

REGULAR MEETING, FEBRARY 1, 2021

The Regular Session of the Deadwood City Commission convened on Monday, February 1, 2021 at 5:00 p.m. in the Deadwood City Commission Chambers, 102 Sherman Street, Deadwood, South Dakota. Mayor David Ruth Jr. called the meeting to order with the following members present: Department Heads, City Attorney Quentin L. Riggins, and Commissioners Michael Johnson, Sharon Martinisko, Charlie Struble and Gary Todd. All motions passed unanimously unless otherwise stated.

APPROVAL OF MINUTES

Struble moved, Todd seconded to approve the minutes of January 19, 2021. Roll Call: Aye-All. Motion carried.

JANUARY, 2021 PAYROLL: COMMISSION, \$2,730.76; FINANCE, \$19,953.84; PUBLIC BUILDINGS, \$12,691.88; POLICE, \$77,033.68; FIRE, \$5,850.88; BUILDING INSPECTION, \$4,369.20; STREETS, \$31,940.73; PARKS, \$22,117.27; PLANNING & ZONING, \$4,548.18; LIBRARY, \$5,626.28; RECREATION CENTER, \$19,949.48; HISTORIC PRESERVATION, \$18,079.60; WATER, \$16,758.82; PARKING METER, \$9,820.68; TROLLEY, \$20,090.79; PARKING RAMP, \$1,368.50. **PAYROLL TOTAL: \$272,930.57.**

JANUARY, 2021 PAYROLL PAYMENTS:

Internal Revenue Service, \$64,634.34; S.D. Retirement System, \$31,813.90; Delta Dental, \$4,509.96.

APPROVAL OF DISBURSEMENTS

Commissioner Martinisko read corrections to the bill list. Martinisko moved, Johnson seconded to approve the February 1, 2021 disbursements. Roll Call: Aye-All. Motion carried.

A & B BUSINESS SOLUTIONS	CONTRACT	365.33
A - Z SHREDDING	SERVICE	64.35
ACE HARDWARE	SUPPLIES	37.96
ACE INDUSTRIAL SUPPLY	SUPPLIES	2,164.95
ALL ASPECTS	PROJECTS	595.00
ALSCO	SUPPLIES	347.84
AMAZON CAPITAL	SUPPLIES	289.24
AMAZON	SERVICES	232.59
AMERICAN LEGAL	RENEWAL	450.00
BALCO UNIFORM	UNIFORMS	251.38
BARCO PRODUCTS	BENCH	1,026.54
BELL, DYLAN	REIMBURSEMENT	434.00
BH CHEMICAL	SUPPLIES	1,468.53
BH PIONEER	SUBSCRIPTION	130.99
BH WINDOW CLEANING	CLEANING	2,862.00
BLACKSTRAP	SUPPLIES	7,887.50
BOMGAARS	SUPPLIES	595.44
BROWN'S SMALL ENGINE REPAIR	SUPPLIES	48.37
BUTLER MACHINERY	SUPPLIES	165.46
CASEY, PAUL	PROJECT	5,509.36
CDW GOVERNMENT	SUPPLIES	907.21
CHAINSAW CENTER	SUPPLIES	1,575.90
CHRIS SUPPLY	SUPPLIES	1,441.98
CRESCENT ELECTRIC	PROJECT	1,046.98
CURTIS BLUE LINE	UNIFORMS	362.50
DAKOTA TITLE	SERVICE	120.00
DEADWOOD GAMING	BID#8 LOBBYING	45,000.00
EAGLE ENTERPRISES	SUPPLIES	3,881.76
EPCO ENVIRONMENTAL	SUPPLIES	570.50
FASSBENDER COLLECTION	OPERATIONS	15,000.00
GALLS	UNIFORMS	194.91
GRIMM'S PUMP	SUPPLIES	46.50
HILLYARD	SUPPLIES	793.04
HOMETOWN MANUFACTURING	SUPPLIES	186.00
INTERSTATE ENGINEERING	PROEJCT	19,405.50
IPS GROUP	PROJECT	5,700.00
JACOBS WELDING	SANDER	10,750.00
JANKE AND SONS TRUCKING	SERVICE	700.00
JS CONSTRUCTION	PROJECT	1,224.49
KIMBALL MIDWEST	SUPPLIES	217.74
KNECHT	SUPPLIES	30.90
LAWRENCE CO. REGISTER	SERVICE	150.00
LAWSON PRODUCTS	SUPPLIES	188.16
LIGHTING MAINTENANCE	SUPPLIES	671.44
MID-AMERICAN RESEARCH	SUPPLIES	331.25
MIKLA, JAMES & CHRISTINE	PROJECT	712.19
MD UTILITIES	SERVICE	11,530.92
MS MAIL	SERVICE	300.00
MUNICODE	SUBSCRIPTION	2,400.00
MUTUAL OF OMAHA	INSURANCE	258.37
NEWKIRK, ADRIAN	PROJECT	7,717.06
NORTHWEST PIPE FITTINGS	SUPPLIES	71.28
PETTY CASH	HP/ZONING	37.95
QUICK TROPHY	SUPPLIES	26.67
QUIK SIGNS	SERVICE	245.42
QUILL	SUPPLIES	57.98
RASMUSSEN	PROJECT	960.33
ROBERTS, CHRIS	REFUND	25.00
S AND C CLEANERS	CLEANING	8,523.00
SCOTT PETERSON MOTORS	SUPPLIES	235.56
SD DEPT. OF REVENUE	LICENSE	150.00

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SD PUBLIC HEALTH LAB	TESTING	30.00
SERVALL	SUPPLIES	1,437.24
SKIDRIL INDUSTRIES	SUPPLIES	233.58
SOUTH DAKOTA 811	SERVICE	12.32
SOUTHSIDE OIL	FUEL	10,620.79
SPEARFISH AUTO SUPPLY	SUPPLIES	277.49
TALLGRASS LANDSCAPE	PROJECT	11,010.00
TCF EQUIPMENT FINANCE	TROLLEYS	9,400.86
TEAM LABORATORY	SUPPLIES	5,238.00
TRIPLE K	SERVICE	72.00
TRITECH SOFTWARE SYSTEMS	SERVICE	1,244.00
TWIN CITY HARDWARE	SUPPLIES	3,071.06
TWIN CITY HARDWARE	GRANT	1,800.00
TWIN CITY HARDWARE	GRANT	58.97
U.S. BANK	TRUSTEE FEES	1,000.00
USA BLUEBOOK	SUPPLIES	757.19
VAST	SERVICE	3,403.07
VERIZON	SERVICE	136.65
VIEHAUSER ENTERPRISES	SERVICE	64.85
WELLMARK	INSURANCE	57,738.64

Total \$276,282.03

Audit

Al Schaefer, South Dakota Dept. of Legislative Audit, was available via Zoom to update Commission on the 2019 closing conference. He stated there were two written findings, which were: financial reporting errors and the annual report not filed on a timely basis.

The management letter references transfers recorded between the BID funds and General Fund, Parking and Transportation Fund and General Fund for administrative and other services, Internal Control Review of Neighborhood Housing's processing of revolving loans for the Municipality, and transfers made between various municipal funds without prior approval of City Commission, annual report not filed on time, and municipality incurred expenditures in excess of appropriations. Schaefer stated the Commission has the option to respond to written comments. Finance Officer McKeown stated city has a deadline and defers to City Attorney for final decision. Attorney Riggins stated he believes there are some items we'd like to respond to but given the timeline we thought it would be best to be finished. Commissioner Todd questioned with our deadline tomorrow we don't have opportunity to address issues, why was audit done so late. McKeown stated US Bank said we were out of compliance as the bond council has the deadline of December 31st with a 30-day grace period. She stated our deadline this year for 2020 is September 30 due to federal funding. Schaefer thanked Finance Office staff and department heads for their cooperation and assistance. Martinisko moved, Johnson seconded to acknowledge receipt of Findings of Legislation Audit and allow Mayor to sign letter. Mayor Ruth Jr. stated he hopes future audits will be completed on time to not affect bond ratings. Commission thanked Schaefer for his time. Roll Call: Aye-All. Motion carried.

CONSENT

Struble moved, Martinisko seconded to approve the following consent items. Roll Call: Aye-All. Motion carried.

- a) Permission for Mayor to sign contract with TTG Enterprise to perform Phase two of Supervisory Control and Data Acquisition, SCADA. (approved January 19, 2021)
- b) Acknowledge U.S. Dept. of Agriculture Forest Service, Fireveil Detection Device Special Use Permit Renewal
- c) Permission for Mayor to sign Surface Water Discharge Permit Renewal Application with SD Department of Environment and Natural Resources
- d) Extend 50 hours of vacation for Kip Mau until May 1, 2021.
- e) Permission to pay Blackstrap, Inc. in the amount of \$8,022.05 for salt. (To be paid from Street Supplies)
- f) Permission to pay Central Square Technologies (Zuercher) in the amount of \$5,600.15 for 2021 licensing fees. (To be paid from Police Professional Services.)
- g) Permission to hire Baylee Schultz as a Library Assistant at \$12.88 per hour effective February 16, 2021, pending pre-employment screening.
- h) Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Kristi Eggers, Lawrence Howell and Jim and Carol Kratz
- i) Allow use of public property at the Event Complex for BHYFL 49ers Football July 15 - October 31, 2021 pending proof of insurance
- j) Allow use of public property at the Event Complex for Lead Deadwood Girls Softball June 18 through June 20, 2021

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- k) Permission to pay BDTAID, Inc. for Phase 3 of the sign development package for the Deadwood Event Complex in the amount of \$2,901.75 to be paid from HP Capital Assets Event Complex line item.

BID ITEMS

Results

Mayor Ruth stated five bids were opened with one incomplete package for Whitewood Creek Improvement Project – Phase 5 as advertised. Bid bond or cashier's checks were included in the following bid submittals:

Donarski Lawncare & Landscaping - \$89,889.00; Tree Removal 6-12" DBH Tree-250 each; Tree Removal 12-24" Tree- 500 Each; Tree Removal <24"-1000 each; Erosion Control- 4.00/Square Yard, and Grass Seeding- .15/Square Foot

Moss Rock Landscaping - \$88,000.00; Tree Removal 6-12" DBH Tree-200 each; Tree Removal 12-24" Tree- 250 Each; Tree Removal <24"-300 each; Erosion Control-3.75/Square Yard, and Grass Seeding- .30/Square Foot

Quinns Landscaping & Excavating - \$69,995.00; Tree Removal 6-12" DBH Tree - 660 each; Tree Removal 12-24" Tree - 770 Each; Tree Removal <24" - 800 each; Erosion Control - 12/Square Yard, and Grass Seeding - .25/Square Foot

RCS Construction - \$93,250.00; Tree Removal 6-12" DBH Tree - 300 each; Tree Removal 12-24" Tree - 400 Each; Tree Removal <24" - 500 each; Erosion Control – 7.55/Square Yard, and Grass Seeding - .60/Square Foot

Street Construction Co. - \$114,876.00; Tree Removal 6-12" DBH Tree - 750 each; Tree Removal 12-24" Tree - 1360 Each; Tree Removal <24" - 2450 each; Erosion Control – 48.60/Square Yard, and Grass Seeding – 1.10/Square Foot

Public Works Director Nelson Jr. stated Phase 5 is from 76 Drive to the Amish Furniture Store which includes; cleanup and creation of walking path. Commissioner Todd questioned if the tree removal was above the \$69,995.00. Nelson Jr. stated those are unit prices for additional trees, which would have to be a change order if needed. Martinisko moved, Johnson seconded to award Whitewood Creek Improvement Project – Phase 5 to Quinns Landscaping & Excavating in the amount of \$69,995.00. Roll Call: Aye-All. Motion carried.

PUBLIC HEARINGS

Transfer

Public hearing was opened at 5:21 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Johnson moved, Struble seconded to approve transfers for Retail (on-off sale Malt Beverage (RB-2445) and Retail (on sale) Liquor (RL-5542) Licenses from SRK Development LLC to DBUH, LLC dba Bullock Hotel at 633 Main Street. Roll Call: Aye-All. Motion carried.

Transfer

Public hearing was opened at 5:22 p.m. by Mayor Ruth Jr. No one spoke in favor or against, hearing closed.

Todd moved, Struble seconded to approve transfers for Retail (on-off sale Malt Beverage (RB-21688) and Convention Center (on sale) Liquor (CL-0508) Licenses from SRK Development LLC to DHIH, LLC dba Hickok's Hotel at 685 Main Street. Roll Call: Aye-All. Motion carried.

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Set

Struble moved, Todd seconded to set public hearing on February 16 for Convention Center (on-sale) Liquor License for Keating Acquisitions LLC at 51, 53, 55 Sherman Street. Roll Call: Aye-All. Motion carried.

Martinisko moved, Johnson seconded to set public hearing on February 16 for Wednesday Night Concert Series at Outlaw Square. Roll Call: Aye-All. Motion carried.

Todd moved, Struble seconded to set public hearing on February 16 for NAJA Shriners Circus Event. Roll Call: Aye-All. Motion carried.

NEW BUSINESS

First Reading

Nelson Jr. spoke about the guidelines for snow removal and street cleaning. Martinisko moved, Johnson seconded to approve first reading of Ordinance #1321, Amending Chapter 10.12.046, Restrictions on parking for snow removal and street cleaning Roll Call: Aye-All. Motion carried.

Purchase

Nelson Jr. spoke about the purchase. Martinisko moved, Johnson seconded to purchase one Ranger 330PX Welder/Generator in the amount of \$6,108.21. To be paid from Street Department Equipment Budget. Roll Call: Aye-All. Motion carried.

Agreement

Historic Preservation Officer Kuchenbecker spoke about the agreement. Martinisko moved, Johnson seconded to enter into agreement with the South Dakota State Archaeological Research Center for the fieldwork plan on Whitewood Creek Improvement Project in an amount not to exceed \$7,300.00 to be paid from 2021 HP Archaeology line item. Commissioner Todd asked if we have done this previous with other phases of Whitewood Creek Project. Kuchenbecker stated no, but this is the creation of a new trail. Roll Call: Aye-All. Motion carried.

Contract

Kuchenbecker spoke about the contract. Martinisko moved, Struble seconded to enter into a professional services contract with Don Toms of Lead, SD for the Ledger Indexing Project in an amount not to exceed \$8,000.00 to be paid from the HP Archives line item as budgeted for 2021. Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

Bobby Rock, Outlaw Square, thanked Public Works Crew for assistance with K9 Keg Pull.

Attorney Riggins requested Executive Session for legal matters per SDCL 1-25-2(3) with possible action.

Mayor Ruth Jr. thanked City and Chamber staff for assistance with Snocross.

ADJOURNMENT

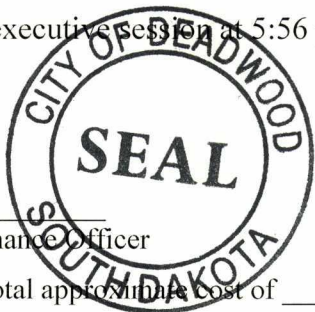
Todd moved, Struble seconded to adjourn the regular session at 5:36 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) with possible action. The next regular meeting will be on Tuesday, February 16, 2021.

After coming out of executive session at 5:56 p.m., Martinisko moved, Johnson seconded to adjourn.

ATTEST:



Jessicca McKeown, Finance Officer



DATE:

BY:

David Ruth Jr., Mayor

Published once at the total approximate cost of _____