

**LAWRENCE COUNTY
RESOLUTION #2023-01
ELECTION OFFICIALS COMPENSATION**

WHEREAS, SDCL 12-15-11 requires the Lawrence County Commission at its first regular meeting each year 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	\$200.00
Judges	\$175.00

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. 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 3rd day of January, 2023.

For the Board:

Chairperson

ATTEST:

BRENDA MCGRUDER, Auditor

**LAWRENCE COUNTY
RESOLUTION #2023-02
POLLING PLACES & PRECINCTS**

WHEREAS, SDCL 12-14-1 requires 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 Ward	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 3rd day of January, 2023.

For the Board

Chairperson

ATTEST:

BRENDA MCGRÜDER, Auditor

LAWRENCE COUNTY
RESOLUTION 2023-03
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 2023: Wells Fargo-South Dakota 131 W Hudson St. Spearfish, 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; SD; Black Hills Community Bank of Spearfish, P.O. Box 249 Spearfish; 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 2023.

Dated this 3rd day of January, 2023.

FOR THE BOARD
LAWRENCE COUNTY COMMISSIONERS

Chairperson

ATTEST:

Brenda McGruder-Auditor

Lawrence County
Resolution # 2023-04
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
Agricultural Tourism Permit	\$250.00	1 time fee if approved uses remain the same
Appeals/Variances Public Notice Signage Deposit	\$300.00 (non-refundable) \$100.00 (refundable upon return of sign)	Board of Adjustment
Change of Zoning (COZ) Public Notice Signage Deposit	\$ 400.00 (non-refundable) \$100.00 (refundable upon return of sign)	
Text Change Ordinance Amendments (ORD)	\$ 200.00	Non-Change of Zoning
Conditional Use Permit (CUP) Public Notice Signage Deposit	\$ 400.00 (non-refundable) \$100.00 (refundable upon return of sign)	Fee doubled if use is commenced prior to application
Major Amendment	\$ 400.00	For a PUD or CUP
Minor Amendment	\$ 200.00	For a PUD or CUP
Temporary Use Permits	\$250.00	
Development Permits	\$ 200.00 \$100.00 (refundable upon return of sign)	On Commercially Zoned Property
Sewer Permits	\$ 20.00	
Building Permit-Initial \$30 for the first \$1,000 of the structure's value and \$3 for each additional \$1,000 The base valuation shall be	<ul style="list-style-type: none"> • -\$142 \$160 finished residential space • \$15 \$22 unfinished basements • \$75 \$85 garages/pole buildings 	

determined by a dollar per square foot. (see fee schedule in next column) Structure's value shall be determined by the total valuation of each building permit.	<ul style="list-style-type: none"> ● \$15 \$22 decks/gazebos/carports ● \$142 \$160 mobile homes (subtract 3% per year of age or \$30 whichever is greater) ● \$180 \$200 commercial 	
Building Permit-Violation	Double the Original Fee	If concrete forms is commeneed are started prior to issuance of building permit
Contractor Licensing-Initial	\$75	
Contractor Licensing-Violation	\$150	Double the original fee
Any outside consultants for plan checking, inspections, commercial plan reviews or both		Actual cost paid by the applicant
Off Premise Signs (Billboards)	\$250	
On Premise Signs; Home Occupation; or Community Signs	\$100	

Adopted this day of 3rd January, 2023

LAWRENCE COUNTY COMMISSIONERS

Chairman

ATTEST:

Brenda McGruder, Auditor

LAWRENCE COUNTY RESOLUTION 2023-05
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 \$75.00/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 a 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 \$75.00/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 3rd day of January, 2023.

Lawrence County Commission:

_____, Chairman

BRIAN DEAN, Sheriff

ATTEST:

BRENDA MCGRÜDER, Auditor

Resolution #2023-06

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 IT 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:

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| 1. | Standard funeral, casket and burial
(Including vault) | \$2,210.00 |
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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.

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| 2. | Standard funeral, casket and burial
(No vault required) | \$1,760.00 |
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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.**

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| 3. | Funeral followed by cremation | \$1,985.00 |
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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.**

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| 4. | Direct cremation - no services or services held by family | \$1,170.00 |
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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 3rd day of January, 2023.

Lawrence County Commission:

_____, Chairman

ATTEST:

Brenda McGruder, Auditor