

**CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES**  
**Tuesday, December 4, 2018**  
**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 call was taken. Present were Mayor Larry Larson, Council Members Scott Allen, Dawn Beltran, Steve Cowley, Michael Hanson, Rick McPherson, and Michael Knight.

Also present were Police Sergeant Joshua Campbell, Public Works Director Bob Kaufman, Planning and Zoning Director Ron Koan, City Administrator Nicole Schneider, Accountant Mandy Morris, and City Clerk Jermery Washington.

Mayor Larson – changes to agenda; added Item 13D (Radar Hill Railroad Crossing Update) under New Business; also added Item 9J (allowing City to go out for quotes for microphones for Council Chambers) to Consent Agenda.

Motion by Knight to approve Order of Business with addition, Seconded by McPherson. Vote Aye: Unanimous. Motion passed.

**CONFLICTS OF INTERESTS:**

Council Member Allen – New Business Item 13C; Allen lives within Subdivision, therefore cannot vote on it.

Council Member Hanson – New Business Item 13B; Hanson has real estate license with Gold Key Realty, cannot vote.

**COUNCIL COMMITTEE REPORTS:**

**A. FINANCE, LEGAL, AND PUBLIC SAFETY**

Michael Hanson, Steve Cowley, and Rick McPherson

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

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

**B. PUBLIC WORKS AND PLANNING AND ZONING**

Michael Knight, Scott Allen, and Dawn Beltran

Motion by Allen to Accept Public Works and Planning and Zoning Committee Report. Seconded by Hanson. Vote Aye: Unanimous. Motion passed.

Motion by Hanson to Adopt the Public Works and Planning and Zoning Committee Report. Seconded by Cowley. Vote Aye. Unanimous. Motion passed.

**CONSENT AGENDA:**

Council Member Allen asked for overview of Item 9H – Phase 2 of Strategic Planning Proposal. Chief Finance Officer spoke and gave review of 1st Phase (Mission Revision and Strategic Planning) for first year, Phase 2 focuses on planning next four years.

Motion by Hanson to Approve Consent Agenda Items A-J with change/addition. Seconded by McPherson. Roll Call: Allen- Aye; Beltran-Aye; Cowley-Aye; Hanson-Aye; McPherson-Aye; Knight-Aye. Motion passed.

### **INFORMATION ITEMS:**

Final City Logo. New City Logo presented to Council and attending citizens. No action taken/needed.

Update on Well #4. Public Works Director spoke and gave review and history on Well #4; January 2007 produced 300 gallons-per-minute (gpm), November 2018 203 gpm, last week it dropped to nothing; power getting to pump, new pump and motor on hand, trying to get Weston Engineering here to pull pump. Well 4 is not working right now, Wells 5 and 6 producing fine and keeping up with needs. Suggestion from last time pumps out was recommendation of going through process “acidizing the well”; process done on Northern Lights Well and well went to over 400 gpm capability; if acidized, an old well could get up to approximately 25% increase in production. PW would like to look into process when pumps are out (estimated \$85K to \$100K to get process completed). Hanson question budget; PW Director mentioned next year and will find way to make work. Knight commented part of improving City infrastructure and should take serious look at it going that route; several Council Members verbally agreed. No further action taken/needed.

### **UNFINISHED BUSINESS:**

Discuss and Approve Variance Application for 119 S. Ellsworth Road & 133 Melody Lane. Council Member Knight spoke and gave review of last Council meeting regarding variance application for property; also spoke on meeting with himself, City Attorney, and Mr. Hayes this week where they came up with recommendations; Mr. Hayes agreed junkyard part is bad and will work on getting tenant out; recommendations discussed and reviewed; Knight mentioned recommendations in conjunction with currency, Ordinances, and AQs; one different is parking area – based on agreement assumption back from 2016 that variance would suffice, left at that – crushed and compacted gravel and be maintained in dust-free condition; fencing (privacy slats, etc..) – was based on leaving as is, but [junkyard] will be moving away soon (privacy fencing won’t be required); outdoor storage uses – allowed without additional authorization(s) from City; fencing, lighting, and other security measures briefly discussed. Motion by Hanson to approve recommendations. Seconded by Allen. Vote: Aye. Unanimous. Motion passed.

### **NEW BUSINESS:**

First Reading of Ordinance #617 – Attendance Policy. Council Member Hanson discussed Ordinance; two copies, FLPS Committee chose 2nd option to move to Council; in FLPS Committee, McPherson made motion to move 2nd option forward with addition section 1 paragraph 2 should read “The Alderman and Council President shall receive \$187.50 for each regular meeting”. Motion by Allen to approve. Seconded by Cowley. Vote: Aye. Unanimous. Motion passed.

Discuss and Take Action Regarding Surplus of Lot 3, City Center Subdivision, and Authorize City Attorney to Prepare Documents for the Conveyance to BEED and to Jim Walter for Development. Council Member Allen voiced concern over possible limited access to the pond by public if property fenced-in one day, commented on right-of-way to ease people fishing all way around pond. Planning and Zoning Director commented on recommending easements along pond and sidewalks if land made surplus. Motion by Cowley to approve with changes (sidewalk and pond still available/accessible). Seconded by McPherson. Vote: 5 Aye. Roll Call Vote: Allen – Aye; Beltran – Aye; Cowley – Aye; Hanson – Abstained; Knight – Aye; McPherson – Aye. Motion passed.

Thunderbird Subdivision Drainage – Discuss and Decide Amount City Will Contribute. Public Works Director spoke and gave overview of 3 options/concepts and costs; and plans to provide information during December 11<sup>th</sup> public meeting. Option 1 – concrete pan, \$1,224.00; Option 2 – fabric/impermeable project, \$1,039.00;

Option 3 – grading/cleaning, \$645.00 (costs are per land owner after costs to City factored in; can be paid over time); discussed citizens voting on options. Hanson voiced concern over home owners who may or may not have been there when problem started. Further discussion on stakes/amounts City to cover. Chief Finance Officer commented on Streets and Parks projects next year and how will affect General Fund. Public Works Director shared engineer estimates of each option; Option 1 - \$404,000.00; Option 2 - \$343,000.00; Option 3 - \$213,000.00. Mayor Larson opened floor to citizens for comments.

#### CITIZEN COMMENTS:

1. Ms. Myers – 108 Thrush Court: wanted to hear what Council had to say, asked if City applied for grants. Mentioned originally didn't have problem until new addition built. Hopes it can be worked out.
2. Mrs. Berry – 612 Stealth Lane: said never had standing water in yard, no issues with sump pump, nor neighbors on street. Hard to understand costs, lived there since 2012. Spoke on lack of communication to homeowners; stated received one postcard about meeting. Gave suggestions for communicating/sharing information with homeowners (e.g. in water bills and social media).
3. Mr. Colbern – 109 Maxwell Drive: no water problem in neighborhood; asked what benefit will get from being accessed. Suggested access old part that has problem.
4. Mr. Rick – 856 Line Road: asked PW Director where list of names from. PW Director – initial list from Pennington County Land Registrations; then verified against water billing.
5. Mr. Biskey – 614 Stealth Lane: said never had issue, sump pump never been turned on; thinks can go about different ways of payment and communication (lived at home for 3 years, never received notification of any meetings). Asked about cap for amount homeowners will be paying. PW Director explained options if costs more than estimates; work areas and easements also discussed.
6. Mr. Osborne – 115 Maxwell Drive: commented on not having drainage issues, bought house two years ago, unaware of drainage issues; pays more taxes due to house location in subdivision and finds it unfair to pay same amount as those who pay less tax in same location; stated if assessed, then landowners up on hill should be part of assessment; did not receive first two postcards, but received the last two; asked if City has looked for grants.
7. Mr. Lassegard – 110 Maxwell Drive: same feelings as others on Maxwell over taxes; talked about when homes built years ago and when completed, and concerned over paying for something that has been an issue for years.
8. Mrs. Marquez – 110 Springer Drive: said she spent \$30K more on house because didn't want drainage issues, doesn't feel she should pay for it.
9. Mr. Biskey – asked question on who chooses locations of postal boxes in subdivision; Mayor Larson answered – Postal handles.
10. Mrs. Berry – spoke on contractors' quotes, actual costs, and change orders.

Floor closed to citizen comments.

Council Member Knight commented he doesn't have problem putting full amount budgeted towards issue. Council Member Hanson questioned options if City bears larger portion of costs—what would have to cut next year. PW Director – would have to look into it; wanted information/direction to present to Dec. 11<sup>th</sup> public meeting. Motion by Hanson to defer for one Council meeting and have you [Public Works Director] give us a report on if we go with either of these 3 options, what's going to end up having to be cut out of next year's budget (City providing entire costs). Seconded by Cowley. Vote: 5 Aye. Roll Call Vote: Allen – Abstained; Beltran – Aye; Cowley – Aye; Hanson – Aye; Knight – Aye; McPherson – Aye. Motion passed. Council

Member McPherson questioned where funds would be taken from budget for bill. Council Member Hanson responded Public Works budget but wanted to know what projects will have to cut next year. McPherson commented on giving multiple options showing City paying different percentages of costs (i.e. 25%, 50%, 75%, etc..).

Radar Hill Road Railroad Crossing. Public Works Director explained situation with railroad crossing on Radar Hill Road; west side not up because crossing too close to powerline when stood up. Department of Transportation owns, City is not affected; SD DOT asked for assistance. Cheapest option is to raise powerline, which costs \$9,500.00. Motion by McPherson that we pay for it all after the first of the year. Seconded by Hanson. Roll Call Vote: Allen – Aye; Beltran – Aye; Cowley – Aye; Hanson – Aye; Knight – Aye; McPherson – Aye. Motion passed.

#### **DEPARTMENT HEAD REPORTS:**

Finance – Nicole Schneider – Major duties for Finance is closing year and opening new year. Christmas Party/Employee recognitions this weekend. City applied for grant (“Making Life Great”) to help with Community Park.

Public Works – Mayor and Finance Officer spoke on \$770,000.00 CDBG grant, will help with well.

Council Member Allen asked Public Works Director for clarification on \$178,000.00 for Prairie View Road repairs. PW Director discussed amount and clarified water was eroding asphalt away; not road repair, but water damage repair.

#### **COUNCIL MEMBERS:**

Council Member Beltran – nice job on the news.

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

**ADJOURNMENT: 8:10 p.m.**

**Seal:**

**Attest:**

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**Larry Larson**  
**Mayor**

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**Nicole Schneider**  
**City Administrator/Finance Officer**

Claims for 12/04/18			
#	VENDOR	AMOUNT	DESCRIPTION OF SERVICES RENDERED
1	Absolute Cleaning	\$880.00	December 2018 - Cleaning 8 Days
2	Adams ISC	\$264.66	Bobcat Trencher Repair
3	Ainsworth-Benning Construction	\$10,660.01	PayApp7/Final- Box Elder Welcome Signs
4	Angelique's	\$241.31	Patches, Jackets, Hem Pants- PD
5	ARC International, Inc	\$5,940.00	Main Level Peliminary Architectural Work
6	BERS, LLC	\$840.00	Yardwaste Dumpster Disposal
7	Black Hills Energy	\$3,650.43	Utility Billing Oct / Nov 2018
8	Boundtree Medical	\$102.00	Infant / Child Key Upgrade Price Difference
9	Box Elder Promotions	\$8,875.00	Bid #1 Taxes October 2018
10	Box Elder True Value	\$400.25	225' Coil Chain, Sander for Picnic Table Rehabilitation
11	Century Business Products, Inc	\$1,134.26	Copier Printer Lease Nov 2018
12	Century Link	\$673.97	Charge for Phone Line Damage
13	Core & Main LP	\$1,987.40	Master Meters
14	Great Western Tire	\$556.28	4 New Tires: City8132
15	Knight Security Inc	\$14,030.95	Annual Monitoring Expenses 12/1/18-11/30/19, Install/ Programming/Training on new PW Security System
16	Knight's Quality Welding	\$225.00	Holes cut in Meter Pit Lids
17	Lamar Companies	\$509.16	Billboard: Ellsworth 11/10/18-12/19/18
18	Love's Travel Stops & Con	\$6,770.14	Fleet Fuel 10/28/18-11/26/18
19	Mckie Ford Lincoln, Inc.	\$108.67	Oil Change for CTY5684, CTY8572, CTY8132
20	Menards	\$92.00	Paint for Picnic Tables
21	Northwest Pipe Fittings, Inc	\$9,162.44	Master Meter Pit, Extensions
22	Office Depot	\$528.71	3 Tier Organizers, Paper Holders, Tape, Deposit bags, Receipt Paper
23	Pennington County Sheriff	\$5,934.00	Zuercher Suite Server Migration
24	Pennington County Treasurer	\$3,258.47	Taxes Due: New PW Building
25	Peyrot, Duane	\$15.71	Reimbursement for Oil for PD Vehicle
26	Qualified Presort Service, LLC	\$337.50	4-Page Survey Supplies/Printing
27	Rapid City Journal	\$229.02	Oct 16, 2018 Meeting Minutes
28	Rapid Construction LLC	\$91,623.73	Ells/225th Water Extension
29	S&S Auto Body Shop	\$8,636.00	Hail Damage Repair: City8132
30	Sam's Club/Synchrony Bank	\$930.66	Office Supplies, ABCD, Employee Appreciation/Holiday Supplies
31	SD One Call	\$139.65	Oct 2018 Locate Tickets
32	SDEDA	\$85,267.28	October 2018- Waste Water Treatment
33	Tyler Technologies Inc	\$1,500.00	Consulting Fee: J. Badger - TCM Project
34	Vermeer High Plains	\$1,200.00	Suc-Vac Utility Locates
35	West River Electric Association	\$26,745.54	Electric Utilities- November 2018
	<b>Subtotal</b>	<b>\$293,450.20</b>	
	<b>Loan Payments</b>		
36	USDA, Rural Development	\$128,021.00	#10 / 2010B - Dec 2018 Payment
37	USDA, Rural Development	\$147,104.50	#11 / 2010A - Dec 2018 Payment
38	USDA, Rural Development	\$430,975.00	#12 / TIF #3 - Dec 2018 Payment
39	USDA, Rural Development	\$8,182.00	Water Bond #9 - Dec 2018: Principal \$2787.63, Interest \$5394.37
	<b>Subtotal</b>	<b>\$714,282.50</b>	
	<b>TOAL</b>	<b>\$1,007,732.70</b>	
	<b>Hand Checks/Payments</b>		
1	Aflac	\$2,089.44	Payroll 23, 24, 25 Insurance
2	Credit Collections Bureau	\$60.00	Payroll 25 Garnishment
3	Department of Treasury- IRS	\$21,538.94	Payroll 25 Taxes
4	Delta Dental of South Dakota	\$2,249.42	Payroll 23 & 24 Insurance
5	First Western Insurance	\$248.00	General Liability: Staff Recognition Party
6	Health Pool of SD	\$33,405.69	Payroll 23, 24, 25 Insurance
7	Office of Child Support Enforcement	\$66.68	Payroll 25 Garnishment
8	Sander Sanitation Service	\$521.17	Waste Disposal Oct/Nov 2018
9	SDRS Supplemental Retirement Plan	\$30.00	Payroll 25 Retirement
10	South Dakota Retirement System	\$31,533.80	Payroll 23, 24, 25 Insurance
11	Teamsters Local No 120	\$668.00	Payroll 23, 24 Union Dues
12	Verizon Wireless	\$1,476.21	Nov/Dec 2018- Phone Charges
	<b>TOTAL</b>	<b>\$93,887.35</b>	
	<b>Hand Checks: Utility Billing Deposit Refund Checks</b>		
1	Meier, Curt/Sandee	\$6.47	Finalized Account, Credit Balance Refund
2	Ringstad, Don/Sarah	\$12.56	Finalized Account, Credit Balance Refund
		<b>\$19.03</b>	
	<b>GRAND TOTAL</b>	<b>\$1,101,639.08</b>	