) between the State of South Dakota and Lawrence County. Motion Carried.

PROJECT UPDATES: Allan Bonnema, Highway Superintendent, gave an update on the Oliver Street project which came in under budget, Westview Road project which came in under budget and the chip seal project. Bonnema stated all these projects are complete.

GRAVEL/CRUSHING AND STOCKPILING BIDS: Moved-Seconded (Deibert-Ewing) to set the bid opening for crushing and stockpiling +/-15,000 tons of gravel at the Clayton II Pit on September 27, 2022 at 8:30 a.m.. Motion Carried.

SURPLUS PROPERTY: Moved-Seconded (Deibert-Flanagan) to declare used culverts surplus and authorize sale of recyclable scrap iron. Motion Carried.

9:11 a.m. Commissioner Richard Sleep was present.

JOB DESCRIPTION/ADVERTISE FOR HIGHWAY SUPERINTENDENT POSITION: Moved-Seconded (Deibert-Sleep) to approve the updated job description and authorize the advertisement of the Highway Superintendent position. Motion Carried.

2023 BUDGET: A public hearing was held on the proposed 2023 budget.

No comments were voiced and the Vice-Chairman closed the hearing.

The Board will consider adoption of the budget at the September 27, 2022 meeting.

PLANNING & ZONING:

DEVELOPMENT PLAN/MEYER & VERBEEK: Public Hearing was held on development plan #2022-02 APPLICANTS: Dean Meyer/Tim Berbeek LEGAL DESCRIPTION: Lot C-1 of Gilded Mt S/D M.S. 1755 in Section 6, T4N, R3E. VICINITY LOCATION: Intersection of Hwy 14A & Gilded Mt Road SUMMARY: Specialty Resort (3 cabins) ZONING: HSC ACREAGE: 2.11.

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

Dean Meyer, applicant, was present to answer questions.

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

Moved-Seconded (Flanagan-Deibert) to approve development plan #2022-02 noting that the front is considered along Highway 14A. APPLICANTS: Dean Meyer/Tim Berbeek LEGAL DESCRIPTION: Lot C-1 of Gilded Mt S/D M.S. 1755 in Section 6, T4N, R3E. VICINITY LOCATION: Intersection of Hwy 14A & Gilded Mt Road SUMMARY: Specialty Resort (3 cabins) ZONING: HSC ACREAGE: 2.11. Motion Carried.

CHANGE OF ZONING #352/GOLDSMITH PROPERTIES, LLC.: Second Reading was held on change of zoning #352 APPLICANT: Goldsmith Properties, LLC LEGAL DESCRIPTION: Tract I, being a portion of the Nemo Placer M.S. 1368 located in the NW ¼ of Section 27 and the NE ¼ of Section 28, T3N, R5E VICINITY LOCATION: Nemo SUMMARY: Change zoning to residential to subdivide ZONING: PF/SRD ACREAGE: 7.470.

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

Moved-Seconded (Sleep-Deibert) to approve COZ #352 APPLICANT: Goldsmith Properties, LLC LEGAL DESCRIPTION: Tract I, being a portion of the Nemo Placer M.S. 1368 located in the NW ¼ of Section 27 and the NE ¼ of Section 28, T3N, R5E VICINITY LOCATION: Nemo SUMMARY: Change zoning to residential to subdivide ZONING: PF/SRD ACREAGE: 7.470. Motion Carried.

9:29 a.m. Commissioner Deibert left the table.

CHANGE OF ZONING #353/FREMONT: First Reading and Public Hearing was held on change of zoning #353 APPLICANT: Riley Fremont LEGAL DESCRIPTION: NE ¼ NW ¼ of Section 31, T7N, R2E VICINITY LOCATION: Spearfish West SUMMARY: Change zoning to allow subdivision ZONING: A-1 to A-2 ACREAGE: 40 +/-.

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

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

Commissioner Sleep stated he is against breaking up agriculture land to A-2.

Second Reading scheduled for September 27, 2022 at 9:30 a.m.

9:32 a.m. Commissioner Deibert returned to the table.

PLANNING & ZONING UPDATES:

PERFORMANCE BOND/MAITLAND PARTNERS: Moved-Seconded (Deibert-Flanagan) to approve the performance bond and authorize the Vice-Chairman to sign the Memorandum of Agreement between Lawrence County and Maitland Partners, LLC. for the removal of trees for fire mitigation. Motion Carried.

LETTER OF CREDIT/APPLE SPRINGS: Amber Vogt, Planning & Zoning Administrator, presented her staff report.

Moved-Seconded (Deibert-Sleep) to continue the letter of credit for Apple Springs to a time when the plat has been approved by Planning & Zoning and then the plat and letter of credit will be presented together to the Board of County Commissioners for consideration. Motion Carried.

PLATS:

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.

Allan Schreier, Schreier Engineering, Inc., presented an overview of Paradise Acres and Harley Estates.

Moved-Seconded (Deibert-Sleep) to continue the preliminary plat until September 27, 2022 to allow for the design of the water system from the applicant. APPLICANT: Maitland Partners, 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 124-132 of Paradise Acres IV located in Section 7, T5N, R3E VICINITY LOCATION: Maitland Road SUMMARY: New lots ZONING: PF. Motion Carried.

FINAL PLAT/MAITLAND PARTNERS, LLC.: APPLICANT: Maitland Partners, LLC LEGAL DESCRIPTION: Plat of Lots 103, 106, 107 and 109 and dedicated public ROW Paradise Acres IV in Section 18, T5N, R3E (legal shortened) VICINITY LOCATION: Maitland Road SUMMARY: New lots/1st Final/Bonding/Road Infrastructure finalization ZONING: PF.

Moved-Seconded (Deibert-Flanagan) to approve the final plat for APPLICANT: Maitland Partners, 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: Plat of Lots 103, 106, 107 and 109 and dedicated public ROW Paradise Acres IV in Section 18, T5N, R3E (legal shortened) VICINITY LOCATION: Maitland Road SUMMARY: New lots/1st Final/Bonding/Road Infrastructure finalization ZONING: PF. Motion Carried.

AMENDED PRELIMINARY PLAT/KLOSS DEVELOPMENT: APPLICANT: Kloss Development LEGAL DESCRIPTION: Dakota Highlands Estates (Approx. 55 lots) VICINITY LOCATION: Whitewood SUMMARY: Amendment to road entry on preliminary ZONING: PF.

Delayne Parlet, 20234 Frontier Loop, Whitewood SD, voiced his concern with the safety of Frontier Loop.

Moved-Seconded (Sleep-Deibert) to continue the amended preliminary plat until September 27, 2022. APPLICANT: Kloss Development 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: Dakota Highlands Estates (Approx. 55 lots) VICINITY LOCATION: Whitewood SUMMARY: Amendment to road entry on preliminary ZONING: PF. Motion Carried.

Amber Vogt, Planning & Zoning Administrator, will notify the applicant to provide an update on the issues with the Homeowners' Association.

PRELIMINARY & FINAL PLAT/PARKER & EIDEM & MARCHIANDO: APPLICANTS: Stephen & Celeste Parker; Dale & Julie Eidem and John & Karen Marchiando, LLC. LEGAL DESCRIPTION: Lot 13R; 9R and 23 R in Victoria Valley Estates Section 17, T5N, R2E (legal shortened) VICINITY LOCATION: Spearfish Canyon SUMMARY: Lot line revisions ZONING: PF.

Moved-Seconded (Deibert-Ewing) declaring that the plat for APPLICANTS: Stephen & Celeste Parker; Dale & Julie Eidem and John & Karen Marchiando, LLC. meets exemption criteria per Subdivision Ordinance, Chapter 4 Article 3. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve the preliminary & final plat for APPLICANT: Stephen & Celeste Parker; Dale & Julie Eidem and John & Karen Marchiando, 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: Lot 13R; 9R and 23 R in Victoria Valley Estates Section 17, T5N, R2E (legal shortened) VICINITY LOCATION: Spearfish Canyon SUMMARY: Lot line revisions ZONING: PF. Motion Carried.

FINAL 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/1st Final ZONING: PF.

Moved-Seconded (Deibert-Sleep) to continue the final plat until September 27, 2022 to allow for the as-builts to be submitted and any outstanding information to be provided. APPLICANT:

Canyon, 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 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/1st Final ZONING: PF. Motion Carried.

PRELIMINARY PLAT/SHINING DAWN ELEMENT, LLC.: APPLICANT: Shining Dawn Element, LLC. LEGAL DESCRIPTION: Plat of Tract of A and Tract B a subdivision of McLeod M.S. 1153 located in Section 18, T4N, R3E. VICINITY LOCATION: Hwy 85 SUMMARY: Subdivision/Fire Plan needs to be implemented ZONING: RC.

Moved by Deibert to approve the preliminary plat contingent upon the Department of Transportation approval of the depiction of the Right-of-Way as shown. APPLICANT: Shining Dawn Element, 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: Plat of Tract of A and Tract B a subdivision of McLeod M.S. 1153 located in Section 18, T4N, R3E. VICINITY LOCATION: Hwy 85 SUMMARY: Subdivision/Fire Plan needs to be implemented ZONING: RC. Motion died due to lack of second.

Moved-Seconded (Deibert-Sleep) to continue the preliminary plat to allow for more information from the Department of Transportation. APPLICANT: Shining Dawn Element, 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: Plat of Tract of A and Tract B a subdivision of McLeod M.S. 1153 located in Section 18, T4N, R3E. VICINITY LOCATION: Hwy 85 SUMMARY: Subdivision/Fire Plan needs to be implemented ZONING: RC. Motion Carried.

FINAL PLAT/BH DEVELOPMENT, LLC.: APPLICANT: BH Development, LLC. LEGAL DESCRIPTION: Tract BLM and Common Area of the Subdivision of Common Area A of Powder House Pass located in Nile, Cairo & Cairo No 6 M.S. 1834 situated in the S ½ of Section 8, T4N, R3E VICINITY LOCATION: Hwy 85 SUMMARY: BLM land transfer ZONING: PUD.

Moved-Seconded (Deibert-Sleep) to approve the final plat for APPLICANT: BH Development, 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: Tract BLM and Common Area of the Subdivision of Common Area A of Powder House Pass located in Nile, Cairo & Cairo No 6 M.S. 1834 situated in the S ½ of Section 8, T4N, R3E VICINITY LOCATION: Hwy 85 SUMMARY: BLM land transfer ZONING: PUD. Motion Carried.

PRELIMINARY & FINAL PLAT/BH PROPERTIES, LLC.: APPLICANT: BH Properties, LLC. LEGAL DESCRIPTION: Lots 12-16, Blk 12 and Dedicated Public ROW of Trailside Addition of Powder House Pass Section 17, T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New lots/infrastructure is bonded ZONING: PUD.

Moved-Seconded (Deibert-Sleep) to approve the preliminary & final plat for APPLICANT: 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 DESCRIPTION: Lots 12-16, Blk 12 and Dedicated Public ROW of Trailside Addition of Powder House Pass Section 17, T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New lots/infrastructure is bonded ZONING: PUD. Motion Carried.

SURPLUS PROPERTY SALE UPDATE:

Deb Tridle, Treasurer and Bruce Outka, Deputy State's Attorney, explained the timeline of grantees/grantors for property legally described as an isolated triangular tract North East of the said highway in the SW1/4NE1/4 of Sect. 5 T.7N R.3E. BHM, said tract being 322.5 feet by 351.0 feet by 560.0 feet, and containing 1.3 acres more or less. The board directed the Board of Appraisers to reconvene and reappraise the property due to the unknowns with the deed.

Moved-Seconded (Deibert-Sleep) to auction the property legally described as Lots 11, 12, 13, 14, 15 and that part of Lot 17 lying exactly between Lots 12 & 13 and above Fremont Street described in Book 341 Page 251 recorded in the Lawrence County Register of Deed. All in Highland Addition City of Deadwood, County of Lawrence, State of South Dakota. Plat documents 1/210,

leaving the auction date to the discretion of Bruce Outka, Deputy State's Attorney. Motion Carried.

Moved-Seconded (Deibert-Sleep) to auction the property legally described as an isolated strip of land South West of the new St. Onge-Belle Fourche Highway in the NW1/4 of the NE1/4 of Section 5 T.7N R.3E BHM containing 4.95 acres more or less. Said strip of land being triangular in shape, 780 feet west, 668 feet north and 1032 feet diagonal along said highway, leaving the auction date to the discretion of Bruce Outka, Deputy State's Attorney. Motion Carried.

ITEMS FROM THE PUBLIC: None.

ITEMS FROM THE COMMISSIONERS: Commissioner Deibert gave an update on the Natural Resource committee meeting. Deibert noted for the record that the cooperating agency status with the Forest Service is not working as it should.

BILLS: Moved-Seconded (Deibert-Flanagan) to approve payment of the following payroll and vouchers listed below for expenditures for insurance, professional services, publications, rentals, supplies, repairs, maintenance, travel, conference fees, utilities, furniture and equipment drawn on the proper funds and various departments and to allow for a manual check to be written to Thomas & Sons Moving Co. LLC. in the amount of \$2,035.00. Motion Carried.

Payroll: Comm-\$14,940.00; Aud-\$24,854.39; Treas-\$31,502.55; States Atty-\$38,121.85; Pub Def-\$27,481.82; Gen Govt Bldg-\$21,736.42; Equal-\$32,249.60; Rod-\$16,164.06; Vso-\$3,829.20; Ist-\$21,184.78; Sher-\$95,691.12; Jail-\$65,034.46; Coroner-\$3,632.52; 24/7-\$1,148.18; Emerg Mgmt-\$13,345.58; E911-\$32,538.01; Highway-\$100,030.55; Weed-\$13,498.23; P&Z-\$16,257.29; **Bills:** American Family Life-\$2,808.44; Black Hills Energy-\$15,166.90; Bluepeak-\$1,876.01; Deadwood Recreation Center-\$604.00; Delta Dental Of South Dakota-\$8,517.02; Dept Of The Treasury-\$67,004.40; LC Treasurer-\$14.20; Midcontinent Communications-\$154.67; Montana Dakota Utilities-\$71.94; Northern Hills Rec Center-\$107.00; Office Of Child Support-\$456.46; Sd Assn Of Co Comm-\$245.00; Sd Retirement System-\$67,177.97; Sdrs Supplemental Retirement-\$3,532.50; State Disbursement Unit-\$599.47; Wellmark Blue Cross-\$116,584.73; Bey, John-\$26.00; Sheeler, Daniel-\$26.00; Mccroden, Matthew-\$74.03; Moser, Douglas-\$96.00; Hamann, Alex-\$96.00; A To Z Shredding-\$51.22; A&B Business,Inc Solutions-\$1,557.78; A&B Welding Supply-\$24.49; A&J Supply-\$36.00; American Solutions For Busines-\$1,188.11; At&T Mobility-\$1,114.65; BH Pest Control-\$190.00; Badge Frame-\$547.02; Barcodes-\$337.46; Barnaud Law Firm-\$3,734.45; Big Sky Communications-\$152.00; Black Hills Chemical-\$1,597.15; Black Hills Psychology-\$900.00; Bomgaars Supply-\$20.37; Brosz Engineering-\$8,957.50; Bruemmer, Lynnel-\$87.40; Butler Machinery Co-\$63.71; Butte Electric Coop-\$91.51; Century Business Products-\$173.63; Chadams-\$270.00; Clinical Lab Of BH-\$2,171.00; Cna Surety-\$50.00; Cornelius, Kaylee-\$1,380.00; Dakota Equip Rental/Chain Saw-\$780.00; Deadwood, City Of-\$2,017.85; Dept Of The Treasury-\$71,437.79; Diamond Pharmacy-\$1,258.88; Dustbusters-\$13,875.37; Ecolab-\$156.42; Esri-\$4,500.00; Galls-\$361.65; Gene's Lock Shop-\$51.96; Godfrey's Brake Serv-\$356.02; Great Western Tire-\$734.64; HM Cragg-\$3,965.00; Hartford-Priority Accounts-\$2,253.82; Hp Inc-\$302.68; Hub Intl Mountain States Limit-\$50.00; Jacobs Precision Welding-\$196.20; Janke, Wendy-\$1,200.00; Jobgen, Kara-\$3,022.50; Karen Paige Hunt-\$473.50; Kiesler's Police Supply-\$1,202.14; Knecht Home Center-\$10.77; Kosel, Joseph-\$5,947.70; Lead, City Of-\$42.01; Lead-Deadwood Sanitary-\$1,109.21; Lincoln County-\$691.24; Mastercard-\$4,663.15; Mckesson Medical-\$221.54; Mg Oil Company-\$64,206.31; Mid-Continent Testing-\$383.00; Montana Dakota Utilities-\$3,805.20; Monument Health Network-\$4,080.04; Monument Health Rc Hospital-\$922.00; Ms Mail-\$25.00; Murphy Law Office-\$4.82; Nalco Company-\$323.76; Newman Signs-\$11,403.74; North Central Int'l-\$323.93; Odp Business Solutions-\$259.67; Office Of Child Support-\$456.46; On-Site First Aid & Safety-\$257.70; Overhead Door Company Of Rapid-\$450.59; Pcsa Addiction Treatment Serv-\$904.00; Pfefferle, Sarah-\$218.72; Pharmchem-\$691.90; Pitney Bowes Global Financial-\$165.33; Powerplan-\$2,345.16; Printscan-\$4,495.00; Priority Dispatch-\$4,944.00; Queen City Rocket Lube-\$254.60; Quill-\$177.54; Ramkota Inn Pierre-\$80.00; Rasmussen Mechanical Serv-\$393.81; Rcs Construction-\$717,230.69; Runnings Supply-\$1,005.46; Ryan, Suzanne-\$240.00; Sacrison Paving-\$289,302.96; Safe Life Defense-\$525.60; Sanford Health Occupational-\$105.00; Schlimgen Law Firm-\$1,455.35; Scott Peterson Motors-\$251.87; Sd Department Of Public Safety-\$5,400.00; Sd Dept Of Transportation-\$5,623.25; Sd State Treasurer-\$1,223.26; Secretary Of State-\$30.00; Seifert, Mary-\$100.00; Semerad, Sandra-\$47.60; Servall Towel & Linen-\$625.70; Sherwin-Williams-\$108.29; Sign Solutions Usa-\$320.87; Silverado-\$991.99; Simon North Region-\$137,240.03; Sonnel Technologies-\$594.52; Spearfish Auto Supply-\$1,735.16; Spearfish City Of-\$34.38; State Disbursement Unit-\$599.47; Sterna, Laura-\$480.00; Sturdevant's Auto Parts-\$1,123.42; Summit

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Fire Protection-\$978.75; Sysco Montana-\$3,459.65; Thinkmate-\$131.00; Thomas L Bennett, MD-\$4,230.00; Transource Truck & Equip-\$1,358.36; Triple K Tire & Repair-\$984.99; Trugreen Chemlawn-\$68.02; Turbiville Industrial Electric-\$442.62; Twin City Hardware & Lumber-\$179.40; Waeckerle Law-\$1,054.30; Wells Fargo Banks-\$144.67; Wells Plumbing & Farm Supp-\$767.32; West Tire & Alignment-\$2,182.64; Western Communication-\$93.45; Western Construction-\$26,172.60; White's Queen City Motors-\$980.88; **Witness & Jurors:** \$1,705.78.

ADJOURN: 10:39 a.m. There being no further business, Vice-Chairman Ewing adjourned the meeting. Motion Carried.

Date Approved

Randall Rosenau, Chairperson

ATTEST:

Brenda McGruder, Auditor