

EXECUTIVE SESSION/REGULAR MEETING, December 15, 2008

The Regular Session of the Deadwood City Commission convened on December 15, 2008 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Mayor Toscana called the meeting to order with the following members present: Department Heads and Commissioners, Mike Klamm, Joe Peterson, Georgeann Silvernail and Lenny Schroeder. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Silvernail moved, Schroeder seconded, to approve the minutes of December 8, 2008. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Klamm seconded, to approve the December 15, 2008 disbursements with additional bill. Roll Call: Aye-All. Motion carried.

ABC	SUPPLIES	1,427.13
ALBERTSON ENGINEERING, INC	RW ENGINEERING-39 TERRACE	3,819.40
ALCO STORES, INC.	SUPPLIES	41.00
ARLETH & ASSOCIATES, INC.	NAGPRA	250.00
ASSEMBLED PRODUCTS	COMPUTER ACCESSORIES	483.35
BEE	NYLON CASES	138.38
BEST WESTERN RAMKOTA	ROOM/SAFETY CONF.-NOV.	211.21
BH PIONEER	COMMUNITY AD/NOVEMBER	95.50
BH POWER	UTILITIES	74.18
BH PURE, INC.	RENTAL	36.25
BH SPECIAL SERVICE	TROLLEY CLEANING - NOV 08	798.00
BH WEEKLY GROUP	PUBICATIONS-NOV 08	789.80
BROWN, BONITA	REFUND PRKG TICKET - 10/23/08	10.00
CNA SALES CORP	TWO DOZEN EXTREME SPONGES	114.99
CULLIGAN	RENTAL/RC	83.50
DARIN DEROSIER	JULY -DEC ATTENDANCE	300.00
DEADWOOD GULCH RESORT	EMPLOYEE CHRISTMAS PARTY-12/5/8	1,419.92
DEADWOOD LEAD ARTS COUNCIL	4TH QUARTER INSTALLMENT	2,025.00
EMERY-PRATT COMPANY	BOOKS	250.58
FOX, TERESA	NEWSPAPER INDEXING OCT-NOV 187	3,342.55
GAYLORD BROS.	ARCHIVE SUPPLIES	930.87
GOLDEN WEST	COMPUTER SERVICES	55.00
GUSTAFSON BUILDERS	SLIME PLANT FACADE	95,413.87
HCW, INC.	REPAIR-MATERIALS	267.24
HUMPHREY, BEN	WALL OF FAME	75.00
INLINE	BARRIER FENCE	5,760.00
INTERSTATE BATTERIES	3 - 3V LITHIUM BATTERIES	180.00
JACOBS PRECISION WELDING	12 FT BEAM	553.19
JUNIOR LIBRARY GUILD	BOOKS	477.00
KUSTOM SIGNALS, INC	VIDEO, EXT WARRANTY 2ND YR	600.00
LAKER CHEMICAL, INC.	FINE ROAD PATCH	480.00
LC REGISTER OF DEEDS	FILING FEE-THOMPSON-47 FOREST	22.00
LEHMEN CONSTRUCTION CO.	RW GRANT DISB-THOMPSON-FOREST	17,160.00
MAU, KIP	REIMB DEDUCTIBLE	313.88
MENARD'S	CHRISTMAS DECORATIONS/PARK	433.73
MIDWEST TAPE	DVD'S	302.25
MDU	UTILITIES LIBRARY-NOV 08	385.55
NATIONAL TRUST MAIN STREET	FORUM RENEWAL	115.00
NHS OF THE BLACK HILLS	FILING FEE-CREGER-8 BURNHAM	22.00
NORTHWEST PIPE	COUPLING/THREAD PROTECTOR	51.61
OBERLANDER, MARY ANN	JULY -DEC ATTENDANCE	225.00
OFFICE OF FIRE MARSHAL	FEES-BOILER INSPECTION/REC CNT	270.00
OLSEN, MIKE	JULY -DEC ATTENDANCE	250.00
ONE CALL SYSTEMS	LOCATE REQUEST TICKETS	25.00
PETTY CASH/HP	PETTY CASH REIMBURSEMENT	100.30
PIKE, MATTHEW	JULY -DEC ATTENDANCE	275.00
PITNEY BOWES INC	POSTAGE	500.00
PONTIUS, JERRY	REIMBS FOR SUPPLIES	12.42
RAPID DELIVERY	DELIVERY CHARGES	10.40
RECREATION SUPPLY COMPANY	ANTI-ENTRAPMENT COVER/POOL	1,678.02
RONDA FETERL	JULY -DEC ATTENDANCE	300.00
SD DEPT OF HEALTH	46 FLU SHOTS - EMPLOYEES	828.00
SD DEPT OF AGRICULTURE	FIRE SUPPRESSION/TRI-CITY DUMP	560.71
SD DEPT OF ENVIRONMENT	OPERATOR RENEWAL FEE/D RENNER	36.00
SDN COMMUNICATIONS	TWO WAY COMMUNICATION LINE	346.80
SDSM&T	INTRO TO ARCGIS1 - 12/15-17/08	450.00
SERVALL	SUPPLIES	867.70
SD ASSOCIATION	ANNUAL DUES/PLANNING GRANT	2,010.00
SD STATE ARCHIVE	MICROFILM	115.20
SPEIRS, MARK	LOAN DISB-HUNTER-38 VAN BUREN	1,440.75
STEVE OLSON	JULY -DEC ATTENDANCE	275.00
SUBWAY	WINTER & CO PRESENTATION	15.96
TDG COMMUNICATIONS	ARTWORK FOR PROJECT	100.00
TEMPERATURE TECHNOLOGY	SERV.-IND. DRFT BLOWER NO WORK	1,056.32
THOMSON WEST	LEGAL INFORMATION	152.15
TTG ENTERPRISES INC.	TELEMETRY PANEL -PROGRAMMING	4,850.00
TWIN CITY HARDWARE	ELECTRICAL SUPPLIES	217.97
US POST OFFICE	LIBRARY POSTAGE - 12/10/08	42.00
W.B. THOMPSON CO.	LAST CHNC RESCUE FILTR-DRAEGER	3,465.00
WASTE CONNECTIONS	DUMPSTER/GORDON PARK	661.48
WATER ENVIRONMENT FEDERATION	MEMBERSHIP/WATER ENV. FED.	142.00
WELLMARK BLUE CROSS	GROUP INS PREMIUMS- 1/1-2/1/09	34,682.57
WILLIE STEINLICHT	JULY -DEC ATTENDANCE	250.00
WINTER & COMPANY	DESIGN GUIDELINES	19,195.00
	TOTAL	\$ 214,715.68

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ITEMS FROM CITIZENS ON AGENDA

Days of 76

Pat Roberts representing the Days of 76 informed everyone that the Days of 76 received the Mid-Size Rodeo of the Year Award for the ninth year. Mr. Roberts thanked the City of Deadwood and City staff for all their support and cooperation throughout the year. Mayor Toscana along with the City Commission congratulated and thanked Mr. Roberts and the Days of 76 committee for all their hard work and dedication.

PUBLIC HEARINGS/BID OPENINGS

Public Hearing-Ordinance #1107

This being the time and place for the public hearing on Ordinance #1107 on the Intent to Continue Business Improvement District Nos. 1, 2, 3, 5 and 6 for 2009, no one appeared in opposition.

Public Hearing-Ordinance #1108

This being the time and place for the public hearing on Ordinance #1108 to Continue Business Improvement District No. 7, no one appeared in opposition.

Request for Proposals - Rec Center

Jim Raysor explained that the City is seeking to hire a Construction Manager at Risk for the Deadwood Recreation Center project. The proposals are due on January 2, 2009, with the interviews to be held January 12-16, 2009. This position would review and modify the existing plans for the Rec Center and guarantee a price to construct the facility based on their modifications and plans. Raysor added he has received numerous calls from contractors regarding this project. Silvernail moved, Klamm seconded, to approve the publishing of the Request for Proposal for the Deadwood Recreation Center-Construction Manager at Risk. Roll Call: Aye-All. Motion carried.

FINANCE

Resolution 2008-30

Peterson moved, Silvernail seconded, to approve Resolution 2008-30 to set the Parking Ramp Bond Reserve for 2008. Roll Call: Aye - All. Motion carried.

Resolution 2008-30

A Resolution to Set Parking Ramp Bond Reserve

Be it resolved by the Deadwood City Commission that the City of Deadwood approved the establishment of a Debt Service Bond Reserve in the amount of \$763,978.57 in the Parking Ramp Fund 0611. This cash reserve will be invested and increased periodically by additional accrued interest as the investment matures. The Security Reserve Requirement remains at \$403,000.00. Any additional dollars will be accumulated in a Replacement/Depreciation Reserve to be used for renewal of worn out, obsolete, or damaged properties or equipment of the facility, or redeem Bonds which are prepayable according to their terms. For annual reporting purposes, both reserves will be combined and shown as a Restricted Investment, and Restriction for Revenue Bond Debt Service in all appropriate financial exhibits.

By action of the Deadwood City Commission, this reserve may be changed by a subsequent resolution.

Dated this 15th day of December, 2008.

City of Deadwood
/s/ Francis Toscana, Mayor

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

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Combined Voting Agreement

Peterson moved, Silvernail seconded, to allow the Mayor to sign the Combined Voting Agreement for 2009. Roll Call: Aye - All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

Change Order #1-Deadwood Mountain Grand

Silvernail moved, Klamm seconded, to approve Change Order #1 for \$17,633.03, adding to the original contract amount of \$1,519,000.00 (totaling \$1,536,633.03) and extend 30 days to the facade project. Roll Call: Aye - All. Motion carried.

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Change Order #2-Deadwood Mountain Grand

Silvernail moved, Peterson seconded, to approve Change Order #2 for \$6,378, adding to the original contract amount of \$178,100.00 (totaling \$184,478.00) for the gable end foundation repairs. Roll Call: Aye - All. Motion carried.

Agreement Preparation-Deadwood Mountain Grand

Silvernail moved, Klamm seconded, to allow the City Attorney to draft an agreement between the City and Deadwood Mountain Grand, requiring Deadwood Mountain Grand owners to repay the City of Deadwood the portions of the above change orders that exceed the \$1,700,000.00, previously approved by the City Commission. Roll Call: Aye - All. Motion carried.

Outside of Deadwood Grant

Silvernail moved, Peterson seconded, to approve the emergency grant of \$3,313.27 from the Outside of Deadwood Grants budget for Fall River County Historical Society. Roll Call: Aye - All. Motion carried.

Contract - MJZ Construction

Jim Raysor informed the Commission that the History and Information Center is requiring additional repairs due to the November blizzard. The project will require an additional 200 hours at \$37.50/hour plus materials. Commissioner Klamm expressed his concerns with the cost of repairs and questioned whether the roof is adequate for this type climate. Silvernail moved, Klamm seconded, to allow the City to enter into a contract with MJZ Construction to repair the roof at the History and Information Center, at a cost of \$37.50 per hour, not to exceed 200 hours, to be paid from Historic Preservation capital asset line item. Roll Call: Aye - All. Motion carried.

STREETS/WATER/LIBRARY

Purchase Request

Silvernail moved, Klamm seconded, to approve the purchase of 1,000 gallons of #1 fuel with 500 gallons of additive at \$2.18 per gallon from Southside. Roll Call: Aye - All. Motion carried.

POLICE/FIRE

Employee Retirement/Resignation

Chief Fuller and the City Commission thanked Officer Gary Gould for his sixteen years of service with the City and wished him well with his retirement. Klamm moved, Silvernail seconded, to accept with regret the retirement/resignation of Gary Gould from the Police Department effective January 10, 2009. Roll Call: Aye - All. Motion carried.

Fire Department Roster

Klamm moved, Silvernail seconded, to remove Teddy Pilatos from the Fire Department roster for workers compensation purposes effective December 11, 2008. Roll Call: Aye - All. Motion carried.

Travel Request

Klamm moved, Silvernail seconded, to allow three instructors to attend the South Dakota Fire Service Instructors annual conference in Pierre on January 10-11, 2009, requesting meals, lodging, and use of Suburban. Roll Call: Aye - All. Motion carried.

PARKS/RECREATION/TROLLEY

Purchase Request

Silvernail moved, Schroeder seconded, to approve the purchase from the Chain Saw Center two Honda lawnmowers and one weed eater at a cost of \$3,150, to be divided equally between the Mt. Moriah and Oakridge Cemetery budgets. Roll Call: Aye - All. Motion carried.

MAYORS BUSINESS

Executive Session

Mayor Toscana requested an Executive Session following the Regular Session for personnel matters with no action to be taken.

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Library Board Appointment

Toscana moved, Silvernail seconded, to approve the appointment of Mark Speirs to the Library Board.
Roll Call: Aye - All. Motion carried.

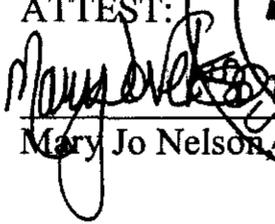
Parking Petition

Mayor Toscana informed everyone that the City Commission had received a parking petition from Deadwood Business employees. The petition states that due to the recent increase in parking costs (Lower Main Parking Lot) the Deadwood Business employees are requesting a fair parking policy and would like to purchase a parking pass at a cost of \$20.00 per month. After discussing, Klamm moved, Schroeder seconded, to request that the Parking and Transportation committee review the petition.
Roll Call: Aye - All. Motion carried.

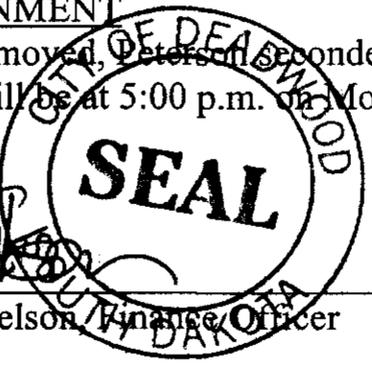
ADJOURNMENT

Silvernail moved, Peterson seconded, to adjourn the regular session at 5:35 p.m. The next regular meeting will be at 5:00 p.m. on Monday, December 22, 2008.

ATTEST:



Mary Jo Nelson, Finance Officer



DATE: 12/22/08

BY: Francis A. Toscana
Francis A. Toscana, Mayor