

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES
Tuesday, August 6, 2019
7:00 pm Regular Meeting – City Council Chambers, 420 Villa Drive, Box Elder

Meeting was called to order by Mayor Larson at 7:00 p.m.

Roll was taken. Present were Mayor Larson, Attorney Matthew Naasz, Council Members Dawn Beltran, Michael Hanson, Michael Knight, Rick McPherson, and John Talich.

Also present were City Administrator/ Chief Finance Officer Nicole Schneider, Police Chief Jason Dubbs, Public Works Director Bob Kaufman, Community and Economic Development Director Blaise Emerson, Assistant Public Works Director (Projects) Nathan Gjovik, Assistant Public Works Director (Operations) Christopher Mason, Accountant Mandy Morris, and City Clerk Jermyer Washington.

Mayor Larson – under Executive Session, will say ‘Pursuant to South Dakota Codified Law 1-25-2’, cross off parenthesis 5, ‘for Contracts and Personnel’.

Motion by Hanson to approve order of business. Seconded by McPherson. Vote: Aye. Unanimous. Motion passed.

PRESENTATION:

Elevate – Pat Burchill. Mr. Burchill introduced self, mentioned he’s Chairman of Ellsworth Development Authority (appointed by Governor Daugaard; renewed by Governor Noem); and gave presentation on “Elevate”; explained how formed, how works, benefits to City and region. He gave specific example of out-of-state developer looked at Box Elder for potential hotel/motel and asked for feasibility study related to B-21 coming; said don’t have feasibility study, but getting one from Utah-based company, LSI, for \$150,000; should be done within next 60 days; he said B-21 announcement huge for Black Hills region, impact positive manner, also have to get ready, and that’s one of main functions of Elevate; work force development part of mission; Elevate has tangible goals for personal income growth and job growth. He said would just invite to be part of it and consider investing in it. Community and Economic Development (CED) Director further explained Ascent and mentioned recent graduate (VRC Metal Systems) now in Box Elder near Patriot Gate; said believe about 75 employees starting out; unlimited growth potential if find right partnerships VRC talking about really expanding and moving forward. Mr. Burchill said Development Authority able take possession of Vandenburg Elementary and sell to VRC; VRC putting billions into building in retrofit; they have second business incubating and will need home someday too; obvious will come out here [Box Elder]. Burchill mentioned other businesses in Ascent. He mentioned old ways doing economic development and how will change in future; he spoke on training and first operational squadrons for B-21—the first 40 B-21s will be here and with that comes Northrup Grumman...he said they really think will be 300-500 jobs created in this region. Mr. Burchill spoke on investment areas; two largest are executive committee and board; he said think have 30 in board level and is \$20,000 per year over 5 years, and executive level is \$50,000 per year for 5 years; said at executive level, will be involved with all decisions; he mentioned Rapid City, Pete Lien and Sons, West River Electric, Vucurevich Foundation, and Black Hills Energy and some in that group; he said investment levels go down to \$1,000 level; he said they want everyone involved, big business, small business...everyone has same issues. Knight commented that he attended meeting and asked how would Box Elder compete on voting board against larger town like Rapid City; he said Elevate explained to him that Rapid City gets one vote, Box Elder gets one vote. Burchill said at \$50,000 level will have one vote on executive committee along with everybody else. City Administrator said staff really interested in Elevate and Box Elder having seat on that executive board and have opportunity to negotiate our piece, influence that group and make change happen in Box Elder. McPherson asked if can bring forward to next Council Meeting. No action taken.

COUNCIL COMMITTEE REPORTS:

A. FINANCE, LEGAL, AND PUBLIC SAFETY

Motion by McPherson to Accept the Finance, Legal, and Public Safety Committee Report. Seconded by Beltran. Vote: Aye. Unanimous. Motion passed.

Motion by Knight to Adopt the Finance, Legal, and Public Safety Committee Report. Seconded by Talich. Vote: Aye. Unanimous. Motion passed

B. PUBLIC WORKS, PLANNING AND ZONING, AND COMMUNITY AND ECONOMIC DEVELOPMENT

Motion by Hanson to Accept the Public Works, Planning and Zoning, and Community and Economic Development Committee Report. Seconded by McPherson. Vote: Aye. Unanimous. Motion passed.

Motion by Beltran to Adopt the Public Works, Planning and Zoning, and Community and Economic Development Committee Report. Seconded by Talich. Vote: Aye. Unanimous. Motion passed.

CONSENT AGENDA:

Motion by Hanson to approve Consent Agenda Items A – F (July 16, 2019 Council Minutes; July 15, 2019 Special Meeting Minutes; Claims List; Resolution 19-17 – Well #10; Special Alcohol Permit for American Legion – Salute to Ellsworth; Special Event Permit – Beer Tent American Legion – Salute to Ellsworth). Seconded by Knight. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; McPherson -Aye; Talich-Aye. Unanimous. Motion passed.

INFORMATIONAL ITEMS:

Open Meetings Memorandum. Attorney Matthew Naasz said question was asked whether quorum of the Council discussing City business prior to time scheduled meeting called to order would be violative of State's Open Meetings Commission Laws. He said December 2018 decision, findings and conclusions by Open Meetings Commission that determined that quorum who remained on location and together after meeting adjourned and discussed official business was in violation of South Dakota Open Meetings Commission Laws, which don't allow official business of public entity to be discussed by a quorum outside of regularly noticed meeting; he said need be careful when together not to discuss official business. He mentioned situation in other city where Open Meeting Laws were violated. No action taken.

NEW BUSINESS:

Engineering Proposal for Well #10 and Water Main Extension. Public Works (PW) Director said when received, also forwarded to legal counsel for review; had list several items Council asked to be addressed. Naasz said received updated proposal from PW Director, and each of various issues addressed with initial proposal have been addressed and addressed satisfactorily in updated proposal. He mentioned email that PW Director had that indicated that certificates of insurance would be provided, and are included in updated proposal by KTM and Engineering Associates. Motion by Hanson to approve. Seconded by

Knight. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; McPherson -Aye; Talich-Aye. Unanimous. Motion passed.

Accept Proposal for Residential Garbage Service. PW Director said per discussions staff had with Council regarding garbage services and detrimental effects have with multiple providers working on City streets, put package together that consisted of numerous options; three proposers Kieffer Sanitation, Reber Sanitation, and Sanders Sanitation – all provided responses to different particular items; mentioned that Reber proposed some items differently than other providers on alternates 1A, 2A, 1B, and 2B; he said requested options for monthly pickup of yard waste, and option for bulk waste –Reber submitted in proposal instead monthly pickup would be weekly pickup and weekly pickup of bulk waste items, and option if rear load truck requested able year-round pickup of bulk items; Sanders basic proposal for automated pickup, but has option for potential problematic areas/tight street sections have availability use rear-load truck. Knight said talked to lot of people in community and lot of people for it if chance reduction in costs. PW Director said did research last few days, appears right now throughout City that rates range \$20 - \$26 per month for resident, just basic garbage service, no extras for yard waste or bulk pick up; mentioned reason added some type bulk waste/yard waste pickup was City previously maintained yard waste dumpster and explained desired to have at least that option available to have that type service returned. Discussed options/combinations of options for lowest costs, residents having opportunity to not select certain options, or have additional options at their own expense; PW Director said up to Council, but can be done; if City go with basic garbage service and residents want weekly or monthly yard waste or bulk pick up, maybe give residents option billing directly through hauler and not having City involved with it. Hanson asked verification if costs on bid tabulation monthly costs; PW Director said yes, what requested – monthly bill for once per week pick up. Discussed how individual options could be handled with garbage service providers; providers present at meeting said would be single transaction between customer and gave example of if customer needs couch picked up, customer need to notify that have couch need picked up, then customer have to prepay to have couch picked up; service provider make note that customer has couch needed picked up. Reber Sanitation explained difference of their costs between automated and rear-load trucks, and discussed weekly yard waste pick up vs. monthly. Hanson asked if specifically asked for once a month pick up; PW Director said yes, what have there (bid tabulation) specifically asked for in proposal. Motion by Hanson to move forward with Sanders Sanitation for option 1. Seconded by McPherson. Chief Finance Officer (CFO) clarified; discussed option 1B; Hanson said misspoke and said 1B better option to do once per week, 90-gallon tote, with once per month pick up of yard waste; Community and Economic (CED) Director said would recommend if go that route, then do 2B and give option of smaller tote to residents. PW Director said some services provide “Senior Rate” for seniors who don’t have same waste stream, so requested proposal on 90 and 65-gallon totes to give option; said reason did proposals now is to select option want to proceed with now and then generate ordinances that put all this into effect, part of ordinance going to be if select 65-gallon tote and then becomes regular issue if have more garbage than that tote handles, ordinance going to state will automatically be boosted up to 90-gallon tote; if choose 90 and have issues, automatically get pushed to two 90s; intent here everything be in tote and get picked up on curb—nothing on ground. Hanson amended motion to include 1B and 2B with Sanders Sanitation automated. Seconded by McPherson. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; McPherson -Aye; Talich-Aye. Unanimous. Motion passed.

DEPARTMENT HEAD REPORTS:

Finance – Nicole Schneider – reminder, upcoming budget workshop on August 12th, dinner at 6, starts at 7. First reading on August 20th, second reading on September 3rd.

Community and Economic Development – Blaise Emerson – reached out to couple economic development partners who do research and stuff to take look something like Gap Study in market, take look where we fit in from a grocery store; other is general market analysis for grocery store; keeping it very general because could be wide range type of stores looking at that, these are also free services, so may not get same level detail that get if paying \$150,000 like what Elevate is paying for other study; at least hope get some data in on that specific use and how might be looked at from business side.

Public Works – Bob Kaufman – flood modeling, DOT approved and working on MOA, should have in next few days; since been approved, will get to Mayor to get signed so can proceed with that. Water crews out chasing water leak in DeGeest area; out with suck vac boring potholes in ground trying to figure out where leak coming from; intent get good location where leak at because tomorrow have to shut water off and that going to be affecting motels over there; want to make quick as turnaround as possible.

COUNCIL MEMBERS:

Talich – where are we at in backfilling holes from prior leaks? PW Director said crews out and working those, pretty well caught up.

McPherson – thank guys for work in finance and think done awesome job again this year in finances; appreciate that. Just looked at P.D. calls had, if keeps going on par may see significant increase in some calls that had. Want to make sure Chris knows thank you for his work did on complaint over in Creekside.

EXECUTIVE SESSION:

Motion by Hanson to enter in executive session pursuant to SDCL 1-25-2 for contracts and personnel. Seconded by McPherson. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; McPherson -Aye; Talich-Aye. Unanimous. Motion passed.

Entered Executive Session at 7:49 p.m.
Out of Executive Session at 8:13 p.m.

ACTION TAKEN

Motion by Hanson that we would direct City staff and legal counsel to negotiate with Mr. Bill Gikling for purchase of land in the area of community park. Seconded by McPherson. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; McPherson -Aye; Talich-Aye. Unanimous. Motion passed.

Motion by Knight to adjourn. Seconded by Hanson. Vote: Aye. Unanimous. Motion passed.

ADJOURNMENT: 8:14 p.m.

Seal:

Attest:

Larry Larson
Mayor

Nicole Schneider
City Administrator/Finance Officer

CITY OF BOX ELDER CLAIMS for 08/06/2019

AFLAC	\$	790.31
CENTURY LINK	\$	54.20
CREDIT COLLECTIONS BUREAU	\$	60.00
DELL RAPIDS CUSTOM TRAILERS, INC.	\$	11,880.00
DELTA DENTAL OF SOUTH DAKOTA	\$	1,569.48
DEPT OF TREASURY- IRS	\$	27,539.96
HEALTH POOL OF SD	\$	17,787.79
LIBERTY CHRYSLER CENTER, LLC	\$	30,818.00
MDU	\$	141.05
NEW YORK LIFE	\$	264.00
OFFICE DEPOT	\$	465.95
OFFICE OF CHILD SUPPORT ENFORCEMENT	\$	66.68
SDRS SUPPLEMENTAL RETIREMENT PLAN	\$	30.00
SOUTH DAKOTA RETIREMENT SYSTEM	\$	13,409.40
TEAMSTERS LOCAL NO. 120	\$	335.00
TEMP VENDOR 40&8 VETERANS ORGANIZA	\$	50.00
VERIZON WIRELESS	\$	2,002.00
ADVANCED ASSET ALLIANCE	\$	7.26
B.Y.R.S. LAWN CARE	\$	650.00
BERS, LLC	\$	56.00
BLACK HILLS CHEMICAL & JANITORIAL	\$	45.54
BLACK HILLS ENERGY	\$	3,787.13
BLACK HILLS LANDSCAPES	\$	39,781.11
BOX ELDER PROMOTIONS	\$	9,422.50
CARQUEST #3951	\$	154.42
CECIL ROUNTREE	\$	600.00
CENTURY BUSINESS PRODUCTS, INC	\$	1,063.12
CONTRACTORS SUPPLY INC	\$	135.00
CORY'S TRI-STATE TIRE FACTORY	\$	399.48
DUBBS, JASON	\$	37.25
FREDERICK, PARKER	\$	13.00
INTERSTATE ALL BATTERY CENTER	\$	42.14
J & J ASPHALT COMPANY	\$	480.60
JENNER EQUIPMENT COMPANY	\$	395.63
JIM'S PRIVATE UTILITY LOCATING	\$	112.50
JOHNNY SUNDBY PHOTOGRAPHY, INC.	\$	2,024.00
KT CONNECTIONS, INC	\$	793.19
LASTING IMPRESSIONS UNLIMITED	\$	20.00
LIGHTING MAINTENANCE CO	\$	141.43
LYNN, JACKSON, SHULTZ, & LEBRUN, P.C.	\$	1,280.12
M&W TOWING	\$	165.00
MCKIE FORD LINCOLN, INC.	\$	1,041.32
NORTHWEST PIPE FITTINGS, INC	\$	218.70
OFFICE DEPOT	\$	56.46
PENNINGTON COUNTY ESCC	\$	73,355.00

QUINN CONSTRUCTION, INC	\$	84,502.62
RAPID CITY JOURNAL C/O LEE ENTERPRISES	\$	895.68
RAPID TOWING	\$	100.45
RECORD STORAGE SOLUTIONS	\$	197.20
REMBOLT ENTERPRISES INC.	\$	4,015.20
SANDER SANITATION	\$	871.00
SDEDA	\$	101,578.08
SENTRY PSYCHOLOGICAL SOLUTIONS	\$	500.00
SONNEL TECHNOLOGIES, LLC	\$	44.00
SOUTH DAKOTA MUNICIPAL LEAGUE	\$	75.00
STATE OF SD-LAW ENFORCEMENT TRAINING	\$	150.00
TEMP VENDOR: SHULTRY SHIMMY & BH IN MOTION CLOGGERS	\$	200.00
TERVIEL, RONALD H JR.	\$	900.00
THE GLASS MECHANIC	\$	70.00
TIME EQUIPMENT RENTAL & SALES INC	\$	5,377.78
TYLER TECHNOLOGIES INC	\$	50.00
USDA, RURAL DEVELOPMENT	\$	8,182.00
WEST RIVER ELECTRIC ASSOCIATION, INC	\$	27,720.87
**PAYROLL EXPENSES	\$	109,970.77
TOTAL	\$	588,942.37