

LAWRENCE COUNTY COMMISSIONERS MEETING – April 14, 2020 page-1

Vice-Chairman Brandon Flanagan called the regular meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 8:00 a.m. on April 14, 2020 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD. Commissioner Daryl Johnson, Richard Sleep and Randy Deibert were available by video conferencing (GoToMeeting). Absent-Randall Rosenau.

Roll-call voting was used and all motions were passed by unanimous vote, by all members present, unless stated otherwise.

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

DECLARE CONFLICTS AND DISCLOSURES: Commissioner Deibert declared a conflict with the 10:00 a.m. agenda item: value real property and sale of real property.

MINUTES: Moved-Seconded (Johnson-Deibert) to approve the minutes of March 24, 2020, County Commission meeting. Motion Carried.

Moved-Seconded (Johnson-Deibert) to approve the minutes of March 27, 2020, Emergency County Commission meeting. Motion Carried.

PERSONNEL:

HIGHWAY/OUT-OF-CLASS PAY: Moved-Seconded (Deibert-Flanagan) to approve the out-of-class pay for Norm Burleson and Daniel Sheeler at a base rate of \$29.89 for 8 hours on March 13, 2020. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve the out-of-class pay for Norm Burleson at a base rate of \$29.89 for 12.50 hours on March 14 & 15, 2020.

Discussion followed whether to continue with the current process for approving out-of-class pay or develop an alternative. No consensus was reached.

EXECUTIVE SESSION PERSONNEL: 8:23 a.m. Moved-Seconded (Deibert-Johnson) to go into executive session pursuant to SDCL 1-25-2(1) to discuss personnel. Motion Carried. 8:53 a.m. The Board opened for regular business with no action taken.

SHERIFF: Moved-Seconded (Deibert-Flanagan) to approve Dustin James as a full-time temporary Correctional Officer I G1 for six weeks at a base rate of \$19.26 an hour, effective April 14, 2020. Motion Carried.

Moved-Seconded (Deibert-Flanagan) to approve Cody Kriner as a full-time temporary Correctional Officer I G1 for six weeks at a base rate of \$19.26 an hour, effective April 14, 2020. Motion Carried.

Moved-Seconded (Deibert-Johnson) to approve the extension, due to special circumstances, of the probationary period and residency requirement for one year from date of hire for Lacey Kelly. Motion Carried.

AUDITOR'S ACCOUNT WITH TREASURER REPORT: Moved-Seconded (Sleep-Johnson) to accept the Auditor's Account with the County Treasurer. Motion Carried. As of March 31, 2020; 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)-\$87,593.88; total amount of cash in transit in Treasurer's possession (cash deposit in transit)-\$295.65; petty cash-\$1,860.00; total amount of deposits in bank include: CD's-\$2,000,000.00; bank balance \$11,994,579.61; money market \$9,930,976.94. Total \$24,016,656.08. Motion Carried.

STATE/COUNTY JOINT POWERS AGREEMENT/WEED SPRAYING: Moved-Seconded (Deibert-Sleep) to approve and authorize the Chairman to sign the joint powers agreement for weed spraying services between the State of South Dakota acting by and through its Department of Transportation and Lawrence County. Motion Carried.

RESOLUTION #2020-15/ TEMPORARILY MODIFYING POLLING PLACES FOR THE

2020 PRIMARY ELECTION: Moved-Seconded (Deibert-Flanagan) to approve the following resolution temporarily modifying polling places for the 2020 primary election. Motion Carried. LAWRENCE COUNTY R E S O L U T I O N #2020-15 A RESOLUTION TEMPORARILY MODIFYING POLLING PLACES FOR THE 2020 PRIMARY ELECTION WHEREAS, SDCL 12-14-1 requires that the Lawrence County Commission shall by resolution provide for election precincts throughout its county and shall designate polling places within such precincts; and WHEREAS, pursuant to Resolution #2020-02, the Lawrence County Commission established certain polling places for the precincts in Lawrence County; and WHEREAS, in response to the Coronavirus pandemic, the Lawrence County Commissioners have adopted control measures to protect the health, safety and welfare of the public. See Resolution #2020-14, An Emergency Resolution to Address the Public Health Crisis Caused by the Coronavirus (COVID-19) By Implementing Certain Measures Which Have Been Deemed Necessary to Slow the Community Spread of COVID-19, approved on March 27, 2020; and WHEREAS, in furtherance of efforts to contain the spread of the Coronavirus, the Secretary of State's Office has announced its intention to undertake a mass mailing encouraging each registered voter in the State of South Dakota to vote by absentee ballot via mail in the 2020 primary election; and WHEREAS, as a result of the effort to encourage absentee voting by mail, it is expected that the volume of in-person voting on primary election day will be substantially lowered thereby reducing the number of polling places needed; and WHEREAS, SDCL 12-14-9 allows for flexibility in the selection of polling places by permitting a polling place to be located outside the boundaries of the precinct; and WHEREAS, SDCL 12-14-15 allows the county auditor to recommend a new polling place to be approved by the board of county commissioners; and NOW, THEREFORE BE IT RESOLVED, in consideration of the public health, safety and welfare together with state and local efforts to contain the spread of the Coronavirus, for purposes of the primary election scheduled for June 2, 2020, that Resolution #2020-02, be revised in part and establish polling places for the precincts in Lawrence County as follows: Spearfish 1st Ward-Spearfish Park Pavilion; Spearfish 2nd Ward-Spearfish Park Pavilion; Spearfish 3rd Ward-Spearfish Park Pavilion; Lead Ward-Deadwood Mountain Grand; Deadwood-Deadwood Mountain Grand; Nemo-Deadwood Mountain Grand; Rural #1-Deadwood Mountain Grand; St. Onge-Spearfish Park Pavilion; Whitewood-Spearfish Park Pavilion Rural #2-Spearfish Park Pavilion. DATED this 14th day of April, 2020. For the Board: Brandon Flanagan Chairperson ATTEST: BRENDA MCGRUDER, Auditor.

RESOLUTION #2020-16 / TEMPORARILY SETTING ELECTION OFFICIALS

COMPENSATION FOR THE 2020 PRIMARY ELECTION: Moved-Seconded (Deibert-Johnson) to approve the following Resolution #2020-01 temporarily setting election officials compensation for the 2020 primary election. Motion Carried. LAWRENCE COUNTY R E S O L U T I O N #2020-16 A RESOLUTION TEMPORARILY SETTING ELECTION OFFICIALS COMPENSATION FOR THE 2020 PRIMARY ELECTION WHEREAS, SDCL 12-15-11 requires the Lawrence County Commission, at the first regular meeting each year, to set the compensation to be paid out of the County treasury to election superintendents and judges of each election board; and WHEREAS, Resolution #2020-01 was approved on January 2, 2020 setting election officials' compensation; and WHEREAS, Resolution #2020-14, An Emergency Resolution to Address the Public Health Crisis Caused by the Coronavirus (COVID-19) By Implementing Certain Measures Which Have Been Deemed Necessary to Slow the Community Spread of COVID-19, was approved on March 27, 2020; and WHEREAS, as a result of the COVID-19 pandemic it has become difficult to find election officials willing to act in that capacity; and WHEREAS, as an inducement to encourage election officials to participate in the election process, it is necessary to revise election officials' compensation as originally established in Resolution #2020-01; and NOW, THEREFORE BE IT RESOLVED, that Resolution #2020-01, Election Officials Compensation, referenced above shall be modified in part as follows: Superintendents-\$275.00; Judges-\$250.00; Extra help compensation-\$20.00 per hour. DATED this 14th day of April, 2020. For the Board: Brandon Flanagan, Chairperson ATTEST: BRENDA MCGRUDER, Auditor.

AUTOMATIC SUPPLEMENTS:

SHERIFF: Moved-Seconded (Johnson-Flanagan) to approve the automatic supplement of \$10,212.06 to the Sheriff Equipment Budget for reimbursement for radios. Motion Carried.

Moved-Seconded (Deibert-Sleep) to approve the automatic supplement of \$1,978.08 to the Sheriff Travel Budget for reimbursement for vehicle damage. Motion Carried.

VOLUNTEER FIRE FIGHTER: Moved-Seconded (Johnson-Sleep) to approve the following Volunteer Fire Fighter for insurance purposes. Brownsville: Joshua Adkins, Shane Croft, Shannon Croft and Ronald Oswald. Motion Carried.

HIGHWAY:

FUEL QUOTES: The following fuel quotes were submitted as of March 30, 2020: **Spearfish Diesel #2 (dyed) 3500 gallons:** (prices per gallon) CBH Cooperative –\$1.558; Harms Oil Co-No Bid; MG Oil – \$1.53*. **Spearfish Unleaded 1200 gallons:** (prices per gallon) CBH Cooperative – \$1.424; Harms Oil Co-No Bid; MG Oil – \$1.40*. *Represents lowest quote awarded.

PERMITS:

BLACK HILLS ENERGY: Moved-Seconded (Deibert-Sleep) to follow the recommendation of Allan Bonnema, Highway Superintendent, and approve the utility permit for Black Hills Energy to bore under Bighorn Road approximately six miles from Whitewood for construction of an underground distribution electric primary beginning in Section 31, T7N, R5E and ending in Section 6, T6N, R5E. Motion Carried.

BLACK HILLS ENERGY: Moved-Seconded (Deibert-Sleep) to follow the recommendation of Allan Bonnema, Highway Superintendent, and approve the utility permit for Black Hills Energy to bore under Whitewood Valley Road approximately five miles from Whitewood for construction of an underground distribution electric primary beginning in Section 36, T7N, R4E and ending in Section 36, T7N, R4E. Motion Carried.

PROJECT UPDATES: Allan Bonnema, Highway Superintendent, gave an update on the Doresett Bridge, Whitewood Valley Bridge and KOA Bridge on W Highway 14.

WEIGHT LIMITS: Chad Hardin and Brian Mortenson, Fisher Sand & Gravel Co., were present via GoToMeeting to ask the Commission to reconsider the max gross weight limits on old Highway 14 and Homestake Road. They offered that the quarry has been serving the Spearfish, Lawrence County and greater Black Hills area for ten years and there has been no issue with the road being used as haul route.

Commissioner Johnson, stated that the problem is with the State of Wyoming and its load limits imposed on I-90, and that is the place to start for resolution.

Commissioner Flanagan suggested a haul road agreement be entered into.

Commissioner Deibert stated that he has received several complaints. Deibert opined that the goal is to get the trucks on the interstate as soon as possible. Deibert added that since most of Fisher's contracts are with the South Dakota Department of Transportation, that agency should contact the Wyoming Department of Transportation and ask that the weight limit be changed on Interstate 90 in Wyoming.

Commissioner Sleep stated that old Highway 14 is holding up well and has been used as a haul road long before the interstate was built. Sleep suggested that the County should work with Fisher to find a cooperative solution.

Allan Bonnema, Highway Superintendent, stated he doesn't feel that the haul trucks are causing any damage to the road.

Mortenson added that most of the projects Fisher is currently hauling to were bid prior to the weight limit restrictions being imposed. He noted that this circumstance is causing a major loss to the company.

Moved-Seconded (Johnson-Flanagan) to temporarily suspend the posted weight limits for 30 days from the Wyoming border on old Highway 14 Service Road to Exit 2, and that the matter of weight limits shall be readdressed at the May 19, 2020 Commission meeting. Aye-Johnson, Sleep and Flanagan. Nay-Deibert. Motion Carried.

PLANNING & ZONING:

CONDITIONAL USE PERMIT #456/WT EASTON PROPERTIES LLC: A public hearing was held on Conditional Use Permit #456 APPLICANTS: WT Eaton Properties LLC/Johner Gravel LEGAL: A tract of land known as the Eaton Pit, located in the SW1/4NE1/4; S1/2NW1/4 and the SW1/4 of Section 12, T7N, R2E, Black Hills Meridian, Lawrence County, South Dakota; more particularly described as follows: Commencing at the W¼ corner common to Sections 12 and 11, T7N, R2E,; Thence N 90°00'00" E, 658.25 feet to the west boundary line of said Eaton Pit, Being the point of the beginning; Thence N 90°00'00" E, 448.01 feet; Thence N 61°47'39" E, 1734.93 feet; Thence N 90°00'00" E, 821.32 feet; Thence S 00°00'00" E, 820.00 feet; Thence N 90°00'00" W, 350.61 feet; Thence N 41°13'34" W, 902.31 feet; Thence S 61°47'39" W, 1558.90 feet; Thence S 33°07'07" E, with 1189.26 feet; Thence S 31°36'27" W, 526.61 feet; Thence N 90°00'00" W, 546.78 feet; Thence N 37°50'55" W, 508.39 feet; Thence N 00°02'16" E, 1098.59 feet; back to the point of beginning; containing 43.4 acres more or less. VICINITY LOCATION: Lookout Mountain Road/Hardin Road SUMMARY: Small Scale Gravel Operation ACREAGE: 46.00 acres.

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

Wayne Eaton and Kent Johner, Applicants, were available by video conferencing (GoToMeeting).

No public input was voiced and the hearing was closed.

Commissioner Deibert questioned how traffic exiting the property was to be prevented from heading north on Lookout Mountain Road.

Commissioner Flanagan stated that a haul road agreement would be entered into with the applicant.

Allan Bonnema, Highway Superintendent, stated that a \$.05 per ton hauled would be assessed to the applicant for road maintenance as part of a haul road agreement.

Commissioner Sleep suggested that an on-site be held. Sleep questioned the definition of a large scale gravel operation versus a small scale gravel operation noting he feels that this should be a large scale gravel operation.

Commissioner Flanagan stated that only 10 acres would be disturbed at any given time and therefore the proposed operation qualified as a small scale gravel operation.

Kent Johner, Applicant, stated that the company plans to haul no more than 60,000 tons per season. Johner also explained the surveying process of the proposed gravel pit. Johner added that they were just trying to be transparent with their current and future plans.

Amber Vogt, Planning & Zoning Administrator, stated that this CUP is in line with the other CUPs for small scale gravel sites that are currently operating in the County.

Commissioner Johnson stated that the applicant has other operations in the County and they know what is expected of them.

Moved-Seconded (Deibert-Johnson) to approve Conditional Use Permit #456 contingent upon a haul road agreement being entered into with the County, an approach permit being approved and issued by the County and with inclusion of a separate condition limiting the permit to 100,000 tons per calendar year. Further support for the motion being the Planning and Zoning Commission recommendation for approval and the concurrent recommendation of P&Z staff, as reflected in the staff report. APPLICANTS: WT Eaton Properties LLC/Johner Gravel LEGAL: A tract of land known as the Eaton Pit, located in the SW1/4NE1/4; S1/2NW1/4 and the SW1/4 of Section 12, T7N, R2E, Black Hills Meridian, Lawrence County, South Dakota; more particularly described as follows: Commencing at the W¼ corner common to Sections 12 and 11, T7N, R2E,; Thence N 90°00'00" E, 658.25 feet to the west boundary line of said Eaton Pit, Being the point of the beginning; Thence N 90°00'00" E, 448.01 feet; Thence N 61°47'39" E, 1734.93 feet; Thence N 90°00'00" E, 821.32 feet; Thence S 00°00'00" E, 820.00 feet; Thence N 90°00'00" W, 350.61 feet; Thence N 41°13'34" W, 902.31 feet; Thence S 61°47'39" W, 1558.90 feet; Thence S 33°07'07" E, with 1189.26 feet; Thence S 31°36'27" W, 526.61 feet; Thence N 90°00'00" W, 546.78 feet; Thence N 37°50'55" W, 508.39 feet; Thence N 00°02'16" E, 1098.59 feet; back to the point of beginning; containing 43.4 acres more or less. VICINITY LOCATION: Lookout Mountain Road/Hardin Road SUMMARY: Small Scale Gravel Operation ACREAGE: 46.00 acres. Motion Carried.

PRELIMINARY & FINAL PLAT/BH DEVELOPMENT, LLC: APPLICANT: BH Development, LLC LEGAL DESCRIPTION: Plat of Block 9 & Block 10 and dedicated public road right of way and utility easement of Wilderness Estates 2nd Addition, Section 8, T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New boundary of blocks ZONING: PUD ACREAGE: Block 9 (9.572 acres) and Block 10 (2.452 acres)

Moved-Seconded (Deibert-Flanagan) to approve the preliminary plat for 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: Plat of Block 9 & Block 10 and dedicated public road right of way and utility easement of Wilderness Estates 2nd Addition, Section 8, T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New boundary of blocks ZONING: PUD ACREAGE: Block 9 (9.572 acres) and Block 10 (2.452 acres). Motion Carried.

Moved-Seconded (Deibert-Johnson) to approve the final plat for 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: Plat of Block 9 & Block 10 and dedicated public road right of way and utility easement of Wilderness Estates 2nd Addition, Section 8, T4N, R3E (legal shortened) VICINITY LOCATION: Hwy 85 SUMMARY: New boundary of blocks ZONING: PUD ACREAGE: Block 9 (9.572 acres) and Block 10 (2.452 acres). Motion Carried.

PLANNING & ZONING UPDATES:

POWDER HOUSE PASS BOND: APPLICANT: Black Hills Development, LLC/Powder House Pass LEGAL: All of the Powder House Pass Development SUMMARY: Extension of the Bond to Development Areas. Moved-Seconded (Deibert-Flanagan) to accept the amended Powder House Pass Community Improvement District (CID) Irrevocable Standby Letter of Credit and incorporating Exhibit A attached thereto for the infrastructure development projects identified therein. The term of the bond covers May 2020–May 2021. Motion Carried.

PETITION FOR VACATION OF PUBLICLY DEDICATED HIGHWAY RIGHT-OF-WAY: Continued from March 10, 2020–Petition for Vacation of Publicly Dedicated Highway Right-of-Way. Legal Description For The Vacation: A Portion Of Gobbler Road Right-Of-Way To Be Vacated Between Lot 20 Of Block 2 And Lot 8 Of Block 1 In Wild Turkey Estates A Subdivision Of Tract A Of Wild Turkey Estates Located In Government Lots 1 & 2, S1/2 NE1/4, N1/2 SE1/4 AND SE1/4 SE1/4 Of Section 1, T6N, R1E, BHM; Government Lot 4 Of Section 31, T7N, R2E, BHM; Government Lots 3, 4, 5 & 6, SE1/4 NW1/4, NE1/4 SW1/4 Of Section 6, T6N, R2E, BHM; Tract A Of Pine Oak Subdivision In The S1/2 SW1/4 Of Section 6, T6N, R2E, BHM; All In Lawrence County, South Dakota.

Noted for the record, since the public hearing was held, were emails received from the City of Spearfish, Leslie and Karen Turgeon, David Nuenke, Randy Peterson, Cori and Dave Engelhardt, Mark and Brenda Stadel and Wild Turkey Estates Home Owners.

Commissioner Flanagan clarified that historically the County required or strongly suggested that a secondary access be added to all subdivisions. Flanagan stated that part of reason the Wild Turkey subdivision was required to provide secondary access was because of the steep grade and curve in Gobbler Road, and generally for the protection of the residents in the subdivision. Flanagan further added that the developer, at the time of platting, decided that Gobbler Road would be public and it was dedicated accordingly. Flanagan stated other concerns are Moller road being in poor condition. Flanagan added that it is the County's decision to open or close this road.

Commissioner Sleep stated that if a road district was formed, the residents in Wild Turkey Estates and the adjacent area could work together to solve the problems of truck traffic and speed limits.

Commissioner Johnson noted that one of the residents of Wild Turkey Estates is a doctor who expressed a very strong concern that the road needed to be open thereby allowing the doctor to travel to the hospital. Johnson stated that he did take into consideration everyone's comments. Johnson added that Moller Road needs to be addressed in the future.

Moved-Seconded (Deibert-Sleep) to deny the proposed vacation of a portion of Gobbler Road as presented in the Petition and that this motion is made consistent with SDCL Ch. 31-3, and in particular SDCL 31-3-6 and the decision in State v. Troy Township, 900 N.W.2d 840 (S.D. 2017),

and that the public interest will be better served by denying the proposed vacation. Further, this motion is based on relevant and competent evidence to include familiarity with the road in question and the testimony presented at a lengthy public hearing by both those for and against the proposed petition, and the letter from the City of Spearfish and their recommendation, and finally that this motion is not based on any personal, selfish or fraudulent motive. Legal Description For The Vacation: A Portion Of Gobbler Road Right-Of-Way To Be Vacated Between Lot 20 Of Block 2 And Lot 8 Of Block 1 In Wild Turkey Estates A Subdivision Of Tract A Of Wild Turkey Estates Located In Government Lots 1 & 2, S1/2 NE1/4, N1/2 SE1/4 AND SE1/4 SE1/4 Of Section 1, T6N, R1E, BHM; Government Lot 4 Of Section 31, T7N, R2E, BHM; Government Lots 3, 4, 5 & 6, SE1/4 NW1/4, NE1/4 SW1/4 Of Section 6, T6N, R2E, BHM; Tract A Of Pine Oak Subdivision In The S1/2 SW1/4 Of Section 6, T6N, R2E, BHM; All In Lawrence County, South Dakota. Motion Carried.

Commissioner Flanagan, Commissioner Deibert, Bruce Outka, Deputy State's Attorney, and Allan Bonnema, Highway Superintendent will meet in the coming week in reference to the concerns in the area.

10:59 a.m. Commissioner Deibert recused and excused himself from the table.

VALUE REAL PROPERTY AND SALE OF REAL PROPERTY: Continued discussion from November 12, 2019 - previously declared surplus real property. Value real property/authorize sale of real property, legally described in that Quit Claim Deed filed in Book 254, Page 103 with the Lawrence County Register of Deeds in Section 2, T2N, R1E, BHM, Lawrence County, South Dakota.

Commissioner Johnson, Don Mundt and Blayne Pummel declared that the real property, legally described in that Quit Claim Deed filed in Book 254, Page 103 with the Lawrence County Register of Deeds in Section 2, T2N, R1E, BHM, Lawrence County, South Dakota is valued at less than \$500.00.

Moved-Seconded (Johnson-Flanagan) to offer a quit claim deed for property legally described in that Quit Claim Deed filed in Book 254, Page 103 with the Lawrence County Register of Deeds in Section 2, T2N, R1E, BHM, Lawrence County, South Dakota, to the surrounding landowner for \$499.00. Motion Carried. Abstain-Deibert.

11:10 a.m. Commissioner Deibert returned to the table.

ITEMS FROM THE PUBLIC:

TIMBER COMMITTEE: Commissioner Deibert, reminded the Commission that a stakeholder meeting was scheduled by the United States Forest Service (USFS) reference the quantity of tree harvest in the forest. Deibert further reminded the Commission that Lawrence County was not a stakeholder at this meeting and but for the efforts of Bill Coburn and Paul Pierson, the County would have been unaware of the meeting.

Deibert explained that the early indications were that the timber harvest would be diminished significantly and would impact the number of sawmills in the area, and effecting 1800 forest related jobs. Deibert noted that the Timber Committee pushed hard to become a stakeholder.

Deibert noted that the County, through the Timber Committee, was invited to a government to government meeting held by the Forest Service on April 10, 2020, regarding the future timber harvest. Deibert reported that prior to and in preparation for the April 10, 2020 USFS meeting, the Timber Committee met and took part in a presentation by industry representatives explaining their interpretation of the data - which was contrary to the interpretation by the USFS.

Transitioning to the April 10, 2020 meeting, Deibert reported that the Timber Committee and other local government representatives provided input regarding the data and the conclusions arrived at by the USFS. Deibert also noted that as a result of the Timber Committee's efforts, the County was now elevated to stakeholder status for the May 1, 2020 meeting. Deibert stated that the Timber Committee will be working to put together formal questions for the upcoming May 1, 2020, stakeholders' meeting. To this end, Deibert asked for guidance as to whether the questions formulated by the Timber Committee required Commission approval prior to submission to the USFS, or whether the Commission Chairman was authorized to sign on behalf of the Commission.

Moved-Seconded (Johnson-Deibert) to authorize the Chairman to sign the questions formulated by the Timber Committee for submission to the USFS on behalf of the Commission. Motion Carried.

ITEMS FROM COMMISSIONERS: Commissioner Flanagan gave an update on conference calls that he had participated in the past week regarding information on the SBA and Governor's Loan programs. Referring to correspondence received by the Commission, Flanagan noted that letters were received from Department of Environment and Natural Resources in reference to VMC, LLC and the Lead-Deadwood Sanitary District.

Commissioner Johnson thanked Greg Dias, Bruce Outka and the rest of the staff for their extra work to host virtual meetings. Johnson also complimented Commissioner Flanagan on his performance as acting chairman.

Commissioner Deibert stated he received a letter in reference to a comment period for Ellsworth Base closing on May 9, 2020, for the scoping of the environmental impact statement for the B21 main operation base.

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. Motion Carried.

Payroll: Comm-\$7,033.31; Aud-\$11,518.09; Treas-\$13,097.79; States Atty-\$15,939.36; Pub Def-\$13,237.64; Gen Govt Bldg-\$9,797.16; Equal-\$15,730.05; Rod-\$9,447.18; Vso-\$1,736.20; Ist-\$9,653.46; Sher-\$50,377.68; Jail-\$27,886.17; Coroner-\$732.36; 24/7-\$366.23; Emerg Mgnt-\$4,680.41; E911-\$15,537.54; Highway-\$50,767.60; Weed-\$4,188.68; P&Z-\$6,275.58; **Bills:** Dias, Gregory-\$54.87; A To Z Shredding-\$44.44; A&B Business, Inc Solutions-\$2,820.10; A&B Welding Supply-\$21.17; A&I Distributors-\$168.95; Ace Hardware Of Lead-\$40.87; At&T Mobility-\$1,016.05; BH Counseling Service-\$550.00; BH Pest Control-\$190.00; BH Physical Therapy-\$200.00; BH Pioneer-\$2,500.10; Bi Geo Group Co-\$82.80; Bickle's Truck & Diesel-\$103.02; Black Hills Energy-\$199.50; Black Hills Psychology-\$900.00; Black Hills Pure-\$23.50; Breit & Boomsma PC-\$100.00; Brosz Engineering-\$1,170.00; Butler Machinery Co-\$3,069.26; Butte Electric Coop-\$645.19; Carls Trailer Sales-\$8,400.00; Century Business Products-\$806.62; Centurylink-\$134.23; Clinical Lab Of BH-\$1,646.00; Coban Technologies-\$1,680.00; Convergent Technologies-\$1,503.41; Credit Collections Bureau-\$433.47; Dale's Tire & Retread-\$55.00; Deadwood, City Of-\$1,064.59; Dean Schaefer Court Reporting-\$90.00; Dept Of Hlth Lab Services-\$220.00; Dept Of The Treasury-\$67,925.49; Fastenal-\$68.27; Federal Express Corp-\$14.11; Fidler-Isburg Funeral Chapel-\$1,245.00; Floyd's Truck Center-\$58.09; G&H Distributing-\$64.35; Godfrey's Brake Serv-\$71.91; Grimm's Pump Service-\$33.03; Hartford-Priority Accounts-\$2,227.49; Heartland Paper Co-\$2,630.73; Jacobs Precision Welding-\$877.05; Jt Ventures-\$244.68; Juneks' Chrysler/Dodge-\$35,000.00; Karen Paige Hunt, Prof-\$270.75; Kiesler's Police Supply-\$895.33; Kline Inc-\$1,170.00; Kosel, Joseph-\$9,204.10; LC Conservation Dist-\$5,000.00; LC Treasurer-\$63.60; Lead, City Of-\$108,793.77; Lead-Deadwood Sanitary-\$519.47; Lee, James-\$15.00; Letourneau, Rich-\$800.00; Lewis & Clark Bhs-\$178.00; Lexisnexis Risk Data Mgmt-\$75.00; Lincoln County-\$95.00; Lynn's Dakotamart-\$80.34; Mack's Auto Body-\$13,224.45; Matthew Bender & Company-\$160.43; McClure, Susan-\$180.00; Mckesson Medical-\$90.59; Mesa County Combined Court-\$26.25; Mg Oil Company-\$7,141.58; Minnehaha County-\$408.50; Montana Dakota Utilities-\$4,027.00; Monument Health Rc Hospital-\$922.00; Monument Health Network-\$1,133.09; Newman Signs-\$41.37; North Central Int'l-\$72.46; Office Depot-\$400.98; Office Of Attorney General-\$315.69; Office Of Child Support-\$1,164.93; Omg National-\$466.10; PcsO Addiction Treatment Serv-\$2,526.00; Quill-\$805.23; Rapid City Regional Hospital-\$6.50; Rasmussen Mechanical Serv-\$648.87; Real Estate Rental Center-\$500.00; Rocket Lube-\$254.47; Root Spring Scraper Co-\$98.36; Sara J Fitzgerald-\$432.00; Sd Dept Of Transportation-\$2,939.59; Sd Office Of Attorney General-\$81.00; Sd Reemployment Assistance Div-\$4,147.69; Sd State Treasurer-\$600.00; Servall Towel & Linen-\$270.84; Sierra Design Vinyl Lettering-\$110.00; Simon North Region Sd-\$46,602.39; Spearfish Ambulance Service-\$114.47; Spearfish Auto Supply-\$951.71; Sturdevant's Auto Parts-\$2,266.88; Sysco Montana-\$1,545.90; Thomson Reuters-West-\$203.56; Transource Truck & Equip-\$190.50; Triple K Tire & Repair-\$22.50; Turnkey Corrections-\$7.43; Twin City Hardware & Lumber-\$762.48; Tyler Technologies-\$2,705.00; Waste Connections-\$917.28; Watertree-\$46.80; Wells Plumbing & Farm Supply-\$1,490.00; Western States Fire Protection-\$2,350.00; Wex Bank-\$437.79; White's Canyon Motors-\$1,785.12; White's Queen City Motors-\$4,735.82; Young, Brad-\$400.00; **Witness & Jurors:** \$639.44.

ADJOURN: 11:35 p.m. There being no further business it was Moved-Seconded (Deibert-Flanagan) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Vice-Chairperson

ATTEST:

Brenda McGruder, Auditor