EXECUTIVE SESSION/REGULAR MEETING, December 14, 2009

The Regular Session of the Deadwood City Commission convened on December 14, 2009 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, Lenny Schroeder, and Georgeann Silvernail. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES
Silvernail moved, Klamm seconded, to approve the minutes of December 7, 2009. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS
Silvernail moved, Schroeder seconded, to approve the December 14, 2009 disbursements. Roll Call: Aye-All. Motion carried.

ABC	SUPPLIES	3,438.21
ADAMS MUSEUM	20TH ANNIVERSARY	6,579.60
ADDINGTON, ROGER	REIMBURSE	200.00
AINSWORTH-BENNING	REC CENTER	654,561.00
ALCO	BATTERIES	15.96
ALLEN, MEL	MTGS	275.00
ALPINE IMPRESSIONS	EMBLEMS	79.50
ARBOR DAY FOUNDATION	MEMBERSHIP	15.00
BH ELEVATOR	MO SERVICE	303.06
BH POWER	UTILITIES	32.67
BUTLER	SWITCH	49.23
CULLIGAN	RENTAL	33.00
DAKOTA GRAPHICS	MT. MORIAH	2,835.00
DAKOTA SUPPLY	SUPPLIES	565.19
DARIN DEROSIER	MTGS	275.00
DEADWOOD HOME	SUPPLIES	7.98
DUO-SAFETY LADDER	SUPPLIES	45.87
FASTENAL COMPANY	TAPE	63.63
GOLDEN WEST	OFFSITE SERV	326.25
HAYWARD BAKER	LICENSE RENWL	25.00
HILLSIDE DISPOSAL	DUMPSTERS	1,020.00
IMAGO NORTH AMERICA	REPAIRS	12.26
JACOBS PRECISION	BAR	82.80
JIM SHEDD	MTGS	200.00
KEN'S CAMPER	JACK	135.10
LARRY RYAN	MTGS	275.00
LC TREASURER	TIF #4 DSLVD	2,908.66
LAWRENCE TITLE	TITLE	25.00
LEAD DWD SANITARY DIST	TIF #4 DSLVD	509.55
LEAD-DWD SCHOOL DIST	TIF #4 DSLVD	8,888.77
M & T FIRE	ATB-TEST	347.31
M&M SANITATION	RENTAL	205.00
MARIAH PRESS	09 GRANT	223.36
MARIE FARRIER	MTGS	275.00
MORRIS, WAYNE	LOAN DISB	5,400.00
NAPA	SUPPLIES	98.40
NATIONAL FIRE CODES	SUBSCRIPTION	810.00
NHS OF THE BH	SERV CONTRACT	21,725.00
NORTHWEST PIPE	STEM	111.20
OBERLANDER, MARY ANN	MTGS	250.00
OCCUPATIONAL HEALTH	TESTING	797.00
OLSEN, MIKE	MTGS	225.00
OLSON CONSTRUCTION	PANEL PRJCT	37,949.32
ONE CALL SYSTEMS	LOCATE TCKTS	22.00
PASTPERFECT SOFTWARE	ANNUAL FEE	424.00
PETTY CASH	FINANCE	120.63
PIKE, MATTHEW	MTGS	225.00
REGIONAL HOME MEDICAL	MONITOR	55.00
RONDA FETERL	MTGS	225.00
SCI ENGINEERING	STUDY	5,000.00
SD COMMISSION ON GAMING	CITY SLOTS	6,715.91
SD DEPT OF ENVIRONMENT	OP CERT RENEWAL	36.00
SD DEPT. OF CORRECTIONS	FIREWISE	4,962.83
SD MUNICIPAL LEAGUE	MEMBERSHIPS	1,158.30
SDN COMMUNICATIONS	COMM LINE	346.80
SERVALL	SUPPLIES	1,217.98
SHEREE GREEN	MTGS	225.00
SD DEPARTMENT TOURISM	GOVERNORS CONF	165.00
SD STATE TREASURER	SALES TAX-NOV	2,775.04
SOUTH SIDE	SERVICE	137.15
STEVE OLSON	MTGS	250.00
SUPERIOR SANITATION	INSPECTION	250.00
TC HARDWARE	SUPPLIES	79.53
VERENDRYE MUSEUM	08 GRANT	2,020.41
WASTE CONNECTIONS	DUMPSTER	499.82
WEST PAYMENT CENTER	CHARGES-NOV 09	159.76
WILLIE STEINLICHT	MTGS	250.00
	TOTAL	**$779,521.04**

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ITEMS FROM CITIZENS ON AGENDA

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

Floor Plan Approval - Lodge at Deadwood
Silvernail moved, Schroeder seconded, to approve the gaming floor plan submitted by The Lodge at Deadwood at 100 Pine Crest Lane, previously approved by the City Building Inspector. Roll Call: Aye-All. Motion carried.

Sanford Lab Update
Jeret Heise, Science Liason Director, appeared before the Commission to give a monthly update on the Sanford Lab. Heise discussed in detail the LUX dark matter detection project and the Majorana Collaboration experiments that will be located on the 4850-foot level once the excavation of the Davis Cavern has been completed. Both projects are scheduled for completion in late spring of 2010. Governor Rounds will be on site on December 15, 2009 for a meeting with the Sanford personnel to discuss additional funding for the lab.

Whistler Gulch Campground Request
Tom Blair, Whistler Gulch Campground, appeared before the Commission to request a rate change during the months that the campground is closed. Blair told the Commission that when the campground was built the previous owners and the City had a mutual agreement to place a fire hydrant on the campground property. Due to the placement of the fire hydrant, a larger water line and valve were installed to supply water adequately. Blair referenced the recently adopted ordinance regarding the increased flat rate water rates and meter charges for all residents and commercial properties whether the water is on or off. Blair stated that the lodge and apartment are utilized for occasional meetings and personal use. Blair asked the Commission to consider reclassifying the lodge to residential during the months of closure and when the campground re-opens, go back to the commercial rates. After discussing, Klamm moved, Silvernail seconded, to approve the request to bill the Whistler Gulch Campground from November through April (6 months) at residential rates and from May through October (6 months) at commercial rates. Roll Call: Aye-All. Motion carried.

FINANCE

Ordinance #1125 - Second Reading
Peterson moved, Silvernail seconded, to approve second reading of Ordinance #1125 Supplemental Budget Appropriation #3 for 2009. Roll Call: Aye-All. Motion carried.

Acknowledge Payment
Peterson moved, Silvernail seconded, to acknowledge the payment of the principal and interest on Historic Preservation Certificates of Participation for the second half of 2009 (funds held at First National Bank.) Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS/SAFETY

Ordinance #1126 - Second Reading
Silvernail moved, Klamm seconded, to approve second reading of Ordinance #1126 Amending Chapter 15.32 Signs. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Fire Hall Repairs
Fire Chief Trent Mohr informed the Commission that the truck bay has no heat and is in need of being either repaired or replaced. After discussing the various options of repairing or replacing the heating system, Mayor Toscana asked Jim Raysor to review and assess this matter and report to the Commission on December 21, 2009.

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PARKS/RECREATION/TROLLEY

Trolley - Christmas Eve
Silvernail moved, Klamm seconded, to allow the Trolley Department to close trolley system at 8:00 p.m. Christmas Eve and reopen at 7:00 a.m. on Christmas Day. Roll Call: Aye-All. Motion carried.

LEGAL BUSINESS

Marketing and Promotion Agreement - Tentexkota
Klamm moved, Silvernail seconded, to allow the Mayor to sign the Marketing and Promotion Agreement to extend the completion date to July 1, 2013 between the City of Deadwood, Business Improvement District #7 (BID #7), and Tentexkota for the commitment from BID #7. The source of funding is collected through occupancy taxes annually after convention center receives certificate of occupancy. Roll Call: Aye-All. Motion carried.

Operating Agreement - Tentexkota
Klamm moved, Silvernail seconded, to allow the Mayor to sign the Operating Agreement at the Deadwood Event Center to extend the completion date to July 1, 2013. According to agreement, Tentexkota will provide marketing and promotion for special events, meetings, and conventions at the "Deadwood Events Center." Roll Call: Aye-All. Motion carried.

Change Order Agreement - Tentexkota
Klamm moved, Schroeder seconded, to allow the Mayor to sign the Change Orders Agreement between the City of Deadwood and Tentexkota requiring Tentexkota to pay, and be obligated, for all change orders over and above the $1.7 million committed by Historic Preservation and the City of Deadwood. Roll Call: Aye-All. Motion carried.

Contract - HCW, Construction Inc.
City Attorney Jason Campbell explained that the Commission had previously approved a contract with HCW Construction, Inc; however, due to issues with the amount of the contract he requested that the previous contract be cancelled and asked the Commission to approve the amended contract for $1,749.78 for the basement project. Silvernail moved, Schroeder seconded, to allow the Mayor to sign the amended contract between the City of Deadwood and HCW Construction, Inc. the City Hall basement remodel project. Roll Call: Aye-All. Motion carried.

Contract - Dakota Custom Woodwork
Silvernail moved, Schroeder seconded, to allow the Mayor to sign the contract between the City of Deadwood and Dakota Custom Woodwork for $1,480.00 for the construction and installation of counter tops for the City Hall basement remodel project. Roll Call: Aye-All. Motion carried.

Contract Amendment - Waste Connections, Inc.
City Attorney Jason Campbell explained the Commission had previously approved the residential service garbage contract with Waste Connections, Inc; however, the bulk dumpsters were not included in the contract and asked the Commission to approve the amended contract. Silvernail moved, Klamm seconded, to allow the Mayor to sign the amended four year residential garbage service contract between the City of Deadwood, City of Lead, and Waste Connections, Inc. for $13.50 per residence plus tax per month. Roll Call: Aye-All. Motion carried.

Contract - 99 Williams Retaining Wall
Silvernail moved, Schroeder seconded, to allow the Mayor to sign the contract between the City of Deadwood, Richard Millikan (99 Williams), and Dennis Forgey Construction for the retaining wall project at 99 Williams for $7,526.00. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

DakotaCare - Contract
The City of Deadwood employees are participating in a health risk assessment. The cost is $20.00 per employee with the total cost being reimbursed to the City by DakotaCare. Silvernail moved, Schroeder seconded, to allow the Mayor to sign the "Health and Wellness Services" contract between the City of Deadwood and DakotaCare. Roll Call: Aye-All. Motion carried.

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

EXECUTIVE SESSION/ADJOURNMENT
Silvernail moved, Klamm seconded, to adjourn the regular session at 5:45 p.m. and convene into Executive Session for personnel matters with no action to be taken. The next regular meeting will be at 5:00 p.m. on Monday, December 21, 2009.

ATTEST:

Mary Jo Nelson, Finance Officer

DATE: 12-21-09

BY: Francis A. Toscana

Francis A. Toscana, Mayor

CITY OF DEADWOOD SEAL SOUTH DAKOTA

For any public notice that is published one time:
Published once at the total approximate cost of _____.