

**CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES**  
**Tuesday, April 21, 2015**  
**7:00 pm – City Council Chambers, 420 Villa Drive, Box Elder**

1. **Call meeting to order:** Mayor Griffiths called the meeting to order at 7:00 pm on Tuesday, April 21, 2015.
2. There was a recognized Moment of Silence and the recitation of the Pledge of Allegiance.
3. **Roll Call:** Present were Mayor William Griffiths, Council Members: Scott Allen, Steve Cowley, Mark Coatney, Doug Curry, Carolyn Haddenham, and Jeff Hollinshead. Also present were: Planning & Zoning Coordinator Ron Koan, Public Works Director Al Todd, Assistant Finance Officer Racheal Jundt, and Police Chief Jason Dubbs. City Attorney Rex Hagg was present.
4. **Approve Agenda:** Motion by Allen, seconded by Coatney to approve the agenda for Tuesday, April 21, 2015 as presented. Vote aye: Unanimous.

**5. PRESENTATION:**

- A. Drinking Water Certificate of Achievement to City for 2014;
- B. Drinking Water Certificate of Achievement to Employees – Allen Steier; Al Todd; Jeff McGough; Tully Jackson; Doug Linton; and Roger Olson

Mayor Griffiths advised the City had received the achievement certificates listed above in regards to the City Water system. Mayor Griffiths thank Public Works Director Todd and ask Mr. Todd to distribute the certificates to the appropriate staff.

**C. Executive Session:** At 7:07 PM, Motion by Allen, Second by Hollinshead to going into a short Executive Session to meet with legal counsel. Vote aye: unanimous

Motion by Allen, seconded by Cowley to come out of Executive Session at 7:21 PM. No decisions were made. Vote aye: unanimous

**6. CONSENT AGENDA:** Agenda items A through F on the Consent Agenda are meant to be approved as a group with a single motion. Questions may be asked of any Consent Agenda items, but may not be debated. Any Consent Agenda item may be removed from the Consent Agenda for separate action at the request of any Council Member or anyone present. All questions are to be directed to the Department Head.

**A.** To approve the reading of the April 7, 2015 Common Council Minutes.

**B.** To approve Payroll 8 (March 22 to April 4): Total Payroll \$43,444.25: General Government: \$1,153.85; Finance Office: \$1,888.80; General Financial: \$2,525.53; Police Dept: \$19,107.226; PW Street: \$5,354.64; Animal Control: \$383.56; PW Code Enforcement: \$27.00; PW Parks: \$2,269.96; Planning & Zoning: \$3,162.37; Planning & Zoning Board: \$200.00; PW Water Production: \$2,813.06; PW Water Distribution: \$3,638.02; PW Sewer Collection: \$920.20.

**C.** To approve the Claims, Utility deposit refunds, and Hand Checks.

**D.** To approve Business License Application #1643 for Zuhlsdorf Family Daycare, an in home daycare by Susan Zuhlsdorf to be located at 401 South Ellsworth Road, Box Elder.

**E.** To approve Annual Fireworks License Application #1638 for Tom Skoog DBA Big Fireworks, located at 4501 South I-90 Service Road, Box Elder.

**F.** To approve Annual Fireworks License Application #1640 for Doug Bellinger DBA All American Sales, located at 4505 South I-90 Service Road, Box Elder.

Motion by Cowley, seconded by Coatney to approve Items A-F as presented on the Consent Agenda. Vote aye: Unanimous.

**7. CITY BUSINESS:**

**A. PLANNING/ZONING DEPARTMENT:** To discuss and decide action on continuation of CUP #120023 for Marine Storage at 22761 Mule Deer Trail, Milt Gutknecht. Planning Director Koan advised he had spoke with Mr. Gutknecht this afternoon and he advised he would not be at the meeting this evening.

Motion by Hollinshead, second by Coatney to defer to next City Council meeting and decide action on continuation of CUP #120023 for Marine Storage at 22761 Mule Deer Trail, Milt Gutknecht. Vote aye: Unanimous.

Council requested that Mr. Gutknecht be advised they would not defer action in the future, and he would need to be present at the next meeting.

**B. FINANCE DEPARTMENT:** To convene as the Board of Canvassers, review and canvass votes cast in the Box Elder Municipal Election conducted on April 14, 2015. Motion by Coatney, second by Hollinshead to convene as the Board of Canvassers, review and canvass votes cast in the Box Elder Municipal Election conducted on April 14, 2015. Total Votes cast in the 2015 Election 513. Votes canvassed: Mayor – Larson 201; Hanson 158; Griffiths 113; Coatney 40. Council Member Ward 1 – Hegel 101; Haddenham 51. Council Member Ward 3 – Cowley 129; Kelly 80. Vote aye: Unanimous.

**C. PLANNING DEPARTMENT:** To discuss and approve Floodplain Development Permit Application #150038 for Thunderbird Realty LLC for Thunderbird Subdivision Phase 9. Planning Director Koan explained that the developer has received approval from FEMA and SD DENR in regards to the reconstructing the 100 year flood area in question, and Planning Commission recommend approval. Motion by Allen, second by Coatney to discuss and approve Floodplain Development Permit Application #150038 for Thunderbird Realty LLC for Thunderbird Subdivision Phase 9. Vote aye: Unanimous.

**D. PLANNING DEPARTMENT:** To discuss and approve Grading Permit Application #150038 for Thunderbird Realty for Thunderbird Realty LLC for Thunderbird Subdivision Phase 9. Planning Director Koan advised that Planning Commission has reviewed the application and recommend approval and issues of permit. Motion by Allen, second by Coatney to discuss and approve Grading Permit Application #150038 for Thunderbird Realty for Thunderbird Realty LLC for Thunderbird Subdivision Phase 9. Vote aye: Unanimous.

**E. PLANNING DEPARTMENT:** To discuss and approve Preliminary Plat Application #150015 for Jaennis LLC for Americas Landing Subdivision. Phase 1 of the project is 32 lots. Planning Director Koan advised the phase #1 plat was in accordance with the initial layout plat presented by Jaennis LLC and the Planning Commission has reviewed and recommends approval of the Preliminary Plat. Motion by Curry, second by Haddenham to discuss and approve Preliminary Plat Application #150015 for Jaennis LLC for Americas Landing Subdivision. Phase 1 of the project is 32 lots. Vote aye: Unanimous.

**F. PLANNING DEPARTMENT:** To approve Resolution 15-07, a plat for Lot 1 of Allegiance Subdivision and dedication of the right of way. Planning Director Koan advised this resolution is in regards to the previously approved plat of Lot 1 of Allegiance Subdivision. Motion by Coatney, second by Cowley to approve Resolution 15-07, a plat for Lot 1 of Allegiance Subdivision and dedication of the right of way. Vote aye: Unanimous.

**G. PUBLIC WORKS DEPARTMENT:** To approve and accept the Certificate of Final Completion for Reagan Avenue (Love's Travel Center). Public Works Director Todd advised that a Final inspection had been conducted in regards to the street and infrastructure known as Reagan Ave. and recommend acceptance of the final inspection. Motion by Coatney, second by Cowley to approve and accept the Certificate of Final Completion for Reagan Avenue (Love's Travel Center). 68' ROW; 43' wide and 1230' long pavement, 290' curb and gutter, storm sewer. Capital asset value \$466,840. Vote aye: Unanimous.

**H. PUBLIC WORKS DEPARTMENT:** To approve Resolution 15-08, a Resolution authorizing acceptance of paving, curb & gutter and related infrastructure for Reagan Avenue. Public Works Director Todd recommends the Council adopt Reagan Avenue and related infrastructure for maintenance. Motion by Coatney, second by Cowley to approve Resolution 15-08, a Resolution authorizing acceptance of paving, curb & gutter and related infrastructure for Reagan Avenue. Vote aye: Unanimous.

**I. PUBLIC WORKS DEPARTMENT:** To approve Resolution 15-09, a Resolution authorizing acceptance of paving, curb & gutter and related infrastructure. This is to accept 180' of road infrastructure on 150<sup>th</sup> Place just North of the 225<sup>th</sup> Street intersection. Motion by Allen, second by Coatney to defer action on Resolution 15-09, until the next Council meeting for further clarification on the road. Vote aye: Unanimous.

**J. PUBLIC WORKS DEPARTMENT:** To approve Resolution 15-10, a Resolution establishing a Moratorium on Water Connections in the Spruce Drive and Quiet Place area. Public Works Director Todd advised there is currently a 2" water line serving up to 18 properties in this region, some of who are outside the City. Furthermore, the 2" line is not capable of providing water to additional properties until future upgrades. Therefore, Todd is recommending with this resolution that no further water connections be permitted to the existing 2" water line. Motion by Coatney, second by Allen to approve Resolution 15-10, a Resolution establishing a Moratorium on Water Connections in the Spruce Drive and Quiet Place area. Vote aye: Unanimous.

**K. PUBLIC WORKS DEPARTMENT:** To discuss, approve, and authorize signatures on agreement between City of Box Elder and Ellsworth Housing for management of water system within Antelope Ridge Subdivision. The Public Works Director and City Attorney recommended the agreement be entered into to manage the water system falling within the Antelope Ridge development currently being served by Ellsworth AFB and soon to be supplied water from the City of Box Elder. Motion by Coatney, second by Allen to discuss, approve, and authorize signatures on agreement between City of Box Elder and Ellsworth Housing for management of water system within Antelope Ridge Subdivision. Vote aye: Unanimous.

**L. PUBLIC WORKS/FINANCE DEPARTMENT:** To approve payment of Pay Request #5 to First American Title Company for TIF #3 Residence Inn Infrastructure/Watiki Way. Motion by Allen, second by Cowley to approve payment of Pay Request #5 to First American Title Company for TIF #3 Residence Inn Infrastructure/Watiki Way less \$20,000 from line 14 of the invoice. Vote aye: unanimous.

**8. DEPARTMENT HEAD REPORTS TO COUNCIL:**

Mayor: No report offered at this time.

Police: Chief Dubbs gave a brief report on the activities of the department over the last two weeks and that he would be attending the annual SD Chiefs conference in Deadwood rest of the week.

Public Works: Al Todd reported that Roger Olson past a class 2 water test and will be getting a \$0.25 raise. He said Ghere tank was leaking, contractor will fix and working with Dr. Adrin Davis on water quality for Ghere Well.

Finance: Racheal mentioned Arbor Day celebration Saturday at Boykin Park at 2:00pm. She is working with Matt to get another server due to current server crashing. She reminded that Mystee will be out about 6 weeks.

Planning/Zoning: Ron spoke about the 1416 Hwy study was completed. Said they recommended 4 lane with possible signal intersection. Progress for 2018.

City Attorney: City Attorney Hagg thanked everyone for their support during the passing of his mother. Also discussed received loan packet from CoBank for Well 5.

**9. COUNCIL REPORTS:**

Allen: No report.

Cowley: No report.

Coatney: No report.

Curry: Asked police chief on new prospects to fill positions. Jason indicated 6 Applications are qualified and will be starting interviews soon.

Haddenham: Spoke about the railroad authority, and asked to keep interest in it.

Hollinshead: No report.

**10. OTHER DEPARTMENT REPORTS:**

Chamber of Commerce: Denise Livingston, introduced herself as the new Executive Director for the Box Elder Chamber of Commerce.

Economic Development: Wes Rick (president) advised the Economic Development Board would meeting this week to entertain giving funds to one local business who is expanding and one new business.

**11. CITIZEN INPUT:**

No Citizen input was offered at this time.

**12. EXECUTIVE SESSION:** Moved to 5 (C)

**13. ADJOURNMENT:** Motion by Hollinshead, seconded by Coatney. Vote aye: Unanimous.

Seal:

Attest:

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William Griffiths  
Mayor

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Racheal Jundt  
Assistant Finance Officer