

LEAD CITY COMMISSION

Regular Meeting

August 3, 2026

The Lead City Commission met on Monday, August 3, 2026, in City Hall, 801 West Main Street at 5:30 PM with the following members present: Mayor Dustin Heupel and Commissioners Dory Hanson, Roger Thomas, Valerie Meiners, and Dustin Schumacher. Absent: None. Mayor Heupel called the Regular Meeting to order. The Pledge of Allegiance was recited.

APPROVE AGENDA

1. M/Meiners, S/Thomas- Carried to amend the agenda to add Resolution #2026-04 Implementing a Temporary Burn Ban.

APPROVE MINUTES

1. Minutes of the 7/20/26 meeting are approved as read.

ITEMS FROM VISITORS

1. Sarah Frankenstein, Gunderson Palmer Nelson Ashmore LLP
 - i. M/Schumacher, S/Hanson- Carried to approve Agreement for Special Counsel on Open Meetings and Executive Session with services to be provided up to \$2,000
Those voting Aye: Schumacher, Hanson, and Meiners
Those voting Nay: Heupel, and Thomas
 - ii. Presentation regarding open meetings laws and executive sessions rules: Sarah Gunderson with Palmer Nelson Ashmore LLP provided a Special Counsel presentation to the City Commission on South Dakota Open Meetings Law and the proper use of executive sessions. The training reviewed legal requirements, best practices for transparency, and the appropriate circumstances under which executive sessions may be held to help ensure the Commission remains in compliance with state law. This was also the city's annual review of the Open Meetings brochure as required by state law.

PUBLIC WORKS

1. M/Meiners/, S/Thomas- Carried to approve moving one handicap parking spot locations at Bob's Silver Star lot.
2. M/Schumacher, S/Thomas- Carried to approve Julius Street Paving not to exceed \$27,000 from Johner Paving.
3. Jason Bauernfeind gave an update on the Dwight Street Wall completion.
4. M/Schumacher, S/Meiners – Carried to approve Aspire Boutique's request to adopt and lease the kiosk located at Prospect Park. Staff will work with Aspire Boutique to finalize payment details. The Commission and citizens held extensive discussion regarding the history and future use of the kiosk. It was noted that the kiosk had previously been available at no cost for public and business use; however, several citizens commented that many residents and businesses were unaware it was available for free community postings. During discussion, Hope's Kitchen expressed interest in using one side of the kiosk for advertising. Deb Fischer commented that she believed the kiosk should continue to be provided to Sarah Larson at no cost because it had historically been free for public use. Mayor Heupel stated that he believed charging \$120 for a 12-month lease was fair, as the agreement would provide Aspire Boutique with exclusive control and maintenance responsibility for the kiosk during the lease term.
City Administrator Robin Lucero presented several potential options for the future use and management of the kiosk. Building Inspector Dennis Schumacher reported that he had researched local regulations regarding business advertising and will also be contacting the South Dakota Department of Transportation to verify what signage and advertising are permitted adjacent to a state highway. Mayor Heupel stated that staff will continue to review the applicable rules and regulations and will remain in contact with Sarah Larson as the matter moves forward.

PUBLIC SAFETY

1. M/Meiner, S/Hanson- Carried to approve Resolution #2026-04 Implementing Temporary Burn Ban

CITY OF LEAD RESOLUTION # 2026-04

A RESOLUTION IMPLEMENTING A TEMPORARY BURN BAN WITHIN THE CITY OF LEAD UNTIL FURTHER NOTICE

The City Commission of the City of Lead, a municipal corporation, meeting in regular

session on August 3, 2026, pursuant to SDCL 9-19, motion was made by Meiners seconded by Hanson that the following resolution be adopted:

WHEREAS, the City of Lead is experiencing extremely dry conditions that have created an increased risk of fire; and

WHEREAS, the City Commission has determined that the current fire danger poses a threat to the health, safety, welfare, and property of the residents of the City of Lead; and

WHEREAS, the City Commission finds it necessary to temporarily prohibit open burning to reduce the risk of wildfire and protect public safety; and

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of Lead, that:

Section 1. Burn Ban Declared

Effective immediately upon adoption of this Resolution, a temporary burn ban is declared within the corporate limits of the City of Lead and shall remain in effect until further action of the City Commission.

Section 2. Prohibited Activities

During the burn ban, **all open burning is prohibited**, including but not limited to:

- Burning of trash or refuse;
- Burning of yard waste, leaves, grass, or brush;
- Burning of slash piles or tree debris;
- Campfires;
- Bonfires;
- Backyard fire pits or recreational fires;
- Any other outdoor fire not fully enclosed and specifically authorized by law.

Section 3. Exceptions

The following activities are exempt from this burn ban unless otherwise prohibited by law or order of the Fire Chief:

Outdoor cooking appliances fueled by propane or natural gas.

Charcoal grills used solely for cooking food, provided they are attended at all times and operated safely.

Section 4. Enforcement

Any person found violating this Resolution may be subject to as a Class II Misdemeanor. The City may require any prohibited fire to be immediately extinguished.

Section 5. Duration

This burn ban shall remain in effect **until further notice** and may be modified or rescinded by action of the City Commission when conditions are determined to have improved sufficiently to safely permit open burning.

Section 6. Public Cooperation

The City of Lead requests that all residents, visitors, businesses, and property owners exercise extreme caution while conducting any outdoor activity that could create a spark or otherwise ignite dry vegetation or combustible materials. Activities such as operating equipment, towing trailers with dragging chains, using power tools, discarding smoking materials, parking vehicles on dry grass, or any other activity capable of starting a fire should be conducted with heightened awareness and appropriate safety precautions.

The City encourages everyone to remain vigilant and to immediately report any signs of fire or smoke to emergency services. The cooperation of the public is essential in helping protect lives, property, and the natural resources of our community during this period of elevated fire danger.

Those voting aye: Mayor Dustin Heupel, and Commissioners Dustin Schumacher, Roger Thomas, Valerie Meiners, and Dory Hansen.

Those voting Nay: None

Motion carried.

Dated this 3rd day of August, 2026

CITY OF LEAD:

ATTEST:

Dustin Heupel, Mayor

Robin Lucero, City Administrator

(SEAL)

BUILDING INSPECTIONS/HEALTH SAFETY/PLANNING OFFICE

1. City Administrator Robin Lucero thanked everyone who attended the retirement celebration honoring Dennis Schumacher and expressed appreciation for the community's support in recognizing his years of dedicated service to the city.
Dennis Schumacher thanked the public, the City Commission, City staff, and the City of Lead for the opportunity to serve the community over the past 20 years. He expressed his appreciation for the support he received throughout his career and for those who attended his retirement celebration.

BILLS

1. M/Thomas, S/Meiners- Carried to approve the Bills in the amount of \$201,839.34 (payables) \$115,589.46 and (wages) \$86,249.88

Vendor	Amount
A&B BUSINESS SOLUTIONS	\$ 49.92
ACE HARDWARE	\$ 1,224.57
ADAMS SALVAGE RECYCLING & RECOVERY	\$ 69.10
ALL FLAGS, LLC	\$ 1,078.17
ALL NET CONNECTIONS	\$ 2,957.00
ANDERSON SERVICES LLC	\$ 3,240.00
BLACK HILLS LAND ANALYSIS	\$ 1,998.75
CHADAMS	\$ 773.74
DAKOTA RENTALS	\$ 412.50
DEADWOOD DENTAL	\$ 92.00
HEARST LIBRARY	\$ 163.89
HISTORIC HOMESTAKE OPERA HOUSE	\$ 2,083.33
JACOBS PRECISION WELDING, INC.	\$ 207.07
KETEL THORSTENSON LLP	\$ 2,575.00
MEAD LUMBER	\$ 148.33
LAWRENCE COUNTY AUDITOR	\$ 1,581.00
GARY MCNALL	\$ 1,212.58
JERRY MERTESDORF	\$ 43.00
SOUTH DAKOTA LIBRARY ASSOCIATION	\$ 210.00
MONTANA DAKOTA UTILITIES	\$ 175.23
PETE LIEN & SONS, INC.	\$ 3,486.00
RBMS ESSENTIALS	\$ 6,900.00
SENSUS METERING SYSTEMS	\$ 4,699.00
SERVALL TOWELL & LINEN, INC.	\$ 637.78
SIMON NORTH REGION SD	\$ 3,048.64
SOUTH DAKOTA MUNICIPAL LEAGUE	\$ 75.00
DR. REID STONE, DDS	\$ 390.00
STURDEVANTS AUTO PARTS, INC.	\$ 354.66
WATERS HARDWARE	\$ 309.36
WEST RIVER SOLID WASTE SOLUTIONS LLC	\$ 30,814.44
WESTERN PEAKS LOGISTICS	\$ 17.94
LEAD-DEADWOOD SCHOOL DISTRICT #40-1	\$ 197.85
AVERA HEALTH PLANS	\$ 39,574.15
FIRST NATIONAL CREDIT CARD	\$ 4,789.46
Total Amount	\$ 115,589.46
Payroll	
Mayor.Commission	\$ 1,215.78
Finance	\$ 9,601.67
Police	\$ 18,840.03
Street	\$ 22,769.82
Cemetery	\$ 358.25
Heathh Inspections	\$ 3,381.16
Parks	\$ 12,539.91
Library	\$ 8,203.43
Water	\$ 5,436.72
Sewer	\$ 3,903.11
Total Amount	\$ 86,249.88

LEGAL AND FINANCE

1. City of Lead 150th & Gold Camp Jubilee Recap Presentation

City Administrator Robin Lucero presented a comprehensive recap of the City of Lead's 150th Celebration and Gold Camp Jubilee. The 19-slide presentation outlined the planning process, community participation, event programming, sponsorships, revenues, expenses, and overall financial results. It demonstrated that the celebration remained within the City Commission's approved budget, concluded with a positive financial balance, and reflected the City's commitment to responsible stewardship of public funds through the use of sponsorships, grants, and community partnerships. The presentation also addressed and clarified questions, comments, and misconceptions regarding the event's planning, expenditures, and financial outcome, providing a transparent overview of the celebration from its inception through its completion. One of the presentation's most notable highlights was that July 2026 produced the highest combined sales tax and bed-and-breakfast (B&B) tax collections in the City's history, with **\$351,905.10** in total receipts. While the presentation noted that the four-day celebration was not solely responsible for all of that revenue, it concluded that the event clearly contributed to a strong month for tourism, local businesses, and the City's economy.

MEETINGS/ANNOUNCEMENTS

- 1. Next Regular Meeting- Monday, August 17, 2026 @ 5:30 PM- Lead City Hall
- 2. Planning & Zoning- Tuesday, August 11, 2026 @ 5:00 PM- Lead City Hall
- 3. Historic Preservation- Wednesday, September 16, 2026 @ 4:00 PM- Lead City Hall

EXECUTIVE SESSION

- 1. M/Meiners, S/Thomas carried to enter executive session Per SDCL 1-25-2 (1, 4) (personnel, contracting negotiation) at 7:59 PM and came out of executive session at 9:38 PM.

ADJOURN

- 1. M/Meiners, S/Thomas—Carried to adjourn the regular meeting at 9:39 PM.

CITY OF LEAD

ATTEST

Dustin Heupel, Mayor
(SEAL)

Robin Lucero, City Administrator