

REGULAR MEETING, August 22, 2011

The Regular Session of the Deadwood City Commission convened on August 22, 2011 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, Georgeann Silvernail, Gary Todd, and Jim Van Den Eykel. Commissioner Joe Peterson was absent. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Van Den Eykel moved, Todd seconded, to approve the minutes of August 15, 2011. Roll Call: Aye-All. Motion carried.

APPROVAL OF DISBURSEMENTS

Silvernail moved, Van Den Eykel seconded, to approve the August 22, 2011 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MAINT	478.99
ABC BUSINESS	SUPPLIES	516.48
ADAMS MUSEUM	OP EXPENSES	2,151.55
ALLSTATES COATINGS	SEALANT	2,219.00
AMANO MCGANN	VALIDATOR	9,670.00
AQITY, INC.	METER PARTS	6,779.00
ARLETH & ASSOC	MILLER ST	1,397.48
BH HISTORIC PRESEVATION	GRANT	7,000.00
BH PIONEER	PUBLICATIONS	129.25
BH POWER	UTILITIES	16,801.59
BH SPECIAL SERVICES	CLEANING	1,512.00
CALIFORNIA CONTRACTORS	WRENCH	79.90
CENTURY LINK	PHONE/FERGUSON FIELD	213.00
CODDINGTON, RANDI	REIMBURSE	77.50
CONRADS BIG "C" ELECTRIC	LIGHTS-'76 ARENA	507.51
CULLIGAN	SUPPLIES	146.50
DAKOTA GRAPHICS	PRINTING	1,318.74
DAKOTACARE	HEALTH PREMIUMS	45,691.63
DEADWOOD ALIVE	AUG BILL	20,000.00
DEADWOOD CHAMBER	BILLS LIST	45,800.00
DEADWOOD ECONOMIC DEV	AUG PYMNT	1,580.02
DERBY, CHANDA	REFUND REC CNTR	75.00
DEROSIER, DIAN	REIMBURSE	30.00
DUNCAN PARKING TECH	ADAPTORS	1,597.85
FORCOLI & SONS PAINTING	ADAMS HOUSE PRJ	47,147.02
GAYLORD BROS.	SUPPLIES	29.31
GOLDEN WEST TECHNOLOGIES,	STORAGE	360.75
GOVERNMENT FINANCE OFFICER	AFCA BOOK	48.00
GTECH FITNESS INC	DUMBBELL	430.00
HCW, INC.	LOAN DISB	1,071.43
INTERSTATE BATTERY	BATTERIES	134.40
J. SCULL CONSTRUCTION	DAYS OF 76 PRJ	404,227.82
KNOLOGY	SERVICE	44.66
LC REGISTER OF DEEDS	GRANT	2,299.00
LEAD-DEADWOOD REGIONAL HOSPITAL	STANDBY-EVENT	450.00
LESTER, ROB	REIMBURSE	197.19
LYNN'S	SUPPLIES	35.58
MARSOLEK, RICHARD	REIMBURSE	77.50
MARTINISKO, JOHN	LOAN DISB	10,000.00
MENARD'S	SUPPLIES	155.64
NEIGHBORHOOD LENDING SERV	CLOSING CST DISB	85.50
NEVE'S	UNIFORMS	207.87
NH RAILWAY SOCIETY	FUNDING	1,000.00
OUTDOOR GROUP	MT. MORIAH AD	1,000.00
PURCHASE CONSTRUCTION	LOAN DISB	10,000.00
SD DEPT. OF REVENUE	LIC APP-BULLOCK	75.00
SHAMA, LARRY	LOAN DISB	238.11
SHERMAN, PATRICIA	LOAN DISB	3,000.00
ST AMBROSE CATHOLIC CHURCH	GRANT	50,000.00
STRETCH'S	GLASS-INTERP CNTR	395.26
TOMS, DON	LC LEDGER PRJ	630.00
ZEP	SUPPLIES	428.34
	TOTAL	\$ 699,541.37

ITEMS FROM CITIZENS ON AGENDA

Lawrence County Emergency Management

Paul Thomson, Lawrence County Director of Emergency Management, appeared before the Commission to present them with following handouts on the Disaster Declaration Process/Response and Recovery Procedures, Emergency Management Overview, Emergency Planning (DENR/SARA Title III Grants), and National Incident Management System (NIMS.) All items were discussed in detail. Mayor Toscana thanked Thomson for his hard work and dedication to the County as well as the City of Deadwood.

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S.D. Department of Legislative Audit – 2010

Al Schaeffer from S.D. Department of Legislative Audit appeared before the Commission to review the results of the 2010 audit. As stated in the management letter, he suggested that a third party should review journal entries recorded by the Finance Officer. Schaeffer added the audit went very well and requested the Mayor and Finance Officer to sign the representation letter. Mayor Toscana thanked Al Schaeffer and Bruce Hintz for their report. Silvernail moved, Todd seconded, to allow the Mayor and Finance Officer to sign the representation letter for the 2010 Audit. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS/BID OPENINGS

Bid Opening – Water Main Improvements (Peck-Ryan)

Jim Raysor, Public Works Director, opened and read the two following bids for the Peck Street and Ryan Road Water Main Improvements:

**Bid Tabulation
Peck Street & Ryan Road Water Main Improvements
Bid Opening held on August 22, 2011 @ 5:05 p.m.**

Contractor	Bid Bond	Base Bid	Alternate (Calamity Lane)
Spearfish Excavating, Inc.	X	\$241,628.60	\$262,214.00
McDirt Excavation, Inc.	X	\$198,986.10	\$217,822.85

Raysor requested more time to review bids. Silvernail moved, Van Den Eykel seconded, to continue bid opening to the August 29, 2011 meeting. Roll Call: Aye-All. Motion carried.

Deadwood Jam - Street Closures – Siever Street (continued from 8/15/2011)

Mayor Toscana informed the Commission that he discussed the use of the Siever Street Lot with the Deadwood Mountain Grand General Manager and they no longer need to lease these spaces. Silvernail moved, Todd seconded, to approve the Deadwood Jam's request to close Siever Street from 8:00 am Thursday, September 15 to 12:00 Midnight on Saturday, September 17, 2011 for the Jam events. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Van Den Eykel seconded, to approve the request from the Days of 76 to waive the vending and user fees at the Rodeo Grounds for the Steer Roping event on September 3, 2011. Roll Call: Aye-All. Motion carried.

Deadwood Chamber – Kool Deadwood Nites Request

George Milos, Deadwood Chamber, requested permission to move the jumbo tron screen back to the original location on Main Street during Kool Deadwood Nites and revert back to traffic flow pattern in front of Broadway Parking Ramp as in previous years during event. Commissioner Van Den Eykel asked Milos why the recent change since the event has been in the planning stages for a whole year. Van Den Eykel added that Lower Main Street businesses are not very happy due to additional advertising done in anticipation of the jumbo tron move. Milos apologized to the Commission and explained that due to cost overruns the Board decided to revert back to the original plan. Milos said it was a split decision on behalf of the Chamber Board of Directors; however, ultimate decision was to go back to original plan. Van Den Eykel said the Tour Bus operators received a memo regarding the change before the Commission made their decision. Todd said he did not like the plan to begin with and added he liked the original plan they have used in years past. Mayor Toscana said the Safety Committee, Commission and the Deadwood Chamber try very hard to make everyone happy and it is impossible. Silvernail moved, Todd seconded, to approve new street closure request for concerts on Friday, August 26 and Saturday, August 27, 2011 to close Deadwood to Pine Streets from 4:00 p.m. to 10:00 p.m. and move the jumbo tron back to original location as requested. Roll Call: Aye-Silvernail, Todd, Toscana. Nay: Van Den Eykel. Motion carried.

Bid Opening Decision – 91 Forest & 33 Taylor (Continued from August 8 & 15, 2011)

Kevin Kuchenbecker requested permission to award the following bids contingent upon the property owner's payment and concurrence. Award Forgey Construction bid for 91 Forest for \$250,000 and RCS Construction bid for 33 Taylor for \$80,500. Silvernail moved, Van Den Eykel seconded, to award the low bid to Forgey Construction for 91 Forest, \$250,000, contingent upon owner's payment and concurrence. Silvernail moved, Todd seconded, to award the low bid

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to RCS Construction for 33 Taylor for \$80,500, contingent upon owner's payment and concurrence. Roll Call: Aye-All. Motion carried.

Set Public Hearing

Todd moved, Van Den Eykel seconded, to set a public hearing at 5:05 p.m. on September 6, 2011 for 14th Annual Mickelson Trail Trek event to be held on September 18, 2011. Roll Call: Aye-All. Motion carried.

FINANCE

Payment Request

Silvernail moved, Van Den Eykel seconded, to approve the payment of \$213,856.30 to the South Dakota Public Assurance Alliance for insurance coverage to September 27, 2012. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING & ZONING/PUBLIC BUILDINGS

Ferguson Field – Additional Power

Lead-Deadwood School District is requesting permission to upgrade electrical and install additional outlets to Ferguson Field building for concessions during football season at a cost of \$1,500 to \$3,000. Raysor informed the Commission the School District is willing to cost share (50/50) this expense. Todd moved, Van Den Eykel seconded, to approve the City's portion not to exceed \$1,500 for additional outlets and electrical upgrade provided the school pay 50% of total cost. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Fire Department Roster

Silvernail moved, Van Den Eykel seconded, to add Rylan Rakow to roster as Jr. Firefighter for workers compensation purposes, effective August 11, 2011. Roll Call: Aye-All. Motion carried.

Extend Vacation Hours

Silvernail moved, Todd seconded, to allow Kelly Fuller to extend 150 hours of vacation to October 31, 2011. Roll Call: Aye-All. Motion carried.

Advertise Position – In-House

Silvernail moved, Van Den Eykel seconded, to allow the Police Department to advertise in-house for five days for police officer position. Roll Call: Aye-All. Motion carried.

Staff Fire Hall Request

Silvernail moved, Van Den Eykel seconded, to approve the payment of \$1,000 to the Deadwood Volunteer Fire Department to staff fire hall during Kool Deadwood Nites events. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Employee Resignation

Todd moved, Van Den Eykel seconded, to accept the resignations of the following Rec Center Summer Camp employees: Nita Jardee, Kaitlan Middlemas, and Nick Silvernail effective August 15, 2011. Roll Call: Aye-All. Motion carried.

Hire Request

Todd moved, Silvernail seconded, to enter into a contract with Mark Speirs to paint the restrooms at Gordon Park at a cost of \$2,652.00, to be paid from Parks Department budget. Roll Call: Aye-All. Motion carried.

Advertise – Rec Center

Todd moved, Silvernail seconded, to allow the Rec Center Manager to advertise for lifeguard positions. Roll Call: Aye-All. Motion carried.

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LEGAL BUSINESS

Contract – Jacob’s Welding

Silvernail moved, Todd seconded, to allow the Mayor to sign an agreement between the City of Deadwood and Jacob’s Welding to dismantle, move, and reassemble cannon on Lead-Deadwood Elementary School grounds not to exceed \$2,500. Roll Call: Aye-All. Motion carried.

Contract – Forgey Construction

Van Den Eykel moved, Silvernail seconded, to allow the Mayor to sign an agreement between the City of Deadwood and Forgey Construction for the repairs to Burnham Hill for \$14,532.50. Roll Call: Aye-All. Motion carried.

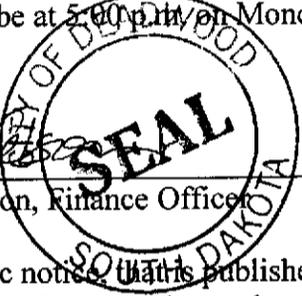
Contract – Hills Materials

Todd moved, Van Den Eykel seconded, to allow the Mayor to sign an agreement between the City of Deadwood and Hills Materials for the overlay project on Upper Main Street for \$39,124.00. Roll Call: Aye-All. Motion carried.

ADJOURNMENT

Silvernail moved, Todd seconded, to adjourn the regular session at 5:45 p.m. The next regular meeting will be at 5:00 p.m. on Monday, August 29, 2011.

ATTEST:

A circular official seal of the City of Deadwood, South Dakota. The seal features the text "CITY OF DEADWOOD" around the top inner edge and "SOUTH DAKOTA" around the bottom inner edge. In the center, the word "SEAL" is written in a bold, serif font. A signature is written over the seal.
Mary Jo Nelson, Finance Officer

DATE: 8-29-11
BY: Francis A. Toscana
Francis A. Toscana, Mayor

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