



# LAWRENCE COUNTY

SOUTH DAKOTA

*"Where Beauty and Adventure Meet"*

## Lawrence County Commission Agenda Commission Room ~ 90 Sherman Street Deadwood, South Dakota

**Tuesday, January 24, 2023**

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### REGULAR MEETING

**8:00 a.m. ~ Call Meeting to Order**



**PLEDGE OF ALLEGIANCE** - *I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands: one nation under God, indivisible, with liberty and justice for all.*

**~ General/Pending Business**

**BOARD DISCUSSION/ACTION:** □ Approve agenda □ Declare conflicts □ Approve minutes from January 3, 2023 □ Auditor's Account with Treasurer □ Personnel □ Bills □ Travel request(s) □ Amended Resolution #2023-4, Planning and Zoning Fee Schedule □ Automatic budget supplement ~ Sheriff Travel \$7,754.54 (insurance proceeds) □ LEMPG quarterly report □ 2023 Butte/Lawrence County Fair Agreement □ Declare surplus two 9mm Glock model 17 handguns (serial #BMWK749 and #BHMR730) □ Raffle(s) □ Order Adjusting Boundary of Aspen Hills Road District □ Abatement(s) □ Employee appointment to Insurance Committee

**8:15 a.m. ~ Brian Dean, Sheriff**

**BOARD DISCUSSION/ACTION:** □ Sheriff's Report □ Public Safety and Service Center Project update □ Agreement for consultant services w/RFCC Communications Consulting (potential executive session SDCL 1-25-2(3) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters)

**8:25 a.m. ~ Brenda McGruder, Auditor**

**BOARD DISCUSSION/ACTION:** □ **PUBLIC HEARING** ~ Supplemental Budget, EQ Capital Assets - \$29,587.00 (carryover vehicle purchase from 2022)

**8:30 a.m. ~ John Bey, Highway Superintendent**

**BOARD DISCUSSION/ACTION:** □ Highway Business (Personnel, Approach Permits, Driveway Permits, Utility Permits, plats) □ Authorization to advertise for annual supplies and materials: magnesium chloride, hot mix asphalt, cold mix asphalt, gravel aggregate, de-icing sand, hot mix paver patching, precast concrete culverts, box culverts, bridge beams and bridge deck units and set bid opening for March 14, 2023 at 8:30 a.m. □ Authorization to advertise for bids for the 2023 Chipsealing/Fogsealing projects: McGuigan Road (1.62 miles), N. Rochford Road (3.5 miles) and Old Belle Road (5.64 miles) (Bid Opening: February 14, 2023 @ 8:30 a.m.) □ Resolution #2023-08, Spring Load Limits □ Letter requesting enforcement by SD Motor Carrier Services of load limits □ Utilities Certificate, ROW Certificate and Agreement for temporary easement Re: Project No. BRF 6404(00)22-1 PCN 08WJ □ Project updates □ Amendment to Agreement for Improvement to Section Line Highway □ Draft Resolution with City of Spearfish Re: Road Jurisdiction

**9:00 a.m. ~ Amber Vogt, Planning & Zoning Director**

**BOARD DISCUSSION/ACTION:** □ Update: Kurt Campbell/The Timbers water system/request to allow Occupancy Permits □ Ordinance discussion related to Guest Houses & Temporary 2nd Residences □ Plats:

1. **LAYOUT PLAN ~ APPLICANT:** White Buffalo Properties, LLC **LEGAL DESCRIPTION:** Layout Plan for Lots 6A and 7A of HES 537 in Section 24, T3N, R4E **VICINITY LOCATION:** Nemo Rd/Penny Lane **SUMMARY:** Change of lot lines **ZONING:** PF **PARCEL ID:** 09000-00304-020-32 **ACTION REQUIRED:** Approval/Denial
2. **PRELIMINARY & FINAL PLAT ~ APPLICANT:** Jimmy Jordan **LEGAL DESCRIPTION:** Plat of Lots 1-4 of M.S. 1741 Alpha Lode Subdivision of Section 34, T4N, R3E **VICINITY LOCATION:** Brownsville Road/Pahkamma Road **SUMMARY:** New lot/Fire Plan has been received and implemented/USFA has issued a private road special use permit **ZONING:** PF **PARCEL ID:** 26680-01741-000-76 **ACTION REQUIRED:** Approval/Denial
3. **PRELIMINARY & FINAL PLAT ~ APPLICANT:** David Winter **LEGAL DESCRIPTION:** Plat of Lot 2H-1 and 2H-2 of Majestic Heights in Section 13, 23, 24, 25, T5N, R3E **VICINITY LOCATION:** Boulder Canyon **SUMMARY:** New lots/bonding is in place **ZONING:** PF **PARCEL ID:** 26046-00503-020-00 **ACTION REQUIRED:** Approval/Denial
4. **FINAL PLAT ~ APPLICANT:** BH Properties, LLC **LEGAL DESCRIPTION:** Lots 1 Blk 1; 8-9, Blk 4; 12 Blk 5 and dedicated public row of Auburn Acres being a sub of a portion of Tract 2 of Powder House Pass located in the SE ¼ of Section 18, SW ¼ of Section 17 and the NE ¼ of Section 19, T4N, R3E **VICINITY LOCATION:** Hwy 85 **SUMMARY:** New lots/bonding is in place/fire plan is in process/1st final **ZONING:** PUD **PARCEL ID:** 26450-00200-000-00 **ACTION REQUIRED:** Approval/Denial
5. **PRELIMINARY & FINAL PLAT ~ APPLICANTS:** Duffy Croft and Stacey Sanders **LEGAL DESCRIPTION:** Lots 2R; Lot 3 and Lot 4 of HES 48 located in Sections 25 and 36, T4N, R3E **VICINITY LOCATION:** Hwy 385/Archery Road **SUMMARY:** Moving lot lines to fix fence line and create a new lot/submitted a fire plan **ZONING:** PF **PARCEL ID:** 13000-00403-360-30 and 13000-00403-360-40 **ACTION REQUIRED:** Approval/Denial

**9:15 a.m. ~ Brenda McGruder, Auditor**

**BOARD DISCUSSION/ACTION:** □ Delinquent Tax Report: 2021 taxes payable in 2022

**9:30 a.m. ~ Brenda McGruder, Auditor**

**BOARD DISCUSSION/ACTION:** □ Re: PSSC bond redemption ~ Authorize use of assigned funds - \$2,518,478.63 (Assignment approved: 12-28-2021); Authorize use of assigned funds - \$214,563.87 (Assignment approved: 1-26-2021) and Transfer from General Fund to Bond Redemption - \$2,733,042.50 □ 2022 unassigned fund balance

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**9:45 a.m. ~ Alexandra Lux, Teen Court Director**

**BOARD DISCUSSION/ACTION:** □ JDAI grant and program participation agreement

**10:00 a.m. ~ Michelle May, 4-H Youth Advisor**

**BOARD DISCUSSION/ACTION:** □ 4-H program report

**10:15 a.m. ~ Amber Vogt, Planning & Zoning Director**

**BOARD DISCUSSION/ACTION:** □ Update: Spearfish Letter of Map Revision and notice of public meetings scheduled for Monday, February 13, 2023 from 5:00 p.m. to 7:00 p.m. and Tuesday, February 14th from 1:00 p.m. to 3:00 p.m. at Spearfish City Hall

*View:*

<https://map1.msc.fema.gov/mipdata/22-08-0442P-460046.pdf?LOC=cd8318537a111870ba0b1a1b5b3d1f59>

**10:30 a.m. ~ Items From the Public**

**BOARD DISCUSSION:** □ Items raised by the public for discussion (*3 minute limit per person. Time may be extended at the discretion of the Chairman*)

**10:45 a.m. ~ Items From Commissioners**

**BOARD DISCUSSION:** □ Items raised by commissioners for discussion/Committee reports

**11:00 a.m. ~ Adjourn**

**BOARD DISCUSSION/ACTION:** □ Adjourn

ADA Compliance: Lawrence County fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Commissioners' Assistant 605.722.4167 24 hours prior to the meeting so that appropriate auxiliary aids and services are available.

\* Times are approximate. *The preferred practice of the Board is to proceed through the agenda in the order it is published. From time to time, agenda items may be disposed of quickly leaving a gap in the meeting agenda prior to the next advertised agenda item start time. To utilize time effectively in those circumstances, the Board may move items up on the agenda to fill those gaps.*

\*\* Agenda subject to change as announced at the meeting

\*\*\* Next County Commission Meeting: February 14, 2023 at 8:00 a.m.

Join the meeting from your computer, tablet or smartphone.

<https://meet.goto.com/152688557>

You can also dial in using your phone.

Access Code: 152-688-557

United States: +1 (312) 757-3121

**NOTICE OF QUORUM: Lawrence Conservation District Meeting  
Re: Water**

Pursuant to SDCL Ch. 1-25-1, notice is hereby given that a quorum of the Lawrence County Commission and/or Natural Resources Committee may be present at the Lawrence Conservation District meeting on **January 26, 2023 from 6:00 p.m. - 8:00 p.m.** (MST). The location of the meeting is **Hudson Hall, 222 West Hudson, Spearfish, South Dakota**

Date: 01/18/2023