

LAWRENCE COUNTY COMMISSIONERS MEETING – October 20, 2020 page-1

Vice-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 October 20, 2020 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson, Richard Sleep and Randy Deibert. Absent Commissioner Flanagan.

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

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

DECLARE CONFLICTS AND DISCLOSURES: No conflicts were declared by the Commission.

MINUTES: Moved-Seconded (Johnson-Rosenau) to approve the minutes of October 6, 2020 County Commission meeting. Motion Carried.

CANCELED CHECK RESOLUTION #2020-32: Moved-Seconded (Deibert-Sleep) to approve and authorize the Chairman to sign Resolution #2020-32. Motion Carried. LAWRENCE COUNTY RESOLUTION # 2020-32 WHEREAS the Lawrence County Auditor has presented the Lawrence County Board of Commissioners with a list of checks whereon the County of Lawrence is the Drawer, a copy of which list is attached hereto marked as Exhibit "A" and made a part hereof as though set forth fully herein, and WHEREAS each of the checks listed has not been presented for payment within one (1) year of the date upon which the check was issued, and WHEREAS, there are (71) checks totaling \$1,941.72 that are outstanding, NOW, THEREFORE, BE IT RESOLVED by the Lawrence County Board of Commissioners, pursuant to SDCL 7-22-17, that the checks on said Exhibit "A" be and are hereby canceled and that the Lawrence County Auditor note such cancellation in the check register. DATED this 20th day of October, 2020. FOR THE BOARD: Randall Rosenau, Vice Chairperson ATTEST: Brenda McGruder, Auditor.

PERSONNEL:

SHERIFF: Moved-Seconded (Johnson-Rosenau) to approve Martin Kocanda as a part-time fill-in Dispatcher G1 at a base rate of \$19.26 an hour, effective October 24, 2020. Motion Carried.

VOLUNTEER FIRE FIGHTER/NEMO: Moved-Seconded (Deibert-Sleep) to approve Adam Rice and Mike Talbert as volunteer fire fighters for insurance purposes. Motion Carried.

EMPLOYEE INSURANCE 2021: Brenda McGruder, Auditor, spoke on behalf of the Insurance Committee. McGruder discussed the health insurance quotes received for 2021 and stated the Insurance Committee recommended the County remain with Wellmark which offered a 12.51% increase for insurance premiums in 2021, she also reported the committee recommendation to adjust the percentage of county match to 70% County with a 30% employee match for the Family, Employee/Spouse and Employee/Children plans. McGruder added that, if approved, a supplemental budget would be required in 2021 in the amount of \$89,900. Moved-Seconded (Deibert-Johnson) to approve and authorize the Chairman to sign the contract with Wellmark for 2021. Changing the County match to 70% and the employee match to 30% for the Family, Employee/Spouse and Employee/Children plans and to set a supplemental budget hearing for January 2021. Motion Carried.

LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT QUARTERLY

REPORT: Rene' Larson, Emergency Management Administrative Assistant, presented the Local Emergency Management Performance Grant Quarterly report. Moved-Seconded (Deibert-Johnson) to authorize the Chairman to sign the quarterly Local Emergency Management Performance Grant report. Motion Carried.

COUNTY CHRISTMAS PARTY: No action was taken.

INSURANCE COMMITTEE: Moved-Seconded (Johnson-Sleep) to appoint Deb Tridle to the Insurance Committee. Motion Carried.

2021 COUNTY COMMISSION SCHEDULE: Moved-Seconded (Sleep-Rosenau) to set the 2021 County Commissioners meeting dates as follows: January 5 & 26, February 9, March 9 & 23, April 13 & 27, May 11 & 25, June 8, & 22, July 13 & 27, August 17, September 7 & 28, October 12 & 26, November 9 & 23, December 14 & 28. Motion Carried.

RAFFLE REQUEST/SPEARFISH AMERICAN LEGION AUXILIARY UNIT 164: Moved-Seconded (Deibert-Johnson) to not object to the request to conduct a raffle by the Spearfish American Legion Auxiliary Unit 164, with the drawing taking place on January 16, 2021. Motion Carried.

SHERIFF:

PUBLIC SAFETY AND SERVICES CENTER PROJECT UPDATE: Brian Dean, Sheriff, and Bruce Outka, Deputy State's Attorney, gave an update on the Public Safety and Service center. Dean stated that a trip was made to Davison County and Minnehaha County to visit their facilities. Dean reported that it was a very productive trip. Outka reported that the real estate closing has been scheduled for November 2, 2020.

SUPPLEMENTAL BUDGET: A Public Hearing was held on Resolution #2020-31 for a Supplemental Budget for General Fund General Government Buildings Repairs - \$42,599.00 No public input was voiced and the hearing was closed. Moved-Seconded (Deibert-Rosenau) to approve and adopt the following Resolution #2020-31 for a Supplemental Budget. Motion Carried. RESOLUTION #2020-31 TO ADOPT A SUPPLEMENTAL BUDGET WHEREAS, the County Budget for Lawrence County, South Dakota, for the fiscal year 2020, failed to provide sufficient revenue to enable the County to conduct the indispensable functions of Government, and WHEREAS, the Board of County Commissioners of said County deems it necessary to make a Supplementary Budget, providing for appropriation in the amounts set out below. NOW, THEREFORE, BE IT RESOLVED THAT SAID BOARD, make, approve and adopt a Supplemental Budget for Lawrence County, South Dakota, for the year 2020, and that in said budget there will be and is hereby appropriated the following sum of money, to-wit: GENERAL FUND GENERAL GOVERNMENT BUILDINGS REPAIRS - \$42,599.00 The funds for the above amounts are to be provided from unappropriated cash balances and estimated revenue in the designated fund. Be it further RESOLVED that a hearing was held on the 20th day of October, 2020 at the hour of 8:20 a.m. in the Commissioners' Room in the Administrative Office Building at 90 Sherman Street, Deadwood, Lawrence County, South Dakota, and that said Notice of Hearing was posted according to law, SDCL 7-21-22. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 20th day of October, 2020. FOR THE BOARD OF COUNTY COMMISSIONERS Randall Rosenau, Vice Chairman ATTEST:
Brenda McGruder
Lawrence County Auditor.

HIGHWAY:

PERMIT:

RODAKOWSKI: No Action was taken on the private approach permit for Arnold Rodakowski to construct an approach on the west side of Yellow Creek Road located approximately 1/8-mile south of Wasp Road.

PROJECT UPDATES: Allan Bonnema, Highway Superintendent, gave an update on the Whitewood Valley bridge and Doresett Road bridge.

FRONTIER LOOP ROAD: The Board acknowledged receipt of a letter from Daryl & Sandra Mong respectfully requesting that the Commissioners take full jurisdiction over all or the shared portion of the Frontier Loop Road.

NORTH ROCHFORD ROAD MILL & OVERLAY PROJECT (PHASE 4): Moved-Seconded (Deibert-Sleep) to advertise and set a bid opening for November 24, 2020 at 8:30 a.m. for the North Rochford Road Mill & Overlay Project (Phase 4). Motion Carried.

RETIREMENT/STEVE RYAN: Allan Bonnema, Highway Superintendent, informed the Board that Steve Ryan will be retiring after 37 years of employment effective November 20, 2020.

CITY OF SPEARFISH/DETOUR: Allan Bonnema, Highway Superintendent, informed the Board that the City of Spearfish will be closing Colorado Blvd on October 26-30, 2020 and using the detour on South Rainbow Road and Centennial Road.

TRAFFIC IMPACT STUDY/MILLER RANCH: Allan Bonnema, Highway Superintendent, presented a copy of the traffic impact study for the Miller Ranch Residential Development. Bonnema mentioned that the study will be the topic of future discussion.

PLANNING & ZONING:

COMPREHENSIVE PLAN UPDATE: Amber Vogt, Planning & Zoning Administrator, gave an update on the Comprehensive plan. Vogt stated that a public hearing will be held on November 5, 2020 during the Planning & Zoning Board meeting.

NEMO GUEST RANCH ZONING COMPLAINT UPDATE: Bruce Outka, Deputy State's Attorney, gave an update on the Nemo Guest Ranch Zoning complaint and discussed the quote from Adam Thompson, Interstate Engineering, to survey Troxell Street, Box Elder Forks Road and Sawmill Road. Outka stated that the quote came in at \$3,500 to \$5,000. It was concluded that it would be sufficient to survey Box Elder Forks Road and Sawmill Road, excluding Troxell St.

Moved-Seconded (Deibert-Rosenau) to accept the quote from Interstate Engineering in the amount of \$3,500 to \$5,000 to survey Box Elder Forks and Sawmill Road. Aye-Johnson, Deibert and Rosenau. Nay-Sleep. Motion Carried.

TEMPORARY USE PERMIT 20-01/BLACK HILLS ENERGY: APPLICANT: Black Hills Energy **LEGAL:** SE ¼ ex St. Onge Substation Tract, Section 29 T7N, R4E VICINITY **LOCATION:** St Onge/Dane Church Road **SUMMARY:** Material storage yard for transmission line rebuild **ZONING:** A-1 **ACREAGE:** 153 acres.

Amber Vogt, Planning & Zoning Administrator, gave an overview of the temporary use permit for Black Hills Energy.

Zach Keeney, FMG Engineering; Mutch Usera, Black Hills Energy; and Matt Connor, Black Hills Energy, were present to answer question about the temporary use permit.

Allan Bonnema, Highway Superintendent; and Brian Dean, Sheriff; and Amber Vogt Planning & Zoning Administrator, will act as point of contact. Black Hills Energy will report back in the Fall of 2021 with an update on the project.

ITEMS FROM THE COMMISSIONERS: Commissioner Deibert referenced the Miller Ranch Residential Development, stating that Chairman Flanagan previously indicated that the county would not approve an approach or modified approach for the development.

Commissioner Deibert stated that a Black Hills Regional Multiple Use Coalition meeting will be held on Friday October 23, 2020 at 4:00 p.m. and will be unable to attend. Deibert stated that Commissioner Sleep would be attending but felt it to be very important to have strong representation at this meeting. Bruce Outka, Deputy State's Attorney, will attend in his place.

Bruce Outka, Deputy State's Attorney, noted the special meeting to be held on November 5, 2020 to Canvass the votes from General Election.

BILLS: Moved-Seconded (Sleep-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-\$7,033.31; Elect-\$1,366.04; Aud-\$11,617.45; Treas-\$12,734.16; States Atty-\$16,410.40; Pub Def-\$13,255.24; Gen Govt Bldg-\$9,678.96; Equal-\$15,672.96; Rod-\$8,882.77; Vso-\$1,736.20; Ist-\$9,661.46; Sher-\$51,284.62; Jail-\$24,276.41; Coroner-\$1,252.36; 24/7-\$179.84; Emerg Mgnt-\$4,650.41; E911-\$20,274.08; Highway-\$46,739.13; Weed-\$4,206.28; P&Z-6,283.58; **Bills:** Fitzgerald, John-\$228.23; A To Z Shredding-\$47.74; A&B Business, Inc Solutions-\$2,604.00; A&B Welding Supply-\$103.73; A&I Distributors-\$337.90; Ace Hardware Of Lead-\$40.44; Apex Software-\$1,080.00; At&T Mobility-\$278.24; Audra Hill Consulting-\$621.24; BH Occupational Medicine-\$60.00; BH Pest Control-\$190.00; BH Pioneer-\$355.10; BH Windshield Repair-\$50.00; Best Western Plus Ramkota Hotel-\$399.96; Bi Geo Group-\$418.60; Black Hills Disposal-\$90.00; Black Hills Energy-\$12,442.13; Black Hills Psychology-\$900.00; Black Hills Pure-\$11.50; Bob Barker Company-\$127.28; Brown County Sheriff-\$566.06; Butler Machinery Co-\$4,349.57; Cbh Cooperative-\$6,505.30; Cdw Government-\$12,321.59; Century Business Products-\$330.52; Centurylink-\$80.76; Childrens Home Society-\$40.58; City Of Rapid City-\$1,320.00; Clayborne, Loos & Sabers-\$884.30; Coban Technologies-\$440.00; Convergent Technologies-\$687.15; Dale's Tire & Retread-\$3,008.00; Dan's Dumpster Service-\$770.00; Dept Of Hlth Lab Services-\$1,295.00; Dept Of The Treasury-\$61,814.82; Diamond Pharmacy-\$416.99; Dustbusters-\$63,249.38; Election Sys & Software-\$8,240.00; Et Sports-\$259.88; Extensis-

\$400.00; Fastenal-\$155.34; Floyd's Truck Center-\$182.15; Galls-\$213.88; Grimm's Pump Service-\$28.80; Heartland Paper Co-\$339.85; Hilpert & Hale Prof-\$202.05; Interstate Batteries-\$136.95; Interstate Engineering-\$17,392.98; Jacobs Precision Welding-\$8,018.74; James, Justin-\$400.00; Jt Ventures-\$377.64; Juneks' Chrysler/Dodge-\$549.59; Karen Paige Hunt, Prof-\$90.00; Katterhagen, Mark-\$45.00; Kiesler's Police Supply-\$780.10; Lead-Deadwood Sanitary-\$31.33; Lee, James-\$15.00; Lewis & Clark Bhs-\$184.00; Lewno, Lucy-\$499.50; Lexisnexis Risk Data Mgmt-\$75.00; Lockwood, Darcy-\$45.00; McClure, Susan-\$580.00; Mckesson Medical-\$149.79; Mcleod's Office Supply-\$900.00; Montana Dakota Utilities-\$41.80; Monument Health Network-\$904.53; Ms Mail-\$475.00; Nalco Company-\$278.22; Nebraska Salt & Grain Co-\$35,310.24; Nelson, Christy-\$420.00; North Central Int'-\$11,024.50; Office Of Child Support-\$401.54; One Call Now-\$309.47; Pcsa Addiction Treatment Serv-\$226.00; Pennington Co Jail\$365.77; Phoenix Investigations-\$1,937.22; Powerplan-\$367.63; Quill-\$175.31; Ramkota Inn Pierre-\$216.00; Reserve Account-\$6,000.00; Riverside Technologies-\$13,304.00; Rocket Lube-\$84.99; Runnings Supply-\$134.79; Sara J Fitzgerald-\$591.00; Sdrs Supplemental Retirement-\$1,982.50; Semerad, Sandra-\$47.60; Servall Towel & Linen-\$271.03; Sikich-\$895.00; Silverado-\$261.14; Simon North Region-\$1,701.64; Skinner Law Office-\$4,733.45; Spearfish Auto Supply-\$2,183.13; Spearfish City Of-\$272.95; Stahl, Mike-\$95.59; Sturdevant's Auto Parts-\$2,181.70; Superior Printing-\$400.38; Sysco Montana-\$1,885.76; The Lodge At Deadwood-\$135.00; Thomson Reuters-West-\$894.00; Tracker Software Corp-\$10,968.51; Triple K Tire & Repair-\$15.00; Turnkey Corrections-\$2.42; Twin City Hardware & Lumber-\$283.37; Us Identification Manual-\$82.50; Vast Broadband-\$1,461.45; Verizon Wireless-\$106.78; Victims Of Violence-\$1,805.00; Walk-N-Roll-\$1,581.06; Waste Connections-\$381.66; Watertree-\$32.40; Wells Fargo Business Card-\$12,943.28; West Tire & Alignment-\$839.00; Western Communication-\$34.00; Western Hills Humane Society-\$2,000.00; Western Sd Juvenile Serv-\$3,900.00; White Drug-\$10.49; Yankton Co Sheriff-\$100.00; Yankton County-\$103.10; **Witness & Jurors:** \$584.98.

ADJOURN: 9:56 a.m. There being no further business it was Moved-Seconded (Johnson-Sleep) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Chairperson

ATTEST:

Brenda McGruder, Auditor