



City Commission Regular Meeting Agenda

Monday, May 01, 2023 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

Public comments are welcomed, but no action can be taken by the Commission on comments received at this meeting. Anyone wishing to have the Commission vote on an item should call the Finance Office at 578-2600 by 5:00 p.m. on the Wednesday preceding the next scheduled meeting to be placed on the agenda.

1. Call to Order and Pledge of Allegiance

- a. Swear In and taking Oath of Office
Commissioners - Charlie Struble and Michael Johnson
City Attorney - Quentin Riggins

2. Roll Call

- a. Commission Departmental Appointments
David Ruth Jr. – Commissioner of Finance & Revenue and Chamber of Commerce Representative
Sharon Martinisko – Commissioner of Public Works & Utilities, Council of Local Governments Representative
Gary Todd – Commissioner of Public Safety (Police & Fire) and Commission President
Charlie Struble – Commissioner of Parks, Recreation & Events & Historic Preservation and Library Representative
Michael Johnson - Commissioner of Planning & Zoning, Parking & Transportation and Deadwood History Board Member

3. Approve Minutes

- [a.](#) Approval of April 17, 2023 City Commission minutes

4. Approve Bills

- [a.](#) Approval of Bill List for May 1, 2023

5. Items from Citizens on Agenda

- [a.](#) Proclamation declaring May 14 - May 20, 2023 as Police Week in City of Deadwood
- [b.](#) Proclamation declaring the week of May 15 - May 21, 2023 as Law Enforcement Torch Run for Special Olympics South Dakota week.
- [c.](#) Proclamation declaring Friday May 12, 2023 as Arbor Day in the City of Deadwood

6. Consent Agenda

Matters appearing on Consent Agenda are expected to be non-controversial and will be acted upon by the Commission at one time, without discussion, unless a member of the Commission requests an opportunity to address any given item. Items removed from the Consent Agenda will be discussed at the beginning of New Business.

- a. Permission for the Mayor to reappoint Mike Albertson (engineer); Jenn Johnson (architect); and Vaughn Smith (contractor) to the Board of Appeals with the term expiring on May 31, 2026.
- b. Permission to advertise in-house for 5 days and then in official newspaper for Parks Technician position at \$19.00 per hour. (D9 rank)
- c. Permission to accept resignation from part-time police officer, Brandon Snyder, effective April 13, 2023.
- d. Permission to hire Tashon Clark as full-time (non-certified) police officer at \$23.22 per hour effective May 7, 2023 and Keegan Holzapfel as full-time (non-certified) police officer at \$23.22 per hour effective May 14, 2023. Both pending pre-employment screening.
- e. Permission to hire Erica Hansen, James Burke, Jonas Runge and Maeve Campbell as part-time life guards at the rate of \$14.33 per hour effective May 10, 2023 pending pre-employment screening.
- f. Permission to hire Douglas White as seasonal Mt Moriah ticket booth attendant at \$14.33 per hour effective May 8, 2023 pending pre-employment screening.
- g. Permission to advertise in-house for 5 days and then in official newspaper for Rec Center Director position at \$25.00-\$27.00 per hour (D15-17 rank) depending on education, experience and qualifications.
- h. Permission to adopt updated position description for Historic Preservation Officer.
- i. Permission to adopt updated position description for Zoning Administrator.
- j. Permission to adopt updated position description for the City Planner.
- k. Permission to advertise for part-time (10 hours per week) Library Assistant II position at \$14.33 per hour and part-time (25 hours per week) Library Assistant I at \$15.57 per hour.
- l. Permission for Mayor to sign Oakridge Cemetery Certificates of Purchase and Warranty Deeds for Tyler Rachetto and Joshua Taylor, and Corrected Warranty Deed for Gregg Maynard.
- m. Permission to waive City pet licensing fees on May 25th, 2023 for City-sponsored Pet Licensing Day at Welcome Center. Veterinarian will be on onsite to offer discounted pet vaccinations, as well.
- n. Acknowledge Deadwood Public Library 2022 Annual report which was submitted to SD State Library.
- o. Permission for Mayor to sign City Five Cent Slot Machine Lease and Operating Agreement transfer from Super G to SGM SD LLC.

7. **Bid Items**

- [a.](#) Permission to advertise and set bid opening for June 15, 2023 at 2:00 p.m. with results to the City Commission on June 19, 2023 for Whitewood Creek Restoration - Bid Package 1 - Sites 1C, 2A, 2B, 3A, 3B for FEMA Project #123108.
- [b.](#) Results of bid opening on Thursday, April 27 at 2:00 p.m. for the "Days of 76 VIP Grandstand – Concessions Building." Ainsworth Benning - \$1,259,846.00, Rangel Construction - \$1,332,800.00, Complete Concrete - \$1,568,700.00.
- [c.](#) Results of bid opening on Thursday, April 27 at 2:00 p.m. for the City wall adjacent to "Berg Jewelry Stair Enclosure." Complete Concrete - \$498,254.00
- [d.](#) Results of bid opening on Thursday, April 27 at 2:00 p.m. for the retaining wall at 5 Harrison Street. RCS Construction - \$197,000.00, Complete Concrete - \$286,795.00

8. **Public Hearings**

- [a.](#) Hold public hearing for Conditional Use Permit for Home Occupation at 63 Stewart Street for Carson Witt and Act as Board of Adjustment for approval, approval with conditions or denial.
- [b.](#) Hold public hearing for Convention Center (on-sale) Liquor and Retail (on-off sale) Malt Beverage & SD Farm Wine License transfers from Cliff Street, LLC to Deadwood Gaming BHCI LLC dba Deadwood Comfort Inn.
- c. Set public hearing on May 15 for Convention Center (on-sale) Liquor (CL-0506), Retail (on-off sale) Malt Beverage & SD Farm Wine (RB-2659) and Retail (on-off sale) Wine and Cider (RW-6643) License transfers from Hotel Franklin Inc. to SGMSD, LLC dba Franklin Hotel.
- d. Set public hearing on May 15 for Retail (on-sale) Liquor (RL-5538), Retail (on-off sale) Malt Beverage & SD Farm Wine (RB-2512) and Retail (on-off sale) Wine and Cider (RW-6436) License transfers from Super G Investments, Inc. to SGMSD, LLC dba Silverado Gaming Establishment and Restaurant.
- e. Permission to waive 45-day requirement and set public hearing on May 15 for Summer Kick Off Concert: open container in zone 1 and 2 from 5:00 p.m. until 10:00 p.m. on Friday, May 26, and Saturday, May 27 from noon to 10:00 p.m.; street closure on Deadwood Street from Main Street to Pioneer Way from 7:00 a.m. on Friday, May 26 to 1:00 a.m. on Sunday, May 28, 2023.
- f. Set public hearing on May 15 for Deadwood Moto Show Event: open container Friday, June 2 from 5:00 p.m. to 10:00 p.m. and Saturday, June 3 from 5:00 p.m. to 10:00 p.m. at the Event Complex; and waiver of user fees Tuesday, May 30 through Monday, June 5 2023 at the Event Complex.
- g. Set public hearing on May 15 for NAJA Shriners Circus Event: waiver of user fees at Event Complex Saturday, June 24, 2023.
- h. Set public hearing on May 15 for Holistic Fair: open container in zone 3 only from 3:00 p.m. to 7:00 p.m. on Saturday, June 24; street closure on Deadwood Street from Main Street to Pioneer Way from 7:00 a.m. to 10:00 on Saturday, June 24, 2023.

- i. Set public hearing on May 15 for Bev's Poker Run: Main Street Parking from Wall to Lee Street (southwest side only) from 5:00 p.m. to 10:00 p.m. on Sunday, June 25, 2023.
- j. Set public hearing on May 15 for NAJA Shriners Beer-A-Thon and Craft Beer Tasting: open container in zone 1 and 2 from 5:00 p.m. until 10:00 p.m. on Friday, July 14, and Saturday, July 15 from noon to 10:00 p.m.; street closure on Deadwood Street from Main Street to Pioneer Way from noon on Friday, July 14 to 10:00 p.m. on Saturday, July 15, 2023.

9. **Old Business**

10. **New Business**

- a. Second Reading of Ordinance #1367 Amending Chapter 17.08 - Definitions within Title 17 Zoning dealing with Short-Term Rentals.
- b. Second Reading of Ordinance #1368 Amending Chapter 17.32 C1 Commercial District under Title 17 Zoning dealing with Short-Term Rentals.
- c. Second Reading of Ordinance #1369 - Amending Chapter 17.40 CH Commercial Highway District under Title 17 Zoning dealing with Short-Term Rentals.
- d. Second Reading of Ordinance #1370 Amending Chapter 17.53 Transient Commercial Use of Residential Property under Title 17 Zoning dealing with Short-Term Rentals.
- e. First Reading Ordinance #1371 Chapter 2.08 City Officers
- f. Permission to payoff 2021 Mack Dumptruck Vin # 2317 in the amount of \$63,592.36 (2023 and 2024 lease payments) to KS State Bank. Permission to allow Finance Officer to complete paperwork for City to receive \$70,202 rebate from SD DENR - AQ Program.
- g. Approve Resolution 2023-12 to Surplus 1995 International 4800 dump truck.
- h. Resolution 2023-13 Set fees for 8 inch water tap.
- i. Permission to allow Mayor to sign contract and with Avid4 Engineering for 2023 GIS Services in an amount not to exceed \$30,000.00. (To be paid through professional services of departments using services.)
- j. Permission to continue to contract with Towey Design Group for Phase 3 of the Deadwood Water Facility Plan in that amount not to exceed \$24,280.00. Phase 3 will give the City the documentation needed to get on the State Water Plan and apply for funding. (To be paid by Water professional services.)
- k. Permission to hire Julie Stone as an independent contractor in an amount not to exceed \$15,000.00 to conduct records research for M.S. 72 and M.S. 89 to be incorporated into a GIS Layer. (To be paid from HP Public Education Budget.)
- l. Permission to purchase and pay for large format scanner from Large Document Solutions in the amount not to exceed \$7,700.00, including trade-in of two existing scanners. (To be paid from HP Machinery & Equipment line item.)

11. **Informational Items and Items from Citizens**

12. **Executive Session**

- a. Executive Session for Personnel Matters per SDCL1-25-2 (1) w/ possible action
Executive Session for Legal Matters per SDCL1-25-2 (3) w/ possible action

13. **Adjournment**

This will be a public Meeting conducted through Zoom. To participate, join Zoom Meeting

URL: <https://us02web.zoom.us/j/6055782082?pwd=Z1QrRXhXaXp4eStPSjg2YjVTNUtZQT09>

Meeting ID: 605 578 2082

Password: 1876

One tap mobile: 669-900-9128

Please be considerate of others and if you no longer have business activities during the meeting, do not feel obligated to remain.

REGULAR MEETING, APRIL 17, 2023

Canvass Election

Acting as Board of Canvass, Martinisko moved, Todd seconded to approve the election results and sign Official Canvass Sheet for April 11, 2023 municipal election. Commissioners Charlie Struble and Michael Johnson abstained. Roll Call: Aye-Ruth Jr., Martinisko, Todd. Motion carried.

Two (2) Three-Year Term for City Commission

Charlie Struble	164
Blake Joseph	129
Michael Johnson	138

The Regular Session of the Deadwood City Commission convened on Monday, April 17, 2023 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, Martinisko seconded to approve the minutes April 3, 2023. Roll Call: Aye-All. Motion carried.

APROVAL OF DISBURSEMENTS

Todd moved, Struble seconded to approve the April 17, 2023 disbursements. Roll Call: Aye-All. Motion carried.

A & I DISTRIBUTORS	SUPPLIES	85.81
ADAMS SALVAGE RECYCLING	TIRES	9.57
ALBERTSON ENGINEERING	PROJECT	3,385.11
AMAZON CAPITAL	SUPPLIES	819.61
AVID4 ENGINEERING	SERVICE	2,940.00
BH CHEMICAL	SUPPLIES	1,147.71
BH ENERGY	SERVICE	32,638.22
BH PIONEER	SERVICE	651.88
BUTLER MACHINERY	SUPPLIES	38.91
BUTTE COUNTY EQUIPMENT	SUPPLIES	352.06
CENTURY BUSINESS PRODUCTS	CONTRACT	126.54
CIVICPLUS	SERVICE	295.00
CULLIGAN	SUPPLIES	106.00
DAYS OF '76	SPONSORSHIP	2,500.00
DEADWOOD CHAMBER	MARKETING	18,036.61
DEADWOOD HISTORY	SERVICE	630.00
DEADWOOD MINERS	ELECTION	36.55
FIB CREDIT CARDS	SUPPLIES	1,354.30
GOLDEN WEST	SERVICE	11,146.00
GUNDERSON, PALMER, NELSON	SERVICE	3,258.74
HILLYARD	SUPPLIES	331.76
IPS GROUP	SERVICE	5,914.35
IWORQ	SERVICE	2,500.00
JACOBS WELDING	SUPPLIES	20.85
JLG ARCHITECTS	PROJECT	16,140.00
KDSJ	SERVICE	255.00
KIMBALL MIDWEST	SUPPLIES	49.60
KLJ ENGINEERING	PROJECT	260.56
KNECHT	SUPPLIES	58.66
KNECHT	GRANTS	9.21
KONE CHICAGO	MAINTENANCE	537.17
LAWSON PRODUCTS	RENTAL	400.00
LEAD-DEADWOOD SANITARY	SERVICE	22,867.43
LOOKOUT PLAN + CODE	SERVICE	3,306.08
LYNN'S	SUPPLIES	71.98
MACQUEEN EMERGENCY	SUPPLIES	992.24
MACROVISION	PROJECT	9,179.00
MAYNARD, DEBORAH	ELECTION	200.00
METERING & TECHNOLOGY	SUPPLIES	106.04
MICROSOFT	SERVICE	752.10
MID-AMERICAN RESEARCH	SUPPLIES	2,074.09
MIDWEST TAPE	SUPPLIES	144.94
MS MAIL	SERVICE	201.25
MUTUAL OF OMAHA	INSURANCE	270.00
NHS OF THE BLACK HILLS	SERVICE	3,151.92
NORTHWEST PIPE FITTINGS	SUPPLIES	668.80
ODD JOBS	PROJECT	8,979.61
ODP BUSINESS SOLUTIONS	SUPPLIES	206.16
ONSITE FIRST AID	SUPPLIES	236.95
OTIS ELEVATOR	MAINTENANCE	157.26
PAHA SAPA HOLDINGS	PROJECT	22,099.38
PETTY CASH	MT. MORIAH	1,000.00
PHIL'S ELECTRIC	PROJECT	1,443.30
QUIK SIGNS	SERVICE	550.14

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RAPID DELIVERY	SERVICE	234.66
RASMUSSEN MECHANICAL	SERVICE	4,484.85
SANDER SANITATION	SERVICE	12,825.48
SD COMMISSION ON GAMING	CITY SLOTS	29,829.55
SD DEPT OF REVENUE	TAX	3,552.05
SD HISTORICAL SOCIETY	REGISTRATION	945.00
SERVALL	SUPPLIES	310.01
SILVERNAIL, GEORGEANN	ELECTION	204.00
SOUTH DAKOTA 811	SERVICE	29.12
SOUTHSIDE OIL	SUPPLIES	151.71
SOUTHSIDE SERVICE	SERVICE	288.68
SPLIT ROCK STUDIOS	SERVICE	1,877.00
STAN HOUSTON EQUIP CO	SUPPLIES	195.81
STURGIS RESPONDER SUPPLY	SUPPLIES	18.00
SUMMIT FIRE PROTECTION	SERVICE	272.75
TALLGRASS	PROJECT	4,623.00
THE PLUMBER	PROJECT	1,808.00
TODD, MARLENE	ELECTION	200.00
TOMS, DON	PROJECT	600.00
TRIPLE K	SERVICE	961.98
TURBIVILLE INDUSTRIAL	SUPPLIES	181.16
TWIN CITY HARDWARE	GRANTS	82.55
UNITED LABORATORIES	SUPPLIES	1,160.47
VERIZON CONNECT	SERVICE	92.95
VIEHAUSER ENTERPRISES	SERVICE	32.00
VIGILANT BUSINESS SOLUTION	TESTING	54.00
WELLMARK	INSURANCE	46,467.48
		Total \$296,176.71

CONSENT

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

- A. Permission to accept retirement letter from Rec Center Director John Tridle effective June 16, 2023. (20 years of service to the City of Deadwood.)
- B. Permission to accept resignation from police officer Dylan Bell effective April 14, 2023.
- C. Permission to advertise in-house for 5 days and then in official newspaper for one full-time police officer position. (\$25.79 per hour for Certified and \$23.22 for Non-Certified.)
- D. Permission to hire Greg Nelson and Terri Tomford as Parks Seasonal Techs at \$16.62 per hour effective April 30, 2023 pending pre-employment screening.
- E. Permission to hire Mt Moriah ticket booth attendants David Trentz, Michael Olsen, Phyllis Fleming, Gertrude Anderson and Ruth Durst at \$14.33 per hour effective May 8, 2023 pending pre-employment screening.
- F. Permission to hire David Lems as a part-time Trolley Driver at \$15.66 per hour effective April 21, 2023 pending pre-employment screening and proof of passenger endorsement.
- G. Permission for Mayor to sign Oakridge Cemetery Certificate of Purchase and Warranty Deed for Virginia Poling.
- H. Permission for Mayor to sign Work-Based Learning Program Agreement with Boxelder Job Corps.
- I. Permission for Mayor to sign amended contract with Black Hills University for use of Rec Center swimming pool at a cost of \$200.00 per day (4 hours) for Friday, April 21 and Sunday, April 23, 2023. (Original contract was approved on March 20, 2023)
- J. Permission to pay BlackStrap Inc in the amount of \$5,399.55 for 31.95 tons of deicer road salt. (To be paid by Street supplies budget.)
- K. Permission to accept resignation of Lee Harstad from the Parking and Transportation Committee effective April 12, 2023.
- L. Permission to refund over-payment on water account for 417 Cliff Street in the total amount of \$4,647.11.

PUBLIC HEARINGS

Set

Todd moved, Struble seconded to set public hearing on May 1 for Convention Center (on-sale) Liquor and Retail (on-off sale) Malt Beverage & SD Farm Wine License transfers from Cliff Street, LLC to Deadwood Gaming BHCI, LLC dba Deadwood Comfort Inn. Roll Call: Aye-All. Motion carried.

REGULAR MEETING, APRIL 17, 2023

NEW BUSINESS

Second Reading

Finance Officer McKeown stated no changes between first and second reading. Martinisko moved, Johnson seconded to approve Second Reading of Ordinance #1366 Budget Supplement 2 for 2023. Roll Call: Aye-All. Motion carried.

First Readings

Historic Preservation Officer Kuchenbecker stated definitions have been updated to mirror South Dakota State codified law. Struble moved, Todd seconded to approve first reading of Ordinance #1367 Amending Chapter 17.08 Definitions within Title 17 Zoning dealing with Short-Term Rentals. Commissioner Martinisko would like to change the Dwelling Unit, Multiple-Family to two instead of three. Struble moved, Todd seconded to amend motion to include the change. Roll Call: Aye-All. Motion carried.

Kuchenbecker stated this adds to the conditional use provisions for specialty resort and vacation home establishments in the commercial district. Martinisko moved, Johnson seconded to approve first reading of Ordinance #1368 Amending Chapter 17.32 C1 Commercial District under Title 17 Zoning dealing with Short-Term Rentals. Roll Call: Aye-All. Motion carried.

Kuchenbecker stated this adds to the conditional use provisions for specialty resort and vacation home establishments in the commercial highway district. Martinisko moved, Johnson seconded to approve first reading of Ordinance #1369 Amending Chapter 17.40 CH Commercial Highway District under Title 17 Zoning dealing with Short-Term Rentals. Commissioner Martinisko stated this now will require a conditional use permit. Roll Call: Aye-All. Motion carried.

Kuchenbecker spoke about the goals which are: historic character, values, rights of property owners and neighbors, retaining housing stock, support a balance between owner-occupied/long-term rental, and provide a variety of housing options. He also spoke about the permissions exceptions, and enforcement of all bed and breakfast, specialty resort, vacation home and short-term establishments. Discussion was held concerning existing bed and breakfast establishments. Commissioner Todd believes the conditional use permit should be reviewed annually. Kris Fenton, resident, questioned existing specialty resort establishments and protecting existing residents. Martinisko moved, Struble seconded to approve first reading of Ordinance #1370 Amending Chapter 17.53 Transient Use of Property under Title 17 Zoning dealing with Short-Term Rentals, striking the date of item C of Section 17.53.040 extensions. Mayor Ruth Jr. thanked everyone who took part in the task force and reminded everyone that the ordinances will be heard again on May 1 for second reading. Randy Horner, The Ridge, stated not all Planned Unit Developments are the same and asked for consideration of the percentage of lots dedicated to vacation homes. Mayor stated the consideration can be visited during second reading. Roll Call: Aye-All. Motion carried.

Addendum

Kuchenbecker spoke about the Whitewood Creek Restoration project. Martinisko moved, Johnsons seconded to approve Addendum #4 to contract with Albertson Engineering, Inc. in the amount of \$96,970.00 for the Whitewood Creek Restoration project associated with the FEMA project for additional services related to Site 1. Roll Call: Aye-All. Motion carried.

Contract

Kuchenbecker spoke about the engineering services. Johnson moved, Struble seconded to enter into contract with Albertson Engineering for structural engineering for City and Historic Preservation project in the amount not to exceed \$75,000.00 (To be paid from the budgeted HP Professional Services.) Roll Call: Aye-All. Motion carried.

Contract

Kuchenbecker spoke about the retaining wall. Martinisko moved, Johnson seconded to allow Mayor to sign contract in the amount of \$17,340.00 with Schlosser Construction for repair of retaining wall project at 318 Williams Street for Aaron Sternhagen. (To be paid from Streets Department repairs budget.) Roll Call: Aye-All. Motion carried.

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Permission

Adler spoke about the damaged posts. Struble moved, Johnson seconded to expend up to \$5,000.00 to replace damaged posts at the entrance to rodeo arena. (To be paid from Street Department repairs budget.) Roll Call: Aye-All. Motion carried.

INFORMATIONAL ITEMS AND ITEMS FROM CITIZENS

- A. Raffle permit received from St. John’s Episcopal Church. Drawing will be held September 4, 2023.

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

Mayor Ruth Jr. congratulated Charlie Struble and Michael Johnson on being re-elected. He also thanked Blake Joseph for running for Commission.

ADJOURNMENT

Struble moved, Martinisko seconded to adjourn the regular session at 5:44 p.m. and convene into Executive Session for legal matters per SDCL 1-25-2(3) and personnel matters per SDCL 1-25-2(1) with possible action. The next regular meeting will be on Monday, May 1, 2023 at 5:00 p.m.

After coming out of executive session at 7:10 p.m., Martinisko moved, Johnson seconded to terminate Scott Reif from the Parks Dept effective 7:00 a.m. on April 18, 2023.

Martinisko moved, Johnson second to adjourn.

ATTEST: DATE: _____

Jessicca McKeown, Finance Officer

BY: _____
David Ruth Jr., Mayor

Published once at the total approximate cost of _____

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 101 GENERAL FUND

DEPARTMENT: N/A NON-DEPARTMENTAL

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0585	SD DEPT. OF REVENUE					
		I-04/18/23	101-3000-202	LIQUOR LICENS TRSF MALT BEV LIC -COMFORT INN	000000	75.00
01-3309	THE LORD'S CUPBOARD					
		I-03/20/23	101-3000-699	MISC REVENUE RECYCLING PROCEEDS - 3/20/23	000000	74.25
		I-04/03/23	101-3000-699	MISC REVENUE RECYCLING PROCEEDS	000000	45.22
		I-04/17/23	101-3000-699	MISC REVENUE RECYCLING PROCEEDS	000000	97.00
			DEPARTMENT	NON-DEPARTMENTAL	TOTAL:	291.47
01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	101-4142-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	3,114.79
01-1171	A & B BUSINESS SOLUTION					
		I-IN1046111	101-4142-422	PROFESSIONAL COPIER CONTRACT - FINANCE	000000	155.46
01-2580	SD GOV. FINANCE OFFICER					
		I-04/13/2023	101-4142-422	PROFESSIONAL 2023 DUES	000000	130.00
01-3135	A - Z SHREDDING, INC.					
		I-40593042523	101-4142-422	PROFESSIONAL SHREDDING - FINANCE/OLD DOC'S	000000	43.60
01-4711	AMAZON CAPITAL SERVICES					
		I-1T3W-XK3C-C9MN	101-4142-426	SUPPLIES ADDRESS LABELS - FINANCE	000000	27.99
01-4903	SQUARE 9 SOFTWARE					
		I-SIN029390	101-4142-422	PROFESSIONAL GLOBAL SEARCH 3 USERS RENEWAL	000000	969.95
01-5092	FELDMAN, TRUDIE					
		I-04/24/23	101-4142-427	TRAVEL MILEAGE FOR INTERVIEW - FIN.	000000	174.72
			DEPARTMENT 142	FINANCE	TOTAL:	4,616.51
01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	101-4192-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	2,198.27
01-0436	BLACK HILLS WINDOW CLEA					
		I-115349	101-4192-422-08	PROFESSIONAL- 3/6-30 WINDOW CLEANING/HISTORY	000000	130.00
		I-115349	101-4192-422-04	PROFESSIONAL 3/6-30 WINDOW CLEANING/CITY HA	000000	575.00
		I-115349	101-4192-422-24	PROFESSIONAL 3/6-30 WINDOW CLEANING/OSQ	000000	80.00
		I-115349	101-4192-422-10	PROFESSIONAL 3/6-30 WINDOW CLEANING/LIBRARY	000000	495.00
		I-115350	101-4192-422-17	PROFESSIONAL- 3/30 WINDOW CLEANING/DAYS	000000	230.00
		I-115351	101-4192-422-21	PROFESSIONAL 3/16 WINDOW CLEANING/WELCOME	000000	592.00
01-0553	MONTANA DAKOTA UTILITIE					
		I-NAT GAS 04/21/23	101-4192-428-17	UTILITIES - D GAYVILLE 170 BLACKTAIL	000000	15.40
		I-NAT GAS 04/21/23	101-4192-428	UTILITIES PERMANENT METER LOCATION	000000	418.64

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 101 GENERAL FUND

DEPARTMENT: 192 PUBLIC BUILDINGS

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0553	MONTANA DAKOTA UTILITIE	continued				
	I-NAT GAS 04/21/23	101-4192-428-01	UTILITIES - A ADAMS HOUSE	000000	388.36	
	I-NAT GAS 04/21/23	101-4192-428-02	UTILITIES - A ADAMS MUSEUM	000000	263.72	
	I-NAT GAS 04/21/23	101-4192-428-04	UTILITIES - C CITY HALL	000000	657.87	
	I-NAT GAS 04/21/23	101-4192-428-07	UTILITIES - F FIRE HALL	000000	533.01	
	I-NAT GAS 04/21/23	101-4192-428-08	UTILITIES - H HISTORY CENTER	000000	220.30	
	I-NAT GAS 04/21/23	101-4192-428-09	UTILITIES - H HARCC	000000	608.03	
	I-NAT GAS 04/21/23	101-4192-428-10	UTILITIES - L LIBRARY	000000	310.35	
	I-NAT GAS 04/21/23	101-4192-428-11	UTILITIES - P CITY PARKS DEPT	000000	171.59	
	I-NAT GAS 04/21/23	101-4192-428-13	UTILITIES - R RECREATION CENTER	000000	4,572.62	
	I-NAT GAS 04/21/23	101-4192-428-14	UTILITIES - S CITY SHOP PUBLIC WORKS	000000	544.31	
	I-NAT GAS 04/21/23	101-4192-428-15	UTILITIES - T TROLLEY BARN	000000	246.26	
	I-NAT GAS 04/21/23	101-4192-428-19	UTILITIES - G PLUMA PARK 418 CLIFF ST	000000	57.39	
	I-NAT GAS 04/21/23	101-4192-428-21	UTILITIES - W WELCOME CENTER	000000	765.84	
	I-NAT GAS 04/21/23	101-4192-428-24	UTILITIES - O 703 MAIN OUTLAW SQUARE	000000	447.66	
01-0578	TWIN CITY HARDWARE & LU					
	I-2304-237916	101-4192-425-13	REPAIRS - REC FASTENERS/REC CENTER	000000	13.22	
	I-2304-237964	101-4192-426-08	SUPPLIES - HI PUSH-DECK BROOMS/HISTORY	000000	59.98	
	I-2304-237965	101-4192-425-13	REPAIRS - REC (2) KICKDOWNDOOR STOP/REC	000000	19.98	
	I-2304-238018	101-4192-425-08	REPAIRS - HIS 3V CAMERA BATTERY/HISTORY	000000	11.99	
	I-2304-238163	101-4192-425-08	REPAIRS - HIS ZURN CER DISC SHORT/OUTLAW SQ	000000	41.99	
	I-2304-238386	101-4192-425-13	REPAIRS - REC FASTENERS/REC CENTER	000000	0.79	
	I-2304-238878	101-4192-425-24	REPAIRS - OUT CPLING-EPOXY-TAPE-CLAMP/PB	000000	57.22	
	I-2304-239141	101-4192-425-13	REPAIRS - REC FASTENERS/REC CENTER	000000	8.64	
	I-2304-239312	101-4192-425-04	REPAIRS - CIT SATIN-FLAT BS WHITE PAINT/CITY	000000	105.98	
	I-2304-239481	101-4192-425-21	REPAIRS - WEL 3V COIN BATTERIES/PB	000000	3.99	
	I-2304-239492	101-4192-425	REPAIRS ENCL SCREW COVER-ADAPT/PB	000000	158.98	
	I-2304-239548	101-4192-425-13	REPAIRS - REC CHECK VALVE-ELBOW/PB	000000	19.98	
	I-2304-240622	101-4192-426-13	SUPPLIES - RE LUBRICANT-SURGE STRIP/PB	000000	30.38	
01-1003	VERIZON WIRELESS					
	I-9932199192	101-4192-422	PROFESSIONAL ON CALL PHONE/PUB BLDGS	000000	41.80	
01-1502	BLACK HILLS CHEMICAL					
	I-244087	101-4192-426	SUPPLIES KITCHEN-NAT ROLL TOWEL/PB	000000	445.65	
01-1626	SERVALL UNIFORM AND LIN					
	I-0761756	101-4192-422-07	PROFESSIONAL TOWELS-MOP-LINEN-MATS/FIRE HAL	000000	41.33	
	I-0761757	101-4192-422-10	PROFESSIONAL TOWELS-LINEN-BAG STAND/LIBRARY	000000	39.23	
	I-0761769	101-4192-422-11	PROFESSIONAL TOWEL-MOP-MATS-BAGS/PARKS	000000	40.26	
	I-0761770	101-4192-422-15	PROFESSIONAL TOWEL-BAGS-MOPS-MATS/TROLLEY	000000	43.73	
	I-0761771	101-4192-422-14	PROFESSIONAL TOWEL-MOPS-MATS-BAG ST/STRTS	000000	62.01	
	I-0762851	101-4192-422-21	PROFESSIONAL MATS/WELCOME CENTER	000000	39.50	
	I-0762852	101-4192-422-08	PROFESSIONAL MOP-LINEN-TOWEL-MAT/HISTORY	000000	48.63	
	I-0762853	101-4192-422-04	PROFESSIONAL TOWEL-MOPS-MATS-BAGS/CITY HA	000000	176.87	
	I-0762854	101-4192-422-13	PROFESSIONAL MATS/REC CENTER	000000	90.70	

01-3421 S AND C CLEANERS

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 101 GENERAL FUND

DEPARTMENT: 192 PUBLIC BUILDINGS

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-3421	S AND C CLEANERS	continued				
		I-4/26/23 INV 136	101-4192-422-04	PROFESSIONAL CITY HALL	000000	990.00
		I-4/26/23 INV 136	101-4192-422-04	PROFESSIONAL POLICE DEPT	000000	1,365.00
		I-4/26/23 INV 136	101-4192-422-07	PROFESSIONAL FIRE DEPT	000000	500.00
		I-4/26/23 INV 136	101-4192-422-10	PROFESSIONAL LIBRARY	000000	500.00
		I-4/26/23 INV 136	101-4192-422-21	PROFESSIONAL WELCOME CENTER	000000	1,740.00
		I-4/26/23 INV 136	101-4192-422-13	PROFESSIONAL REC CENTER	000000	2,533.00
		I-4/26/23 INV 271	101-4192-422-24	PROFESSIONAL OSQ OFFICE	000000	150.00
		I-4/26/23 INV 271	101-4192-422-24	PROFESSIONAL OSQ BATHROOMS	000000	390.00
		I-4/26/23 INV 271	101-4192-422	PROFESSIONAL GATEWAY AND TRAILS	000000	390.00
		I-4/26/23 INV 271	101-4192-422-08	PROFESSIONAL- HISTORY BATHROOMS	000000	120.00
		I-4/26/23 INV 271	101-4192-422-22	PROFESSIONAL- MT MORIAH	000000	0.00
		I-4/26/23 INV 271	101-4192-422	PROFESSIONAL ELEVATOR	000000	120.00
		I-4/26/23 INV 271	101-4192-422-11	PROFESSIONAL PARKS	000000	0.00
		I-4/26/23 INV 271	101-4192-422-14	PROFESSIONAL STREETS	000000	0.00
		I-4/26/23 INV 271	101-4192-422-06	PROFESSIONAL- SNOW CROSS 27TH AND 28TH	000000	0.00
01-3838	BLUEPEAK					
		I-TELEPHONE 4/16/23	101-4192-428	UTILITIES PARKING RAMP	000000	143.37
		I-TELEPHONE 4/16/23	101-4192-428-04	UTILITIES - C CITY HALL INTERNET	000000	50.50
		I-TELEPHONE 4/16/23	101-4192-428-04	UTILITIES - C CITY HALL TELEPHONE	000000	1,780.15
		I-TELEPHONE 4/16/23	101-4192-428-07	UTILITIES - F FIRE HALL	000000	328.49
		I-TELEPHONE 4/16/23	101-4192-428-08	UTILITIES - H HISTORY CENTER	000000	228.33
		I-TELEPHONE 4/16/23	101-4192-428-10	UTILITIES - L LIBRARY	000000	746.74
		I-TELEPHONE 4/16/23	101-4192-428-13	UTILITIES - R REC CENTER TELEPHONE	000000	291.86
		I-TELEPHONE 4/16/23	101-4192-428-13	UTILITIES - R REC CENTER INTERNET	000000	90.00
		I-TELEPHONE 4/16/23	101-4192-428-14	UTILITIES - S STREET SHOP	000000	45.36
		I-TELEPHONE 4/16/23	101-4192-428-17	UTILITIES - D DAYS OF '76 MUSEUM	000000	157.58
		I-TELEPHONE 4/16/23	101-4192-428-19	UTILITIES - G GATEWAY VISITORS CENTER	000000	79.99
01-4057	VIEHAUSER ENTERPRISES,					
		C-102786	101-4192-426	SUPPLIES CREDIT FOR OVERPAYMENT/PB	000000	2.66-
		I-45200	101-4192-426-02	SUPPLIES - AD ASSA V-10 53-140 KEY CUTS/ADAM	000000	170.50
01-4711	AMAZON CAPITAL SERVICES					
		I-1L3L-P3VL-4RTN	101-4192-426	SUPPLIES FRENCH VANILLA CREAMER - PB	000000	13.99
		I-1LDY-M7F3-47FV	101-4192-425-04	REPAIRS - CIT AUTO TOUCHLESS FAUCET/CITY HAL	000000	68.99
		I-1V4Y-Y6FV-13QY	101-4192-426-04	SUPPLIES - CI ORGANIZRS-BTHRM,KTCHN-CTY HALL	000000	33.99
01-4944	QUADIENT FINANCE USA, I					
		I-04/18/2023	101-4192-426	SUPPLIES REFILL POSTAGE METER	000000	500.00
				DEPARTMENT 192 PUBLIC BUILDINGS	TOTAL:	29,649.63
01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	101-4210-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	13,278.80
01-1544	MID-STATES ORGANIZED CR					

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 101 GENERAL FUND

DEPARTMENT: 210 POLICE

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1544	MID-STATES ORGANIZED CR	continued				
		I-2023080-IN	101-4210-422	PROFESSIONAL MEMBERSHIP - POLICE DEPT	000000	150.00
01-4195	MARCO					
		I-33865701	101-4210-424	RENTALS COPIER CONTRACT - POLICE	000000	161.42
01-5034	STURGIS RESPONDER SUPPL					
		I-1685	101-4210-426	SUPPLIES UNIFORM SHIRT,SEWING PATCHES	000000	90.00
				DEPARTMENT 210 POLICE	TOTAL:	13,680.22
01-0250	GLOVER, SANDY					
		I-02/25/2023	101-4221-426	SUPPLIES REIMBS.1099 FORMS - FIRE DPT	000000	20.76
01-0368	PHEASANTLAND INDUSTRIES					
		I-087219	101-4221-426	SUPPLIES CUSTOM DECALS - ENG.#1 / FIRE	000000	55.69
01-0418	BLACK HILLS PIONEER					
		I-04/02/2023	101-4221-422	PROFESSIONAL ADS-ANNUAL PANCAKE FEED /FIRE	000000	195.00
01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	101-4221-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	536.85
01-0578	TWIN CITY HARDWARE & LU					
		I-2304-239917	101-4221-426	SUPPLIES BATTERIES,CLEAN'G SUPPL'S-FIRE	000000	310.79
		I-2304-240007	101-4221-426	SUPPLIES SIGN - FIRE DEPT	000000	3.98
		I-2304-240711	101-4221-426	SUPPLIES 4 BAGS MELTER - FIRE DEPT	000000	79.96
01-0969	E.T. SPORTS					
		I-46497	101-4221-425	REPAIRS FUEL FILTER - CAFS'S #8 / FIRE	000000	244.99
01-1171	A & B BUSINESS SOLUTION					
		I-IN1045272	101-4221-422	PROFESSIONAL COPIER CONTRACT - FIRE DEPT	000000	96.25
01-1410	WESTERN COMMUNICATIONS,					
		I-18452	101-4221-426	SUPPLIES BATTERY, 3 PORT ANT - FIRE DPT	000000	91.33
01-2285	RUSHMORE COMMUNICATIONS					
		I-0015826-IN	101-4221-422	PROFESSIONAL PROGRAM 3 RADIOS - FIRE DEPT	000000	50.00
01-3056	NORTHERN HILLS TECHNOLO					
		I-9668386	101-4221-422	PROFESSIONAL MICROSOFT 365 SUBSCRIPT- FIRE	000000	99.00
		I-9668389	101-4221-422	PROFESSIONAL BKUP,FIREWALL,WTCHGD RNWL-FIRE	000000	70.96
		I-9668393	101-4221-422	PROFESSIONAL YRLY FIREWALL,YRLY WTCHGD-FIRE	000000	415.54
		I-9668419	101-4221-422	PROFESSIONAL COMPUTER SWITCH ISSUES - FIRE	000000	22.50
		I-9668433	101-4221-422	PROFESSIONAL ONLINE BACKUP SVC - FIRE DPT	000000	32.50
		I-9668481	101-4221-422	PROFESSIONAL ONLINE BACKUP - FIRE DPT	000000	32.50

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 101 GENERAL FUND

DEPARTMENT: 221 FIRE DEPARTMENT ADMINISTR

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-4036	SCOTT PETERSON MOTORS O					
		I-6005697/1	101-4221-425	REPAIRS REPAIR - RESCUE #3 - FIRE DPT	000000	150.00
01-4711	AMAZON CAPITAL SERVICES					
		I-14TG-1HRT-1L1N	101-4221-434	MACHINERY/EQU 3 TOOL BAGS - FIRE DEPT	000000	116.37
		I-1Y71-6MMG-9N1C	101-4221-434	MACHINERY/EQU 11 CHAIRS - FIRE HALL	000000	1,391.40
01-5034	STURGIS RESPONDER SUPPL					
		I-1835	101-4221-426	SUPPLIES UNIFORM SHIRTS,SEWING PATCHES	000000	121.90
		I-2014	101-4221-426	SUPPLIES UNIFORM SHIRTS,SEWING - POLICE	000000	159.90
DEPARTMENT 221 FIRE DEPARTMENT ADMINISTR						TOTAL: 4,298.17
01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	101-4232-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	536.85
01-1003	VERIZON WIRELESS					
		I-9932199192	101-4232-422	PROFESSIONAL BLDG INSPECTOR TABLET	000000	26.97
01-2029	INTERNATIONAL CODE COUN					
		I-Q15000007098	101-4232-422	PROFESSIONAL GOVT MEMBERSHIP - 3/2024/BI	000000	145.00
DEPARTMENT 232 BUILDING INSPECTION						TOTAL: 708.82
01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	101-4310-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	5,405.48
01-0578	TWIN CITY HARDWARE & LU					
		I-2303-237112	101-4310-426	SUPPLIES YEL-GRN SPRAY TIPS/STREETS	000000	19.98
		I-2303-237303	101-4310-426	SUPPLIES PRESSBOARD REPORT COVER/STRTS	000000	19.98
		I-2303-237399	101-4310-426	SUPPLIES (2) BLACK SPRAY PAINT/STREETS	000000	15.58
		I-2303-237711	101-4310-426	SUPPLIES PAINT-LINER-COVER-FRAME/STRTS	000000	183.27
		I-2303-237725	101-4310-426	SUPPLIES 34X14X72 METAL SHELVING/STRTS	000000	169.99
		I-2304-237934	101-4310-426	SUPPLIES (3) GREEN SIGN POSTS/STREETS	000000	50.97
		I-2304-238581	101-4310-426	SUPPLIES (2) TAMP RES OUTLETS/STREETS	000000	4.98
		I-2304-238824	101-4310-426	SUPPLIES BL OXIDE BOT-ADHSV CAULK/STRTS	000000	36.14
		I-2304-238943	101-4310-426	SUPPLIES (5) BAGS SOFTENER SALT/STREETS	000000	43.95
		I-2304-239229	101-4310-426	SUPPLIES COLD CHISEL/STREETS	000000	25.98
		I-2304-240143	101-4310-426	SUPPLIES (2) HANDY PAINT CUP/STREETS	000000	8.98
		I-2304-240231	101-4310-426	SUPPLIES MICRO BLADE-SHOWER LINER/STRTS	000000	20.48
		I-2304-240506	101-4310-426	SUPPLIES BUTT SPLICE-TERMINAL/STREETS	000000	13.47
01-0782	JACOBS PRECISION WELDIN					
		I-30135	101-4310-425	REPAIRS REP REAR CASE SNOWBLOWER/STRTS	000000	1,436.04
01-1003	VERIZON WIRELESS					
		I-9932199192	101-4310-422	PROFESSIONAL ON CALL PHONE/STREETS	000000	24.67

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 101 GENERAL FUND

DEPARTMENT: 310 STREETS

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1171	A & B BUSINESS SOLUTION					
		I-IN1045275	101-4310-424	RENTALS CONTRACT BASE RENTAL/STRTS	000000	76.90
01-1500	A & B WELDING					
		I-01069554	101-4310-424	RENTALS CAQ104 RENTAL 4/2023-4/2028/ST	000000	48.56
01-1589	TEAM LABORATORY CHEMICA					
		I-INV0035041	101-4310-426	SUPPLIES (50) BAGS FINE ROAD PATCH/STRT	000000	900.00
01-1653	STURDEVANT'S AUTO PARTS					
		I-832004511	101-4310-426	SUPPLIES FIRE HOSE NOZZ-ARMORALL/STRTS	000000	27.98
		I-832004633	101-4310-426	SUPPLIES PUSH BUTTON MOMENT/STRTS	000000	5.94
		I-832004883	101-4310-426	SUPPLIES SHROUD-FOUR TOWER/STRTS	000000	17.53
		I-832005063	101-4310-426	SUPPLIES 5000 PSI HYD-HOSE SWIVEL/STRTS	000000	395.90
		I-832005111	101-4310-426	SUPPLIES (2) OIL FILTERS/STREETS	000000	14.80
		I-832005248	101-4310-425	REPAIRS FEMALE PLUG-BODY A STYLE/STRTS	000000	17.98
01-1694	GRIMM'S PUMP & INDUSTRI					
		I-49922	101-4310-425	REPAIRS REPAIRS TO POWER WASHER/STR	000000	241.37
01-1731	WHEELER LUMBER OPERATIO					
		I-1340-036753	101-4310-425	REPAIRS 12X12-6X12 FIR RGH Q NAP/STRTS	000000	2,769.60
01-3094	BOMGAARS					
		I-4/16/23 STMT	101-4310-426	SUPPLIES BATTERIES-SEE-PEAT MOSS/STRTS	000000	279.96
01-3438	BLACKSTRAP, INC.					
		I-139063	101-4310-426	SUPPLIES 31.95 BLACKSLICER ROAD SALT/ST	000000	5,399.55
01-3977	ACE HARDWARE OF LEAD					
		I-031570	101-4310-422	PROFESSIONAL UPS SHIPPING/STREETS	000000	17.44
01-4711	AMAZON CAPITAL SERVICES					
		I-1WCW-3CC1-19XV	101-4310-426	SUPPLIES USB CAR CHARGER - STREETS	000000	8.99
		I-1Y71-6MMG-R6FY	101-4310-426	SUPPLIES CASE OF 20 LB COPY PAPER/STRTS	000000	32.58
01-5088	EPPICO/RODMAN					
		I-0000221557	101-4310-426	SUPPLIES (24) PB BLASTER/STREETS	000000	461.97
01-5095	WHEELS					
		I-CLAIM 40505	101-4310-425	REPAIRS GRIFFITH DAMAGE	000000	2,063.62
DEPARTMENT 310 STREETS					TOTAL:	20,260.61
01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	101-4520-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	5,146.32
01-0551	MENARD'S					

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 101 GENERAL FUND

DEPARTMENT: 520 PARKS

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-0551	MENARD'S	continued				
		I-1890	101-4520-425	REPAIRS	DETHATCHER-PWR RAKE REPLACE/PR 000000	37.93
01-0578	TWIN CITY HARDWARE & LU					
		C-2303-237562	101-4520-426	SUPPLIES	FASTENERS/PARKS 000000	8.50-
		I-2303-237538	101-4520-426	SUPPLIES	FASTENERS/PARKS 000000	17.92
		I-2303-237605	101-4520-426	SUPPLIES	REPAIR LINE-STRAIGHT CLEVIS/PA 000000	22.98
		I-2304-239008	101-4520-426	SUPPLIES	FASTENERS/PARKS 000000	10.40
		I-2304-239012	101-4520-426	SUPPLIES	DYNAFLEX ULTRA SEALANT/PARKS 000000	9.49
		I-2304-239055	101-4520-426	SUPPLIES	PAIL LINERS-SEALANT-RAKE/PARKS 000000	61.47
		I-2304-239781	101-4520-426	SUPPLIES	BALL-HITCH PIN-MOUNT BAR/PARKS 000000	77.47
		I-2304-240620	101-4520-426	SUPPLIES	GATE VALVES/PARKS 000000	72.97
01-1171	A & B BUSINESS SOLUTION					
		I-IN1045276	101-4520-424	RENTALS	CONTRACT BASE RATE RENT/PARKS 000000	147.27
01-1589	TEAM LABORATORY CHEMICA					
		I-INV0035041A	101-4520-426	SUPPLIES	(35) DRUM TERM II WEED KILL/PA 000000	1,610.00
01-1653	STURDEVANT'S AUTO PARTS					
		I-832005788	101-4520-425	REPAIRS	(12) QT 10W30-AIR FILTER/PARKS 000000	106.87
		I-832005861	101-4520-425	REPAIRS	QT 10W30-QT 20W50/PARKS 000000	89.84
		I-832005933	101-4520-426	SUPPLIES	QT 5W30-QT 20W50 000000	95.83
01-1798	CHAINSAW CENTER/DAKOTA					
		I-1398868	101-4520-426	SUPPLIES	AIR-OIL FILTER-FILTER KIT/PARK 000000	145.91
01-3094	BOMGAARS					
		I-4/16/23 STMT	101-4520-426	SUPPLIES	BATTERIES-SEE-PEAT MOSS/PARKS 000000	644.48
01-4325	JOLLY LANE GREENHOUSE					
		I-82026	101-4520-426	SUPPLIES	(15) 23" WEEKENDR HANG BASK/PR 000000	1,950.00
01-5089	JERRY GREER'S ENGINEERI					
		I-1-68903	101-4520-425	REPAIRS	REPAIR-PATCH FLAT TIRE/PARKS 000000	20.00
01-5093	ARCHAEOLOGICAL RESEARCH					
		I-23-434	101-4520-433-07	CIP - FEMA	REPORT FOR FEMA 000000	4,949.52
DEPARTMENT 520 PARKS						TOTAL: 15,208.17

01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	101-4640-415	GROUP INSURAN	WELLMARK BLUE CROSS AND BLUE S 000000	0.00
01-1838	RAMKOTA HOTEL					
		I-1083UU	101-4640-427	TRAVEL	HISTORY CONF - KEN OWENS 000000	216.00
01-4491	SD SCHOOL OF MINES & TE					

PACKET: 06157 COMBINED - 5/2/23
 VENDOR SET: 01
 FUND : 101 GENERAL FUND
 DEPARTMENT: 640 PLANNING AND ZONING
 BUDGET TO USE: CB-CURRENT BUDGET

Section 4 Item a.

BANK: FNBAP

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-4491	SD SCHOOL OF MINES & TE	continued				
		I-042623	101-4640-427	TRAVEL GIS WORKSHOP - C SCHNERINGER	000000	875.00
01-4800	LTAS TECHNOLOGIES INC.					
		I-INVB-044103	101-4640-422	PROFESSIONAL SHORT TERM RENTAL COMPLIANCE	000000	5,000.00
01-5071	OWENS, MELVIN					
		I-042623	101-4640-427	TRAVEL HIST CONF TRAVEL REIMBURSEMENT	000000	176.74
				DEPARTMENT 640 PLANNING AND ZONING	TOTAL:	6,267.74

				FUND 101 GENERAL FUND	TOTAL:	94,981.34

PACKET: 06157 COMBINED - 5/2/23
 VENDOR SET: 01
 FUND : 206 LIBRARY FUND
 DEPARTMENT: 550 LIBRARY
 BUDGET TO USE: CB-CURRENT BUDGET

Section 4 Item a.

BANK: FNBAP

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0433	WELLMARK BLUE CROSS BLU	I-MAY-050123	206-4550-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	536.85
01-1171	A & B BUSINESS SOLUTION	I-IN1045566	206-4550-422	PROFESSIONAL COPIER CONTRACT - LIBRARY	000000	67.30
01-1562	MIDWEST TAPE, LLC	I-503647956	206-4550-434	COLLECTION DE DVD - LIBRARY	000000	22.49
01-3887	BLACK HILLS LIBRARY CON	I-230414-01	206-4550-422	PROFESSIONAL 2023 TAX PREP FEE - LIRARY	000000	2.99
01-4950	BROWN, PATRICIA	I-04/25/23	206-4550-427	TRAVEL TRAVEL REIMB-BHLC MTG/CONF-LIB	000000	99.68
DEPARTMENT 550 LIBRARY TOTAL:						729.31
FUND 206 LIBRARY FUND TOTAL:						729.31

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

FUND : 209 BED & BOOZE FUND

DEPARTMENT: 510 REC CENTER

BUDGET TO USE: CB-CURRENT BUDGET

BANK: FNBAP

Section 4 Item a.

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0433	WELLMARK BLUE CROSS BLU	I-MAY-050123	209-4510-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	1,874.35
01-1827	MS MAIL & MARKETING	I-13668	209-4510-426	SUPPLIES POSTER-SCHEDULE SHEETS/REC	000000	383.15
01-4711	AMAZON CAPITAL SERVICES	C-1L9X-M37X-DX6W	209-4510-426	SUPPLIES LAPTOP SHOULDER CASE/REC CENTE	000000	27.99-
01-5029	HESS, ETHAN	I-04/01/2022	209-4510-422	PROFESSIONAL REIMBS.2ND 1/2 LIFEGD CERTIFIC	000000	50.00
01-5030	KOOIMA, SAMUEL	I-04/01/22	209-4510-422	PROFESSIONAL REIMBS.2ND 1/2 LIFEGD CERTIFIC	000000	50.00
01-5035	VAN TASSEL, ETHAN	I-03/19/22	209-4510-422	PROFESSIONAL REIMBS.2ND 1/2 LIFEGD CERTIFIC	000000	50.00
				DEPARTMENT 510 REC CENTER	TOTAL:	2,379.51
01-0475	DEADWOOD CHAMBER & VISI	I-04-12-23	209-4980-422	PROFESSIONAL BILL LIST FOR 4/17/23 - B & B	000000	18,759.62
		I-04-12-23	209-4980-422	PROFESSIONAL BILL LIST- 4/17/23- EVNT CMLX	000000	5,606.25
				DEPARTMENT 980 SPECIAL EVENTS	TOTAL:	24,365.87
				FUND 209 BED & BOOZE FUND	TOTAL:	26,745.38

4/28/2023 4:23 PM REGULAR DEPARTMENT PAYMENT REGISTER
PACKET: 06157 COMBINED - 5/2/23
VENDOR SET: 01
FUND : 212 BID #8 (Business Improve)
DEPARTMENT: 630 BID 8
BUDGET TO USE: CB-CURRENT BUDGET

PAGE: 11
BANK: FNBAP

Section 4 Item a.

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0951	DEADWOOD ALIVE	I-23-1022	212-4630-423	MARKETING BID #8 - STREET PERFORMANCES	000000	10,000.00
01-3602	DEADWOOD GAMING ASSOCIA	I-04/25/23	212-4630-422	PROFESSIONAL BID # 8 CONTRIBUTION	000000	10,000.00
01-4380	CARTER FMX LLC	I-INV0039	212-4630-423	MARKETING BID #8 - DEADWOOD MOTO SHOW	000000	30,000.00
01-4841	MILE UP MARKETING SOLUT	I-1190	212-4630-423	MARKETING BID #8 - MSI TRAILS/ADD'L MAPS	000000	2,103.38
01-5091	BLACK HILLS MOTORCYCLE	I-05/27/23	212-4630-423	MARKETING BID #8 - BHMS SHOW 5/27/23	000000	7,500.00
DEPARTMENT 630 BID 8					TOTAL:	59,603.38
FUND 212 BID #8 (Business Improve)					TOTAL:	59,603.38

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 213 BID #1-6 (Business Imprv)

DEPARTMENT: 630 BID

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-0475	DEADWOOD CHAMBER & VISI					
		I-04-12-23	213-4630-423	MARKETING	BILL LIST FOR 4/17/23- BID 1-6 000000	48,266.05
				DEPARTMENT 630	BID	TOTAL: 48,266.05

				FUND	213 BID #1-6 (Business Imprv)	TOTAL: 48,266.05

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 215 HISTORIC PRESERVATION

DEPARTMENT: 572 HP VISITOR MGMT AND INFOR

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0475	DEADWOOD CHAMBER & VISI					
		I-041223HP	215-4572-215	VISITOR MGMT 2ND QUARTER H&IC	000000	17,500.00
		I-041223HP	215-4572-210	VISITOR MGMT HPC MARKETING	000000	146,581.56
01-2742	LEAD-DEADWOOD BASEBALL					
		I-042623	215-4572-235	VISITOR MGMT 2023 SIGN RENEWAL	000000	250.00
DEPARTMENT 572 HP VISITOR MGMT AND INFOR						TOTAL: 164,331.56
01-0951	DEADWOOD ALIVE					
		I-1300-23	215-4573-345	HIST. INTERP. APRIL 2023	000000	20,000.00
01-1406	STRETCH'S GLASS & CUSTO					
		I-1024346	215-4573-335	HIST. INTERP. DISPLAY GLASS CITY HALL - ARCH	000000	1,236.71
		I-1024347	215-4573-335	HIST. INTERP. DISPLAY EDGE CITY HALL- ARCH	000000	235.40
01-4711	AMAZON CAPITAL SERVICES					
		I-1L3L-P3VL-4RTN	215-4573-335	HIST. INTERP. PORTABLE DOCUMENT SCANNER-ARCH	000000	199.00
DEPARTMENT 573 HP HISTORIC INTERPRETATIOT						TOTAL: 21,671.11
01-5094	CLERK OF THE SD STATE S					
		I-05/28/23	215-4576-620	PROFES. SERV. 669 MAIN ST - DEADWOOD	000000	30.00
DEPARTMENT 576 HP PROFESSIONAL SERVICES						TOTAL: 30.00
01-0776	ALBERTSON ENGINEERING,					
		I-18846	215-4577-755	CAPITAL ASSET 540 MAIN BROADWAY RETAIN WALL	000000	6,175.55
DEPARTMENT 577 HP FIXED CAPITAL ASSETS						TOTAL: 6,175.55
01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	215-4641-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	4,781.08
01-0451	RUNGE, MIKE					
		I-042623	215-4641-427	TRAVEL HIST CONF TRAVEL REIMBURSEMENT	000000	14.00
01-1003	VERIZON WIRELESS					
		I-9932199192	215-4641-428	UTILITIES CITY ARCHIVIST/HP	000000	40.01
01-1827	MS MAIL & MARKETING					
		I-13783HP	215-4641-423	PUBLISHING APRIL NEWSLETTER	000000	672.97
01-1838	RAMKOTA HOTEL					
		I-1083UO	215-4641-427	TRAVEL HISTORY CONF - TREVOR SANTOCHI	000000	108.00

4/28/2023 4:23 PM REGULAR DEPARTMENT PAYMENT REGISTER
PACKET: 06157 COMBINED - 5/2/23
VENDOR SET: 01
FUND : 215 HISTORIC PRESERVATION
DEPARTMENT: 641 OFFICE HIST. PRES.
BUDGET TO USE: CB-CURRENT BUDGET

PAGE: 14

Section 4 Item a.

BANK: FNBAP

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1838	RAMKOTA HOTEL		continued			
		I-1083UP	215-4641-427	TRAVEL HISTORY CONF - MIKE RUNGE	000000	108.00
		I-1083UQ	215-4641-427	TRAVEL HISTORY CONF - VICKI DAR	000000	216.00
		I-1083UR	215-4641-427	TRAVEL HISTORY CONF - LEO DIEDE	000000	108.00
		I-1083US	215-4641-427	TRAVEL HISTORY CONF - BONNY ANFINSON	000000	108.00
01-4632	SANTOCHI, TREVOR					
		I-042623	215-4641-427	TRAVEL HIST CONF TRAVEL REIMBURSEMENT	000000	170.74
01-4711	AMAZON CAPITAL SERVICES					
		I-1L3L-P3VL-4RTN	215-4641-426	SUPPLIES POST IT NOTES - HP	000000	12.57
		I-1WCW-3CC1-19XV	215-4641-426	SUPPLIES 16 PKT BUSINESS CARD HLDER-HP	000000	37.99
01-4880	DAR, VICKI					
		I-042623	215-4641-427	TRAVEL HIST CONF TRAVEL REIMBURSEMENT	000000	196.74
01-4976	EAGLESON, CHARLES					
		I-042623	215-4641-427	TRAVEL HIST CONF TRAVEL REIMBURSEMENT	000000	34.00
DEPARTMENT 641 OFFICE HIST. PRES. TOTAL:						6,608.10
FUND 215 HISTORIC PRESERVATION TOTAL:						198,816.32

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 216 REVOLVING LOAN

DEPARTMENT: N/A NON-DEPARTMENTAL

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT	
01-1191	UMENTHUM, KEITH						
		I-982271	216-1310	DUE FROM OTHE 770 MAIN DRAGON BELLY	000000	396.78	
		I-982272	216-1310	DUE FROM OTHE 772 MAIN DRAGON BELLY	000000	902.70	
01-4942	THE FHT COMPANY, LLC						
		I-041723	216-1310	DUE FROM OTHE 57 VAN BUREN BOBOLZ	000000	9,715.74	
		I-070823	216-1310	DUE FROM OTHE 7 EMERY BOBOLZ	000000	5,436.57	
			DEPARTMENT	NON-DEPARTMENTAL	TOTAL:	16,451.79	
01-2849	DAKOTA LUMBER CO						
		I-2304-240590	216-4653-962-03	WINDOWS GRANT 18 DENVER DRUMMOND	000000	1,809.86	
		I-2304-240590	216-4653-962-04	SIDING GRANT 18 DENVER DRUMMOND	000000	381.05	
01-5051	SODAK TITLE						
		I-OE-0154-23	216-4653-960	CLOSING CO 318 WILLIAMS STERNHAGEN	000000	120.00	
		I-OE-0155-23	216-4653-960	CLOSING CO 21-25 LINCOLN GRIFFITH	000000	120.00	
		I-OE-0157-23	216-4653-960	CLOSING CO 51 VAN BUREN SHAMA	000000	120.00	
			DEPARTMENT 653	REVOLVING LOAN	TOTAL:	2,550.91	
			FUND	216	REVOLVING LOAN	TOTAL:	19,002.70

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 602 WATER FUND

DEPARTMENT: 330 WATER

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0433	WELLMARK BLUE CROSS BLU					
		I-MAY-050123	602-4330-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	3,309.37
01-0578	TWIN CITY HARDWARE & LU					
		I-2303-237527	602-4330-426	SUPPLIES WIRE WHEEL-BRUSH-COARSE/WTR	000000	28.97
		I-2304-238343	602-4330-426	SUPPLIES MAGNET-WHITE PEX STICK/WTR	000000	33.97
		I-2304-239694	602-4330-426	SUPPLIES FBGL HDL RND PT SHOVEL/WATER	000000	19.99
		I-2304-240164	602-4330-426	SUPPLIES SHARPIE GEL MEDIUM POINT/WTR	000000	29.88
01-1003	VERIZON WIRELESS					
		I-9932199192	602-4330-422	PROFESSIONAL PLUMA TANKS/WATER	000000	40.01
		I-9932199192	602-4330-422	PROFESSIONAL MCGOVERN DENVER DWD HILL/WTR	000000	120.17
		I-9932199192	602-4330-422	PROFESSIONAL LEE OFFICE PLUMA E MAIN/WATER	000000	160.16
		I-9932199192	602-4330-422	PROFESSIONAL ON CALL PHONE/WATER	000000	46.80
		I-9932199192	602-4330-422	PROFESSIONAL ON CALL PHONE/PARKS	000000	41.80
01-1171	A & B BUSINESS SOLUTION					
		I-IN1045275	602-4330-424	RENTALS CONTRACT BASE RENTAL/WATER	000000	76.90
01-1365	SD PUBLIC HEALTH LAB					
		I-10609505	602-4330-422	PROFESSIONAL COLIFORM TESTING/WATER	000000	45.00
01-1605	PFARR, RANDY					
		I-INVOICE 001	602-4330-422	PROFESSIONAL CONSULT SRVCS EXPANSION PROJ/W	000000	220.00
01-1653	STURDEVANT'S AUTO PARTS					
		I-832005362	602-4330-425	REPAIRS 3/8 WTPF BLK SHRK TB/WATER	000000	8.42
		I-832005741	602-4330-425	REPAIRS PERMATEX DIELECTRIC/WATER	000000	4.99
01-1694	GRIMM'S PUMP & INDUSTRI					
		I-49922	602-4330-425	REPAIRS REPAIRS TO POWER WASHER/WTR	000000	241.38
01-1827	MS MAIL & MARKETING					
		I-13783	602-4330-426	SUPPLIES UTILITY BILLS MAILING - APRIL	000000	354.51
01-4711	AMAZON CAPITAL SERVICES					
		I-1Y71-6MMG-R6FY	602-4330-426	SUPPLIES CASE OF 20 LB COPY PAPER/WATER	000000	32.58
01-4721	TOWEY DESIGN GROUP INC.					
		I-23-406	602-4330-422	PROFESSIONAL WATER MODELING TASK 2/WATER	000000	2,971.50
DEPARTMENT 330 WATER					TOTAL:	7,786.40
FUND 602 WATER FUND					TOTAL:	7,786.40

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

FUND : 607 HISTORIC CEMETERIES

DEPARTMENT: 580 HISTORIC CEMETERIES

BUDGET TO USE: CB-CURRENT BUDGET

Section 4 Item a.

BANK: FNBAP

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-3838	BLUEPEAK					
		I-TELEPHONE MM 4/16	607-4580-428	UTILITIES TELEPHONE 4/20/5/19/23/7801	000000	138.19
		I-TELEPHONE MM 4/16	607-4580-428	UTILITIES TELEPHONE 4/20/5/19/23/5801	000000	40.87
		I-TELEPHONE MM 4/16	607-4580-428	UTILITIES TELEPHONE 4/20/5/19/23/6501	000000	125.60
				DEPARTMENT 580 HISTORIC CEMETERIES	TOTAL:	304.66

				FUND 607 HISTORIC CEMETERIES	TOTAL:	304.66

PACKET: 06157 COMBINED - 5/2/23

VENDOR SET: 01

Section 4 Item a.

FUND : 610 PARKING/TRANSPORTATION

DEPARTMENT: 360 PARKING/TRANSPORTATION

BANK: FNBAP

BUDGET TO USE: CB-CURRENT BUDGET

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT	
01-0433	WELLMARK BLUE CROSS BLU						
		I-MAY-050123	610-4360-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	4,959.31	
01-1003	VERIZON WIRELESS						
		I-9932199192	610-4360-422	PROFESSIONAL PD ORDINANCE VEHICLE/P&T	000000	40.01	
		I-9932199192	610-4360-422	PROFESSIONAL (3) PARKING ENFORCEMT SYS/P&T	000000	125.40	
		I-9932343277	610-4360-422	PROFESSIONAL PHONE SERVICE/METERS - P&T	000000	40.01	
			DEPARTMENT 360	PARKING/TRANSPORTATION	TOTAL:	5,164.73	
01-0433	WELLMARK BLUE CROSS BLU						
		I-MAY-050123	610-4361-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	1,862.86	
01-0578	TWIN CITY HARDWARE & LU						
		I-2304-240390	610-4361-426	SUPPLIES BASIC TORCH/TROLLEY	000000	37.99	
01-1653	STURDEVANT'S AUTO PARTS						
		I-832005221	610-4361-426	SUPPLIES WASH-HOSE SWIVEL-CLAMPS/TROLLE	000000	363.79	
01-4122	RIGHTEOUS GARAGE DOORS						
		I-4/17/23 INVOICE	610-4361-425	REPAIRS REPAIRS TO GARAGE DOORS/TROLLE	000000	780.00	
			DEPARTMENT 361	TROLLEY DEPARTMENT	TOTAL:	3,044.64	
01-0433	WELLMARK BLUE CROSS BLU						
		I-MAY-050123	610-4362-415	GROUP INSURAN WELLMARK BLUE CROSS AND BLUE S	000000	536.85	
01-0578	TWIN CITY HARDWARE & LU						
		I--238942	610-4362-426	SUPPLIES WASHER-NUT-SCREW-STRAP/RAMP	000000	62.84	
		I-2304-238764	610-4362-426	SUPPLIES CLR MOUNTING TAPE/RAMP	000000	16.99	
		I-2304-239006	610-4362-426	SUPPLIES HEX SCREW-CUT SNIP/RAMP	000000	22.99	
			DEPARTMENT 362	BROADWAY GARAGE	TOTAL:	639.67	
			FUND	610	PARKING/TRANSPORTATION	TOTAL:	8,849.04
					REPORT GRAND TOTAL:	465,084.58	

PACKET: 06154 US - Refund

VENDOR SET: 01 CITY OF DEADWOOD

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----	ITM DATE BANK CODE	-----DESCRIPTION-----	GROSS DISCOUNT	P.O. # G/L ACCOUNT	--ACCOUNT NAME--	DISTRIBUTION
01-1		Southside Carwash				
I-000202304285090	4/28/2023	SOUTHSIDE CAR WASH	238.68			
	FNBAP	DUE:		1099:		
		1-310786-01		602 1150	ACCOUNTS RECEIV	238.68
		=== VENDOR TOTALS ===	238.68			
		=== PACKET TOTALS ===	238.68			

PACKET: 06154 US - Refund

VENDOR SET: 01 CITY OF DEADWOOD

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

Section 4 Item a.

** T O T A L S **

INVOICE TOTALS	238.68
DEBIT MEMO TOTALS	0.00
CREDIT MEMO TOTALS	0.00

BATCH TOTALS	238.68
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** G/L ACCOUNT TOTALS **

BANK	YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====			=====GROUP BUDGET=====		
					ANNUAL	BUDGET	OVER	ANNUAL	BUDGET	OVER
					BUDGET	AVAILABLE	BUDG	BUDGET	AVAILABLE	BUDG
	2023	602-1150	ACCOUNTS RECEIVABLE	238.68						
		602-2020	ACCOUNTS PAYABLE	238.68	*					
		999-1342	DUE FROM FUND 602	238.68	*					
			** 2023 YEAR TOTALS	238.68						

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

** END OF REPORT **

PACKET: 06155 US - Refund

Section 4 Item a.

VENDOR SET: 01 CITY OF DEADWOOD

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----	ITM DATE BANK CODE	-----DESCRIPTION-----	GROSS DISCOUNT	P.O. # G/L ACCOUNT	--ACCOUNT NAME--	DISTRIBUTION
01-1		Southside Car Wash				
I-000202304285091	4/28/2023	SOUTHSIDE CAR WASH	4,408.43			
	FNBAP	DUE:		1099:		
		1-310786-02		602 1150	ACCOUNTS RECEIV	4,408.43
		=== VENDOR TOTALS ===	4,408.43			
		=== PACKET TOTALS ===	4,408.43			

PACKET: 06155 US - Refund

VENDOR SET: 01 CITY OF DEADWOOD

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

** T O T A L S **

INVOICE TOTALS	4,408.43
DEBIT MEMO TOTALS	0.00
CREDIT MEMO TOTALS	0.00

BATCH TOTALS	4,408.43
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** G/L ACCOUNT TOTALS **

BANK	YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====		=====GROUP BUDGET=====	
					ANNUAL	BUDGET OVER	ANNUAL	BUDGET OVER
					BUDGET	AVAILABLE BUDG	BUDGET	AVAILABLE BUDG
	2023	602-1150	ACCOUNTS RECEIVABLE	4,408.43				
		602-2020	ACCOUNTS PAYABLE	4,408.43-				
		999-1342	DUE FROM FUND 602	4,408.43 *				
			** 2023 YEAR TOTALS	4,408.43				

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

** END OF REPORT **

Proclamation National Police Week May 14 – 20, 2023

To recognize National Police Week 2023 and to honor the service and sacrifice of those police officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as Police Week;

WHEREAS, the International Association of Chiefs of Police has declared police officer safety and wellness a top priority, and the IACP's Center for Officer Safety and Wellness promotes the importance of individual, agency, family, and community safety and wellness awareness; and

WHEREAS, the members of the police department of the City of Deadwood play an essential role in safeguarding the rights and freedoms of the citizens of our community; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the men and women of the police department of the City of Deadwood unceasingly provide a vital public service;

NOW, THEREFORE, I, Mayor David Ruth Jr. call upon all citizens of the City of Deadwood and upon all patriotic, civil and educational organizations to observe the week of May 14 – May 20, 2023, as Police Week with appropriate ceremonies and observances in which our community may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I FURTHER call upon all citizens of the City of Deadwood to observe May 15, 2023, as Peace Officers Memorial Day to honor those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of May, 2023.

Mayor David Ruth Jr.

Mayoral Proclamation

Deadwood, South Dakota

WHEREAS: The South Dakota Law Enforcement Torch Run is a grass roots fund raising campaign to raise awareness and funds for the Special Olympics South Dakota programs; and

WHEREAS: The Special Olympics program is a year-round athletic competition in which over 2,750 individuals with disabilities from South Dakota compete in various athletic events; and

WHEREAS: In 2022, the Torch Run event and other fund raising activities raised over \$621,478.97 for Special Olympics South Dakota; and

WHEREAS: The 2023 Law Enforcement Torch Run in Deadwood on May 18th honors the Special Olympics athletes from Deadwood participating in the 2023 State Summer Games at Black Hills State University May 18th – 20th.

WHEREAS: A core group of runners from around the state will finish at the Game's Opening Ceremony in Spearfish, South Dakota on Thursday, May 18th, 2023.

NOW, THEREFORE, I, Dave Ruth Jr., Mayor of the City of Deadwood, South Dakota, do hereby proclaim the week of May 15th thru May 21st, 2023, "Law Enforcement Torch Run for Special Olympics South Dakota Week" and urge all of its citizens to observe this week with their time, to make a better tomorrow for our community.

**Law Enforcement Torch Run
for Special Olympics South Dakota Week**

IN WITNESS WHEREOF, I have hereunto set my hand, and caused to be affixed the Great Seal of the City of Deadwood, in Deadwood, this 18th day of May 2023.

Dave Ruth Jr., Mayor



★ ★ ★

OFFICIAL PROCLAMATION

★ ★ ★

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, *and*

WHEREAS Arbor Day is now observed throughout the nation and the world, *and*

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, *and*

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS trees — wherever they are planted — are a source of joy and spiritual renewal.

NOW, THEREFORE, I, David Ruth Jr., Mayor of the City of Deadwood South Dakota, do hereby proclaim May 12, 2023 as **ARBOR DAY** in the City of Deadwood, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS 1st day of May, 2023

Mayor _____

OFFICE OF
Planning & Zoning
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-5084



"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

TRENT MOHR
Building Inspector
Dept. of Planning & Zoning
Telephone: (605) 578-2082
Fax: (605) 578-2084

MEMORANDUM

Date: April 14, 2023
To: Mayor Dave Ruth Jr. and Kevin Kuchenbecker, Zoning Administrator
Re: Appointments to the Board of Appeals

Gentlemen, on May 31st of 2023 the terms of three members of the Board of Appeals will expire. Those members are Mike Albertson who is a professional engineer, Jenn Johnson who is an architect, and Vaughn Smith who is a commercial contractor. I have spoken with all of them, and they are willing to serve another term.

I am recommending that Mike Albertson, Jenn Johnson, and Vaughn Smith be reappointed with their terms commencing on June 1st 2023 and expiring May 31st 2026.

Appointments to the Board of Appeals are made by the Mayor and approved by the City Commission.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Trent Mohr', written in a cursive style.

Trent Mohr
Building Inspector



HISTORIC PRESERVATION OFFICER POSITION DESCRIPTION

GENERAL PURPOSE

This position is responsible for providing information to the public, provides protection of publicly and privately-owned historic properties and assists businesses and homeowners in caring for their historic properties. This position is responsible for coordinating work with other preservation partners (i.e., Deadwood History, Inc., Deadwood Alive, Deadwood Chamber of Commerce and Visitors Bureau and Neighborhood Housing). Position is also responsible for managing a 6.8-million-dollar budget for the City of Deadwood's Historic Preservation efforts.

SUPERVISION RECEIVED

Works under the general guidance and direction of the Deadwood City Commission and the Deadwood Historic Preservation Commission.

SUPERVISION EXERCISED

This position exercises supervision over technical, clerical, and professional personnel associated with Historic Preservation. Also acts as advisor and provides oversight to the sexton to historic cemeteries.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Serves as staff to the Deadwood City Commission and the Deadwood Historic Preservation Commission.
- Provides oversight, assists and/or prepares reports, staff reports, meeting agendas and correspondence related to historic preservation.
- Organizes, attends as necessary, and ensures recordation of committee meetings as directed.
- Reviews and provides general oversight of the grant and loan requests for preservation funds to ensure they meet established preservation standards.
- Reviews, coordinates, and provides oversight to city and private projects to ensure adherence to established preservation standards.
- Provides technical preservation advice to the City Commission, the Deadwood Historic Preservation Commission, city staff, architects/engineers, contractors, and the public.
- Consistently applies and enforces all rules and regulations pertaining to the historic preservation regulations. This requires a full knowledge and understanding of the preservation regulations, standards and guidelines

including knowledge of pertinent state and national statutes and practices that influence historic preservation.

- Conducts inspections of buildings and uses of land or structures to determine compliance with the historic preservation guidelines and regulations.
- Issues notices of violation and orders of compliance and institutes appropriate proceedings for enforcement of the provisions of the historic preservation ordinance where a violation persists.
- Prepares, presents, and manages the historic preservation budget for the Deadwood Historic Preservation Commission.
- Promotes historic preservation through public education and outreach programs within Deadwood and throughout the state.
- Maintains amicable relationships with various local, state, and national media.
- Serves as ex-officio member and voting member of various organizations and entities on a local, state, and national level while serving as the Historic Preservation Officer.
- Cooperates with other staff and departments as warranted in the review of development policies.
- Prepares for and attends the City Commission meetings as well as the Historic Preservation Commission.

PERIPHERAL DUTIES

- Performs a variety of miscellaneous duties as assigned.
- Participates in staff and safety meetings and other departmental functions to coordinate activities and ensure the smooth, efficient, and effective operation of the department(s).
- Though a position with statutorily defined duties, the Historic Preservation Officer also functions as part of a departmental team and as a part of a broader local governmental entity. Needs to maintain lines of communication and cooperation among other departments and staff.
- Assists in planning activities, such as in providing data and analyses, provides input to the zoning revision process as to the effects to preservation, providing feedback on recommended zoning changes, and other activities.
- Coordinates the development of application forms, instructions, and other materials including internet and website access.
- Participates in the annual city budget preparations and monitoring.

- Assists the support staff in maintaining appropriate records and files and assuming clerical duties as necessary in order to meet obligations.

DESIRED MINIMUM QUALIFICATIONS:

EDUCATION AND EXPERIENCE

- Graduation from College or University with a master's degree in Historic Preservation, architecture, planning or other degree as determined suitable by the City Commission.
- Two (2) years full time experience in historic preservation may be substituted for the master's degree.

NECESSARY KNOWLEDGE SKILLS AND ABILITIES

- Possess the ability to work and communicate effectively, both orally and in writing, with local and state agencies, as well as consultants.
- Position requires an understanding, experience, and enthusiasm for engaging the public in historic preservation matters.
- Employee must possess the ability to provide information regarding planning, zoning, and historic preservation incentive assistance procedures.
- Basic knowledge and computer skills in use of word processing, database, mapping and computer networking abilities.

SPECIAL REQUIREMENTS

- Ability to attend evening and weekend meetings and project meetings as necessary.
- Represent the City in presenting and explaining the budget to the State Historic Preservation Board.
- Must possess or be able to obtain a valid South Dakota driver's license.
- Ability to work and communicate with elected and appointed officials and the public with appropriate etiquette and diplomacy (written and oral).
- Telephone and etiquette skills.
- Ability to speak before groups and organizations.
- Ability to pay close attention to details.
- Able to work independently with little or no supervision.
- Prioritize and schedule workload appropriately to meet deadlines.

TOOLS AND EQUIPMENT USED

Computer and associated software such as Microsoft Office suite or equivalent, digital camera, telephone, photocopier, and other office equipment.

PHYSICAL DEMANDS

The physical demands attached hereto are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Employee will be required to perform onsite inspections of archaeological, construction and project sites. Job requires periods of sitting, standing, bending, and occasional lifting. Some other requirements include a normal range of hearing and manual dexterity to operate keyboard, telephone, photocopier, and other office equipment as needed.

Prolonged walking over uneven terrain, on stairs, handgrip to pull oneself over obstacles in order to conduct and perform site inspections and specific evaluations.

WORK ENVIRONMENT

The work environment characteristics attached hereto are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee frequently works outside and is exposed to all types of weather conditions and different terrains. Employee is also frequently exposed to indoor working conditions.

SELECTION GUIDELINES

Formal application, rating of education and experience, oral interview, and reference check; job related tests may be required.

The job description does not constitute an employment agreement between employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



ZONING ADMINISTRATOR POSITION DESCRIPTION

GENERAL PURPOSE

This is a position with a very high degree of independence and responsibility of implementing and assuring compliance with the Deadwood Zoning and Subdivision regulations. The administrator performs activities pertaining to planning and zoning, including land use, transportation, zoning, development review, variance and special exception requests, economic development and other areas of planning impact.

The decisions and actions of the Administrator significantly affect the quality of Deadwood's built and natural environment, the public's health and welfare, and the public's perception of zoning. The decisions and actions can also have substantial economic impacts, particularly in matters of enforcement, which can have major effects for property owners, and places a heavy responsibility on the employee for maintaining public confidence and integrity of city government.

SUPERVISION RECEIVED

Works under the general guidance and direction of the Deadwood City Commission and the Planning and Zoning Commission.

SUPERVISION EXERCISED

This position exercises supervision over technical, clerical, and professional personnel associated with the Zoning Department.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Serves as staff to the Deadwood City Commission and the Planning & Zoning Commission on zoning matters.
- Provides oversight, assists and/or prepares reports, staff reports, meeting agendas and correspondence related to zoning matters.
- Organizes, attends as necessary, and ensures recordation of committee meetings as directed.
- Ensures consistent application and enforcement of all rules and regulations pertaining to the zoning and subdivision regulations. This requires a full knowledge and understanding of the Deadwood zoning and subdivision regulations, including knowledge of pertinent state statutes and practices.
- Receives and reviews applications and evaluates of their completeness and conformance with appropriate requirements.

- Participates in annual city budget preparations and monitoring.
- Participates in training opportunities to refresh existing knowledge and remains informed of new regulations, statutory changes, and case law that affect the interpretation, administration, and enforcement of zoning.
- Responds to requests for information from any member of the public on Deadwood zoning and provides information that is readily available in files in accordance with department policies.
- Discusses with all applicants the application procedures, ordinance requirements, and other information necessary to inform them of options and responsibilities. Develops and/or provides applicants with summary and checklist information of the procedures, deadlines, and fees.
- Meets with all applicants, either independently or as part of a staff team, to discuss the details of their proposals, and provides guidance as warranted with respect to a project's conformance with City standards.
- Cooperates with other staff and departments as warranted in the review of development policies.
- Issues permits within the statutorily prescribed time of an application for proposed uses or structures or changes in use if such use or structure is in strict conformity with the local ordinance(s).
- Ensures that all permits issued are posted as prescribed by law and copies distributed, as necessary.
- Calculates and collects necessary application fees and maintain records of all such fees collected.
- Conducts inspections of buildings and uses of land or structures to determine compliance with the terms of the zoning regulations and any representations of previously issued zoning permits.
- Issues notices of violation and orders of compliance and institute appropriate proceedings for enforcement of the provisions of the zoning ordinance where a violation persists.
- At the appropriate time, institutes legal proceedings through the City Attorney's Office.
- Provides primary staff support to the Deadwood Planning and Zoning and City Commissions.
- Maintains a database of zoning permit activity and prepare periodic reports.
- Investigates citizen complaints to determine if violations exist; maintains appropriate records of such investigations; and follow-up as necessary to ensure compliance.

- Prepares reports, staff reports, meeting agendas and correspondence related to zoning.
- Assists in preparation of agenda packets for the Planning & Zoning Commission.
- Attends Planning and Zoning Commission meetings and presents information as directed.
- Assists in maintaining the Zoning portion of the city website and ensures the minutes and agenda packets are appropriately posted.
- Participates in staff meetings and other departmental functions to coordinate activities and ensure the smooth, efficient, and effective operation of the Planning and Zoning Department.
- Maintains the flow of communication through the office in an efficient and effective manner with staff, boards, commissioners, the public, businesses, and others.

PERIPHERAL DUTIES

- Participates in staff and safety meetings and other departmental functions to coordinate activities and ensure the smooth, efficient, and effective operation of the department(s).
- Though a position with statutorily defined duties, the Zoning Administrator also functions as part of a departmental team and as a part of a broader local governmental entity. Needs to maintain lines of communication and cooperation among other departments and staff.
- Assists in planning activities, such as in providing permit activity data and analyses, assisting in the zoning revision process, providing feedback on recommended zoning changes, or other activities.
- Coordinates the development of application forms, instructions, and other materials including internet and website access.
- Assists the support staff in maintaining appropriate records and files and assuming clerical duties as necessary in order to meet obligations.
- Participates in annual budgeting and report preparation.
- Performs a variety of miscellaneous duties as assigned.

DESIRED MINIMUM QUALIFICATIONS:

EDUCATION AND EXPERIENCE

- Graduation from an accredited high school or GED equivalent with drafting and/or site plan and blueprint reading skills.
- Prefer individual with working knowledge of zoning law or past experience in administering zoning ordinances and guidelines preferably

supplemented by courses in zoning and building matters combining experience with training.

- Two years of responsible related experience or any equivalent combination of related education and experience.

NECESSARY KNOWLEDGE, SKILLS AND ABILITIES

- A deductive, logical system of thought common in reading and interpreting legal documents.
- Possess the ability to work and communicate effectively, both orally and in writing, with residents and governmental agencies.
- Position requires an understanding, experience, and enthusiasm for engaging the public in zoning matters.
- Employee must possess the ability to provide information regarding zoning ordinances.
- An ability to read legal descriptions and similar pertinent documents for zoning administration.
- Basic knowledge and computer skills in use of word processing, database, mapping, and computer networking abilities.

SPECIAL REQUIREMENTS

- Ability to attend evening and weekend meetings and project meetings as necessary.
- Must possess or be able to obtain a valid South Dakota driver's license.
- Ability to work and communicate with elected and appointed officials and the public with appropriate etiquette and diplomacy (written and oral).
- Telephone and etiquette skills.
- Ability to speak before groups and organizations.
- Ability to pay close attention to details.
- Able to work independently with little or no supervision.
- Prioritize and schedule workload appropriately to meet deadlines.

TOOLS AND EQUIPMENT USED

Computer and associated software such as Microsoft Office suite or equivalent, ArcGIS, Pictometry, digital camera, telephone, photocopier, and other office equipment.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

Reasonable accommodations may be made to enable those individuals with disabilities to perform the essential functions.

Employee will be required to perform onsite inspection of pre-construction and in progress construction project sites. Job requires periods of sitting, standing, bending, and occasional lifting. Some other requirements include a normal range of hearing and manual dexterity to operate keyboard, telephone, photocopier, and other office equipment as needed.

Prolonged walking over uneven terrain, on stairs, handgrip to pull oneself over obstacles in order to conduct and perform site inspections and specific evaluations.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable those individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee periodically works outside and is exposed to all types of weather conditions and different terrains.

The noise level in the work environment is quiet to moderately noisy.

SELECTION GUIDELINES

Formal application, rating of education and experience, oral interviews, and reference check; job related tests may be required.

The job description does not constitute an employment agreement between employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



CITY PLANNER POSITION DESCRIPTION

GENERAL PURPOSE

The position is responsible for long-range planning programs and projects. The City Planner researches and analyzes data for complex land use planning projects for the City of Deadwood; performs professional work of technical difficulty, provides technical expertise on short and long-range planning including land use, transportation, zoning, development review, economic development and historic preservation matters, and other areas of planning impact; coordinates work with state and regional land use agencies, advocacy groups, and the public. The decisions and actions of the position significantly affect the quality of Deadwood's built and natural environment, the public's health, and welfare.

SUPERVISION RECEIVED

Works under the general guidance and direction of the Deadwood City Commission and the Planning and Zoning Commission.

SUPERVISION EXERCISED

This position exercises supervision over technical, clerical, and professional personnel associated with the Planning Department.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Serves as staff to the Deadwood City Commission and the Planning & Zoning Commission on matters relating to city planning.
- Provides oversight, assists and/or prepares reports, staff reports, meeting agendas and correspondence related to city planning matters.
- Organizes, attends as necessary, and ensures recordation of committee meetings as directed.
- Performs complex and specialized professional planning activities; uses knowledge of planning and growth management, public policy, land use law, and natural resource issues to assist in developing plans and completing planning projects.
- Researches and analyzes data for long range planning projects; resolves problems within scope of authority.
- Identifies long range planning issues and policies and assists in developing work program priorities.
- Assists in formulating long range plans and implementation strategies and regulations for the City of Deadwood; drafts and presents land use code amendments, policy recommendations and plan proposals to policy

makers and the public; tracks the implementation of plans once completed and adopted.

- Designs and executes innovative public outreach and engagement strategies to ensure timely communication and meaningful dialog and informed input into policy development and decision making.
- Coordinates with state, federal and regional agencies on natural resource planning, oil and gas leases and land use development referrals.
- Provides comprehensive technical and professional planning services to achieve structured and organized growth and development in the City; assures long range plans are in compliance with city codes, policies, and procedures, and state and federal regulations, as applicable.
- Supports the relationship between city government and the public by demonstrating courteous and cooperative behavior when interacting with citizens, visitors, and city staff; maintains confidentiality of work-related issues and city information.
- Provides technical advice to the City Commission, the Planning & Zoning Commission, the Historic Preservation Commission, city staff, architects/engineers, contractors, and the public.
- Participates in the annual budget preparations and monitoring.
- Maintains amicable relationships with various local, state, and national media.
- Serves as ex-officio member and voting member of various organizations and entities on a local, state, and national level while serving as the City Planner.
- Prepares for and attends the City Commission meetings as well as the Planning & Zoning Commission and the Deadwood Historic Preservation Commissions, as necessary.
- Maintains the knowledge and understanding of all rules and regulations pertaining to city planning and subdivision regulations with consistent application and enforcement, including knowledge of pertinent State Statutes and practices that influence planning and zoning.
- Meets with engineers, architects, developers, city staff, etc., either independently or as part of a staff team, to discuss the details of their proposals, and provides guidance as warranted with respect to a project's conformance with the City's standards.
- Participates in training opportunities to refresh existing knowledge and remain informed of new regulations, statutory changes, and case law that affect the interpretation, administration and enforcement of city planning matters.

- Responds to requests for information from any member of the public on city planning matters and provides information that is readily available in files in accordance with department policies.

PERIPHERAL DUTIES

- Performs a variety of miscellaneous duties as assigned.
- Participates in staff and safety meetings and other departmental functions to coordinate activities and ensure the smooth, efficient, and effective operation of the department(s).
- Though a position with statutorily defined duties, the City Planner also functions as part of a departmental team and as a part of a broader local governmental entity. Needs to maintain lines of communication and cooperation among other departments and staff.
- Assists in planning activities, such as providing data and analyses, assisting in the zoning revision process, providing feedback on recommended zoning changes, or other activities.
- Assists the support staff in maintaining appropriate records and files and assuming clerical duties as necessary in order to meet obligations.

DESIRED MINIMUM QUALIFICATIONS:

EDUCATION AND EXPERIENCE

- Bachelor's Degree in Urban and Regional Planning, Engineering, Earth Sciences, Landscape Architecture, or Public Administration; Master's Degree Preferred or combination of experience, education, or expertise.
- Professional certification through the American Institute of Certified Planners (AICP) is desirable.
- Four years of progressively responsible experience with community development and urban planning programs.

NECESSARY KNOWLEDGE SKILLS AND ABILITIES

- Project management principles, practices, and methods.
- Administrative principles and practices to include goal setting and program budget development and implementation.
- Possess an ability to work and communicate effectively, both orally and in writing, with local and state agencies, as well as consultants.
- Position requires understanding, experience, and enthusiasm for engaging the public in community planning matters.
- Handling multiple tasks simultaneously, under pressure, and in emergency and stressful situations.
- Working efficiently both independently and as part of a team.

- Organizing and prioritizing work to meet deadlines.
- Developing, understanding, interpreting, and communicating policies and procedures.
- Establishing and maintaining effective working relationships.

SPECIAL REQUIREMENTS

- Ability to attend evening and weekend meetings and project meetings as necessary.
- Must possess or be able to obtain a valid South Dakota driver's license.
- Ability to work and communicate with elected and appointed officials and the public with appropriate etiquette and diplomacy (written and oral).
- Telephone and etiquette skills.
- Ability to speak before groups and organizations.
- Ability to pay close attention to details.
- Able to work independently with little or no supervision.
- Prioritize and schedule workload appropriately to meet deadlines.

TOOLS AND EQUIPMENT USED

Computer and associated software such as Microsoft Office suite or equivalent, digital camera, telephone, photocopier, and other office equipment.

PHYSICAL DEMANDS

The physical demands attached hereto are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Employee will be required to perform onsite inspections of construction and project sites. Prolonged walking over uneven terrain, on stairs, handgrip to pull oneself over obstacles to conduct and perform site inspections and specific evaluations. Job requires periods of sitting, standing, bending, and occasional lifting. Some other requirements include a normal range of hearing and manual dexterity to operate keyboard, telephone, photocopier, and other office equipment as needed.

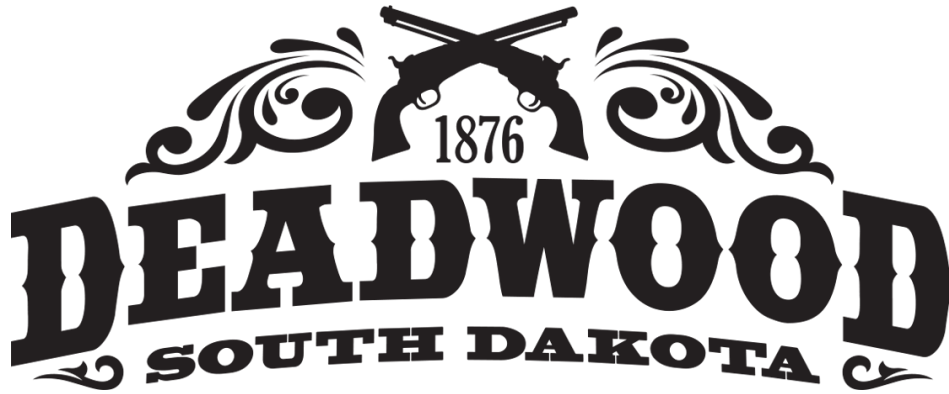
WORK ENVIRONMENT

- The work environment characteristics attached hereto are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
- While performing the duties of this job, the employee frequently works outside and is exposed to all types of weather conditions and different

terrains. Employee is also frequently exposed to indoor working conditions.

SELECTION GUIDELINES

- Formal application, rating of education and experience, oral interview, and reference check; job related tests may be required.
- The job description does not constitute an employment agreement between employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



PET LICENSING DAY

Veterinarian Onsite to Provide Vaccinations
(Rabies - \$8.00 Per Pet, Other Vaccinations Available Upon Request)

Coincides with the Plant Swap Garden Party

MAY 25, 2023 - 3:00PM-6:00PM

DEADWOOD WELCOME CENTER

501 MAIN ST, DEADWOOD, SD 57732

Reminder:

According to Deadwood City Ordinance 6.08.070, you are required to license your dog/cat yearly. Licenses will be issued with proof of vaccinations.

Pricing is as follows:

PET LICENSE FEES WAIVED ON MAY 25, 2023

FY2022 Annual Survey of South Dakota Public Libraries

Shaded fields are prefilled in the online survey. Contact the SDSL Data Coordinator to make changes to these fields.

SECTION A. – GENERAL INFORMATION

Library Name	County
DEADWOOD PUBLIC LIBRARY	LAWRENCE

Mailing Address	Street Address
435 WILLIAMS ST	435 WILLIAMS ST
Mailing City	Zip Code
DEADWOOD	57732

Contact

Library Director	Email address of director
Patricia Brown	patricia@cityofdeadwood.com
Library Phone	
6055782821	

Admin

Fiscal year reporting	Legal Service Area Boundary Change	Government unit under which library is legally established	Year legally established
Jan - Dec	No	City	1895

Population

Population of the Legal Service Area <i>Based on Census population estimates for your legal service area.</i>	1,833
Estimated population of total service area <i>Estimate the population you actually serve</i>	26,165

What does the library charge for a nonresident library card?	\$25
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Outlets

Number of Central Libraries	Number of Branch Libraries	Number of Bookmobiles
1	0	0

Building/ remodeling of library	Building/remodeling explanation	Total square footage main library
No		5,360

Codes

Legal Basis Code	Geographic Code
Municipal Government (city, town or village)	e.g., incorporated city or village, census designated), c

Library Hours - Public service hours of the main branch.

	Open	Close	Total hours
Sunday			N/A
Monday	10:00	6:00	8.00
Tuesday	10:00	6:00	8.00
Wednesday	10:00	6:00	8.00
Thursday	10:00	6:00	8.00
Friday	10:00	5:00	7.00
Saturday	12:00	4:00	4.00

Total hours open per week	43.00
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SECTION C. -- PERSONNEL**Head Librarian**

Head Librarian	Current Annual Salary	Hours worked per week by head librarian	Highest education level achieved by head librarian	Total number of years head librarian has worked in the field
1	53,045.00	40	BA plus graduate courses	21

Other Librarians

Total number of OTHER paid librarians	Total number of OTHER librarians worked per week	Total hours worked per week-ALL librarians	Total paid librarians FTE
2	37	77	1.93

All Other Paid Staff

Total number of all other paid staff	Total number of all other paid staff hours worked per week	All other paid staff FTE	Total paid employees FTE
3	38	0.95	2.88

Staff paid by non-library sources

Number of staff paid from other sources	Non-library pay sources	Average hours/week by staff paid by non-library source
1	Historic Preservation	10

Volunteers

Total number of volunteers	10	Average number of hours worked by volunteers per week	0.5
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ALA-MLS Librarians

Total number of ALA-MLS librarians	Hours worked per week - ALA-MLS librarians	FTE librarians ALA-MLS librarians
0	0	0.00

SECTION D -- INCOME

Operating Income received during fiscal year

Operating income – City/Town	\$69,950
Operating income – County	\$82,621
Operating income – School District	\$0
Operating income – Tribal Appropriation	\$0
Operating income – College Appropriation	\$0
Operating income – Other Contracts (other libraries or towns)	\$0
Local Government Revenue	\$152,571
State Appropriations	\$0
Federal Income	\$6,578
Other Operating Income	\$2,522
Total Operating Income	\$161,671

Capital Income

Local government capital income	\$0
State government capital income	\$0
Federal government capital income	\$0
Other capital income	\$0
Total capital income	\$0

SECTION E -- EXPENDITURES

Staff Expenditures

Salaries and Wages for Library Staff	\$89,868
Total employee benefits	\$18,300
Total all salaries and benefits	\$108,168

Collection Expenditures

Print materials expenditures	\$7,413
Electronic materials expenditures	\$1,125
Other materials expenditures	\$3,103
Total expenditures for library materials	\$11,641

Other Operating Expenditures

All other operating expenditures	\$30,446
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Total operating expenditures	\$150,255
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If there is a large difference between total operating income and total operating expenditures, please provide an explanation for the difference and what happens to unspent revenue.

Capital Expenditures

Capital expenditures on facility	\$0
Capital expenditures on technology	\$0
Other capital expenditures	\$0
Total Capital Expenditures	\$0

SECTION F – LIBRARY HOLDINGS

Books

Books (print)	12,908
Ebooks accessed through SDTG	0
Other ebooks units* owned, leased, licensed	35,085
Total Ebooks	35,085

Subscriptions

Current print serial subscriptions	14
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Audio, Video, Other

Audio – physical units*	140
Audio – downloadable units* accessed through SDTG	0
Other downloadable audio units* owned, leased, or licensed	22,641
Total downloadable audio	22,641
Video – physical units*	3,333
Video – downloadable units*	700
Other (films, multimedia kits, maps)	661

Electronic Collections (Databases)

Local/other licensed electronic collections (databases)	1
State licensed electronic collections (databases)	58
Total licensed electronic collections (databases)	59

Total Holdings	75,541
Total Physical Items in Collection	17,056

SECTION G – SERVICE ACTIVITIES

Supplemental COVID Questions - PLS FY2022 federal supplemental data elements regarding library operations during COVID-19 pandemic

510 Were any of the library's outlets physically closed to the public for any period of time due to the Coronavirus (COVID-19) pandemic?	No
511 Did library staff continue to provide services to the public during any portion of the period when the building was physically closed to the public due to the Coronavirus (COVID-19) pandemic?	Yes
514 Did the library allow users to complete registration for library cards online without having to come to the library during the Coronavirus (COVID-19) pandemic?	No
515 Did the library provide reference service via the Internet or telephone when the building was physically closed to the public during the Coronavirus (COVID-19) pandemic?	Yes
516 Did the library provide 'outside' service for circulation of physical materials at one or more outlets during the Coronavirus (COVID-19) pandemic?	No
520 Did the library intentionally provide Wi-Fi Internet access to users outside the building at one or more outlets during the Coronavirus (COVID-19) pandemic?	Yes
521 Did the library increase access to Wi-Fi Internet access to users outside the building at one or more outlets during the Coronavirus (COVID-19) pandemic?	No
522 Did library staff work for other government agencies or nonprofit organizations instead of, or in addition to, their normal duties during the Coronavirus (COVID-19) pandemic?	No

Library Service Indicators

Registered users	1,730
Annual total attendance in the library	6,485
Attendance reporting method	Annual Count
Annual total reference transactions completed	780
Reference transactions reporting method	Annual Estimate Based on Typical Week(s)

Collection Use

Circulation of Physical Materials

Books	3,697
Magazines and other print items not included above	1,076
Non print physical items	4,700
Non print physical items, minus audio and video materials	107
Total Physical Item Circulation	9,473

Circulation of Electronic Materials

Ebooks	884
Audiobooks (and music)	727
Video	158
Use (circulation) of Electronic Materials	1,769

Electronic Collection (database) Use

SDSL-provided electronic collections use	0
Other electronic collection use	337
Successful Retrieval of Electronic Information	337

Total Circulation of Materials	11,242
How many of Total Circulation are children's materials?	1,071
Total Electronic Content Use	2,106
Total Collection Use	11,579

Library Programs

In-person Program Sessions Offered

Children ages 0-5	Programs	Attendance
Onsite	52	619
Offsite	0	0
Virtual	0	0
Total	52	619

Children ages 6-11	Programs	Attendance
Onsite	32	160
Offsite	2	100
Virtual	0	0
Total	34	260

Young Adults ages 12-18	Programs	Attendance
Onsite	0	0
Offsite	0	0
Virtual	0	0
Total	0	0

Adults ages 19+	Programs	Attendance
Onsite	2	48
Offsite	0	0
Virtual	2	6
Total	4	54

General Interest	Programs	Attendance
Onsite	1	50
Offsite	1	225
Virtual	0	0
Total	2	275

Total Live Programs

Total number of synchronous program sessions	92
Total attendance at synchronous programs	1,208

Recorded Programs (synchronous)

Total Number of Recorded (Asynchronous) Program Presentations	50
Total Views of Recorded (Asynchronous) Program Presentations (within 7 days)	1,816

One-to-One Programs / Summer Reading

How many one-to-one program sessions did the library conduct?	17
---	----

Self-directed Activities

How many passive activities were offered?	3
Approximately how many patrons took part in these activities?	42

Internet

Total number of Internet computers for use by general public	6
Annual number of public access/ Internet use sessions	2,992
Reporting Method for Uses of Public Computers	Annual Count
Does the library offer public Wi-Fi service?	Yes
Annual wireless sessions	2,803
Reporting Method for Wireless Sessions	Annual Count
URL of the library's webpage	www.cityofdeadwood.com/library
Annual Website Visits	-1

Library Policies and Practices

Does the library charge overdue fines for any physical materials?	Yes
What automation system do you use?	KOHA
If you have an automated system, is it connected to the internet?	Yes, available online

Resource Sharing / Interlibrary Loan

	Received from/ borrowed from other libraries	Provided/sent/loaned to other libraries
Out-of-state total	0	0
In-state total	216	1,070
Total ILLs	216	1,070

SECTION H. – TRUSTEES

Library Board Members

Name	Address	Office Held	Term Expires
Krystal Stulken	PO Box 169, Deadwood, SD 57732	President	2023
Emily Kutil	2 Ryan Rd. Deadwood, SD 57732	Vice President	2025
Tessa Allen	160 Charles St. Deadwood SD 57732	Trustee	2026
Sue DeGooyer	788 Stage Run Road Deadwood, SD 57732	Secretary	2025
Teri Bruce	35 Madison St. Deadwood SD 57732	Trustee	2023
Michael Johnson	8 Van Buren Deadwood SD 57732	City Council Rep.	2025

Library Board Appointees

Trustees appointed by what governing body?	City Council
Trustees reside, own property, or own a business within the boundaries of the library's local governing unit.	Yes
Trustee terms are staggered so that all terms do not expire in the same year.	Yes
The library's governing body replaces or reappoints library trustees every three years upon expiration of their terms.	Yes
In addition to the appointees, the governing body appoints one of its own members to serve as a full voting member of the library board. (Optional: The governing body determines whether to appoint a representative to the library board.)	Yes

Library Board Meetings

Number of trustee meetings held per year	10xYR
Trustee meeting schedule	2nd Wed of month, 8:30AM
Date of last public library board meeting	2023-03-08
Are you aware of and do you comply with the SD Open Meetings law?	Yes

Friends of the Library / Library Foundation

Does your library have a Friends of the Library group?	No
President's name and address	
Does your library have a Library Foundation?	No
President's name and address	

SECTION I-J. – STANDARDS / POLICIES / EVENTS / SURVEY CONTACTS

Narrative listing any special events

The library, once again, partnered with local businesses to host our summer reading kick-off event at Outlaw Square with a live band, registration and activities for children, and volunteers sharing general library information with visitors. The Summer Reading program was completed with an ice cream social in the park. The Library was pleased to have received funding through an ARP grant from the SD Humanities Council. This grant allowed us to continue our long range project of upgrading furnishings and technology. These new purchases have enhanced the library atmosphere of being a welcoming place. During National Library Week, we invited library patrons to share with us what they love about their library. These spontaneous stories were videotaped and saved, to be added to a newly created YouTube channel. In May, the library hosted the Deadwood Chamber Mixer. This was a first. We partnered with a local restaurant for food and beverages. Attendance was over 75. It was a positive event for the library. A County Commissioner posted photos of the event and stated, "The Carnegie Library continues to serve the citizens of Deadwood and Lawrence County and its many visitors. Stop by and see for yourself what an exquisite conserved library it still is today!" We created a PowerPoint presentation highlighting programs and events of the library that ran continuously throughout the evening. In September, we added 2 more preschool groups to our Story Time schedule, which brings the total of preschool groups to three. Each group visits the library once a week for stories, crafts and fun. Our fall afterschool program (the K25 Club) invited students to join us on adventure Around Our Town. Each week special guests visited to share local history, music, archeology and other information. Activities were developed with each weekly theme. In December we hosted a meet and greet with library board members, staff, city employees, commissioners and the Mayor. It was our way to say Happy Holidays and share in the excitement of our 16 foot tree in the center of the library. We encouraged all ages to make an ornament and add to the tree. Finally, we began the process of establishing a safe "park space" behind the library and continue to make plans for gardening spots and outdoor picnic/entertainment areas.

Certify the Annual Report

Certification by Library Director	
Library Director (name):	Patricia Brown
Librarian or staff member completing the survey (if not the director):	
Certification by Library Board	
Library board president (name):	Krystal Stulken
Date the annual report was reviewed by the library board:	2023-04-12
Certification by Governing Body	
Name of City or County official who reviewed the annual report:	David R. Ruth, Jr.
Position held:	Mayor
Date the annual report was reviewed by the governing body:	2023-04-12 05-01

STATE NOTES (attached to individual questions on the annual report form)

Population of the Legal Service Area (#208)
Unable to change amount given.--2023-04-16

DRAFT

SELECTED KEY RATIOS – FY 2022

These are key ratios and percentages generated by the survey tool. Per capita ratios are based on the population of the library's legal service area (LSA)—the population of the geographic area the library serves.*	Your library FY 2022	Your library FY 2021	Statewide average FY 2021
Population used for per capita ratios* <i>Per capita ratios: Divides the total monetary or service statistics by the population served. This ratio helps you compare values among libraries of different sizes.</i>	1,833	1,664	789,226
Financial Measures			
Local government operating revenue per capita <i>All income from local government sources divided by LSA.</i>	\$83.24	\$92.53	\$36.39
Total operating revenue per capita <i>Includes income from state, federal, and miscellaneous sources.</i>	\$88.20	\$93.88	\$38.14
Total operating expenditures per capita	\$81.97	\$80.07	\$36.16
Collection expenditures per capita <i>This is the dollar amount spent per resident on new library materials.</i>	\$6.35	\$6.44	\$4.54
Portion of the library's operating budget used for new materials	7.7%	8.0%	12.5%
Service Measures			
Registered borrowers per capita <i>The ratio of people registered to use library services. This can show what ratio of the community are active library users if the library regularly purges its files of inactive users. The library's registered borrower records should be purged of inactive users at least every three years.</i>	0.94	1.03	0.42
Library visits per capita <i>The average number of library visits per resident. It is an indicator of public awareness of library services.</i>	3.54	2.84	2.57
Computers and Internet <i>Public libraries address the digital divide by providing access to computers, internet and WiFi services.</i>			
Public internet uses per capita <i>The average number of uses per resident of the library's public computers.</i>	1.63	1.78	0.31
Public Wi-Fi network use per capita <i>The number of times per resident that a device connects to the library's public wireless network.</i>	1.53	1.68	0.74
Collection and Circulation Ratios			
Total circulation per capita <i>The average number of loans made to residents. Low circulation ratios may be a result of low collection expenditures or indicate that the library should evaluate the relevancy of its new materials purchases to community needs.</i>	6.13	6.22	6.36
Portion of the library's total circulation that is children's materials <i>Compares ratio of children's materials circulated to total circulation. It is useful to know when considering other services to children.</i>	9.5%	12.4%	40.7%
Portion of the library's total circulation that is digital materials <i>Includes ebooks, downloadable audiobooks and video.</i>	15.7%	20.4%	22.7%
Library Program Ratios and Totals <i>Programs require increased allocation of library resources such as staff, time, materials.</i>			
Total program attendance per capita <i>Number of people who attended library programs per resident.</i>	0.66	0.35	0.23
Total attendance per program <i>Ratio of program attendance (all ages) to the total number of live programs held.</i>	13.13	12.80	18.75

*For Lawrence, Meade & Pennington county libraries: We calculated your per capita population based on a formula that combines the library's local population and your library's ratio of total circulation for the county.

SECTION B. – OUTLET / BRANCH INFORMATION

2022

Location	DEADWOOD PUBLIC LIBRARY		
Address		City	Zip Code
435 WILLIAMS ST		DEADWOOD	57732
County	Phone Number	Outlet Code	
LAWRENCE	6055782821	Central Library	
Square footage of branch / outlet		Number of bookmobiles in outlet record	
5,360		0	
Total service hours OPEN to public per year		Total number of weeks branch open to public	
2,236		52	
Number of Weeks an Outlet was Closed to the Public Due to COVID-19		Number of Weeks an Outlet Had Limited Occupancy Due to COVID-19	
0		0	
Branch Librarian		Total Branch Staff paid	
Patricia Brown		6	
Total hours open during typical week		Total days open during typical week	
43		6	

NOTICE TO BIDDERS

The City of Deadwood, Deadwood, South Dakota, will receive sealed bids at the Finance Office located at 102 Sherman Street, Deadwood, South Dakota, 57732, up to 2:00 PM, on Tuesday, June 15, 2023, to complete the **Whitewood Creek Restoration – Bid Package 1 – Sites 1C, 2A, 2B, 3A, 3B for FEMA Project #123108** for the City of Deadwood. A pre-bid meeting will be held on May 31, 2023, at 2:00 p.m. on site. Bids will be publicly opened and read on June 15, 2023, at 2:00 p.m. with results presented on May 1, 2023 at the City Commission meeting at City Hall, 102 Sherman, Deadwood, SD.

Plans and specifications for the project may be obtained electronically from Albertson Engineering, Inc. 3202 West Main Street, Suite C, Rapid City, South Dakota 57702 or available for viewing at the Construction Industry Center, 2771 Plant Street, Rapid City, South Dakota 57702.

Bid security will be required in the form of a cashier's check or certified check in the amount of five (5) percent of the total for the bid submitted, or through a bid bond of not less than ten (10) percent of the total for the bid submitted, made payable to the City of Deadwood. A performance bond is also required.

Bids will be sealed and marked **Whitewood Creek Restoration – Bid Package 1 – Sites 1C, 2A, 2B, 3A, 3B for FEMA Project #123108**. Bids will be mailed or hand delivered to the Deadwood Finance Office, 102 Sherman Street, Deadwood, South Dakota, 57732. The City of Deadwood has the right to reject any and all bids.

Dated this 1st day of May 2023.

Jessicca McKeown
City of Deadwood Finance Officer

Publish Black Hills Pioneer: May 18, 2023 and May 25, 2023

For any notice that is published twice:

This notice is published twice at an approximate cost of \$_____.

NOTICE TO BIDDERS

The City of Deadwood, Deadwood, South Dakota, will receive sealed bids at the Finance Office located at 102 Sherman Street, Deadwood, South Dakota, 57732, up to 2:00 PM, on Thursday, April 27, 2023, to complete the **“Days of 76 VIP Grandstand – Concessions Building”** for the City of Deadwood. Bids will be publicly opened and read on that date at 2:00 p.m. with results to the City Commission on Monday, May 1, 2023, at City Hall 102 Sherman, Deadwood, SD.

Plans and specifications for the project may be obtained electronically from Chamberlin Architects, 725 St. Joseph Street, Rapid City, South Dakota 57701 or available for viewing at the Construction Industry Center, 2771 Plant Street, Rapid City, South Dakota 57702.

Bid security will be required in the form of a cashier’s check or certified check in the amount of five (5) percent of the total for the bid submitted, or through a bid bond of not less than ten (10) percent of the total for the bid submitted, made payable to the City of Deadwood. A performance bond is also required.

Bids will be sealed and marked **“Days of 76 VIP Grandstand – Concessions Building”**. Bids may be mailed or hand delivered to the Deadwood Finance Office, 102 Sherman Street, Deadwood, South Dakota, 57732. The City of Deadwood has the right to reject any and all bids.

Dated this 20th day of March 2023.

Jessicca McKeown
City of Deadwood Finance Officer

Publish Black Hills Pioneer: March 23, 2023 and April 6, 2023

For any notice that is published twice:

This notice is published twice at an approximate cost of \$_____.

BID TAB					
April 27, 2023 2:00 p.m.					
Days of 76 VIP Grandstand					
<u>Contractor</u>	<u>Bid Bond</u>	<u>Acknowledge Addendum 1 & 2</u>	<u>Engineers Estimate</u>	<u>Base Bid</u>	
			\$		
Ainsworth Benning	X	X		\$ 1,259,846.00	
Rangel Construction	X	X		\$ 1,332,800.00	
Complete Concrete	X	X		\$ 1,568,700.00	
Kevin Kuchenbecker					
Lornie Stalder					
Randy Adler					
Misty Trehwella					
Also Present:					
Branden Ginfer - Ainsworth Benning					
Grew Habener - RCS Construction					
Joe Kolling - Rangel Construction					
Valerie Effenberger - Complete Concrete					
Patricia Sherman - Resident					

NOTICE TO BIDDERS

The City of Deadwood, Deadwood, South Dakota, will receive sealed bids at the Finance Office located at 102 Sherman Street, Deadwood, South Dakota, 57732, up to 2:00 PM, on Thursday, April 27, 2023, to complete the “**Demolition and Reconstruction of Retaining Wall and Stairs located at the following location: 650 Main Street - Broadway Retaining Wall**” for the City of Deadwood. Bids will be publicly opened and read on that date at 2:00 p.m. with results presented on May 1, 2023 at the City Commission meeting at City Hall 102 Sherman, Deadwood, SD.

Plans and specifications for the project may be obtained electronically from Albertson Engineering, Inc. 3202 West Main Street, Suite C, Rapid City, South Dakota 57702 or available for viewing at the Construction Industry Center, 2771 Plant Street, Rapid City, South Dakota 57702.

Bid security will be required in the form of a cashier's check or certified check in the amount of five (5) percent of the total for the bid submitted, or through a bid bond of not less than ten (10) percent of the total for the bid submitted, made payable to the City of Deadwood. A performance bond is also required.

Bids will be sealed and marked **Retaining Wall Project – 650 Main Street – Broadway Retaining Wall**. Bids will be mailed or hand delivered to the Deadwood Finance Office, 102 Sherman Street, Deadwood, South Dakota, 57732. The City of Deadwood has the right to reject any and all bids.

Dated this 20th day of March 2023.

Jessicca McKeown
City of Deadwood Finance Officer

Publish Black Hills Pioneer: March 23, 2023 and April 6, 2023

For any notice that is published twice:

This notice is published twice at an approximate cost of \$_____.

BID TAB				
April 27, 2023 2:00 p.m.				
650 Main Street - Broadway Retaining Wall				
<u>Contractor</u>	<u>Bid Bond</u>	<u>Engineers Estimate</u>	<u>Base Bid</u>	
		\$ 161,743.50		
Complete Concrete	X		\$ 498,254.00	
Kevin Kuchenbecker				
Lornie Stalder				
Randy Adler				
Misty Trehwella				
Also Present:				
Branden Ginfer - Ainsworth Benning				
Grew Habener - RCS Construction				
Joe Kolling - Rangel Construction				
Valerie Effenberger - Complete Concrete				
Patricia Sherman - Resident				

NOTICE TO BIDDERS

The City of Deadwood, Deadwood, South Dakota, will receive sealed bids at the Finance Office located at 102 Sherman Street, Deadwood, South Dakota, 57732, up to 2:00 PM, on Thursday, April 27, 2023, to complete the **“Demolition and Reconstruction of Retaining Wall located at the following location: 5 Harrison Street** for the City of Deadwood. Bids will be publicly opened and read on that date at 2:00 p.m. with results presented on May 1, 2023 at the City Commission meeting at City Hall 102 Sherman, Deadwood, SD.

Plans and specifications for the project may be obtained electronically from Albertson Engineering, Inc. 3202 West Main Street, Suite C, Rapid City, South Dakota 57702 or available for viewing at the Construction Industry Center, 2771 Plant Street, Rapid City, South Dakota 57702.

Bid security will be required in the form of a cashiers check or certified check in the amount of five (5) percent of the total for the bid submitted, or through a bid bond of not less than ten (10) percent of the total for the bid submitted, made payable to the City of Deadwood. A performance bond is also required.

Bids will be sealed and marked **Retaining Wall Project – 5 Harrison Street**. Bids will be mailed or hand delivered to the Deadwood Finance Office, 102 Sherman Street, Deadwood, South Dakota, 57732. The City of Deadwood has the right to reject any and all bids.

Dated this 20th day of March 2023.

Jessicca McKeown
City of Deadwood Finance Officer

Publish Black Hills Pioneer: March 23, 2023 and April 6, 2023

For any notice that is published twice:

This notice is published twice at an approximate cost of \$_____.

BID TAB				
April 27, 2023 2:00 p.m.				
5 Harrison St				
<u>Contractor</u>	<u>Bid Bond</u>	<u>Engineers Estimate</u>	<u>Base Bid</u>	
		\$95,828.20		
RCS Construction	X		\$ 197,000.00	
Complete Concrete	X		\$ 286,795.00	
Kevin Kuchenbecker				
Lornie Stalder				
Randy Adler				
Misty Trehwella				
Also Present:				
Branden Ginfer - Ainsworth Benning				
Grew Habener - RCS Construction				
Joe Kolling - Rangel Construction				
Valerie Effenberger - Complete Concrete				
Patricia Sherman - Resident				

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 722-0786



Kevin Kuchenbecker
Planning, Zoning and
Historic Preservation Officer
Telephone (605) 578-2082
kevin@cityofdeadwood.com

BOARD OF ADJUSTMENT REQUEST FOR A CONDITIONAL USE PERMIT

Staff Report

Date: April 27, 2023
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Request for Conditional Use Permit for delivery donut business

APPLICANT(S): Carson Witt
PURPOSE: Home Occupation for delivery donut business
ADDRESS: 63 Stewart Street
Deadwood, Lawrence County, South Dakota
LEGAL DESCRIPTION: THE EASTERLY 50 FEET OF LOT 2, BLOCK 72
ORIGINAL TOWN IN THE CITY OF DEADWOOD
LAWRECE COUNTY, SOUTH DAKOTA EXCEPT THAT
PORTION DEEDED TO THE CITY OF DEADWOOD
FOR STREET PURPOSES.
FILE STATUS: All legal obligations have been completed.
ZONE: R1 – Residential District
STAFF FINDINGS:

Surrounding Zoning:	Surrounding Land Uses:
North: C1 – Commercial District	Hospital / Clinic
South: R1 – Residential District	Vacant Hill Side
East: R1 – Residential District	Residential Housing
West: R1 – Residential District	Residential Housing

SUMMARY OF REQUEST

The applicant has submitted a request for a Conditional Use Permit for the operations of a small business in the form of a delivery donut shop under Section 17.24.030 Conditional Uses under Home Occupation. The subject property is located on the south side of Stewart Street behind the vicinity of the Deadwood Hospital and Clinic.

[Location shown in Exhibit A]

Request of Conditional Use Permit
63 Stewart Street
Home Occupation
April 27, 2023

FACTUAL INFORMATION

1. The property is currently zoned R1 – Residential District.
2. The property comprises approximately 7,533 square feet +.
3. The dwelling began as a log cabin, presumably built in 1877. By 1890, it appeared as a two-story wood-frame structure and is a contributing structure to the National Historic Landmark District.
4. The subject property has access from Stewart Street.
5. The subject property is located within a very low-density land use classification on the adopted Zoning Map.
6. The property is located outside of Flood Zone AE – Areas of 100-year flood and Flood Zone X – Areas of 500-year flood.
7. Adequate public facilities are available to serve the property.
8. The area is characterized by a mixture of single-family dwellings located in the Cleveland Historic Overlay Zone.

STAFF DISCUSSION

The applicant has submitted a request for a Conditional Use Permit for the operations of a small business in the form of a delivery donut shop under Section 17.24.030 Conditional Uses under Home Occupation in a R1 – Residential District.

Specific detail on the proposed operations and business plan are included with the application and supporting documentation. It appears to be limited impact on the proposed location of the subject property for Home Occupation.

The applicant has coordinated the proposed business operations with the South Dakota Department of Health and would operate under South Dakota's Cottage Food Laws. [See Exhibit B for more details]

COMPLIANCE:

1. The Zoning Officer provided notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing in accordance with Section 17.76.060. This notice was in the form of a direct mailing to property owners within a 300' buffer to said property. [Exhibit C]
2. A sign was posted on the property for which the request for the Conditional Use Permit was filed on Monday, April 3, 2023.
3. Notice of the time and place was published twice in the designated newspaper of the City of Deadwood. [Exhibit D]

Request of Conditional Use Permit
63 Stewart Street
Home Occupation
April 27, 2023

GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:

In reviewing any application under the authority of this chapter and as a further guide to its decision upon the facts of the case, the Commission(s) shall consider, among other things, the following facts:

- A. The proposed use shall be in harmony with the general purposes, goals, objectives, and standards to the City Policy Plan, the ordinance, the district in which it is located, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the City of Deadwood.

The City Comprehensive Plan encourages a variety of uses and a mixture of housing types. Preserve the existing stock of historic structures by working with the individuals and guiding the uses is an acceptable means. Traffic and parking should not significantly affect the neighborhood since the business will be operated on via a delivery service and not by walk-up or appointment basis. This property does not have off street parking. The delivery vehicle will be the applicant's personal vehicle. The area has a mixture of single-family dwellings.

- B. Whether or not a community need exists for the proposed use at the proposed location in light of existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the city and also within the immediate area of the proposed use: (a) the proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the proposed use.

The subject area is zoned R1 – Residential District. The R1 – Residential District is intended to provide locations for low to medium density, residential development commensurate with an urban area. Currently, there is not an over-concentration of this type of use in the city and there is limited home occupational use of residential property in this vicinity.

- C. The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvement, public sites, or rights-of-way.

The proposed use would not result in a substantial or undue adverse effect on adjacent property, or the character of the neighborhood and the use would not alter the character of the neighborhood. There will be no change in the size of the dwelling. To support a denial of a conditional use permit on the grounds that it will cause increased traffic problems, there must be a high degree of probability that the increase would pose a substantial threat to the health and safety of the community. Again, this use would generate minimal traffic.

- D. Whether or not the proposed use increases the proliferation of non-
-

Request of Conditional Use Permit
63 Stewart Street
Home Occupation
April 27, 2023

conforming uses as well as previously approved Conditional Use Permits which are still in use, when influenced by matters pertaining to the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Policy Plan, this ordinance, or any other plan, program, map or ordinance adopted, or under consideration pursuant to official notice, by the city or other governmental agency having jurisdiction to guide growth and development.

For any conditional use, lot and performance standards shall be the same as similar type uses located in specific districts. The character and use of buildings and structures adjoining or near the property mentioned in the application shall be considered in their entirety.

The proposed use would not increase the proliferation of non-conforming uses. There are approximately nine (9) homes along this portion of Stewart Street with a variety of on and off-street parking. The use is otherwise surrounded by single-family residences. The appearance of the residence will not change and the character and use of the buildings and structures adjoining the subject property will not be adversely affected.

- E. Whether or not the proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in this section.

The proposed use will not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation or other services. Existing services are available onsite.

CONDITIONS GOVERNING APPLICATIONS AND PROVISIONS:

- A. Following the issuance of a conditional use permit pursuant to the provisions of this ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by this section for its original approval.
- B. The Board of Adjustments can revoke conditional use permits, once granted, for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filled with the Zoning Administrator and may be initiated by the Planning and Zoning Commission OR any three (3) residents within three hundred (300) feet of the property lines of which the application has been filed. All such revocation hearings shall be conducted in the same manner as for the Conditional Use Permit application hearings.
- C. The Planning and Zoning Commission shall have the authority to review Conditional Use Permits at any time and/or on an annual basis and place additional stipulations to mitigate a problem.

Request of Conditional Use Permit
 63 Stewart Street
 Home Occupation
 April 27, 2023

- D. If the use permitted under the terms of a Conditional Use Permit has not been started within six (6) months of the date of issuance thereof, said permit shall expire and be canceled by the City Planning Department. Written notice thereof, shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new conditional use permit has been obtained.
- E. If the use permitted under the terms of a Conditional Use Permit ceases, for whatever reason, for a period of twelve (12) months, said permit shall expire and be canceled by the City Planning Department. Written notice thereof, shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new conditional use permit has been obtained.

If approved, staff recommendations for stipulation(s):

1. The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void and the non-conforming status could be voided from the property.
2. Proof of City of Deadwood Business License.
3. The Conditional Use Permit shall be reviewed annually by the Planning and Zoning Commission as required under 17.76.060

ACTION FOR CONDITIONAL USE PERMIT BY THE PLANNING & ZONING COMMISSION:

On April 12, 2023, the following action by Planning and Zoning Commission was to approve the Conditional Use Permit as requested in this staff report with the following stipulations.:

1. The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void and the non-conforming status could be voided from the property.
2. Proof of City of Deadwood Business License.
3. The Conditional Use Permit shall be reviewed annually by the Planning and Zoning Commission as required under 17.76.060

The motion passed unanimously.

ACTION REQUIRED BY THE BOARD OF ADJUSTMENT FOR CONDITIONAL USE PERMIT:

Approval	Approval with Conditions	Denial
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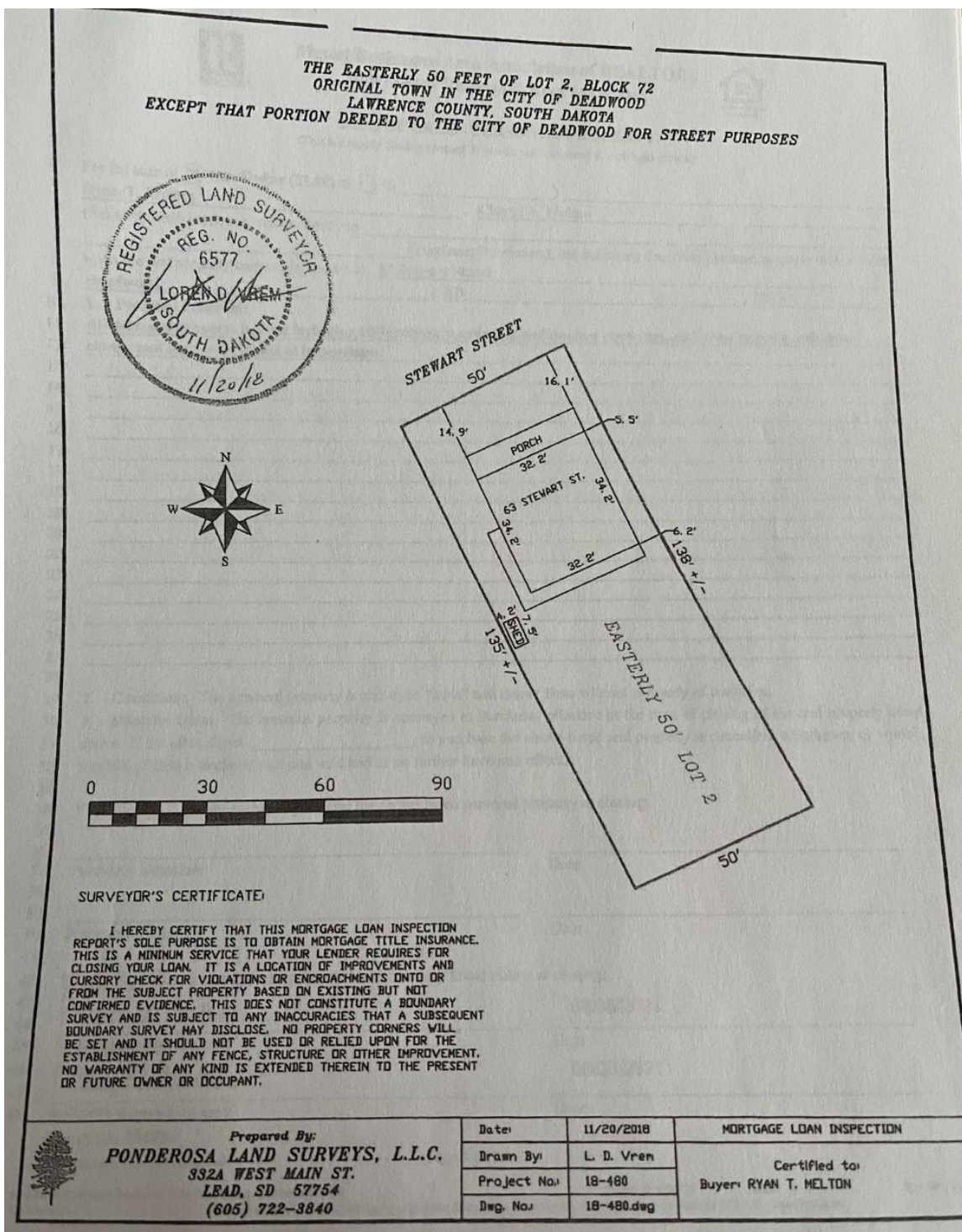
Request of Conditional Use Permit
 63 Stewart Street
 Home Occupation
 April 27, 2023

Exhibit A – Location Map & Photo(s)



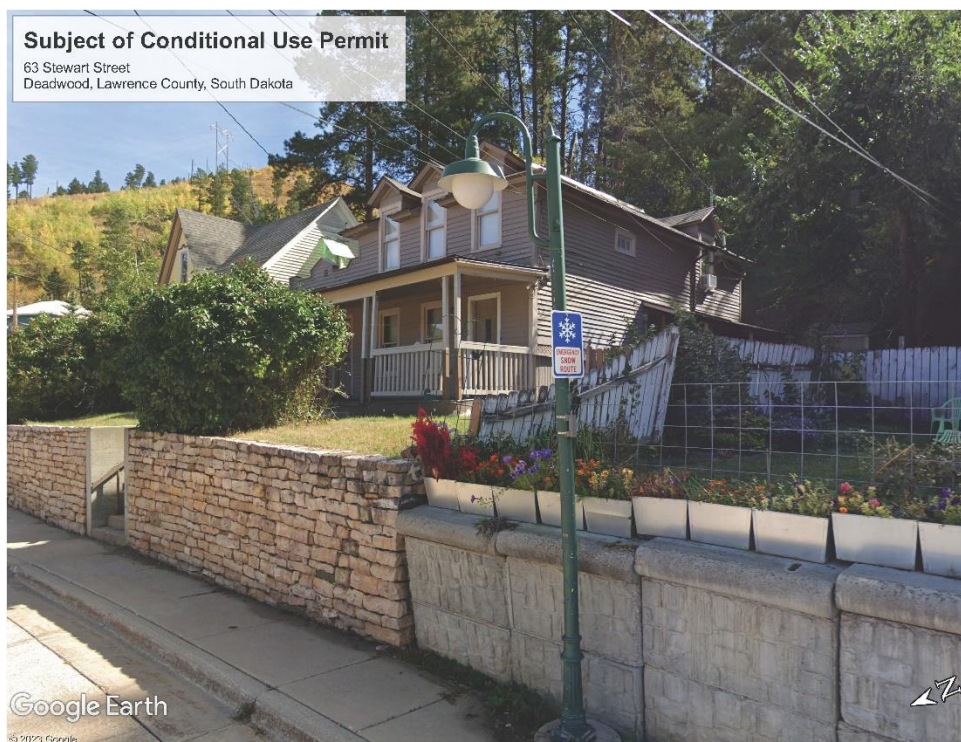
Map showing the general vicinity of the subject property.

Request of Conditional Use Permit
 63 Stewart Street
 Home Occupation
 April 27, 2023



Plat Map of Subject Property

Request of Conditional Use Permit
63 Stewart Street
Home Occupation
April 27, 2023



Street view of subject property



Street view of subject property

Request of Conditional Use Permit
63 Stewart Street
Home Occupation
April 27, 2023



2008 photo of subject property

Request of Conditional Use Permit
63 Stewart Street
Home Occupation
April 27, 2023

Exhibit B -SD Department of Health Regulations

FARMERS MARKET GUIDANCE For Market Managers & Vendors



Farmers markets provide an important opportunity for producers to provide fresh and wholesome food products directly to consumers located in communities throughout South Dakota. In an effort to encourage and support these markets, South Dakota has passed several "cottage" laws that allow producers to sell food products to the public without the need of a food service license. This handout is intended to help market managers, vendors, and other home food processors understand the laws and requirements pertaining to **food items sold from a home, farmers market or similar temporary sales venue**. It's important to note that all vendors are required to produce safe, wholesome food products in a sanitary manner whether licensed or not.

Please be aware that the law only provides license exemption for specific types of food items. The law does not provide an exemption for all food products and all regulations. In addition, the law only allows for these food products to be sold directly to the consumer from a home, farmers market or similar venue.

FOOD PRODUCTS — Updated 2022

Please refer to the following list of common food products to help determine applicable licensure and regulation:

Food Product or Home Processed Food	Common Examples	State License Required	Labeling Required
Fresh, whole, uncut, fruits and vegetables	Apples, melons, cucumbers, carrots, beans, corn ears, tomatoes, potatoes, etc.	NO	NO
Intact salad greens and herbs (dried or fresh)	Mixed greens with leaves, microgreens and shoots	NO	NO
Baked goods (includes temperature controlled baked goods that are maintained at 41° F or less)	Cookies, rolls, cakes, pies, kuchen, custard or cream filled baked goods, cheesecake, confectionaries, muffins, breads, lefsa, hard candies, sauces, pesto, etc.	NO	YES (if packaged)
Home canned foods with pH ≤ 4.6 (high acid foods) or Aw ≤ .85	Jams, jellies, fruit sauces, applesauce, syrups, pickled or acidified products (e.g. salsas, dill pickles), BBQ sauce, etc.	NO	YES
Frozen fruit/produce (maintained <0° F or less)	Freeze dried-sliced fruit/produce, frozen bagged fruit/produce	NO	YES (if packaged)
Nuts, grains, seeds, dry mixes (e.g. spice/season mix, baking mix, powder drink mix)	Almonds, walnuts, cake mix, cocoa mix, home ground flour, coffee beans, sunflower seeds, granola mix, intact grains, etc.	NO	YES (if packaged)
Naturally fermented foods	Kombucha, kimchi, sauerkraut etc.	NO	YES (if packaged)
Home canned foods with pH > 4.6 (low acid foods) or Aw > .85	Peas, beans, tomatoes, corn, beets, squash, soups, meats, nut butters, etc.	YES	YES
Fresh cut fruit/produce (not frozen) and sprouts	Sliced melon, shredded lettuce, diced tomatoes, tossed salad, etc.	YES	YES
Juices and ciders	Orange, apple, grape, berries	YES	YES
Take and bake products	Doughs, unbaked pizzas or unbaked fruit pies, etc.	YES	YES
Other prepared food/drink	Sandwiches, casseroles, hot dishes, stews, smoothies, potato or other salads, garlic/flavored oils, meat suaces, etc.	YES	YES

Please contact SDDOH @ **605-773-4945** for questions or inquiries concerning products which may not be listed above.

FREQUENTLY ASKED QUESTIONS

What are the label requirements for home processed foods?

Each container or package sold must have a label that contains the following:

1: Name of product, **2:** Name of the producer, **3:** Physical address of production, **4:** Mailing address of the producer, **5:** Telephone number of the producer, **6:** Date product made or processed, **7:** Ingredients, **8:** A directive to keep food refrigerated or frozen (if required) **9:** A disclaimer that states "This product was not produced in a commercial kitchen. It has been home-processed in a kitchen that may also process common food allergens such as tree nuts, peanuts, eggs, soy, wheat, milk, fish and crustacean shellfish."

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What products are not covered by the “farmers market and cottage laws”?

Products under jurisdiction of other state or federal agencies include (but are not limited to); meat, poultry, jerky, fish, dairy products, honey, eggs, and non-food items such as home-made soap or lotions.

What is required to sell canned goods, fermented, frozen and temperature controlled baked foods?

A producer selling these foods shall, every five years, complete an approved food safety course. The producer shall retain records verifying the timely completion of such training. A producer selling home-processed goods may, in lieu of the requirement for food safety training, maintain verification of each recipe from a third-party processing authority. The processing authority shall provide verification in writing to the producer. Processing authorities and approved food safety course information is provided below. **Note:** No canned good may be sold unless the pH level is 4.6 or less or the water activity level is .85 or less.

Can home processed foods be sold from home?

The law allows the sale home processed foods from a primary residence, farmers market or other temporary sale venue. Goods are to be sold in the seller's physical presence (direct). The seller, or a person residing at the seller's primary residence may personally deliver home processed foods to the buyer at the completion of the sale. There are no monetary limits on the amount of sales. The home processed foods must be properly labeled and **cannot** be sold wholesale (indirect). Examples of indirect sale may include sales from a retail store or via the internet. Indirect sales would require a state license.

What happens if I do not follow these regulations?

Unapproved food products, untrained producers in food safety (or products without a letter of verification) may increase the chance illness or food safety risk to the consumer. Liability issues for the vendor and/or market organization is also a concern. Ultimately, failure to comply with state law may result in a notice of closure for the vendor, prohibiting the further sale of their food item(s).

Can I provide small food samples at farmers markets for promotional or educational purposes?

Yes no license is needed, we ask that you follow food sampling requirements found at the SDDOH website.

PROCESSING AUTHORITIES

Curtis Braun

SDSU Ext. - Food Safety Specialist
2001 E. 8th St.
Sioux Falls, SD 57103
605 -782-3290 ext.265
Curtis.Braun@sdsu.edu

Jayne Stratton, Ph.D

Univ. Nebraska-Lincoln 248
Food Innovation Center
Lincoln, NE 68588
402-472-2829
jstratton@unl.edu

SDSU EXTENSION:

iGrow.org
(Please contact
Curtis Braun)

COURSE INFO.

South Dakota Codified Laws:

<http://sdlegislature.gov/statutes/>

South Dakota Dept. of Health:

<http://doh.sd.gov/food/>

SDSU Cooperative Extension Service:

<http://extension.sdsu.edu/>

WEIGHTS AND MEASURES GUIDANCE



- Any products sold by weight, must be sold from a legal for trade certified NTEP approved scale.
- Once purchased, a scale must be certified every other year by the Office of Weights and Measures.
- There is a \$28.00 fee that accompanies certification.
- You can call **605-773-3697** to schedule a time to get your scale certified.
- Registered service agents sell and repair NTEP approved scales.

Department of Public Safety
The Office of Weights and Measures
dps.inspectionswm@state.sd.us

Registered Service Agent List
<https://dps.sd.gov/inspections/weights-measures/register-agency>

June 2022

**SOUTH DAKOTA CODIFIED LAW – FARMER’S MARKET
 EFFECTIVE 7-1-2022**

**34-18-34. Farmer's market fresh fruits and vegetables--
 Licensure exemption.**

No person selling whole, intact fresh fruits or vegetables at a farmer's market, roadside stand, or similar venue is required to be licensed pursuant to this chapter.

Source: SL 2010, ch 172, § 1.

34-18-35. Sale of homemade foods and food products.

Except as otherwise provided in § [34-18-38](#), the licensure provisions of this chapter do not apply to a person selling:

- (1) Non-temperature-controlled food prepared at a residence;
- (2) Home-processed canned goods;
- (3) Baked goods prepared at a residence; or
- (4) Any food product prepared at a residence and authorized under § [34-18-36](#) or [34-18-36.1](#).

Source: SL 2010, ch 172, § 2; SL 2022, ch 106, § 1.

34-18-36. Canned goods—Requirements.

No canned good may be sold unless the pH level is 4.6 or less or the water activity level is .85 or less.

Except as otherwise provided in this section, a producer selling canned goods under this section shall, every five years, complete food safety training approved by the department. The training must be available online. The producer shall retain records verifying the timely completion of such training.

A producer selling home-processed goods under this section may, in lieu of the requirement for food safety training, maintain verification of each recipe from a third-party processing authority. The third-party processing authority must have knowledge of the thermal processing required of food in hermetically sealed containers and shall verify the method of processing and that the pH or water activity threshold levels are met. The processing authority shall provide verification in writing to the producer.

Source: SL 2010, ch 172, § 3; SL 2022, ch 106, § 2.

34-18-36.1. Food safety training—Authorized sales.

Any producer who verifies compliance with the food safety training requirements set forth in accordance with § [34-18-36](#), may sell the following:

- (1) Any non-heat-processed fermented food, provided the food is consistently maintained at a temperature that is at or below forty-one degrees Fahrenheit;
- (2) Kuchen and baked goods that require time and temperature control for safety, including soft pies, cheesecake, and baked goods having a custard or cream

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-
- (2) Kuchen and baked goods that require time and temperature control for safety, including soft pies, cheesecake, and baked goods having a custard or cream filling, and sauces and pesto that require time and temperature control for safety, provided the food is consistently maintained at a temperature that is at or below forty-one degrees Fahrenheit; and
 - (3) Home-processed frozen fruit and produce, provided the food is consistently maintained at a temperature that is at or below zero degrees Fahrenheit.

Source: SL 2022, ch 106, § 3.

34-18-37. Label requirements.

Food prepared at a residence may not be sold unless it has a label that includes the following information:

- (1) Name of the product;
- (2) Name of the producer;
- (3) Physical address of production;
- (4) Mailing address of the producer;
- (5) Telephone number of the producer;
- (6) Date the product was made or processed;
- (7) Ingredients;
- (8) In the case of food sold in accordance with § [34-18-36.1](#), a directive to keep refrigerated or frozen; and
- (9) A disclaimer that states: "This product was not produced in a commercial kitchen. It has been home-processed in a kitchen that may also process common food allergens such as tree nuts, peanuts, eggs, soy, wheat, milk, fish, and crustacean shellfish."

Source: SL 2010, ch 172, § 4; SL 2020, ch 143, § 1; SL 2022, ch 106, § 4.

34-18-38. Exemption from licensure—Requirements.

A person selling food prepared at the person's residence, in accordance with § [34-18-35](#), is exempt from the licensing and license fee provisions of this chapter if:

- (1) The food meets the requirements of § [34-18-37](#);
- (2) The food is sold in the seller's physical presence at:
 - (a) The seller's primary residence;
 - (b) A farmer's market;
 - (c) A roadside stand; or
 - (d) Other temporary sale venue; and
- (3) The seller, or a person residing at the seller's primary residence, personally delivers the food to the buyer at the completion of the sale.

Source: SL 2011, ch 158, § 1; SL 2020, ch 143, § 2; SL 2022, ch 106, § 5.

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Exhibit C – Letter to property owners

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 722-0786



Kevin Kuchenbecker
Planning, Zoning and
Historic Preservation Officer
Telephone (605) 578-2082
kevin@cityofdeadwood.com

Public Notification

Date: March 31, 2023
To: Deadwood Property Owner / Resident
From: Kevin Kuchenbecker
Planning, Zoning & Historic Preservation Officer
RE: Request for Conditional Use Permit

NOTICE IS HEREBY GIVEN, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations of a small business in the form of a delivery donut shop as allowed under Section 17.24.030 Conditional Uses under Home Occupation.

APPLICANT(S): Carson Witt

LEGAL DESCRIPTION: THE EASTERLY 50 FEET OF LOT 2, BLOCK 72
ORIGINAL TOWN IN THE CITY OF DEADWOOD
LAWRECE COUNTY, SOUTH DAKOTA EXCEPT THAT
PORTION DEEDED TO THE CITY OF DEADWOOD
FOR STREET PURPOSES

ADDRESS: 63 Stewart Street

NOTICE IS FURTHER GIVEN that said application will be heard by the Planning and Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, April 19, 2023 in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, will at 5:00 p.m. or soon thereafter as the matter at which time and place any such person interested may appear and show cause if there be any, why such special exception should not be granted.

NOTICE IS FURTHER GIVEN, that the proposed request for a Home Occupation is on file and available for public examination at the Deadwood Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

ANY interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

The purpose of this mailed notice is to reasonably inform the surrounding property owners of the applications for a Conditional Use Permit and to inform you of the type of use being requested.

If you have any questions, please feel free to contact our office at 605-578-2082.

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Exhibit D – Notice of Public Hearings

NOTICE OF PUBLIC HEARING BEFORE THE DEADWOOD PLANNING AND ZONING COMMISSION

City of Deadwood
Planning and Zoning Commission
Deadwood, South Dakota 57732

NOTICE IS HEREBY GIVEN, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations of a small business in the form of a delivery donut shop as allowed under Section 17.24.030 Conditional Uses under Home Occupation.

APPLICANTS: Carson Witt

LEGAL DESCRIPTION: THE EASTERLY 50 FEET OF LOT 2, BLOCK 72 ORIGINAL TOWN IN THE CITY OF DEADWOOD LAWRECE COUNTY, SOUTH DAKOTA EXCEPT THAT PORTION DEEDED TO THE CITY OF DEADWOOD FOR STREET PURPOSES

ADDRESS: 63 Stewart Street

ZONE: R1 - Residential District

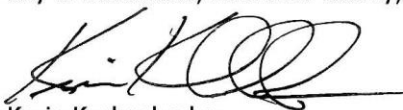
NOTICE IS FURTHER GIVEN that said application will be heard by the Planning and Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, April 19, 2023 in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, will at 5:00 p.m. or soon thereafter as the matter at which time and place any such person interested may appear and show cause if there be any, why such special exception should not be granted.

NOTICE IS FURTHER GIVEN, that the proposed request for a Home Occupation is on file and available for public examination at the Deadwood Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

ANY interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

Dated this 3rd of April 2023

City of Deadwood, Lawrence County, South Dakota



Kevin Kuchenbecker
Planning, Zoning and Historic Preservation Officer

PUBLISH: Black Hills Pioneer: April 6 and 13, 2023

Published once at the total approximate cost of \$

Request of Conditional Use Permit
63 Stewart Street
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April 27, 2023

**NOTICE OF PUBLIC HEARING
BEFORE THE DEADWOOD BOARD OF ADJUSTMENT**

City of Deadwood
Board of Adjustment
Deadwood, South Dakota 57732

NOTICE IS HEREBY GIVEN, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations of a small business in the form of a delivery donut shop as allowed under Section 17.24.030 Conditional Uses under Home Occupation.

APPLICANTS: Carson Witt

LEGAL DESCRIPTION: THE EASTERLY 50 FEET OF LOT 2, BLOCK 72 ORIGINAL TOWN IN THE CITY OF DEADWOOD LAWRECE COUNTY, SOUTH DAKOTA EXCEPT THAT PORTION DEEDED TO THE CITY OF DEADWOOD FOR STREET PURPOSES

ADDRESS: 63 Stewart Street

ZONE: R1 - Residential District

NOTICE IS FURTHER GIVEN that said application will be heard by the Board of Adjustment within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Monday, May 1, 2023 in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, will at 5:00 p.m. or soon thereafter as the matter at which time and place any such person interested may appear and show cause if there be any, why such special exception should not be granted.

NOTICE IS FURTHER GIVEN, that the proposed request for a Home Occupation is on file and available for public examination at the Deadwood Planning, Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

ANY interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

Dated this 3rd of April 2023

City of Deadwood, Lawrence County, South Dakota



Kevin Kuchenbecker
Planning, Zoning and Historic Preservation Officer

PUBLISH: Black Hills Pioneer: April 25 and 27, 2023

Published once at the total approximate cost of \$

Return Completed Form To:
Planning and Zoning
108 Sherman Street
Deadwood, SD 57732



Questions Contact
Jeremy Russell
(605) 578-2082 or
jeramyr@cityofdeadwood.com

Section 8 Item a.

Application No. _____

APPLICATION FOR CONDITIONAL USE PERMIT

Application Fee: \$200.00

Applicants: Please read thoroughly prior to completing this form. Only complete applications will be considered for review.

Name of Proposed Development: Do Or Donut - Travelling Donut Shop

Street Location of Property: 63 Stewart St Deadwood, SD 57732

Legal Description of Property: Delivery Donut Shop

Zoning Classification of Property: Residential

Name of Property Owner: Caren Witt Telephone: (607) 752-3259

Address: 63 Stewart St Deadwood, SD 57732
Street City State Zip

Name of Applicant: Caren Witt Telephone: (607) 752-3259

Address: 63 Stewart St Deadwood SD 57732
Street City State Zip

1. The following documents shall be submitted:

- An improvement survey, including all easements,
- Development plan, including site plan with location of buildings, usable open space, off-street parking, loading areas, refuse area, ingress/egress, screening, proposed or existing signage, existing streets, and
- A written statement addressing the criteria for approval.

Uses of Building or Land: Kitchen → making donuts

Signature of Applicant: Caren Witt Date: 3/7/2023

Signature of Property Owner: Caren Witt Date: 3/7/2023

Fee: \$ _____ Paid On _____ Receipt Number _____

Legal Notice Published

Date: _____

Hearing Date: _____

PLANNING AND ZONING ADMINISTRATOR:			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
PLANNING AND ZONING COMMISSION:			
Approved/P&Z Commission:	Yes	No	Date: _____
DEADWOOD BOARD OF ADJUSTMENT:			
Approved/City Commission:	Yes	No	Date: _____

Reason for Denial (if necessary): _____

Additional Documents

- a. No building of the property, additions, or extra land was purchased or improved during this process. I was unsure if an improvement survey was needed at this time.
- b. The development plan includes the use of my already established kitchen within the home. There are no additions or areas that are needed that were not already in my kitchen, or are not appropriate for kitchen use.
- c. My business will be strictly delivery only. There will be no come and go traffic throughout the residential area that is already being done by myself. All business hours are being done within a reasonable time period that should not cause any disruption within the residential area my house resides.
- Since my business venture is very basic I was not sure of all of the information that I needed to attach. Please do not hesitate to ask if more information is needed.



Do Or Donut LLC
Carson & Paxton Witt
63 Stewart St
Deadwood, SD 57732
C: 307-752-3259
P: 308-360-2696

Business:

Do or Donut LLC is a partnership between myself and my husband. We have set up our state sales tax license, or EIN number, and we are currently getting the correct insurances for our company and getting more information on the State reemployment Assistance Tax. We are working under the South Dakota Cottage Food laws which allows home bakers to make and sell goods out of their home without needing a food license with stated restrictions. The restrictions include:

- Non-temperature- controlled food prepared at a residence;
- Home -processed canned goods;
- Baked goods prepared at a residence; or
- Any food product prepared at a residence and authorized

Exemption from needing a license includes -

- The seller, or a person residing at the seller's primary residence, personally delivers the food to the buyer at the completion of sale. ** Therefore, the delivery process does follow the allowed guidelines.

We have all of the operating equipment that we would need to begin this business as well as receipts providing the start up costs. We, as of right now, make yeast raised donuts in flavors glazed, vanilla, chocolate, maple. We also have options of multiple toppings, mystery donuts of the month, holiday donuts, donut holes, and gluten free donuts. We also have blueberry and pumpkin spice cake donuts. Our pricing of our donuts is based on researched data from similar businesses in the surrounding areas within the Black Hills.

There is a need for this type of business in the surrounding areas of the Black Hills. Lou Lou's Bomdigitty's is one of the only donut establishments, which is the nearest option for the members of the Deadwood community to have donuts daily (with Jacob's Brewhouse having a limited selection on occasion). The delivery option that our business has provides convenience for the community of Deadwood, but also the surrounding communities as well. This business is also not a full time endeavor due to being limited on production time because my husband and I have full time jobs along with this. The state of South Dakota also limits the amount of revenue that we can have with a " cottage food law " business which is \$5,000 a year.

Management :

My husband and I are a partnership in the company. We have no other employees and we each split 50/50 responsibility for the needed tasks.

Market:

As said before, this community would benefit from having a donut establishment due to the fact that there is only one company that makes donuts on a daily basis. Also, the delivery option makes it more available to not only Deadwood, but the surrounding communities as well.

Money:

This portion of our business plan is one in the making. We have a cap on revenue due to this only being a “cottage food law” business. As a first time business owner, this restriction really gives us an outlook on the long term success of a donut industry in the town of Deadwood, SD and it will give us an idea if this is something that we would like to invest more time and money into and possibly expand in the future. We have all of our POS systems set up with our pricing and the 4.5% sales tax included - until July 1st when the state of SD changes it to 4.2%.

Consultants:

Over the past months of designing our business, we have met and learned from multiple professionals that have structured our business to be successful. We have discussed the best options with tax professionals to help with our bookkeeping and our financial structure. We have discussed with the South Dakota Small Business Development Center to help with our business plan, possibly financing options, and advice on beginning the business. We have discussed with a marketing team for the best options to market our company as well. It has been very helpful to use all of the community resources that the Black Hills provides to start our first business.

Delivery Process:

We will be delivering donuts Monday, Wednesday, Friday, and Saturday. Mon/Wed/Fri we will deliver from 6:15 am -7:15 am, Saturday is TBD with each order. We will make all of the orders before delivering to ensure that there is no constant traffic through our residential street. We deliver with our personal vehicles that we have made into our business vehicles that way we don't need to have any other space taken up by new vehicles. All of the actions that would need to be understood by my neighbors are already the actions that I do before I go to work in the morning. We like to have as little impact on our neighborhood that we possibly can to not be a nuisance.

**NOTICE OF PUBLIC HEARING
APPLICATION OF TRANSFERS FOR
RETAIL (ON-OFF SALE) MALT BEVERAGE LICENSE AND CONVENTION
CENTER (ON-SALE) LIQUOR**

NOTICE IS HEREBY GIVEN that the City Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held May 1, 2023, in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, will at 5:00 p.m. or soon thereafter as the matter may be heard, will consider the following requests:

1 – Convention Center (on-sale) Liquor:

Notice of transfer from Cliff Street LLC (CL-0501), Tract 1, being a portion of Deadwood Gulch Addition 2, Deadwood, Lawrence County SD to Deadwood Gaming BHCI, LLC. dba Deadwood Comfort Inn at 225 Cliff Street.

1 – Retail (on-off sale) Malt Beverage & SD Farm Wine:

Notice of transfer from Cliff Street LLC (RB-3536), Tract 1, being a portion of Deadwood Gulch Addition 2, Deadwood, Lawrence County SD to Deadwood Gaming BHCI, LLC. dba Deadwood Comfort Inn at 225 Cliff Street.

Any person interested in the approval or rejection of such transfer request may appear and be heard or file with the City Finance Officer their written statement of approval or disapproval.

Dated this 17th day of April, 2023.

CITY OF DEADWOOD

/s/ Jessica McKeown, Finance Officer

Publish: B.H. Pioneer – April 20, 2023

For any public notice that is published one time:

Published once at the total approximate cost of _____.

**CITY OF DEADWOOD
ORDINANCE 1367**

AMEND CHAPTER 17.08 DEFINITIONS UNDER TITLE 17 ZONING

NOW THEREFORE, be it ordained by the City Commission of the City of Deadwood, in the State of South Dakota, as follows:

SECTION 1: **AMENDMENT** “17.08.010 Definitions” of the Deadwood Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17.08.010 Definitions

As used in this title:

“Accessory” means subordinate or incidental to, and on the same lot or on a contiguous lot in the same ownership, as the building or use being identified or advertised.

"Accessory dwelling unit" means a separate and complete single housekeeping unit within a single-family dwelling unit. The single-family dwelling unit shall be owner occupied. See “dwelling, single-family.”

“Accessory use” means a use or building which:

- A. Is clearly subordinate to, customarily found in association with, and serves a principal use; and
- B. Is subordinate in purpose, area or extent to the principal use served; and
- C. Contributes to the comfort, convenience or necessity of the occupants, business enterprise or operation within the principal use served or is located on the same lot as the principal use.

“Adult education facility or service” means a vocational or academic educational use serving a clientele at least fifty (50) percent of which are individuals who are eighteen (18) years of age or older.

“Agency” means the city commission and any officer, employee, department, division or other agency of the city, including boards and commissions.

“Agriculture” means the science and art of the production of plants and animals useful to humans, including the preparation of the products for humans’ use and their disposal by marketing or otherwise. In this broad sense it includes farming, horticulture, forestry, dairying, etc.

“Alley” means a street or way within a block set apart for public use, vehicular travel and local convenience to provide access to the rear or side of the abutting lots or buildings.

“Alteration” means any change to a resource because of construction, repair, maintenance or other means, except for maintenance and repairs which does not involve a change in design, material, color or outer appearance.

Alteration, Structural. “Structural alteration” means any change to a resource because of construction, repair, maintenance or other means, except for maintenance and repair which does not involve a change in design, material, color or outer appearance.

“Apartment house” means a residential building or a portion of a building containing three or more dwelling units for occupancy by three or more families living separately from each other.

“Appeal” means obtaining review of a decision, determination, order or failure to act pursuant to the terms of this title as expressly authorized.

“Appear on behalf of” means to act as a witness, advocate, or expert or otherwise to support the position of another person.

“Applicant” means the owner of record of a particular property; the lessee thereof with the approval of the owner of record in notarized form; or a person holding a bona fide contract to purchase a particular property, who makes application under this title.

“Approving agency” means the individual or agency which grants final approval to an applicant under this title.

“Appurtenances” mean:

- A. Architectural features not used for human occupancy, consisting of spires, belfries, cupolas or dormers; roof water storage tanks; silos; parapet walls; and cornices without windows; and
- B. Necessary mechanical equipment usually carried above the roof level having no more than twenty-five (25) percent roof coverage, including without limitation, chimneys, ventilators, skylights, antennas, microwave dishes and solar systems, and excluding wind energy conversion systems.

"Architectural projection" means any building projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, including without limitation, roof overhangs, mansards, unenclosed exterior balconies, marquees, canopies, awnings, pilasters and fascias, but not including signs.

“Automotive vehicle” means any vehicle, including every device in, upon or by which a person or property is or may be transported or drawn upon a public highway or any device used or designed for aviation or for flight in the air and upon which a specific ownership tax is imposed by the state of South Dakota, including without limitation, all motor vehicles, trailers, semi-trailers and aircraft, but excluding devices moved by human power or used exclusively upon stationary rails or tracks.

“Basement” means that portion of a building between floor and ceiling that is located partly below and partly above grade and has less than half its clear floor-to-ceiling height below the average grade of the adjoining ground abutting the exterior walls of the dwelling unit.

“Bathroom” means a room containing a toilet that may also contain a lavatory, shower or bathtub.

“Bed and breakfast establishment” means: any building or buildings run by an operator that is used to provide accommodations for a charge to the public, with at most five rental units for up to an average of ten guests per night and in which family style meals are provided as defined and permitted by the State of South Dakota and this Title.

- ~~A. As defined and permitted by the State of South Dakota;~~
- ~~B. No bed and breakfast home shall be located on a lot closer than two hundred (200) feet or eight residences, whichever is greater, from any other lot containing a bed and breakfast home. However, the planning and zoning commission may waive the distance limitation if the structure is listed on the National Register of Historic Places or eligible for individual listing on the National Register of Historic Places. The Deadwood building inspector shall inspect the premises to insure compliance with the Building Code;~~
- ~~C. Applicants proposing tandem parking shall be required to provide a control board for the keys of the guests. The owner/manager shall be responsible for the control board. The subject residence proposed for a bed and breakfast shall be required to provide the following: (a) water meter, if one has not been installed on the subject premises; (b) proof of a state excise tax number shall be provided to the planning and zoning office for their files; and (c) proof that the business improvement district has been notified of the bed and breakfast establishment.~~

“Beneficiary.” (Reserved.)

“Berm” means a strip of mounded topsoil which provides a visual screen.

“Bicycle” means a vehicle propelled solely by human power through a chain, belt or gears and that has at least one wheel more than fourteen (14) inches in diameter.

“Bike path” or “bicycle path” means a separate path that has been designated for use by bicycles, by traffic control device or other sign and that is separated from the roadway for other vehicular traffic by open space or a barrier.

“Board of adjustment” means the city of Deadwood board of adjustment.

“Boarding house” means a residential building or structure, or portion thereof, other than a hotel, lodge or multi-family dwelling, providing temporary or long-term lodging for six or more guests, serving meals to those guests on a continuing basis for compensation and having a manager residing on the premises, but not providing a restaurant or bar, or accessory uses, such as recreational facilities, typically associated with a hotel or lodge.

“Brush.” (Reserved.)

“Buffer zone” means an area between land uses providing fencing, berms, mounds, plant materials or any combination thereof to act as visual or noise buffers.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy.

“Building area” means the maximum horizontal area within the outer perimeter of the building walls, dividers or columns at ground level or above, whichever is the greater area, including without limitation, courts and exterior stairways, but excluding:

- A. Uncovered decks, porches, patios, terraces and stairways all less than thirty (30) inches high; and
- B. The outer four feet of completely open, uncovered, cantilevered balconies that have a minimum of eight feet vertical clearance below.

“Building coverage” means the ratio of the total building area on a lot to the total area of the lot.

Building, Detached. “Detached building” means a building having no structural connection with another building.

“Building envelope” means that area on any lot on which a structure can be erected consistent with existing setback requirements and is defined by the setback lines applicable to that lot. For planned unit developments or other property that may not be subject to prescribed setback requirements, the building envelope is defined by a line running around the protected structures on the property eight feet from their exterior walls.

Building, Principal. “Principal building” means the building containing the primary use on the lot.

“Bulk requirements” means the combination of lot area, height, setbacks and floor area ratio set forth in this title.

“Business” means all activities in which a person engages or in which such person causes another to be engaged with the object of gain, benefit or advantage, whether direct or indirect.

“Camper” means a unit containing cooking or sleeping facilities that is designed to be loaded onto or affixed to the bed or chassis of a truck to provide temporary living quarters for recreational camping or travel use.

“Camping areas” means a platted parcel of land separately owned and developed for commercial use, offering to the traveling public overnight parking spaces for trailer campers and/or tent sites.

“Caretaker’s residence” means a dwelling unit which is used exclusively by either the owner, manager or operator of a principal permitted use and which is located on the same parcel as the principal use.

“Car wash” means a structure or portion thereof containing facilities for washing motorized vehicles, using production-line, automated or semi-automated methods for washing, whether or not employing a chain conveyor, blower, steam-cleaning or similar mechanical devices.

“Cellar” means that portion of a building that is located partly or wholly below grade and has half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground abutting the exterior walls of the dwelling unit.

“Center” or “centerline” means an imaginary line that is equidistant from the boundaries of the street.

“Certificate of appropriateness” means a signed and dated document evidencing the approval of the historic district commission for work proposed by an applicant. The period for which such certificates are valid may be limited by the issuing commission.

"Certificate of occupancy" means a document issued by the city which states that the described portion of a building has been inspected for compliance with the requirements of the Building Code and division of occupancy and the use for which the proposed occupancy is classified.

“Change of use” means any change in use of land that requires additional parking under this title, whether or not such parking must actually be provided, or any initiation of or change to residential habitation of any portion of any structure, whether existing or new.

“Charitable organization” means any entity organized and/or operated in the city exclusively for religious or charitable purposes, no part of whose net earnings inures to the benefit of any private shareholder or individual.

“Church” means a building together with its accessory buildings and uses where persons regularly assemble for religious worship, such buildings being maintained and controlled by a religious body organized to sustain public worship.

Clinic, Dental or Medical. “Dental or medical clinic” means a building in which one or more physicians, dentists and allied professional assistants are engaged in carrying on their profession; the clinic may include a dental or medical laboratory, but it shall not include in-patient care or operating rooms for major surgery.

“Club (private) or lodge” means buildings and facilities intended to be used as a center of informal association for social, recreational or educational purposes for selective membership not open to the general public.

“Code enforcement officer” means any city employee or person employed under independent contract by the city who is appointed to enforce the laws of the city.

“Community center” means a facility maintained by a public agency or nonprofit community or neighborhood association for the social, recreational or educational needs of the community.

“Comprehensive plan” means the official document or elements thereof, adopted by the city, and intended to guide the physical development of the city or a portion thereof. Such plan may include maps, plats, charts, policy statements, etc.

“Condominium” means real property having more than one dwelling unit and the ownership of which consists of separate, divided, fee simple estates in individual air space units, together with an undivided fee simple interest in the common elements appurtenant to such units.

“Condominium conversion” means the transfer of ownership of less than the total number of dwelling units in a multiple dwelling unit structure, where the ownership interests created by the transfer of ownership, are in a number of dwelling units that is less than the total number of units in the structure in which the seller had an interest prior to the sale or, with respect to a mobile home park, the transfer of ownership of the mobile home park property so that it is jointly and severally owned by the owners of the mobile homes upon such property.

“Condominium unit” means a form of property ownership of airspace.

“Congregate care facility” means a facility for long-term residence exclusively by persons sixty (60) years of age or older, and which shall include, without limitation, common dining and social and recreational features, special safety and convenience features designed for the needs of the elderly, such as emergency call systems, grab bars and handrails, special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs, and the provision of social services for residents which must include at least two of the following: meal services, transportation, housekeeping, linen and organized social activities.

“Construction project” means the erection, installation, alteration, repair or remodeling of a building or structure upon real estate or any other activity for which a building permit is required under this code or an ordinance of the city.

“Contiguous” means a sharing of a common border at more than a single point of intersection and in such a manner that the shared boundaries are touching and not separated except by boundaries or private rights-of-way, watercourses or water bodies or other minor geographical divisions of similar nature running parallel and between the shared boundaries. Contiguity is not the mere touching of points at intersections.

“Crown spread.” (Reserved.)

“Cul-de-sac” means a local street, one end of which is closed and consists of a circular turn-around.

“Day care, large” means a facility that provides care for six or more children that are primarily present during daytime hours, and do not regularly stay overnight. Basic requirements for a large day care facility are: 1) Operator must comply with the standards of the state Fire Marshal relating to the subject of fire and life safety in large day care facilities; 2) The applicant shall be licensed by the State of South Dakota as a day care facility; 3) Applicant shall develop and distribute information to the day care clients stating the need not to disrupt the neighborhood when dropping off and picking up children; 4) Off-street parking shall be provided for employees of the day care facility; 5) Drop-off and pick-up areas are designated for clients.

“Day care, small” means a resident occupied dwelling that provides care for five or less children who do not reside in the dwelling, are present primarily during daytime hours, and do not regularly stay overnight. Basic requirements for a small day care facility are: 1) The caregiver must live in the residence and be the main care provider; 2) A fire extinguisher is provided onsite; 3) Smoke detectors are provided in appropriate areas. The building inspector performs an onsite inspection to insure the above items are provided; 4) Landowners within three hundred feet (300') are notified of the use by first class mail; and 5) Fee for small day care facilities is fifty dollars (\$50.00) to cover administrative and mailing costs.

“Delicatessen” means an establishment where food is sold for consumption off-premises and no counters or tables for on-premises consumption of food are provided, but excludes groceries and supermarkets.

“Demolition” means the complete or partial removal of buildings, structures, objects or sites, including appurtenances.

“Demolition by neglect” means improper maintenance or lack of maintenance of any resource which results in substantial deterioration of the resource and threatens its continued preservation.

“Developer” means any person who participates in any manner in the development of land.

“Development” means any human-made change to improved or unimproved real estate, including without limitation, building, repairing, replacing or expanding or enlarging but not maintaining a building or other structure or portion thereof, or mining, dredging, filling, grading, paving or excavation.

“Developmentally disabled person” means a person having cerebral palsy, multiple sclerosis, mental retardation, autism or epilepsy.

“Development permit” means any permit or authorization issued by the city as a prerequisite for undertaking any improvement to real property including, without limitation, building permits, planned unit developments, variances, height or conditional use permits and nonconforming permits.

District, Zoning. "Zoning district" means a section of the territory within the jurisdiction of the city for which uniform regulations governing the use of the land, the height, area, size and intensity of buildings is herein established.

"Drive-in restaurant" means a restaurant in which the patrons have the option of purchasing food or beverages from a window on the exterior of the building while seated in their vehicle, or where an order is taken by speakerphone, or where the patron dines in their automobile.

"Drive-in theater" means an outdoor theater for viewing movies, where individual speakers are provided to each automobile parking space, and the movie is normally viewed from within the automobile.

"Driver" means every person who drives or is in actual physical control of the steering, accelerating or braking controls of a vehicle or the rider of an animal. No person shall be deemed to be the driver or to drive because a vehicle is out of control except immediately following a collision not proximately caused by a traffic violation of such driver. A person dismounted from a bicycle, moped or motorcycle and pushing it on foot is a pedestrian, not a driver.

"Driveway" means that space or area of a lot that is specifically designated and reserved for the movement of motor vehicles within the lot or from the lot to a public street.

"Duplex" means a structure containing two dwelling units, each of which has direct access to the outside. All duplexes shall be required to install a water meter, if one has not been installed on the subject property.

"Dwelling" means a building or portion thereof, designed or used for residential occupancy. The term dwelling shall not be construed to mean motels, hotels, boarding houses, tourist homes or mobile homes except in a mobile home park.

Dwelling, Mobile Home. "Mobile home dwelling" means a single-family residential unit with all of the following characteristics:

- A. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower, bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems;
- B. Designed to be transported after fabrication on its own wheels or on a flat bed or other trailer or detachable wheels;
- C. Arriving at the site where it is to be occupied as a dwelling complete, conventionally designed to include major appliances and furniture and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities, and the like; and
- D. Designed for removal to and installation or erection on other sites.

A mobile home may include two or more units, separately towable, which when joined together shall have the characteristics as described above. For the purpose of this title, a mobile home shall not be deemed a single-family dwelling. The placement of such on a permanent foundation shall not be construed as creating a dwelling unit as elsewhere defined.

Dwelling, Modular Unit. “Modular unit dwelling” means a factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure that will be a finished building in a fixed location on a permanent foundation. The term is intended to apply to major assemblies, and does not include prefabricated panels, trusses, plumbing trees and other prefabricated sub-elements incorporated into a structure at the site. For the purpose of this title, a modular unit shall be deemed a single-family dwelling and shall not be deemed a mobile home.

In addition, to be recognized as a factory-built home, the unit must meet or exceed all of the following construction and aesthetic standards set forth by the city planning and zoning commission:

- A. The construction must meet HUD, FHA, and local building codes;
- B. The unit must have a perimeter frame consisting of an approved material, either wood or steel I-beam, which is connected to the permanent foundation;
- C. The unit must be no less than twenty-four (24) feet in width;
- D. The unit must meet standard exterior appearance not to be less than that of the existing housing in any given residential area.

Owners of such units must provide the planning and zoning commission with proof that the unit in question can meet these standards.

Dwelling Unit, Single-Family. “Single-family dwelling unit” means a detached residential dwelling unit other than a mobile home, containing only one dwelling unit and not occupied by more than one family and not used for carrying on any commercial or business activity including providing housing for transient persons.

Dwelling Unit, Multiple-Family. “Multiple-family dwelling unit” means a dwelling containing ~~three~~ two or more attached dwelling units, not including motels, boarding houses, tourist homes or mobile homes.

“Easement” means the authorization by a property owner of the use by another and for a specified purpose of any designated part of that owner’s property.

“Efficiency living unit” means a dwelling unit that contains a bathroom and kitchen and does not exceed a maximum floor area of four hundred (400) square feet.

“Engineer” means a professional who is registered with the State Engineering and Architectural Department as a professional engineer.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice and/or gravity.

“Essential municipal or public utility services” means distribution, collection, communication, supply or disposal systems, including without limitation, poles, wires, transformers, disconnects, regulators, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories that are reasonably necessary for public utilities for the city to furnish adequate service or for the public health, safety, or welfare.

“Excavation” means the removal of surface vegetation or the excavation of more than ten (10) cubic yards of soil in a one-year period.

“Expansion or enlargement of a structure” means any addition of an exterior wall to the structure or any addition to the floor area of the structure, whether under, at, or above grade, and whether or not the external dimensions of the structure are changed.

“Expansion to an existing manufactured home park or manufactured home subdivision” means the preparation of additional sites by the construction of facilities for servicing manufactured homes, including without limitation, installation of utilities, final site grading, pouring of concrete pads or construction of streets.

“Exterior features” means and includes, but is not limited to, the color, kind and texture of building materials and the type and style of windows, doors and appurtenances.

“Extractive industry” means an industry that removes natural resources, including without limitation, precious metals, oil, gas, coal, sand and gravel.

“Facilities” means all structures and equipment and all uses of land that are made in conjunction with or that are related or incidental to the construction, installation, or use of the structures and equipment necessary to contain and control storm water including, without limitation, conduits, channels, bridges, pipes and detention ponds.

“Factory-built home” means the same as “Dwelling, modular unit.”

“Family” means one or more persons occupying a premises and living together as a single housekeeping unit, subject to a limit of not more than three persons eighteen (18) years of age or over who are not related by blood, marriage or legal adoption.

“Fence” means a freestanding structure of metal, masonry, wood or any combination thereof resting on, or partially buried in the ground and rising above ground level, and used for confinement, screening or partition purposes.

“Festival” means any fair, festival or similar activity where patrons are charged admission or other fees for the privilege of watching or participating in entertainment, including, but not limited to, music shows concerts and revivals.

“Floor area” means the total square footage of all levels included within the outside walls, as measured from the exterior face of the exterior walls of a building or portion thereof, but excluding courts and uninhabitable areas below the first floor level.

“Floor area ratio (FAR)” means the ratio of the floor area of a building to the area of the lot on which the building is situated.

“Food” means any raw, cooked or processed edible substance, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.

Foundation, Permanent. “Permanent foundation” means a support structure for a building, wall or fence which is capable of supporting the weight, extends to below frost depth, is capable of resistance to wind uplift of the highest recorded winds in the area and includes but is not necessarily limited to, concrete caisson/grade beam, caissons and spread footer types.

Frontage, Building. “Building frontage” means the horizontal, linear dimension of that side of a building that abuts a street, a parking area, a mall or other circulation area open to the general public and that has either a main window display of the enterprise or a public entrance to the building; in industrial zone districts, a building side with an entrance open to employees is a building frontage; where more than one use occupies a building, each such use having a public entrance or main window display for its exclusive use is considered to have its own building frontage, which is the front width of the building occupied by that use.

Frontage, Street. “Street frontage” means the linear frontage of a lot or parcel abutting a private or public street that provides principal access to or visibility of the premises.

“Funeral chapel” means a building used primarily for human funeral services.

“Funeral home” means a building or part thereof used for human funeral services. Such building may contain space and facilities for:

- A. Embalming and the performance of other services used in the preparation of the dead for burial;
- B. The performance of autopsies and other surgical procedures;
- C. The storage of caskets, funeral urns and other related funeral supplies; and
- D. The storage of funeral vehicles, but shall not include facilities for cremation.

For the purpose of this title, where a funeral home is permitted, a funeral chapel shall also be permitted.

“Gaming establishment” means an establishment so licensed for gaming activity under the laws of the state of South Dakota.

“Garage” means an accessory building or part of a principal building used only for the storage of passenger vehicles in operating condition as an accessory use and having no provision for repairing or servicing such vehicles for profit.

Garage, Private. “Private garage” means an enclosed, detached or semi-detached building used principally for the shelter of motor vehicles which are owned by persons occupying the dwelling unit which the garage is intended to serve.

Garage, Storage. “Storage garage” means an enclosed building for the storage and care of personal property on a commercial basis.

“Garbage” means putrescent animal or vegetable waste resulting from the preparation, cooking and serving of food or the storage or sale of product.

“Garbage container” means a metal or other nonabsorbent container, which shall be equipped with a tightly-fitting metal or nonabsorbent lid, or sealed plastic garbage bags, but does not include incinerators or ash pits.

“Gasoline service station” means premises on which the principal use is the retail sale of gasoline, oil or other motor vehicle fuel, which may include, as an accessory use only, facilities for polishing, greasing, washing, or otherwise cleaning, servicing, or repairing motor vehicles, but does not include liquefied petroleum gas distribution facilities.

“General circulation” means delivered to a substantial number of residences in the city and also otherwise made available for purchase or distribution.

“Governing body” means the city commission.

“Governmental facility” means a municipal, county, state or federal structure, building or use.

“Grade” means the average elevation of the finished ground level at the center of all walls of a building. When walls are parallel to and within five feet of a sidewalk, “grade” means the sidewalk level.

“Group care facility” means a facility providing custodial care and treatment in a protective living environment for persons residing voluntarily or by court placement, including without limitation, correctional and post-correctional facilities, drug or alcohol abuse centers, juvenile detention facilities and temporary custody facilities.

“Group home for the developmentally disabled” means a state-licensed facility for the exclusive use of eight or fewer developmentally disabled persons.

“Habitable room” means a room or enclosed floor space used, intended to be used or designed to be used for living, sleeping, eating or cooking and excludes bathrooms, toilet compartments, closets, halls and storage places.

“Height of building” means the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of an mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following; whichever yields a greater height of building:

- A. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten (10) feet above lowest grade;
- B. An elevation ten (10) feet higher than the lowest grade when the sidewalk or ground

surface described in subsection 1 of this definition is more than ten (10) feet above lowest grade;

- C. The height of a stepped or terraced building is the maximum height of any segment of the building;
- D. The city planner may approve additions of appurtenances to buildings causing a building height to exceed the allowed height if the following standards are met:
 - 1. A functional need is established;
 - 2. The functional need cannot be met with an appurtenance less than thirty-five (35) feet in height above the ground; and
 - 3. Visible material and colors are compatible with the building to which the appurtenance is attached;
- E. No appurtenance may have useable floor area except for mechanical equipment installations; have more than twenty-five (25) percent coverage of the roof area of the building; or be more than sixteen (16) feet in height;
- F. All mechanical equipment shall be screened from view, regardless of the height of the building, unless in the opinion of the city planner, such screening conflicts with the function of the mechanical equipment. Screening shall be an integral part of the building design.

“Historic district commission” means the Deadwood historic district commission established by virtue of SDCL 1-19B-38, pursuant to Ordinance No. 777.

“Historic preservation commission” means the Deadwood historic district commission established by virtue of SDCL 1-19B-2, pursuant to Resolution 1987-10.

“Historical resource” means a building, structure, site, or object fifty (50) years of age or older related to the community’s history, architecture, archeology, engineering and/or culture.

“Home occupation” means a business, occupation or trade conducted entirely within a residential building or accessory structure for gain or support by a resident of the dwelling, and no other, which:

- A. Is clearly incidental and secondary to the residential use of the building;
- B. Does not change the essential character of the use;
- C. Employs no more than one person who is a nonresident of the building;
- D. Operates pursuant to a valid occupational license for the use held by the resident of the dwelling unit;
- E. Is confined to no more than twenty-five (25) percent of the total floor area of the dwelling;
- F. Does not advertise, display or otherwise indicate the presence of the home occupation on the premises other than provided by the city’s sign ordinance (codified in Chapter 15.32 of this code) and any other amendments thereto;
- G. Does not store outside of the dwelling any equipment or materials used in the home occupation; and
- H. Provides off-street parking to accommodate the needs of the home occupation.

“Hospital” means any building or portion thereof licensed as a hospital by the South Dakota Department of Health and used for diagnosis, treatment, surgery, and care of human ailments, including the usual and customary accessory uses and ancillary offices of a hospital.

“Hostel” means a facility for resident of under one month that provides simple dormitory or sleeping rooms and common rooms for cooking, meeting, recreational and educational use; that is chartered or approved by the International Hostel Federation or its national or regional affiliates, or similar organizations; and that is supervised by resident house-parents or managers who direct the guests’ participation in the domestic duties and activities of the hostel.

“Hotel room, motel room or other accommodation” means any room or other accommodation in any hotel, apartment-hotel, motel, guest house, trailer court or any such similar place to any person who for a consideration uses, possesses or has the right to use or possess such room or other accommodation for a total continuous duration of less than one month.

“House museum” means an organized and permanent nonprofit and for-profit institutions, essentially educational or aesthetic in purpose, with professional staff, which owns and utilizes tangible objects, cares for them, and exhibits them to the public on some regular schedule.

Activities and services, standard to augment the house proper include an orientation area where visitors are introduced to the house and where they pay a fee, buy a ticket or turn in tickets purchased in another location. Traditionally, such facilities also include space for public coat storage, offices, artifact storage, conservation and exhibit preparation, volunteer facilities, archives, maintenance storage, and museum shop storage/support, rental of the facility and site.

Illumination, Direct. “Direct illumination” means lighting by means of an unshielded light source, including neon tubing, which is effectively visible as part of the sign, where light travels directly from the source to the viewer’s eye.

Illumination, Indirect. “Indirect illumination” means lighting of the surface by light source that is directed at the reflecting surface in such a way as to illuminate the sign from the front or a light source that is primarily designed to illuminate the entire building facade on which a sign is displayed, but does not include lighting that is primarily used for purposes other than sign illuminating, including without limitation, parking lot lights or lights inside a building that may silhouette a window sign but that are not primarily installed to serve as inside illumination of a sign.

Illumination, Internal. “Internal illumination” means lighting by means of a light source that is within a sign having a translucent background and silhouettes opaque letters or designs or that is within letters or designs that are themselves made of translucent material. This term shall also extend to and include opaque letters or designs set out from a building or sign face and lit by illumination from behind the letters.

“Impervious surface” means those surfaces which generally do not absorb water. For the purposes of this title, they consist of buildings, parking areas, driveways, roads, sidewalks and any areas of concrete or asphalt.

“Improvements” means street grading and surfacing, curbs and gutters, sidewalks, water mains and lines, sanitary and storm sewers, culvert, bridges and other related utilities.

“Indoor amusement establishment” means a commercial operation open to the public without membership requirements, including without limitation, bowling alleys, indoor arcades, movie theaters, pool halls and skating rinks.

“Intersection” means the area embraced within the prolongation or connection of the lateral curblines of two streets that join one another at, or approximately at, right angles or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict, whether or not one such street crosses the other, but the term does not include the junction of any alley with a street. If a street includes two roadways thirty (30) feet or more apart, every crossing of each roadway of such divided street by an intersecting street is a separate intersection. If such intersecting street also includes two roadways thirty (30) feet or more apart, every crossing of such streets is a separate intersection. The farthest applicable points shall be used when measuring.

“Junk” means any manufactured goods, appliance, fixture, furniture, machinery, motor vehicle or trailer that is abandoned, demolished, discarded, dismantled, or so worn, deteriorated, or in such a condition as to be generally unusable in its existing state, including without limitation, scrap metal, scrap material, waste, bottles, tin cans, paper, rubble, boxes, crates, rags, used lumber, building materials, motor vehicles and machinery parts, and used tires.

“Junk yard” means a building, structure, or parcel of land or portion thereof, used for the collection, storage, dismantling, salvaging, demolition or sale of junk on the premises for more than one week, but excludes such uses within enclosed buildings.

“Landmark” means a building, structure, object or site so designated by the historic preservation commission, or declared by the South Dakota Historical Preservation Center to be a contributing feature to a local, state or nationally registered historic district.

“Landscaped area” means any land set apart for planting grass, shrubs, trees or similar living materials, including without limitation, land in an arcade, plaza or pedestrian area, and of which fences and walls may be a part.

“Landscaping.” (Reserved.)

“Land surveying” means the locating, establishing or relocating of any land boundary line or the locating of any United States government, state, county, township, municipal or other governmental land survey lines of any public highway, street or road.

Land Surveyor, Registered. “Registered land surveyor” means any land surveyor registered in good standing and legally authorized to practice land surveying.

“Legal description” means a description of real property by lots, blocks, subdivision, or metes and bounds, but excludes an assessors tract number.

“Light source” means neon, fluorescent, or similar tube lighting, an incandescent bulb, including the light-producing elements therein, and any reflecting surface that, by reason of its construction or placement, becomes the light source.

"Lodging establishment" means any building or other structure and property or premises kept, used, maintained, advertised or held out to the public to be a place where sleeping accommodations are furnished for pay to two or more transient guests. The term includes hotels, motels, cabins, bed and breakfast establishments, speciality resorts, lodges, vacation home establishments, dude ranches, and resorts.

“Lot area” means the total horizontal area included within the lot lines of a lot.

Lot, Building. “Building lot” means a parcel of land, including without limitation, a portion of a platted subdivision, that is occupied or intended to be occupied by a building or use and its accessory buildings and uses, together with the yards required under the provisions of this code; that has not less than the minimum area, usable open space, building area and off-street parking spaces required by this code for a lot in the district in which such land is situated; that is an integral unit of land held under unified ownership in fee or co-tenancy or under legal control tantamount to such ownership; and that is precisely identified by a legal description.

Lot, Corner. “Corner lot” means a lot situated at the junction of and abutting on two or more intersecting streets.

“Lot coverage” means the part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

“Lot depth” means the average horizontal distance between the front lot line and the rear lot line of a lot.

“Lot interior” means any lot, including a through lot, other than a corner lot.

Lot Line, Front. “Front lot line” means a street line which forms the boundary of a lot or in the case where a lot does not abut a street other than by its driveway, or is a through lot, that lot line which faces the principal entrance of or approach to the main building. On a corner lot, the shorter street line shall be deemed to be the front lot line, regardless of the location of the principal entrance or approach to the main building.

“Lot of record” means a lot, if part of a subdivision, the plat of which has been recorded in the office of the register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the register of deeds of Lawrence County, South Dakota.

Lot, Platted. “Platted lot” means a lot that has been subdivided pursuant to a legal subdivision approval process and is precisely identified by reference to a block and lot.

Lot, Through. “Through lot” means an interior lot but not a corner lot, abutting two or more public streets, but not including an alley.

“Lot width” means the distance between side lot lines measured at the front building line.

“Lowest floor” means the lowest floor of the lowest enclosed area (including basement), except that an unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building’s lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this title.

“Maintenance” means the replacing, repairing or repainting of a portion of a sign structure, periodic changing of bulletin board panels or renaming of copy that has been made unusable by ordinary wear and tear, by nature or by accident.

“Mobile home park” means a tract of land of a minimum area of forty thousand (40,000) square feet, wherein, mobile homes as defined are intended to be placed, located and maintained for occupancy and includes accessory buildings and improvements. The term “mobile home park” does not include sales lots on which unoccupied mobile homes, whether new or used, are parked for the purposes of inspection and sales.

“Mobile home space” means a plot of ground within a mobile home park designed for the accommodation of one mobile home and its accessory structures.

“Motor vehicle” means any self-propelled vehicle other than a moped.

“New construction” means a structure or portion thereof for which the start of construction occurred on or after January 1, 1989.

“Nonconforming building” means any building that does not conform to the requirements of this title, unless the nonconformity was approved as part of a planned unit development, as a second principal building on a lot, or as a variance.

“Nonconforming lot” means any lot that does not conform to the minimum lot area or frontage upon a required public street, unless the nonconformity was approved as part of a planned unit development.

“Nonconforming use” means a building, structure or use of land existing at the time of the enactment of the ordinance codified in this title which does not conform to the use regulations of the district in which it is located.

“Notice” or “legal notice” means any requirement for informing a person or persons, a segment of the public, or the public generally. A notice required to be published may be published in any newspaper of general circulation unless otherwise required by this code or an ordinance of the city.

“Nursing home” means any institution or facility defined as such for licensing purposes under South Dakota law or pursuant to the rules and regulations for nursing homes and homes for the aged by the State Department of Health, whether proprietary or nonprofit, including, but not limited to nursing homes owned or administered by the federal or state government or an agency or political subdivision thereof.

“Object” means a thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

“Occupant” means any person living in, sleeping, possessing, or otherwise using any land, building, or part thereof.

“Office” means the principal use of a room(s) for the conduct of business by persons, including without limitation, accountants, architects, attorneys, consultants, engineers, insurance salespeople, investment consultants, real estate brokers or therapists, where there is no display of merchandise and the storage and sale of merchandise is clearly incidental to the service provided, but excluding medical or dental clinics or offices.

Office, Accessory. “Accessory office” means an office subordinate to, a necessary part of and in the same building with the principal business, commercial or industrial use, including without limitation, administrative, record-keeping, drafting and research and development offices.

“Ordinance” as used in this title means a permanent legislative act of the governing body of a municipality within the limits of its power.

“Owner” means a person, as defined by this code, who, alone, jointly or severally with others, or in a representative capacity (including without limitation, an authorized agent, executor, or trustee) has legal or equitable title to any property in question.

“Parcel” means the area within the boundary lines of a development.

“Parking lot” means an area, not within a building or other structure, where motor vehicles may be stored for the purpose of temporary, daily or overnight off-street parking. A parking lot shall include a motor vehicle display lot and a commercial parking lot.

“Party to a hearing” means any interested person who requests a hearing, appears at a hearing or submits a written entry of appearance at or before a hearing.

“Pawnbrokers” means any person who loans money on deposit or pledge of personal property or other thing of value or who deals in the purchasing of personal property or other thing of value on condition of selling the same back again at a stipulated price, or who loans money secured by chattel mortgage on personal property and takes possession of the property so mortgaged, or any part thereof.

“Person” means a firm, association, organization or corporation as well as an individual.

“Personal service outlet” means an establishment that provides personal services for the convenience of the neighborhood, including without limitation, barber and beauty shops, shoe repair shops, self-service laundries, travel agencies, photographic studios and automatic teller machines.

“Place or event open to the public” means any place or event, the admission or access to which is open to members of the public upon payment of a charge or fee. This term includes without limitation, the following places and events when a charge or fee for admission to such places and events is imposed upon members of the public:

- A. Any performance of a motion picture, stage show, play, concert, or other manifestation of the performing arts;
- B. Any sporting or athletic contest, exhibition or event whether amateur or professional;
- C. Any lecture, rally, speech or dissertation;
- D. Any showing, display or exhibition of any type, such as an art exhibition; and
- E. Any restaurant, tavern, lounge, bar or club, whether the admission is called a “cover charge,” “door charge,” or any other such term.

“Planning commission” means the city planning and zoning commission.

“Planting season.” (Reserved.)

“Plat” means a map or chart indicating the subdivision or resubdivision of land intended to be filed for record. Other forms include sketch plat, preliminary plat, final plat and replat.

“Possessor of real property” means a person not the owner of the property but who is responsible as lessee, caretaker or otherwise for its care and upkeep and is in control of the property.

“Preliminary construction acceptance” means the city’s acceptance of the developer’s or subdivider’s construction, installation and testing of public improvements and appurtenances thereto as conforming with city standards and defines the date on which the warranty period on such improvements commences.

“Premises” means only that property over which the owner or keeper has full possession and control. The unenclosed property of a condominium or townhouse or the common passageway, parking facility or unenclosed common yard of an apartment building or shopping center are not premises of an owner or keeper.

Principal Building. See “Building, principal.”

“Principal use” means the main use of land as distinguished from an accessory or subordinate use.

“Project approval” means a signed and dated document evidencing the approval of the historic preservation commission for work proposed by an applicant. The period for which such approvals are valid may be limited by the issuing commission.

“Property” means real, tangible and intangible personal property.

“Public entrance” means an entrance to a building or premises that is customarily used or intended for use by the general public. Examples of private entrances not intended for use by the general public are fire exits, special employee entrances and loading dock entrances.

“Public hearing,” unless otherwise specifically redefined, means a public hearing pursuant to a notice published, in an official newspaper of the city, at least ten (10) days prior to the date of such hearing which notice shall specify the general purpose, time and place of such hearing. Any such hearing, after publication may be continued, recessed or adjourned from time to time without any further publication or notice thereof.

“Public utility” means any person, firm, corporation, municipal department or board duly authorized to furnish and maintain installations for the supply of electricity, oil, gas, communications, transportation and water.

“Public way” means any street, alley, boulevard, parkway, highway, sidewalk or other public thoroughfare.

“Real property, premises, real estate or lands” means lands, tenements and hereditaments.

Rear Yard. See “Yard, rear.”

“Recycling center” means an enclosed building used for storing junk and unenclosed premises on which junk is stored for one week or less.

“Rental property” means all dwellings, dwelling units and rooming units located within the city and rented or leased for any valuable consideration, but the term excludes dwellings owned by the federal government or the state of South Dakota or any of their agencies or political subdivisions and facilities licensed by the state of South Dakota as health care facilities.

“Residential care facility” means a facility providing social services in a protective living environment for adults or children, including without limitation, group foster care homes; shelters for abused children or adults; nursing homes, intermediate care facilities; or residential care facilities licensed by the South Dakota Department of Health.

“Residential structure” means any structure that is used for the temporary or permanent residence of persons, including without limitation, a dwelling, a boarding house, a hotel, a motel and similar structures.

“Resolution,” as used in this title, means any determination, decision or direction of the governing body of a municipality of a special or temporary character for the purpose of initiating, effecting or carrying out its administrative duties and functions, under the laws and ordinances governing the municipality.

“Resource” means “Historical resource”.

“Restaurant” means an establishment provided with special space, sanitary kitchen, dining room equipment and persons to prepare, cook and serve, in consideration of payment, meals and drinks to guests.

“Roadway” means that portion of a street from curb to curb improved, designed or ordinarily used for vehicular travel. If a street includes two or more separate roadways, “roadway” refers to any such roadway separately, but not to all such roadways collectively.

“Roof” means the cover of any building, including the eaves and similar projections.

“Roof line” means the highest point on any building where an exterior wall encloses usable floor space (including roof areas for housing mechanical equipment) and the highest point on any parapet wall.

“Rooming house” means any building other than a hotel, cafe or restaurant where, for direct or indirect compensation, lodging, with or without kitchen facilities or meals, is provided for generally one month or more, for three or more roomers not related to the head of the household by marriage, adoption or blood, up to the second degree of consanguinity.

“Rooming unit” means a type of housing accommodation that consists of a room or group of rooms for a roomer, arranged primarily for sleeping and study, and that may include a private bath but does not include a sink or any cooking device.

“Rubble” means large brush, wood, large cardboard boxes or part thereof, large or heavy yard trimmings, discarded fence posts, crates, vehicle tires, junked motor vehicle bodies or part thereof, scrap metal, bed springs, water heaters, discarded furniture, and all other household goods or items, demolition materials, used lumber and other discarded or stored objects three feet or more in length, width, or breadth.

School, Elementary, Junior and Senior High. “Elementary, junior and senior high school” means any public or private school for any grades between first and twelfth which satisfies state compulsory education requirements.

“Service garage” means a building in which the principal use is performing major repairs to and the servicing of motor vehicles.

“Setback” means the minimum distance in linear feet measured on a horizontal plane between the outer perimeter of a structure and each of its lot lines. Where a building is to be erected on multiple platted lots, setbacks shall be measured from the boundaries of the parcel which shall be made up of the multiple lots considered as a whole.

“Shrub.” (Reserved.)

"Short-Term Rentals" means commercial use of a property for remuneration as defined under "Bed and Breakfast establishment", "Specialty resort", and "Vacation Home establishment" as defined in this Title.

“Sidewalk” means that portion of the sidewalk area paved or otherwise improved, designed or ordinarily used for pedestrians and every such walk parallel and adjacent to a roadway.

“Sidewalk area” means the area between the curb of a street and the adjacent property lines.

“Sign” means any writing, pictorial representation, decoration (including any material used to differentiate sign copy from its background), form, emblem, trademark, flag or banner or any other figure of similar character that:

- A. Is a structure or any part thereof (including the roof or wall of a building); or
- B. Is written, printed, projected, painted, constructed or otherwise placed or displayed upon or designed into a building, board, plate, canopy, awning, or vehicle or upon any material, object or device whatsoever; and
- C. By reason of its form, color, wording, symbol, design, illumination or motion, attracts or is designed to attract attention to the subject thereof or is used as a means of identification, advertisement or announcement. 17.08.010

Single-Family Dwelling. See “Dwelling, single-family.”

“Site” means a place where something was, is, or is to be located.

“Site plan” means a required submission, which is a detailed engineering drawing of the proposed improvements required in the development of a given lot.

“Solar Access, Obstruction Protected by Permit.” (Reserved.)

“Solar Collector.” (Reserved.)

“Solar Energy System.” (Reserved.)

“Solar Fence.” (Reserved.)

“Solar Noon.” (Reserved.)

“Sound condition and good repair” means freedom from defects that would endanger the health, safety and welfare of the occupants of the structure.

“Special population” means persons over the age of sixty (60), disabled persons, single parents, or the homeless.

"Specialty resort" ~~means as defined and permitted by the State of South Dakota.~~ means any bed and breakfast establishment (except a bed and breakfast establishment as defined in this Title), lodge, dude ranch, resort, building or buildings used to provide accommodations or recreation for a charge to the public, with no more than ten rental units for up to an average of twenty guests per night and in which meals are provided to only guests staying at the specialty resort as defined and permitted by the State of South Dakota and this Title.

"Stairway" means all stairwells and includes stair stringers, risers, treads, handrails, banisters and vertical and horizontal support.

"Start of construction" means and includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

"State highway" means a street designated as part of the state highway system. Designation of the street as a state highway on any map published by the state or the city or marked as such by signs is prima facie evidence of such designation.

"Storm water" means any flow occurring during or following any form of normal precipitation and resulting therefrom.

"Street" means the entire width between the property boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel and includes without limitation, alleys, or the entire width of every way declared to be a public highway by any law.

"Subdivider" means any person who participates in any manner in the dividing of land for the purpose, immediate or future, of sale or building development.

"Subdivision" means the division of a lot, tract or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development for residential, industrial, commercial or other use, but the term excludes any transaction that is exempt from subdivision regulation under the subdivision ordinance.

"Substantial improvement" means any repair, reconstruction or improvement of any structural element of a structure the cost of which, when added to the cumulative cost of such prior repairs, reconstructions and improvements equal or exceed fifty (50) percent of the market value of the structure in constant dollars either:

- A. Before the improvement or repair is started; or
- B. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this title, "substantial improvement" begins when the first alteration of any structural wall, ceiling, floor or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the

structure, and all such repairs, reconstructions, and improvements since the date of adoption of the ordinance codified in this title are aggregated. The term does not include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications that are necessary to assure safe living conditions; or
2. Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places or designated a local landmark or a contributing building in a local, state or national historic district.

“Tavern” means an establishment serving malt and vinous liquids for retail consumption on the premises.

“Temporary housing” means any mobile home, camper or other structure used for human shelter that is designed to be transportable and is not attached to the ground, to another structure, or to any utilities system.

“Tenant.” See “Occupant.”

“Townhouse” means a multi-unit dwelling in which the ownership of each dwelling unit consists of a separate fee simple estate on an individually platted lot, together with an undivided fee simple interest in the common elements, if any.

“Townhouse unit” means that part of a townhouse constituting a single dwelling unit.

“Traffic” means pedestrians, ridden or herded animals, and vehicles, either singly or together, while using any street for purposes of travel.

“Traffic control sign” means a sign on, above or adjacent to a street placed by a public authority to regulate, warn or guide traffic.

“Traffic control signal” means a device on, above or adjacent to a street placed by a public authority by which traffic is alternately directed to proceed and stop by means of the display of colored lights or symbols.

“Transaction” means any contract; any sale or lease of any interest in land, material, supplies or services; or any granting of development right, license, permit or application.

“Transient guest” means any person who resides in a lodging establishment less than four consecutive calendar weeks.

“Travel trailer” means a portable structure, mounted on wheels and designed to be towed by a motor vehicle, which contains cooking or sleeping facilities to provide temporary living quarters for recreational camping or travel.

“Tree.” (Reserved.)

"Undertaking" or "project" means any demolition of any building or structure or historic resource and any other action or contemplated action which requires a permit under any ordinance adopted by the city including the Building Code, as adopted and/or amended, by the city commission.

Use, Conditional. "Conditional use" means a use not allowed within a given district unless certain conditions are met. The conditional use must be a use which is desirable to the zone itself. The city may require substantial conditions to be met by the use to mitigate negative impacts. Example: private nursery school in a residential area. The use is desirable within the district, but the nature of the use is such that special precautions need to be taken to protect neighbors from undue traffic, noise and inconvenience.

"Use-by-right" means a use which is permitted in a given zoning district without having to show need or having specific conditions imposed to be allowed.

"Vacation home establishment" means any home, cabin, or similar building that is rented, leased, or furnished in its entirety to the public on a daily or weekly basis for more than 14 days in a calendar year and is not occupied by an owner or manager during the time of rental as defined and permitted by the State of South Dakota and this Title. This term does not include a bed and breakfast establishment as defined in this Title.

"Valet parking" means a parking arrangement where an employee of a hotel/motel or public facility performs a service for the customers in which such employee parks the vehicle and returns it from a designated area.

Applicants requesting valet parking shall provide the legal description of the proposed site. The area being proposed must be site specific. The applicant shall provide a parking layout and a written statement addressing how the valet parking will be managed.

"Vehicle" means any device that is capable of moving itself, or of being moved, from place to place upon wheels or endless tracks, but the term excludes devices used exclusively upon stationary rails or tracks.

"Watercourse" means a portion of the floodway area functioning as a natural or improved channel carrying flows not constituting a flood, a stream, a creek, a pond, a slough, a gulch, an arroyo, a reservoir or a lake. The term, includes without limitation, established natural and human-made drainage ways for carrying storm run-off but does not include irrigation ditches.

"Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

"Wind energy conversion system" means any machine that converts wind to another form of energy.

“Yard” means an open space between a building and the adjoining lot lines unoccupied and unobstructed by structures except for open steps and terraces and architectural appurtenances. A yard shall be measured as the shortest horizontal distance from the building to the adjacent lot line. This definition shall be construed to exclude parking in the setback areas in districts zoned R1 residential district and R2 multi-family residential district. Yards are normally classified as front yards, rear yards and side yards (see “Setback.”)

Yard, Front. “Front yard” means an open, unoccupied space on the same building site with a main building, extending the full width of the building site and situated between the street line and the front line on the building projected to the side lines of the building site. The depth of the front yard shall be measured between the front line of the building and the street line (see “Setback.”)

Yard, Rear. “Rear yard” means an open, unoccupied space on the same building site and situated between the rear line of the building site and the rear line of the building projected to the side lines of the building site. The depth of the rear yard shall be measured between the rear line of the building site and the rear line of the building (see “Setback.”)

Yard, Side. “Side yard” means an open, unoccupied space on the same building site with a main building, situated between the side line of the building and the adjacent side line of the building site and extending from the rear line of the front yard to the front line of the rear yard; if no front yard is provided, the front boundary of the side yard shall be the front line of the building site, and if no rear yard is provided, the rear boundary of the side yard shall be the rear line of the building site (see “Setback.”)

“Zoning administrator” means the person designated by the city commission to administer and enforce the provisions of this title.

“Zoning district” means an area(s) specifically designated within the limits of the city for which the regulations and requirements governing use, lot and size of building and premises are set forth.

“Zoning lot” means:

- A. A tract of land, either unsubdivided or consisting of two or more lots of record contiguous for a minimum of ten (10) feet, located within a singular block, which at the time of filing for a permit, is declared to be a tract of land to be treated as one zoning lot for the purposes of this title;
- B. A zoning lot, therefore, may or may not coincide with a lot as shown on the official city map, or on any recorded subdivision plat or deed;
- C. A zoning lot may be subdivided into two or more zoning lots, provided that all resulting zoning lots and all buildings thereon shall comply with all of the applicable provisions of this title;
- D. Where several contiguous lots are in single ownership, they may be lumped together and treated as a zoning lot for the purposes of the floor area ratio computation.

“Zoning map” means the zoning district map of the city, adopted as a part of this zoning title, as amended from time to time as provided herein.

(Ord. 1316, 2020; Ord. 1289, 2019; Ord. 1035 (part), 2005; Ord. 1026 (part), 2004; Ord. 1003, 2003; Ord. 952 (part), 1999; Ord. 940, 1998; Ord. 930 (part), 1997; Ord. 915 (part), 1996; Ord. 900 (part), 1995; Ord. 851 (part), 1993; Ord. 831 § 1.7, 1992)

SECTION 2: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 3: EFFECTIVE DATE This Ordinance shall be in full force and effect from May 21, 2023 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF DEADWOOD CITY COMMISSION

_____.

Presiding Officer

Attest

David Ruth Jr., Mayor, City of
Deadwood

Jessica McKeown, Finance Officer,
City of Deadwood

**CITY OF DEADWOOD
ORDINANCE 1368**

**AMEND CHAPTER 17.32 C1 COMMERCIAL DISTRICT UNDER TITLE 17
ZONING**

NOW THEREFORE, be it ordained by the City Commission of the City of Deadwood, in the State of South Dakota, as follows:

SECTION 1: **AMENDMENT** “17.32.030 Conditional Uses” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

17.32.030 Conditional Uses

The following uses, or any use which the planning commission considers comparable to another use which is directly listed under this section, may be permitted in the C1 commercial district under the provisions of Chapter 17.76, Conditional Uses.

- A. Adult education facility;
- B. Auto parking lots (commercial);
- C. Auto service station and garage;
- D. Bed and breakfast;
- E. Bus, train and airline terminals;
- F. Condominiums;
- G. Day care centers;
- H. Dry cleaning;
- I. Duplexes;
- J. Dwelling, single-family;
- K. Dwelling unit, multiple-family;
- L. Efficiency living unit;
- M. Electrical distribution lines - underground (k.v. or less);
- N. Equipment rental;
- O. Fire and police stations;
- P. Gas distribution lines;
- Q. Gas regulator stations;
- R. Gas transmission lines;
- S. Governmental offices;
- T. Home occupations;
- U. Laundry;
- V. Massage therapy office, city license required;
- W. Mortuaries;

- X. Schools, vocational-technical;
- Y. Sewer collection lines;
- Z. Sewer lift stations;
- AA. Specialty Resort Establishment;
- AB. Tattoo business, state license required;
- AC. Telephone lines;
- AD. Television cables - only below ground;
- AE. Utility offices;
- AF. Vacation Home Establishment;
- AG. Valet parking;
- AH. Water pumping stations;
- AI. Water storage tanks - above ground either wholly or partially; and
- AJ. Water storage tanks - in ground.

(Ord. 952 (part), 1999; Ord. 915 (part), 1996; Ord. 900 (part), 1995; Ord. 851 (part), 1993; Ord. 831 § 3.5.2, 1992)

SECTION 2: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 3: EFFECTIVE DATE This Ordinance shall be in full force and effect from May 21, 2023 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF DEADWOOD CITY COMMISSION

Presiding Officer

Attest

David Ruth Jr., Mayor, City of
Deadwood

Jessica McKeown, Finance Officer,
City of Deadwood

**CITY OF DEADWOOD
ORDINANCE 1369**

**AMEND CHAPTER 17.40 CH COMMERCIAL HIGHWAY UNDER TITLE 17
ZONING**

NOW THEREFORE, be it ordained by the City Commission of the City of Deadwood, in the State of South Dakota, as follows:

SECTION 1: **AMENDMENT** “17.40.030 Conditional Uses” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

17.40.030 Conditional Uses

The following uses, or any use which the planning commission considers comparable to another use which is directly listed under this section, may be permitted in the CH commercial highway district under the provisions of Chapter 17.76, Conditional Uses.

- A. Animal hospital for large animals;
- B. Animal hospital for small animals;
- C. Bed and breakfast;
- D. Building materials supply;
- E. Bus, train and airline terminals;
- F. Camping areas;
- G. Churches and related uses;
- H. Condominium(s);
- I. Day care centers;
- J. Duplexes;
- K. Dry cleaning;
- L. Dwelling unit, multiple-family;
- M. Dwelling unit, single-family;
- N. Efficiency living unit;
- O. Electrical distribution lines - underground (k.v. or less)
- P. Electrical, heating, painting, plumbing, roofing and ventilating shops and service;
- Q. Equipment rental;
- R. Fire and police stations;
- S. Gas distribution lines;
- T. Gas regulator stations;
- U. Gas transmission lines;
- V. Governmental offices;
- W. Group care facility;

- X. Group home for developmentally disabled;
- Y. Home occupations;
- Z. Homes for the aged;
- AA. Hospitals;
- AB. Hostel;
- AC. Laundry;
- AD. Machine shops;
- AE. Massage therapy office, city license required;
- AF. Mortuaries;
- AG. Nursing homes;
- AH. Residential care facility;
- AI. Sanitariums, mental institutions;
- AJ. Sewer collection lines;
- AK. Sewer lift stations;
- AL. Specialty Resort Establishment;
- AM. Tattoo business, state license required;
- AN. Telephone lines;
- AO. Television cables - only below ground;
- AP. Utility offices;
- AQ. Vacation Home Establishment;
- AR. Valet parking;
- AS. Warehouse (storing of goods connected with an industrial operation - “No Hazardous Materials”);
- AT. Water pumping stations;
- AU. Water storage tanks - above ground either wholly or partially; and
- AV. Water storage tanks - in ground.

(Ord. 1026 (part), 2004; Ord. 952 (part), 1999; Ord. 915 (part), 1996; Ord. 900 (part), 1995; Ord. 851 (part), 1993; Ord. 831 § 3.7.2, 1992)

SECTION 2: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 3: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from May 21, 2023 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF DEADWOOD CITY COMMISSION

Presiding Officer

Attest

David Ruth Jr., Mayor, City of
Deadwood

Jessica McKeown, Finance Officer,
City of Deadwood

**CITY OF DEADWOOD
ORDINANCE 1370**

**AMEND CHAPTER 17.53 TRANSIENT COMMERCIAL USE OF RESIDENTIAL
PROPERTY UNDER TITLE 17 ZONING**

WHEREAS, CHAPTER 17.53 Transient Commercial Use of Residential Property under TITLE 17 ZONING shall be henceforth be known as CHAPTER 17.53 Transient Use of Property

NOW THEREFORE, be it ordained by the City Commission of the City of Deadwood, in the State of South Dakota, as follows:

SECTION 1: **AMENDMENT** “17.53.010 Purpose” of the Deadwood Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17.53.010 Purpose

The purpose of this chapter is to:

- A. ~~Preserve and enhance the character of the residential districts.~~ Preserve the historic character and protect the City of Deadwood's local, state and national historic districts and resources including the Deadwood National Historic Landmark District.
- B. ~~Promote the public health, safety, and general welfare of the city.~~ Protect the community-oriented, family friendly quality and values of the neighborhoods within Deadwood.
- C. ~~Expressly prohibit transient commercial use of residential property for remuneration, which uses are inharmonious with and injurious to the preservation of the residential character and environment of the city.~~ Balance the rights of property owners and neighbors.
- D. Retain a strong housing stock available for families, full-time residents, and the local workforce.
- E. Support a balance between owner-occupied / long-term rentals and the tourism-oriented industry which fuels Deadwood's economy.
- F. Grow the community to provide a variety of housing options while ensuring the infrastructure needs of Deadwood are maintained.

(Ord. 1022 (part), 2004)

SECTION 2: AMENDMENT “17.53.020 Definitions” of the Deadwood Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17.53.020 Definitions

- A. Except as otherwise defined or where the context otherwise indicates, the following defined words shall have the following meaning:

"Bed and Breakfast establishment" is defined under Chapter 17.08.010.

“Person” means an individual, a group of individuals, or an association, firm, partnership, corporation or other entity, public or private.

“Remuneration” means compensation, money, rent, or other bargained for consideration given in return for occupancy, possession, or use of real property.

“Residential property” means any single-family dwelling unit or structure located on one or more contiguous lots of record within the R-1 residential district and R-2 multi-family residential district.

"Short-Term Rentals" is defined under Chapter 17.08.010.

"Specialty resort" is defined under Chapter 17.08.010.

“Transient” means a period of time less than thirty (30) consecutive calendar days.

“Transient commercial use of property” means the commercial use, by any person, of residential property for bed and breakfast, hostel, hotel, inn, lodging, motel, resort or other transient lodging uses where the term of occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy of the property by the person entitled to such occupancy, possession or tenancy is for less than thirty (30) consecutive calendar days.

"Vacation home establishment" is defined under Chapter 17.08.010.

- A. The definitions herein include the singular and plural meanings of each defined word.

(Ord. 1022 (part), 2004)

SECTION 3: AMENDMENT “17.53.030 Permission” of the Deadwood Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17.53.030 Permission

~~Transient commercial use of residential property for remuneration is prohibited in the residential land use districts, except as otherwise expressly permitted by this ordinance.~~

A. Bed and Breakfast Establishment

1. No bed and breakfast establishment shall be located on a lot closer than two hundred (200) feet from any other structure containing a bed and breakfast establishment in R1 and R2 zoning districts;
2. Applicants proposing tandem parking shall be required to provide a control board for the keys of the guests. The owner/manager shall be responsible for the control board; and,
3. Existing Bed and Breakfast establishments, operating and approved by the City of Deadwood prior to April 1, 2023, and in continuance use, shall remain authorized if the existing locations do not meet A.1 above until conditions outlined in Chapter 17.76 take effect.

B. Specialty Resort Establishment

1. Specialty Resort establishments are strictly prohibited in R1 and R2 zoning districts.
2. Existing specialty resort establishments, operating and approved by the City of Deadwood prior to April 1, 2023, and in continuance use, shall remain authorized until conditions outlined in Chapter 17.76 take effect.

C. Vacation Home Establishment

1. Vacation Home Establishments are strictly prohibited in R1 and R2 zoning districts with the exceptions under 17.53.040.
2. Vacation Home Establishments shall be located in upper floors of commercial structures only within the local historic district.
3. Existing Vacation Home Establishments, operating and approved by the City of Deadwood prior to April 1, 2023, and in continuance use, shall remain authorized conditions outlined in Chapter 17.76 take effect.

D. All Short Term Rentals (Bed and Breakfast Establishments, Specialty Resort Establishments and Vacation Home Establishments shall comply with the following:

1. The Deadwood building inspector shall have the right to inspect the premises to ensure compliance with the Building Code under Title 15.
2. First floor use for short-term rentals are prohibited within the local historic district as defined under this Title.
3. The subject property proposed for a short-term rental shall be required to provide the following:

- a. Obtain a Conditional Use Permit from the City of Deadwood through the process established in Chapter 17.76;
- b. Establishment of commercial water, sewer, and refuse accounts, if they have not been established for subject premises;
- c. Proof of required South Dakota state tax certificates which shall be provided to the planning and zoning office for their files;
- d. Proof of Lodging License from the South Dakota Department of Health which shall be provide to the planning and zoning office for their files;
- e. Proof of enrollment with business improvement district(s) as a short-term rental establishment; and,
- f. Obtaining and maintaining City of Deadwood business license and short-term rental licenses.

(Ord. 1022 (part), 2004)

SECTION 4: **AMENDMENT** “17.53.040 Exception” of the Deadwood Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17.53.040 Exception

- A. This ordinance shall not apply to transient commercial use of residential property for remuneration for a period of fourteen (14) days or less during the month of August, commencing four days immediately preceding the official start of the Sturgis Motorcycle Rally and ending three days after the end of the Sturgis Motorcycle Rally each year.
- B. Vacation home establishments may be allowed in planned unit developments with an approved plan through the planning and zoning commission and city commission where said vacation home establishments are adjacent and contiguous to one another with the percentage of lots dedicated to vacation home establishments not exceed 10% of the total number of lots within the planned unit development.
- C. Vacation home establishments shall remain prohibited in R1 and R2 zoning districts within the boundaries of the Deadwood City Limits .

(Ord.
1022
(part),
2004)

SECTION 5: AMENDMENT “17.53.050 Liability And Enforcement” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

17.53.050 Liability And Enforcement

- A. Any person or legal entity acting as agent, real estate broker, real estate sales agent, property manager, reservation service or otherwise who arranges or negotiates for the use of residential property in violation of the provisions of this section ~~is shall be~~ guilty of ~~an infraction a~~ violation as defined in this chapter for each day in which such residential property is used, or allowed to be used, in violation of this ~~section~~chapter.
- B. Any person or legal entity who uses, or allows the use of residential property in violation of the provisions of this ~~section is~~ chapter shall be guilty of ~~an infraction a~~ violation as defined in this chapter for each day in which such residential property is used, or allowed to be used, in violation of this ~~section~~chapter.

(Ord. 1022 (part), 2004)

SECTION 6: AMENDMENT “17.53.060 Violation--Penalty” of the Deadwood Municipal Code is hereby *amended* as follows:

AMENDMENT

17.53.060 Violation--Penalty

Citations will be issued to any person or legal entity who violates this title or any amendment hereto. The ~~violation~~person or legal entity, upon being found guilty, shall be punished as for a misdemeanor, and any court having jurisdiction of misdemeanor cases shall have jurisdiction to try ~~violators said person or legal entity~~ and upon finding them guilty, ~~may penalize them with a fine not exceeding two hundred dollars (\$200.00) or by imprisonment not exceeding thirty (30) days or by both such fine and imprisonment~~shall be guilty of a Class 2 misdemeanor punishable by the maximum sentence as set forth in SDCL 22-6-2. Each day that any violation of this title is in effect shall constitute a separate offense.

(Ord. 1022 (part), 2004)

SECTION 7: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 8: EFFECTIVE DATE This Ordinance shall be in full force and effect from May 24, 2023 and after the required approval and publication according to law.

SECTION 9: First Reading: April 17, 2023 Second Reading: May 1, 2023 Published: May 4, 2023 Effective: May 24, 2023

PASSED AND ADOPTED BY THE CITY OF DEADWOOD CITY COMMISSION

Presiding Officer

Attest

David Ruth Jr., Mayor, City of
Deadwood

Jessica McKeown, Finance Officer,
City of Deadwood

ORDINANCE #1371
TO AMEND CHAPTER 2.08 CITY OFFICERS AND DEPARTMENT HEADS

BE IT ORDAINED by the Deadwood City Commission of the City of Deadwood, that Chapter 2.08 be amended to read as follows:

2.08.010 Officers

The officers of the city shall be an attorney, a City Finance Officer, ~~a fire chief~~, a Chief of Police, a Public Works Director, ~~a Planning & Zoning Administrator, a Historic Preservation Officer, City Planner, a Cemetery Sexton~~, a Librarian, ~~a zoning administrator~~, a **Parking &** Transportation Director, **a Parks, Recreation & Events Director**, ~~a risk services director~~, and such other officers as may be necessary for the administration of city business and affairs. Such officers shall be hired by the Mayor and City Commission and shall hold office until their successors are duly hired and qualified.

~~In addition to the above officers, there shall be a fire chief who shall act in a volunteer position elected by the City of Deadwood Fire Department and acknowledged by City Commission.~~

(Ord. 1215 (part), 2014; Ord. 1172, 2012; prior code § 2-301)

2.08.020 Oath Of Office

~~All officers, department heads, such other officers as may be required and~~ police officers are required to take an oath of office before entering upon the discharge of their duties, which oath shall be subscribed by the person taking it and shall be filed and preserved in the office of the city finance officer.

1. ~~Form of oath for the chief administrator and officers:~~

~~STATE OF SOUTH DAKOTA)~~

~~COUNTY OF LAWRENCE) ss~~

~~CITY OF DEADWOOD)~~

~~I, _____, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of South Dakota, and the Charter and Ordinances of the City of Deadwood; that I will faithfully, honestly and impartially discharge my duties as _____, during my continuance therein; that I am not directly or indirectly pecuniarily interested in any public service corporation engaged in business in the City of Deadwood, or in any person or corporation having contracts with the said city, so help me God.~~

~~Subscribed and sworn to before me this _____ day of _____, 20____.~~

~~City Finance Officer~~

Form of oath for members of the police department:
STATE OF SOUTH DAKOTA)

COUNTY OF LAWRENCE) ss

CITY OF DEADWOOD)

I _____, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of South Dakota, and the Charter and Ordinances of the City of Deadwood; and that I will to the best of my ability, faithfully perform the duties of police officer during my continuance therein, so help me God.

Police Officer

Judge of Record

~~City Finance Officer~~ Police Chief

Subscribed and sworn to before me this ____ day of _____, 20____.

(Ord. 1215 (part), 2014; prior code § 2-302)

2.08.030 Bonds

Bonds of city officials, unless otherwise provided by state law, shall be as fixed annually at the May meeting.

(Prior code § 2-203)

2.08.040 Administrative Policy And Procedures

1. Officers. Each officer shall perform all duties required of his or her office by state law and this code and such other duties not in conflict therewith as may be required by the city commission.
2. Department Heads.
 1. Department Head Defined. A “department head” is an ~~officer, appointed person,~~ other than the mayor or commissioners, **who has been approved by City Commission to have** direct supervision over and responsibility for municipal personnel records, funds, maintenance, and/or service **per associated job description.**
 2. Responsibility to City Commission. The department heads are immediately responsible to the city commission for the effective administration of their respective departments and all activities assigned thereto.
 3. Inaugurate Sound Practices. The department heads shall keep informed about the latest practices in their particular fields.
 4. Report to Administrator. The department heads shall submit reports of their department activities to the city commission as required by this code or at the special request of the city commission.
 5. Maintain Records. The department heads shall establish and maintain a system filing and indexing records and reports in sufficient detail to furnish all information necessary for proper control of departmental activities and to form a basis for periodic reports to the city commission.

6. Authority Over Employees. The department heads have power, when authorized by the city commission, to appoint and remove, subject to the personnel policy regulations, all subordinates under them.
7. Maintain Equipment. The department heads are responsible for the proper maintenance of all city property and equipment used in their departments.
3. Departments. Upon direction by the city commission, and as its facilities permit, each department shall furnish to any other department such service, labor, and materials as may be requisitioned by the head of such department, through the same procedures and subject to the same audit and control as other expenditures.

(Prior code § 2-304)

2.08.050 Removal Of Officers

Any officer may be removed by a majority vote of the members of the Deadwood City Commission.

Dated this 15th day of May, 2023.

CITY OF DEADWOOD

David R. Ruth Jr. Mayor

ATTEST: Jessica McKeown, Finance Officer

First Reading: May 1, 2023
 Second Reading: May 15, 2023
 Published: May 18, 2023
 Effective: June 7, 2023



2627 KFB PLAZA, SUITE 202E
MANHATTAN, KS 66503 | 785-587-4000

Section 10 Item f.

April 18, 2023

Municipality of Deadwood, South Dakota

RE: Contract # 3356481

To Whom It May Concern:

This letter is in regards to the payoff requested. The payoff for Municipality of Deadwood, SD, account 3356481, would be \$63,592.36 if received on or before 6/1/2023. This is in regards to the 2021 Mack Granite Truck, VIN: 1M2GR4GC8MM022317 With Dump Body, SN: 0045410.

If you have any questions or need additional information, please do not hesitate to call me at (Toll free) 877-587-4054.

Thank you,

Sincerely,

Hannah Williams

Hannah Williams
Payments & Reconciliation Associate
payments@ksstate.bank

Our wire instructions are:

KS StateBank
1010 Westloop
Manhattan, KS 66502

ABA – 101101536
Account Number – 3356481

If you want to send a check please send it to:

KS StateBank
Attn: Government Finance
PO Box 69
Manhattan, KS 66505

TRUCK REPLACEMENT APPLICATION

I. APPLICANT INFORMATION			
1	a. Applicant Name: City of Deadwood	b. DUNS Number: 17-328-6894	
2	Applicant Address: 102 Sherman Street		
3	a. City: Deadwood	b. State: SD	c. Zip + 4: 57732
4	a. Contact Name: Robert Nelson	b. Contact Title: Public Works Director	
5	a. Contact Phone: (605) 578-3082	b. Contact Fax:	
6	Contact Email: bobjr@cityofdeadwood.com		
II. EXISTING TRUCK INFORMATION:			
1	Truck Storage Address: 67 Dunlop Ave.		
2	a. City: Deadwood	b. County: Lawrence	c. Zip Code: 57732
3	Truck Type/Use (e.g. snow plow, dump truck): Plow/Sanding Truck		
4	Class: <input checked="" type="checkbox"/> 4, <input type="checkbox"/> 5, <input type="checkbox"/> 6, <input type="checkbox"/> 7, <input type="checkbox"/> 8		
5	<input checked="" type="checkbox"/> Short Haul-Single Unit, <input type="checkbox"/> Short Haul-Combo, <input type="checkbox"/> Long Haul-Single Unit, <input type="checkbox"/> Long Haul-Combo, <input type="checkbox"/> Refuse Hauler (short <= 200 miles, long > 200 miles, single=truck on single frame, combo=tractor with at least 1 trailer)		
6	a. Truck Manufacturer: International	a. Truck Model: 4800	b. Truck Model Year: 1995
7	Type of Fuel: <input checked="" type="checkbox"/> Diesel	Estimated Annual Fuel Usage for this Truck (gallons): 700	
8	a. Cumulative Mileage: 39,427	b. Estimated Annual Mileage: 3,000	c. Annual Idling Hours: 720
9	Vehicle Identification Number (VIN): 1HTSEAANOSH216531		
10	a. Engine Manufacturer: NAVISTAR	b. Engine Model: 466DT	c. Engine Model Year: 1995
11	Engine Serial Number: 466D6DASA		
12	Estimated remaining life (years): Three		
III. NEW REPLACEMENT TRUCK INFORMATION			
1	Truck Type/Use (e.g. plow truck, dump truck, refuse truck): Dump Truck		
	Class: <input checked="" type="checkbox"/> 4, <input type="checkbox"/> 5, <input type="checkbox"/> 6, <input type="checkbox"/> 7, <input type="checkbox"/> 8		
2	a. Truck Manufacturer : Freightliner	a. Truck Model: 108SD	b. Truck Model Year: 2022
3	Truck Type of Fuel: <input checked="" type="checkbox"/> ULSD, <input type="checkbox"/> CNG, <input type="checkbox"/> LNG, <input type="checkbox"/> LPG/Propane, <input type="checkbox"/> Electric, or <input type="checkbox"/> Other		
4	Rebate: <input checked="" type="checkbox"/> 50%, <input type="checkbox"/> 60% if certified to meet CARB's Low-NOx Standards, or <input type="checkbox"/> 70% of an all-electric		
6	a. Price of New Truck: \$140,404.00		
7	a. Estimated Purchase Order Date: 9/21	b. Estimated Date of Truck Delivery: 11/21	
8	a. Engine Manufacturer: Cummins	b. Engine Model: CM2450	c. Engine Model Year: 2022
IV. SCRAPPING COMPANY/DISMANTLER INFORMATION			
1	Describe Method of Disposal of Truck: Core the Engine Block and Cut Frame		
2	Scrapping Company/Dismantler Name: City of Deadwood		
3	Contact Name: Bill Burleson		
4	Address: 67 Dunlop Ave		
5	a. City: Deadwood	b. State: SD	c. Zip Code: 57732
6	a. Phone: (606) 578-3082	b. Fax:	
7	Email: bill@cityofdeadwood.com		

TRUCK REPLACEMENT APPLICATION

V. TRUCK MANUFACTURER/DEALER INFORMATION

1	Truck Manufacturer/Dealer: Sanitation Products		
2	Contact Name: Ben Kreklow		
3	Address: 901 E. 48 th ST N		
4	a. City: Sioux Falls	b. State: SD	c. Zip Code: 57104
5	a. Phone: (605) 332-2487	b. Fax:	
6	Email: ben@spi-sd.com		

VI. APPLICANT'S CERTIFICATION

I certify that to the best of my knowledge the information contained in this application and in the supplemental material is correct and complete. I certify that the funding requested satisfies the eligibility requirements for this Program as represented in the Program Description and related materials. I certify that I understand that the funding under this Program is subject to restrictions and other conditions listed in the Program Description.	
✓	The applicant will use the funding under this Program for the specific purposes defined in the Program Description.
✓	The applicant has received approval to apply and make use of the funding under this program.
✓	The applicant is not currently debarred or suspended from receiving federal funding.
✓	The applicant agrees to complete scrappage of the truck being replaced.
✓	The applicant certifies that all vendors will be selected in accordance with contracting laws.
I authorize DENR to make any necessary inquiries to verify the information that I have presented. I acknowledge that the information in this application is not confidential and may be released as required by the Program.	
Printed Name of Responsible Party:	Title:
Signature of Responsible Party:	Date:

Applications are to be submitted by email to barb.regynski@state.sd.us or by mail to:
 VW Rebate Program
 SD DENR – AQ Program
 523 E Capitol
 Pierre, SD 57501

**RESOLUTION NO. 2023-12
TO DECLARE THE FOLLOWING SURPLUS PROPERTY**

BE IT RESOLVED by the Deadwood City Commission that the City of Deadwood approve the following to be declared surplus and destroyed:

1995

International 4800

VIN#1HTSEAANOSH216531

Dated this 1st day of May, 2023.

City of Deadwood

David Ruth Jr., Mayor

ATTEST:

Jessica McKeown, Finance Officer

**CITY OF DEADWOOD
RESOLUTION 2023-13
A RESOLUTION SETTING FORTH A SCHEDULE OF RATES FOR USE BY THE
CITY OF DEADWOOD**

WHEREAS, City Ordinances require certain use fees, charges for services and other designations to be established by resolution;

NOW THEREFORE BE IT RESOLVED THAT the City of Deadwood hereby establishes the following fees and other designations effective May 1, 2023 :

Commercial accounts: Monthly minimum (demand) charge for all accounts, whether on or off, based upon meter size, per meter, as follows:

Meter Size	Cost
8 inch	\$456.00

Water Distribution Tap Fee:

Both Residential and Commercial fees are the same, as the fee is based on the size of the water service to the property.

8" Tap.....\$24,000.00

Dated this 1st day of May, 2023.

David Ruth Jr., Mayor

ATTEST:

Jessica McKeown, Finance Officer

(seal)



- Civil Engineering
 - Water Resources
 - Transportation
 - Geospatial Solutions

April 17, 2023

Mr. Kevin Kuchenbecker
City of Deadwood – Historic Preservation
108 Sherman Street
Deadwood, SD 57732
via email: kevin@cityofdeadwood.com

RE: City of Deadwood GIS Technical Services Retainer – 2023

Dear Kevin,

The City of Deadwood has utilized Geographic Information Systems (GIS) technology for the past 20 years to assist with managing many of the City's assets and operations. Over time, significant advancements in technology have only enhanced and broadened the opportunities GIS presents for improving operational efficiency and organizational awareness. The trolley tracker, viewshed analysis and department-specific web mapping applications are just a few examples of the power GIS can bring to small government. It is my sincere desire to see the City of Deadwood continue developing their GIS capabilities, leveraging on the significant investment already made.

As such, City of Deadwood personnel will continue to need some technical assistance. This proposal will serve as a GIS Professional Technical Services retainer for tasks to be performed on a time and materials basis, in accordance with current-year Schedule of Charges (2023 attached as Exhibit A) not to exceed \$30,000.00. It is anticipated that requested task could include, but will not be limited to:

1. Continued support of existing infrastructure, database and applications;
2. Workstation software upgrades;
3. Mobile data collection setup and/or training;
4. Storymap development and/or training;
5. ArcGIS Online/ArcGIS Pro development and/or training;
6. Cloud management of resources.

The tasks listed above, and/or any other tasks performed under this contract, will be completed as directed by City of Deadwood staff and includes labor and transportation only. Equipment and software/licensing will be provided by the City of Deadwood.

Thank you for the opportunity to provide this proposal for Professional GIS Technical Services. If you have any questions, comments or believe that any of the assumptions we have made should be modified, please contact me at 605-343-3311.

Sincerely,
Avid4 Engineering, Inc.



Zach Lampert, EI, GISP
Geospatial Analyst

Encl: as noted



1805 Samco Road, Rapid City, SD 57702
www.avid4eng.com ~ Phone: (605) 343-3311

AUTHORIZATION AND AGREEMENT FOR SERVICES

This Agreement represents the entire and integrated agreement between the CLIENT and the CONSULTANT covering services herein and supersedes any prior negotiations, representations, or agreements therefore, either written or oral. This Agreement may be amended only by written instrument signed by both the CLIENT and CONSULTANT. All services will be performed in accordance with the CONSULTANTS General Terms and Conditions attached hereto.

CLIENT INFORMATION:

Client Name: City of Deadwood - Historic Preservation Phone: 605-578-2082
 Billing Address: 108 Sherman Street City: Deadwood State: SD Zip: 57732
 Email: kevin@cityofdeadwood.com
 Contact Person (if different than Client): Kevin Kuchenbecker Title: Historic Preservation Officer

PROJECT INFORMATION:

Project Name: GIS Technical Services
 Project Location: Deadwood, SD / Microsoft Azure
 Legal Description: N/A

Description of Work: Continued GIS technical services as outlined in the attached proposal letter, dated April 17, 2023.

Estimated Completion Date: Ongoing.

BILLING ARRANGEMENTS:

Invoices will be sent monthly. Work will be billed on a time and materials basis, not to exceed \$30,000.00 in accordance with Avid4's current Schedule of Charges. The 2023 Schedule of Charges is included in the attached proposal.

IN WITNESS WHEREOF, the parties hereto have made and executed the Agreement as of the date and year noted.

SIGNATURES:

CLIENT (Person Responsible for Payment)

Date: _____

CONSULTANT (Avid4 Engineering, Inc.)

Date: 4/17/23

1. Avid4 Engineering, Inc., herein referred to as Avid4, will bill the Client monthly with net payment due in thirty (30) days. Past due balances will be subject to a service charge at a rate of 1.5% per month. In addition, Avid4 may, after giving seven (7) days' notice, suspend service under any agreement until the Client has paid in full all amounts due for services rendered and expenses incurred, including service charges for past due invoices.
2. The stated fees and scope of services constitute our best estimate of the fees and tasks required to perform the services as defined. This agreement, upon execution by both parties hereto, can be amended only by written instrument signed by both parties. For those projects involving conceptual or process development services, activities often cannot be fully defined during the initial planning. As the project does progress, facts and conditions uncovered may reveal a change in direction that may alter the scope of services. Avid4 will promptly inform the Client in writing of such situations so that changes in this agreement can be renegotiated.
3. Costs and schedule commitments shall be subject to renegotiation for delays caused by the Client's failure to provide specified facilities or information or for delays caused by unpredictable occurrences including without limitation, fires, floods, riots, strikes, unavailability of labor or materials, delays or defaults by suppliers of materials or services, process shutdowns, acts of God, or the public enemy, or acts or regulations of any governmental agency. Temporary delays of services caused by any of the above which results in additional costs beyond those outlined may require renegotiation of this agreement.
4. Avid4 will maintain insurance coverage for: Workers Compensation, General Liability, Professional Liability, and Automobile Liability. Avid4 will provide specific limits upon request. If the Client requires coverage's or limits in addition to those in effect as of the date of the agreement, the Client shall pay premiums for additional insurance.
5. The risk involved in this project, has been allocated such that Client agrees that Avid4's total liability to Client for any and all injuries, claims, losses, expenses, damages or claims expenses arising out of this Agreement from any cause or causes, shall not exceed the total amount of our fee or \$100,000, whichever is greater. Such causes include but are not limited to: design professional's negligent acts, errors or omissions, strict liability, breach of contract, or breach of implied or express warranty.
6. It is acknowledged by both parties that Avid4's scope of services does not include any services related to asbestos or hazardous or toxic materials. In the event Avid4 or any other party encounters asbestos or toxic materials at the jobsite, or should it become known in any way that such materials may be present at the jobsite or any adjacent areas that may affect the performance of Avid4's services, Avid4 may, at their option and without liability for consequential or any other damages, suspend performance of services on the project until the Client retains appropriate specialist consultant(s) or contractor(s) to identify, abate, and or remove the asbestos or hazardous or toxic materials, and warrant that the jobsite is in full compliance with applicable laws and regulations.
7. The Client agrees to provide such legal, accounting, and insurance counseling services as may be required for the project.
8. Termination of this agreement by the Client or Avid4 shall be effective upon seven (7) days written notice to the other party. The written notice shall include the reasons and details for termination. Avid4 will prepare a final invoice showing all charges incurred through the date of the termination. Payment is due as stated in Paragraph 1. If the Client violates any of the agreements entered into between Avid4 and the Client or if the Client fails to carry out any of the duties contained in these terms and conditions, Avid4 may upon seven (7) days written notice, suspend services without further obligation or liability to the Client unless, within such seven (7) day period, the Client remedies such violation to the reasonable satisfaction of Avid4.
9. All products and documents including Drawings and Specifications provided or furnished by Avid4 pursuant to this Agreement are instruments of service in respect of the Project and Avid4 shall retain an ownership therein. Reuse of any products or documents pertaining to this project by the Client on extensions of this project or on any other project shall be at the Client's risk. The Client agrees to defend, indemnify, and hold harmless Avid4 from all claims, damages, and expenses including attorney's fees arising out of such reuse of the products or documents by the Client or by others acting through the Client.
10. Avid4 will endeavor to provide all services in accordance with generally accepted professional practices. Avid4 will not provide or offer to provide services inconsistent with or contrary to such practices nor make any warranty or guarantee, expressed or implied, nor to have any agreement or contract for services subject to the provisions of any uniform commercial code. Similarly, Avid4 will not accept those terms and conditions offered by the Client in its purchase order, requisition, or notice of authorization to proceed, except as set forth herein or expressly accepted in writing. Written acknowledgement of receipt of the actual performance of services subsequent to receipt of such purchase order, requisition, or notice of authorization to proceed is specifically deemed not to constitute acceptance of any terms or conditions contrary to those set forth herein.
11. In lieu of or in addition to execution of the Authorization and Agreement for Services, the Client may authorize Avid4 to commence services by issuing a purchase order by a duly authorized representative. Such authority to commence services or purchase order shall incorporate by reference the terms and conditions of this Agreement. In the event the terms and conditions of this Agreement conflict with those contained in the Client's purchase order, the terms and conditions of this Agreement shall govern. Notwithstanding any purchase order provisions to the contrary, no warranties, express or implied, are made by Avid4. In order to implement the intent of Avid4 and the Client to this Agreement, Avid4 and the Client agree that the Authorization and Agreement for Services, these General Terms and Conditions, and any Exhibits constitute the entire Agreement between them. Avid4 and the Client further agree that the preprinted terms and conditions of any Client-generated purchase order issued to request work pursuant to this Agreement will not apply to the work, regardless of whether Avid4 executes the purchase order in acceptance of the work.
12. Avid4 intends to serve as the Client's professional representative for those services as defined in this agreement and to provide advice and consultation to the Client as a professional. Any opinions of probable project cost, approvals, and other decisions made by Avid4 for the Client are rendered on the basis of experience and qualifications and represent Avid4's professional judgment.
13. This agreement shall not be construed as giving Avid4 the responsibility or authority to direct or supervise construction means, methods, techniques, sequences, or procedures of construction selected by any contractors or subcontractors or the safety precautions and programs incident to the work of any contractors or subcontractors.
14. Avid4 shall make such revisions in plans or project deliverables which may already have been completed, approved and accepted by the Client, as are necessary to correct errors or omissions in the deliverables when requested to do so by the Client, without extra compensation therefore.



- Civil Engineering
 - Water Resources
 - Transportation
 - Geospatial Solutions

EXHIBIT A

2023 SCHEDULE OF CHARGES

<u>EMPLOYEE CLASSIFICATION</u>	<u>HOURLY RATE</u>
Principal Professional Engineer	\$185.00
Principal Professional Engineer/Professional Land Surveyor	\$185.00
Professional Engineer IV	\$160.00
Professional Engineer III	\$140.00
Professional Engineer II	\$125.00
Professional Engineer I	\$115.00
Geospatial Analyst	\$120.00
Graduate Engineer III	\$105.00
Graduate Engineer II	\$95.00
Graduate Engineer I	\$85.00
Senior Technician	\$125.00
Technician III	\$95.00
Technician II	\$85.00
Technician I	\$80.00
CAD Technician II	\$110.00
CAD Technician I	\$80.00
Office Manager	\$110.00
Clerical	\$70.00
Mileage	\$ 0.655



Date: March 29, 2023

Client: Mr. Lornie Stadler, Public Works Director
Mr. Kevin Kuchenbecker, HP/PZ Director
City of Deadwood
108 Sherman Street
Deadwood, SD 57732

Engineer: Mr. Michael Towey, PE
Towey Design Group, Inc.
475 Villa Drive, Suite #3
Box Elder, SD 57719

RE: City of Deadwood – Water Demands Modeling and Planning Project
Task 3 – Water Facility Plan

Dear Lornie & Kevin,

Thank you for the opportunity to provide our proposal to you for the third task of this project. The initial project (approved by City Commission on 09.05.2022) was to develop a functional water model ("existing conditions") of the Deadwood Water Network. The model was then used to generally evaluate the reliability the current system with the proposed new developments within Deadwood. The resulting efforts identified the Denver Avenue booster pump station and the Roosevelt Reservoir as limiting factors in the system.

The second task of this project (approved by City Commission on 02.06.2023) used the existing conditions water model to evaluate numerous scenarios and evaluate multiple potential solutions for the needs established in Task 1. With Task 2 completed several alternatives have been developed, reviewed by staff, and recommendations for moving forward have been developed.

Task 3 will be for the development of a SDDANR Water Facility Plan. The plan will be used as part of the funding application process to seek funds through the State of South Dakota, DANR's State Water Plan for grants and revolving loans. The Water Facility Plan is a document required by DANR which details existing City conditions and facilities and lays out a plan for the City of Deadwood moving forward to address anticipated growth needs.

The following narrative presents our proposal to further expand our Task 3 services for the preparation of an updated Water Facility Plan for the City of Deadwood.

PROJECT UNDERSTANDING

Our understanding of the project is as follows.

- Several existing subdivisions, outside of city limits, have also expressed interest in connecting to city water network. Regionalization of water systems is a major priority to state governing bodies.

Towey Design Group, Inc.
475 Villa Drive, Suite #3 | Box Elder, SD 57719
605.600.3758 | mtowey@toweydesigngroup.com

- The City of Deadwood is in the early stages of seeing some major growth within the city. Several new subdivisions have been proposed to city staff. City staff has concerns that they may not have enough water capacity with the future increased demands.
- The existing water system is sized appropriately for the existing conditions. At full buildout, based only on full development of the 3 proposed subdivisions, the city's water system becomes inadequate for the potential additional demands.
- In Task 1, TDG recommended that the allowable number of new additional single family dwelling equivalent units should be limited to 100 based on peak day flows and pumping rates. Additional recommendations are made in Task 2 that allow the city to make improvements as needed over time to keep up with the proposed growth.
- Information gathered in Task 1 and Task 2 has been reviewed by City Staff and recommendations have been made to address future growth needs.
- The Facility Plan is a description of the system (existing and proposed), an analysis of the system (existing and proposed), and the recommendations of the proposed developmental improvement needs based on estimated demands on the system.
- Supporting documentation includes physical characteristics of the area, socio-economic concerns and environmental and cultural resources of the area.

TDG has prepared this final design services proposal in conjunction with the project documents. Our scope of work and breakdown of fees is summarized as follows.

Task 1 – Final Modeling Task:

This task addresses efforts to prepare the Water Facility Plan.

- TDG will research historical data, existing City records, coordinate with Black Hills Council of Local Governments and use data and recommendations generated from Task 1 and Task 2 to prepare a Water Facility Plan for the City of Deadwood.
- The Water Facility Plan will address existing facilities and current operating conditions.
- The Water Facility Plan will review existing City conditions such as historic and anticipated growth, climate, cultural, environmental, existing and forecast service area and socio-economic conditions of Deadwood.
- The Water Facility Plan will look at existing and forecasted water demands taking into consideration demands average and peak demands and fire flow conditions.
- The Water Facility Plan will look at the entire system, distribution, storage and mechanical facilities, booster stations, pressure reducing stations, altitude valves, etc.
- The Water Facility Plan will also identify deficiencies within the system and provide recommendations as generated from project memorandums during Tasks 1 and 2.
- And finally, the Water Facility Plan will detail the proposed plans and recommendations, as determined in Tasks 1 and 2, for addressing the City of Deadwood's future needs along with the justifications for the recommendations.

SCHEDULE

TDG is prepared to start this project as soon as possible. Assuming an NTP by April 11th, 2023, we have prepared the following theoretical schedule:



- NTP – 04.11.23
- Research of existing conditions – week of 04.17.23
- Plan preparation thru – 06.02.23
- Initial Draft Report submission to City – week of 06.05.23
- Review comments incorporation into Plan – week of 06.12.23
- Final Plan submission – week of 06.19.23

DATA PROVIDED BY CITY STAFF

The following is a partial list of items to be requested by TDG staff in order to complete this task.

- The Facility Plan is a description of the system (existing and proposed), an analysis of the system (existing and proposed), and the recommendations of the proposed developmental improvement needs based on estimated demands on the system.
- Supporting documentation includes physical characteristics of the area, socio-economic concerns and environmental and cultural resources of the area.
- Integrated planning documentation for proposed subdivisions (or best available information)
- Any additional information determined during study as available.

PROGRESS PAYMENTS

Monthly progress payments shall be processed by City upon receipt of the claim as computed by the TDG based on work completed during the month per the hourly rates and allowable reimbursables as established in this proposal and approved by City. TDG traditionally invoices our clients on the last Saturday of each month.

DESIGN FEES

TDG proposes to complete this project on an hourly not-to-exceed basis. We have estimated our total fee for this project to be Twenty-Four Thousand Two Hundred Eighty Dollars and no cents (\$24,280.00). Insurance and W-9 documents can be provided as requested. Exhibit A and B from our initial proposal apply as related to this project.

FEE BREAKOUT

The following table identifies our fee breakout for each task.

Task	Design	REIM / Mile	Sales Tax	Subtotal
Design Services	\$23,524.00	\$756.00	\$0.00	\$24,280.00
Totals	\$23,524.00	\$756.00	\$0.00	\$24,280.00

ACCEPTANCE OF THIS PROPOSAL

TDG requests written acceptance of this proposal as listed in the Design Fees section, but the following actions shall constitute your acceptance of this proposal together with the Terms and Conditions and



Amendments: 1) issuing an NTP or sub-consultant contract for any of the Services described above, or 2) written or electronic notification for TDG to proceed with any of the Services described in this proposal.

If these arrangements are acceptable, please sign below and return one copy to me, electronically. We are enthused about this project and look forward to working with you and your team members to effectively meet the needs of your development.

Sincerely,

Michael Towey, PE
Towey Design Group, Inc.

ACCEPTED BY:

Signature

Name

Title

Date

Exhibit A – TDG Standard Terms & Conditions
Exhibit B – TDG Hourly Rates

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 722-0786



Kevin Kuchenbecker
Planning, Zoning and
Historic Preservation Officer
Telephone (605) 578-2082
kevin@cityofdeadwood.com

MEMORANDUM

Date: April 27, 2023
To: Deadwood Historic Preservation Commission
From: Kevin Kuchenbecker, Historic Preservation Officer
Re: Hire Julie Stone to Conduct Records Research for GIS Layer

The Historic Preservation Office would like to hire Julie Stone as an independent contractor to research, compile and print off paper copies for M.S. 72 & 86 to be incorporated into the City's GIS program. A breakdown of the work is included in the attached email dated April 18, 2023.

The Historic Preservation Commission reviewed this request at their April 26, 2023 meeting and recommend approval to hire Julie Stone as an independent contractor to research, compile and print off paper copies for M.S. 72 & 86 to be incorporated into the City's GIS program. The retainer for this project will not exceed \$15,000.00. Funding for this research will be paid out of the 2023 Public Education/Advocacy Budget line item.

RECOMMENDATION:

Move to allow the Historic Preservation Office to hire Julie Stone as an independent contractor to research, compile and print off paper copies for M.S. 72 & 86 to be incorporated into the City's GIS program. The retainer for this project will not exceed \$15,000.00. Funding for this research will be paid out of the 2023 Public Education/Advocacy Budget line item.

Michael Runge

From: Julie Stone <julieastone@gmail.com>
Sent: Tuesday, April 18, 2023 9:45 AM
To: Kevin Kuchenbecker
Cc: Michael Runge; Jason Fisher
Subject: Re: City of Deadwood Abstract Project

A. Cost of copies and labor to order and to inventory documents of M.S. 72 & 86:

I estimate a cost of **\$2,500. (\$1,520 for copies and up to \$980 this:** Lawrence County prefers the customer to determine the range of page numbers for multi-page documents. Sometimes the scan numbers do not match the document numbers indexed. Being available asserts that we will acquire all necessary documents to match our spreadsheet.

(Copies for M.S. 86 = \$850.00+/- and copies for the work of M.S. 72 will cost about \$675.00, for a grand total cost = \$1,520.) Labor to order and inventory the documents (13 hrs at \$75/hr.= \$980, this could be less)

B. The upcoming research contained within the "priority" area of M.C. 76 has 50 lots and the "mineral survey" portion within in the tract index books.

It's difficult to gauge because we are doing a different research tactic now that we can buy copies vs. taking notes and later typing our written notes, or bringing our computer to LC. I would think we could do M.C. 76 within 50 hrs, with copies costing about \$600 for a total of \$4,350, or so? It's hard to estimate but that's our best "guesstimate".

I would propose a request for \$15,000 as a retainer to be drawn on, which would hopefully take us through the end of M.C. 76 and 38, and possibly further east. The further we can look ahead, the better.

Obviously, if we finish under the bid amount, we just carry that amount over to the next project.

Let me know if you have any questions or comments please.

On Mon, Apr 17, 2023 at 11:43 AM Kevin Kuchenbecker <kevin@cityofdeadwood.com> wrote:

Based on this and the previous emails, I would like to get this in front of the HPC and City Commissions. Can we get a proposal on probable costs to work through the next portion of the overall project?

Kevin Kuchenbecker

Planning, Zoning and

Historic Preservation Officer

From: Julie Stone <julieastone@gmail.com>
Sent: Monday, April 17, 2023 10:43 AM
To: Michael Runge <Michael@cityofdeadwood.com>

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 722-0786



Kevin Kuchenbecker
Planning, Zoning and
Historic Preservation Officer
Telephone (605) 578-2082
kevin@cityofdeadwood.com

MEMORANDUM

Date: April 27, 2023
To: Deadwood Historic Preservation Commission
From: Kevin Kuchenbecker, Historic Preservation Officer
Re: Replace failing large format scanner for City Archives

The City Archives would like to replace its large format scanner which was donated by the Lawrence County Register of Deeds in 2009. The scanner began to fail in the fall of 2022. This scanner has been used to digitize the City's collection of architectural plans, plat maps, historical maps, newspapers, advertisement posters, and oversized ephemera.

Staff researched which scanner would work best for the archives needs and based on the results are recommending purchasing the Contex IQ Quattro for a cost of \$7,700.00. Quotes have been attached for your review.

The Historic Preservation Commission reviewed this request at their April 26, 2023 meeting and recommend purchasing the Contex IQ Quattro from Large Document Solutions for an amount not to exceed \$7,700.00 including the trade of Colortrac Smart LF Cx40 SN: C2705117R with stand and GraphTEC CS600 SN: 5122390 with stand.

RECOMMENDATION:

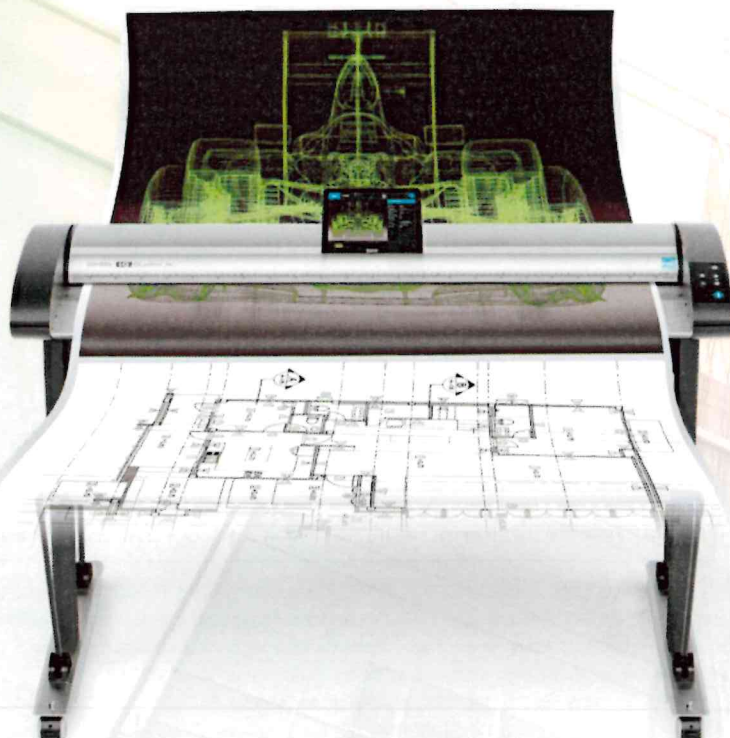
Move to purchase the Contex IQ Quattro X4490 large format scanner from Large Document Solutions. The cost for this purchase will not exceed \$7,700.00. Funding for this purchase will come out of the 2023 Machinery/Equipment line item.

IQ Quattro ><

36" 44"

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SCAN FASTER AND SMARTER WITH MORE PRECISION IN EVERY PIXEL

The all new and perfected IQ Quattro X is a must have for every high-production environment.

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Smarter: The Nextimage Remote app offers you a completely new way of working. The new app saves valuable operator time by bringing all main functions essential for basic scanning and copying in front of the operator directly on the scanner.

Better: Context Live Alignment is a new IQ Quattro X technology designed to improve image alignment across sensors ensuring precise and sharp alignment all the time, no matter the speed.

Improved technology: Context USB 3.0 implementation with xDTR3 is blisteringly fast and you won't have to worry about shoe shining or rescanning to get the width right.

Image quality

The 48-bit CIS technology captures every detail from your document, then passes the best 24-bits through to the file at up to 1200 dpi optical resolution.

Fastest CIS scanner

The IQ Quattro X scanners produce a scan speed of up to 17.8 inches per second in RGB color and 200 dpi.

3-position speed control

Great for use with delicate originals. Temporarily shift down to slower scan speeds without using presets or altering software.

Green technology

Energy Star® version 3.0 compliant using only 0.5W in standby mode.

High productivity

Enhanced speed and data transfer rates makes the IQ Quattro X the essence of productivity.

Michael Runge

From: Leah Lewis <Leah@largedocuments.com>
Sent: Monday, April 17, 2023 11:59 AM
To: Michael Runge
Cc: Kevin Brinks; Brittany Schoede
Subject: Re: City of Deadwood Archives

Good morning Mike,

I hope you had a great weekend! Thank you for sharing this information and for the opportunity to match your lowest quote.

It looks like several of the companies quoted the Contex Q1 pricing, which unfortunately increased quite a bit at the start of Q2. We certainly would like to earn your business, so we can revise our quote to \$7,250 plus \$400 s/h. Kevin's motto is some money is always better than no money. 😊

Please let us know if you would like a formal quote to move forward.

Many thanks!
 Leah

LEAH LEWIS
 President
 Leah@largedocuments.com | 866.338.4464

Large Document Solutions
 7936 E. Arapahoe Ct. | Suite 3800 | Centennial, CO 80112
www.largeformatscanners.com

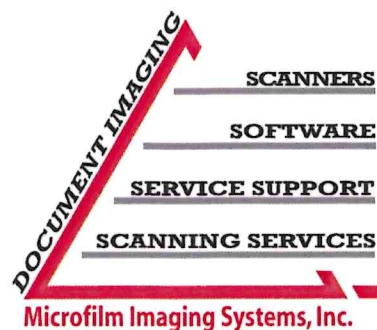
From: Michael Runge <Michael@cityofdeadwood.com>
Sent: Monday, April 17, 2023 9:00 AM
To: Kevin Brinks <Kevin@largedocuments.com>
Subject: City of Deadwood Archives

Good morning Kevin:
 Hope you had a good weekend. Below are the numbers for the Quattro X scanner and software. I am showing you these since you mentioned that you could match prices.

Thanks for your help,
 Mike

Company Name	Make/Model	Cost	Comments
Century Business Products	Contex IQ Quattro X4490	\$7,400.56	
Document Imaging	Contex IQ Quattro X4490	\$8,990.00	does not include PC. Extra cost \$1400.00
Large Document Solutions	Contex IQ Quattro X4490	\$8,915.00	
Franz	Contex IQ Quattro X4490	\$7,253.00	there is a \$500.00 delivery fee

Michael Runge



2530 Harney Street • Omaha, NE 68131
 (402) 346-7211 • 800-346-1365
 Fax (402) 346-6643
www.MicrofilmImaging.com

April 13, 2023

Michael Runge
 City of Deadwood Historic Preservation Office
 108 Sherman St
 Deadwood SD 57732

605-578-2082

Michael.runge@cityofdeadwood.com

Dear Michael,

I am pleased to submit our quotation for the Contex Models Quatro SD4490 Large Format Scanner.

SPECIFICATIONS

Purchase Price Contex Quatro SD 4490	\$8990.00
--------------------------------------	-----------

Inches scanned per second:

Black and White	17.5
Color	17.5

Price Includes:

- Scanner Stand – Scan Station Pro
- Scanner – new model Quatro SD 4450
- 21" Touch Screen Monitor/Display
- NextImage Software = best possible images because the operator can make adjustments to the image prior to saving the file. The software will connect to a printer for Scan to Print
- One Plastic Sleeve for scanning fragile documents D or E size
- Shipping FOB destination - included
- Two year Parts Warranty
- One year phone support included
- One year optional on-site tech support - MIS \$ 960.00/year

The price does not include a PC.

We can bundle in the i7 PC if your IT approves.	\$1400.00
---	-----------

Michael Runge

From: Steve Cogdill <scogdill@cbpnow.com>
Sent: Thursday, April 13, 2023 4:15 PM
To: Michael Runge
Subject: scanners
Attachments: Contex_Datasheet_IQ-Quattro-X_V1.1_EN 36 44.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Mike,

Here is what I have come up with for a scanner the IQ Quattro X3650 this is a 36 inch scanner, selling price of \$5,365.76. The next is a 44 inch scanner IQ Quattro X4490 selling price of \$7,400.56. I have attached the brochure on them.

Thank you,

STEVE COGDILL

Branch Manager
Senior Solution Analyst

Rapid City | 605-343-1260
Scottsbluff | 308-632-3356
TOLL-FREE | 800-529-1950
ONLINE | www.cbpnow.com



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Michael Runge

From: Jeff Luhring <jluhring@franzrepro.com>
Sent: Monday, April 17, 2023 7:43 AM
To: Michael Runge
Subject: Franz IQ X4490 quote
Attachments: ContextDatasheet_IQ-Quattro 4490.pdf

Hi Mike,

Franz price for the wide format 44" scanner is \$7,253.00 before tax plus a \$500 delivery fee with installation and set up. This unit includes the nextimage software but would require a PC.

Thanks for your patience. Shoot any questions and/or decisions via email.

Thanks again, Jeff

C 763 402-5546



Jeff Luhring
Sales Representative

jluhring@franzrepro.com

763-503-3401 ext.150

2781 Freeway Blvd

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