

**REGULAR MEETING, December 31, 2012**

The Regular Session of the Deadwood City Commission convened on December 31, 2012 at 12:00 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, City Attorney Terri Williams and Commissioners Joe Peterson, Georgeann Silvernail, Gary Todd and Jim Van Den Eykel. All motions passed unanimously unless otherwise stated.

**APPROVAL OF MINUTES**

Silvernail moved, Todd seconded to approve the minutes of December 17, 2012 and the Special Meeting December 20, 2012. Roll Call: Aye-All. Motion carried.

**APPROVAL OF DISBURSEMENTS**

Silvernail moved, Van Den Eykel seconded to approve the December 31, 2012 disbursements plus additional bill. Roll Call: Aye-All. Motion carried.

A & B BUSINESS	MAINTENANCE	311.58
ABC BUSINESS	SUPPLIES	134.29
ARLETH & ASSOCIATES	SURVEY	1,575.00
ATCO INTERNATIONAL	SERVICE	104.00
AVI SYSTEMS	SMART BOARD	6,101.00
BH CHEMICAL	SUPPLIES	635.23
BH OCCUPATIONAL	TESTING	843.56
BH PIONEER	SUBSCRIPTION	110.00
BH POWER	ELECTRICITY	22,959.68
BH SPECIAL SERVICES	CLEANING	1,176.00
BH BADLANDS & LAKES	MEMBERSHIP	476.00
BSN SPORTS	SUPPLIES	142.88
BUTLER MACHINERY	SENSORS	87.80
CITY OF LEAD	GRANT	5,927.55
CRARY HUFF LAW	SERVICES	92.50
CULLIGAN	SUPPLIES	33.00
DAKOTA BUSINESS	MAINTENANCE	143.90
DAKOTACARE	INSURANCE	42,167.76
FARMER BROTHERS	SUPPLIES	150.50
FASTENAL COMPANY	RUSOL	140.11
GOLDEN WEST	SOFTWARE	369.00
GOLDSTAR PRODUCTS	SUPPLIES	549.49
GOODWELL	TELEVISIONS	4,210.00
HOMESTAKE ADAMS RESEARCH	GRANT	8,551.55
INTERSTATE ENGINEERING	SERVICE	3,500.00
JACOBS WELDING	SUPPLIES	14.00
JULIN, SUZANNE	PROJECT	1,200.00
KADRMAS LEE & JACKSON	PROJECT	10,190.07
KNOLOGY	SERVICE	1,713.85
LEAD COUNTRY CLUB	GRANT	10,000.00
NELSON, GREG	REIMBURSEMENT	575.94
NEVE'S UNIFORMS	UNIFORMS	625.52
NORTHWEST PIPE FITTINGS	SUPPLIES	22.28
PACE STRATEGIC DEVELOPMENT	INSTALLMENT	1,200.00
PIONEER DESIGNS	SUPPLIES	43.00
PITNEY BOWES	LEASE	237.93
PRESERVE SD	SUPPLIES	7.50
RADENSLEBEN, ROBERT	REIMBURSEMENT	95.36
RAPP SALES	STARBLAST	40.00
RASMUSSEN	SERVICE	2,660.00
SCHAEFFER MANUFACTURING	SUPPLIES	497.08
SD DEPT. OF TOURISM	TOURISM	800.00
SHARKEY PLUMBING	SERVICE	957.34
TRIDLE, JOHN	REIMBURSEMENT	179.20
TRIPLE K	SERVICE	3,805.25
TURBIVILLE INDUSTRIAL	MOTOR	99.83
TWILIGHT	SUPPLIES	156.85
WESTERN COMMUNICATIONS	RADIOS	4,062.00
WESTERN STAR	CONNECTORS	99.99
WHITE'S QUEEN CITY	REPAIRS	1,484.91
	<b>TOTAL</b>	<b>\$141,260.28</b>

**PUBLIC HEARINGS/BID OPENINGS**

**Public Hearing – Resolution 2012-30**

Public hearing was opened at 12:03 p.m. by Mayor Toscana. There being no one present to speak in favor or against, hearing closed. Silvernail moved, Van Den Eykel seconded to pass Resolution 2012-30, Notice of Intent to Lease with Barefoot Resort for rental of billboard. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, December 31, 2012

**RESOLUTION NO. 2012-30  
RESOLUTION OF INTENT  
TO ENTER INTO A LEASE WITH BAREFOOT LODGE,  
FOR RENTAL OF BILLBOARD SPACE ON M.S. 774, UNCLE TOM LODE**

**WHEREAS**, the City of Deadwood owns the ground space located on M.S. 774, Uncle Tom Lode, Lawrence County, South Dakota; and

**WHEREAS**, Barefoot Resort proposes to rent space for billboard on the parcel owned by the City,

**WHEREAS**, pursuant to SDCL 9-12-5.2, a hearing was held before the City Commission of the City of Deadwood, South Dakota, on Monday the 31st day of December, 2012 at 5:05 p.m., in the Commission Chambers located at 102 Sherman Street, Deadwood, South Dakota, to consider the adoption of this Resolution of Intent; now therefore,

**BE IT RESOLVED** by the City of Deadwood that the City hereby declares its intent to enter into an Agreement with a private party for the purpose of leasing ground space for billboard on M.S. 774, Uncle Tom Lode, Lawrence County, South Dakota.

Dated this 31st day of December 2012.

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Francis A. Toscana, Mayor

Public Hearing

Silvernail moved, Todd seconded to set a public hearing at 5:05 p.m. on January 14, 2013 for Mardi Gras Event including open container, street closure and waive banner fees. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Peterson seconded to set a public hearing at 5:10 p.m. on January 14, 2013 for National Snow Cross Event including open container, user fees, banner and vending fees. Roll Call: Aye-All. Motion carried.

Public Hearing

Silvernail moved, Van Den Eykel seconded to set a public hearing at 5:13 p.m. for a malt beverage transfer from All Seasons Inn to WWW. LLC dba Gold Country Inn at 801 Main Street. Roll Call: Aye-All. Motion carried.

Public Hearing

Todd moved, Silvernail seconded to set a public hearing at 5:15 on January 14, 2013 for Tailgate Party Event including open container, street closure and waive banner fees. Roll Call: Aye-All. Motion carried.

FINANCE

Acknowledgement

Peterson moved, Silvernail seconded to acknowledge the adjusted contract and Change Orders 1 through 3 with Ainsworth Benning for a total contract amount of \$846,658.41 for TIF #9, Optima LLC. Roll Call: Aye-All. Motion carried.

Resolution 2012-31

Peterson moved, Silvernail seconded to pass Resolution 2012-31 to make interfund cash transfers for 2012. Roll Call: Aye-All. Motion carried.

**REGULAR MEETING, December 31, 2012**

**RESOLUTION 2012-31  
A RESOLUTION TO MAKE THE FOLLOWING INTERFUND CASH  
TRANSFERS FOR THE YEAR 2012**

Be it resolved by the Deadwood City Commission that the following interfund cash transfers be approved for the year 2012

From Historic Preservation (Fund 0215) to Trolley Department (Fund 0610) \$25,000.00 for trolley reserve and \$92,000.00 for support of trolley operational expenses. From Historic Preservation (Fund 0215) to General Fund (Fund 0101) for impact funds \$1,322,356.00. From Historic Preservation (Fund 0215) to Water Fund (Fund 0602) for impact funds \$160,814.00.

From Historic Preservation (Fund 0215) Cash from Bond Series 2003-2004 Construction Fund to the following Capital Projects Funds Cash in the following amounts: Slime Plant Project (Fund 0505) \$140,717.22, St. Ambrose (Fund 0544) \$624,824.61, Days of 76 Museum (Fund 0563) \$448,565.97 for construction project expenses.

From General Fund (0101) to Rubble Site Fund (0701) \$5,000.00 for Deadwood's share of operational expenses at the site.

From General Fund (Fund 0101) to Library Fund (Fund 0206) \$29,000.00 in support of operational expenses.

From Bed and Booze Fund (Fund 0209) to General Fund (Fund 0101) \$35,000.00 for partial payment of utility costs.

Dated this 31st day of December 2012.

ATTEST:

/s/ Mary Jo Nelson, Finance Officer

CITY OF DEADWOOD

/s/ Francis A. Toscana, Mayor

Project Fund

Peterson moved, Silvernail seconded to close the Slime Plant Capital Project Fund 0505 and refund the balance of \$10,543.20 to Tentexkota, due to final change order deduction. Roll Call: Aye-All. Motion carried.

Deadwood Business Club

Peterson moved, Todd seconded for Finance Office to write a check in the amount of \$24,000.00 to Deadwood Business Club for 2013 events: \$12,000.00 from Bed and Booze Fund and \$12,000.00 from BID #7, which was budgeted in 2013. Silvernail requested that Commission be provided with financial statements so city is aware of how the money was spent. Finance Officer Mary Jo Nelson stated per South Dakota Codified Law, letters are sent out on an annual basis requesting this information from non-profit organizations and in return they provide city with financial statements. Roll Call: Aye-All. Motion carried.

HISTORIC PRESERVATION/PLANNING AND ZONING/PUBLIC BUILDINGS/SAFETY

Wage Increase

Silvernail moved, Todd seconded to increase the wage of Parking Ramp Attendant Tera Mau from \$9.31 an hour to \$9.83 an hour effective December 19, 2012 after two years of service. Roll Call: Aye-All. Motion carried.

Final Plat Approval

Silvernail moved, Van Den Eykel seconded to approve final plat for Lot A of Block 24 and 27' Public Access and Utility Easement, Original Townsite of Deadwood, Formerly Lots 1-6 of Block 24, The Remaining Portion of Lot 18 and Lots 19-21 of Block 22 of the Original Townsite of Deadwood, and Formerly a Portion of M.S. 97 Less Lot H1; All Located in the SE1/4 of Section 22, T5N, R3E, B.H.M., City of Deadwood, Lawrence Country South Dakota. Approved by the Planning and Zoning Commission on December 19, 2012. Planning and Zoning Officer Bob Nelson Jr. stated that the City may need to have a Right to Occupy from the State. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, December 31, 2012

Terminate

Silvernail moved, Van Den Eykel seconded to terminate Historic Preservation Intern, Matthew Hodson effective September 1, 2012. Roll Call: Aye-All. Motion carried.

STREETS AND WATER/LIBRARY

Permission

Van Den Eykel moved, Todd seconded to pay Heaton Drilling \$6,884.58 for the work done at Oakridge well. Roll Call: Aye-All. Motion carried.

Easement

Van Den Eykel moved, Silvernail seconded to allow the mayor to sign the permanent Utility Easement and Temporary Construction Easement between the City of Deadwood and Joel Westcott for property on McGovern Hill. Roll Call: Aye-All. Motion carried.

POLICE/FIRE

Permission

Silvernail moved, Todd seconded to allow the Police Department to issue purchase order for a Dodge ½-ton truck from Billion Auto off state bid contract #16413 on January 3, 2013 at a cost of \$23,276.00. Expenditure was budgeted in 2013. Roll Call: Aye-All. Motion carried.

PARKS/RECREATION/TROLLEY

Wage Increase

Todd moved, Silvernail seconded to increase the wage of Trolley Driver Barbara Hughes from \$9.31 an hour to \$10.35 an hour effective December 21, 2012 after 18 months of service. Roll Call: Aye-All. Motion carried.

LEAGAL BUSINESS

Cemetery Certificate

Silvernail moved, Van Den Eykel seconded to allow the Mayor to sign the Oakridge Cemetery Certificate of Purchase and Warranty Deed for Timothy R. Johns. Roll Call: Aye-All. Motion carried.

MAYORS BUSINESS

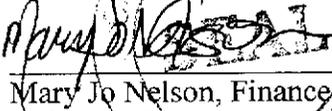
Information

Mayor Toscana stated the two properties on Cliff Street known as the Ice House and Killarney Motel Lot is now owned by the City of Deadwood. Closing was held Thursday December 27, 2012.

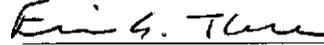
ADJOURNMENT

Silvernail moved, Van Den Eykel seconded to adjourn the regular session at 12:18 p.m. The next regular meeting will be at 5:00 p.m. on Monday January 7, 2013.

ATTEST:

  
Mary Jo Nelson, Finance Officer

DATE: 1-7-13

BY:   
Francis A. Toscana, Mayor

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