

**CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES**  
**Tuesday January 2, 2018**  
**7:00 pm Regular Meeting – City Council Chambers, 420 Villa Drive, Box Elder**

Public comments are welcomed, but no action will be taken by the Council on comments received for items not on this agenda. Anyone wishing to have the Council vote on a new item will need to fill out an agenda request item form for the item to be considered on the next council agenda.

**1. Call meeting to order**

**2. Moment of Silence/Pledge of Allegiance**

**3. Roll Call**

Present were Mayor Larry Larson, Council Members Scott Allen, Steve Cowley, Bruce Hegel, Jeff Hollinshead, and Rick McPherson. Also present were Police Chief Jason Dubbs, Public Works Director Bob Kaufman, Planning and Zoning Director Ron Koan, Interim City Attorney Richard Plumier, Assistant Finance Officer Rebecca Davis, and City Administrator/Finance Director Nicole Schneider.

**4. Approve Agenda**

Motion to approve agenda by Hollinshead, seconded by Hegel. Vote aye: unanimous.

**CONSENT AGENDA:** Agenda items 5 through 12 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.

**5.** To approve the reading of the December 19, 2017 Common Council Meeting Minutes.

**6.** To approve Payroll 1 (Dec 10-Dec 23). Total Payroll \$57,179.92; General Government: \$2,470.38; Finance Office: \$8,484.72; Police Department: \$23,414.87; PW Street Maintenance: \$5,417.77; PW Parks \$3,906.76; Planning & Zoning: \$5,101.36; P & Z Board: \$520.00; PW Water Production \$2,762.03; PW Water Distribution: \$3,934.41 and PW Sewer Collection: \$1,167.62.

**7.** To approve the claims, loan payments, and hand checks.

**8.** To approve Business License for City Vapes, Inc, application #1760 at 212 Frontage Road.

**9.** To approve fiscal year 2018 wage/salaries & titles per SDCL 6-1-10; See Hdbk., sec. 5.095 and approved budget (Ordinance 579).

**10.** Approve Purplewave Online Auction Awards for 2017 Sold Surplus Items.

**11.** Approve job offer extended to Michael Alcanter for the position of Sr. Administrative Assistant/City Clerk, salary \$40,026.32 and Tonya Sabin for the position of Community Service Officer/Animal Control, salary \$40,526.65. (Salary pre-approved during budget hearings.)

**12.** Formally establish election date as April 10, 2018 in accordance with 9-13-1.

To discuss and decide action on Consent Agenda Items 5-12.

R. Davis advised change to claims list item 10, Hagen Glass, Windows, & Siding, from \$106,682.92 to \$96,014.63 based on certificate of payment. Citizen asked question about hand check item 2 for \$31,653.54, ARC International, Inc. B. Kaufman: ARC International is doing the design work for the 2<sup>nd</sup> Floor remodeling and this is one of the progress payments.

Motion to approve items 5-12 by Hegel, seconded by McPherson. Vote aye: unanimous.

**CITY BUSINESS:**

**13. SCULL CONSTRUCTION: Mike Jubie-** Presentation in regard to development on 11-acre City owned parcel south of Liberty, in reference to moving C-Lock to Box Elder.

Andrew Scull, President of Scull Construction, here with Mike Jubie, Business Development Director and Manager. I would like to give you an update on potential development for phase one off the existing approach off of Liberty Blvd. The smaller building next to Liberty would/could be future type business/strip mall with C-Lock with the building along diagonal property line as the most longitudinal building. The feasibility study will be completed in the next 7-10 business days so we

can work with the city on how to move forward.

S. Allen: What the shipping/receiving will look like for traffic flow on Liberty Blvd. Right now there are about 14 employees which could move to about 40 employees and the traffic/trucks would be minimal since we are manufacturing plant versus a retail outlet. S. Allen advised we have all our school traffic at that light right there. Manufactured goods would be delivered via Fed-Ex truck generally. One of the key components is that the intent is to develop the road to the adjacent/western property line, with more development to the west is likely where the real traffic impact would come at in the future. R. Koan the next access point would be Briggs due to the limitations on Liberty.

J. Hollinshead What are we looking at for materials on the building? It will a light industrial type facility and we'll work with C-Lock but it will be pre-engineered metal building with dressing up the two fronts of the building.

Citizen: What type of business is this? C-Lock is a manufacturing business that manufactures custom feeders for cattle and livestock which is quite technologically advanced. The cow can put their head into the machine and it can analyze its breath and identify health issues or lacking nutrients and dispense food/supplements appropriately

**14. BID#1 Board Vacancy Nomination:** To approve the appointment made by the Mayor to fill the vacancy in Business Improvement District #1 Board, nominee: Lynzie Montague, representing LIV Hospitality.  
Motion to approve appointment by Hollinshead, seconded by Cowley. Vote aye: unanimous.

**15. LEGAL/FINANCE:** Discuss and Decide action on Resolution 18-01, Authorizing Finance Officer to Initiate Special Assessment process for \$1,000,000 for Business Improvement District Number 2.  
Motion to approve by Hollinshead, seconded by Cowley. Vote aye: unanimous.

**16. PLANNING & ZONING:** Discuss and decide action on First Reading of Ordinance #589 rezoning 425 North Ellsworth Road from Residential zoning to Highway Service zoning.

J. Hollinshead: What is the plan for this location? R. Koan advised the plan is to remodel the current building and have Linen/Rug business in the basement and perhaps law services upstairs.

Motion to approve by Hegel, seconded by Cowley. Vote aye: unanimous.

**17. PLANNING & ZONING:** Discuss and decide action on Preliminary Plat for Lots 1 & 2 of Boomtastic Subdivision in the W ½ of SW ¼ of Section 22, T2N, R9E, BHM, and Pennington County, South Dakota.

J. Hollinshead: What are/will be the water impacts on the city? This is located outside the city limits to the east and they have a well.

Motion to approve by Hollinshead, seconded by Hegel. Vote aye: unanimous.

**18. PLANNING & ZONING:** Discuss and decide action on Preliminary Plat for phase #2 of Liberty Park Subdivision.  
Motion to approve by McPherson, seconded by Cowley. Vote aye: unanimous.

**19. PLANNING & ZONING:** Discuss and decide action on Resolution 18-02 transferring Lot 1, City Center Subdivision to Box Elder Economic Development for the construction of a medical facility.

R. Koan formal transfer for the land with the 24-month stipulation of construction as part of the MOU and Quick Claim Deed. D Plumier: If there is any financing on the developer that they may have issue in a 24-month timeframe with a lender, so it may come back to the City to modify the 24-month timeframe for construction. Once the Financing is fully in place and they have a commitment to move forward it will be for official review by the City.

Motion to approve Resolution by Hollinshead, seconded by McPherson. Vote aye: unanimous.

**20. PUBLIC WORKS:** Second Reading of City Ordinance #586, amendment Title 52 to amend Section 52.14 (G) of the Box Elder code.

Motion to approve by Cowley, seconded by Hegel. Vote aye: unanimous.

## **21. DEPARTMENT HEAD REPORTS:**

Mayor: "After the holidays, I did have a meeting with West River Electric representatives, they presented the city with a capital credit check of around \$6,700.00, glad to be a part of Box Elder. Swore in BID #2 committee members, they are all ready, and had their first meeting. Met with Dusty Johnson who's running for Congress. Next meeting will be appointing new committees for the year."

Police: "First, had 6 applicants for the police officer position they tested and passed so they will be doing interviews next week. Completed the background check on Tonya Sabin as the new Community Service Officer, the offer was extended and she will begin her employment with us on the 15<sup>th</sup> of January. Happy New Year."

Public Works: "Thank the council for the opportunity to run in the Purplewave, excited with the results. I'll be in jury duty all week and then a water conference next week."

Finance: "Interviews went very well for the Senior Administrative/City Clerk position and I'd like to thank Rapid City's

involvement and their HR panel. We extended an offer and he will be starting mid-March. Department is working hard on closing the year's books, shutting everything down for 2017, and getting everything ready for 2018."

Planning & Zoning: None.

City Attorney: "Deadline for applicants for the City Attorney expired on December 29<sup>th</sup> and you have 5 or 6 really qualified applicants. Going to be coordinating times for interviews, hopefully with multiple people present, and by the end of January. For the confidential legal matter, the letter that I previously sent to you regarding a land value issue, this is in effect with a counter proposal and I just ask that you take into account the letter that I sent. Take 10 to 15 minutes in an executive session prior to the next meeting to see how you would like me to handle this. Any questions in the meantime, just let me know. Lastly, we will have everything ready for the signatures on the Code of Ethics, will have that ready at the next meeting."

## **22. COUNCIL REPORTS:**

Allen: "If we are going to be looking at 6 attorney applicants, could we have a copy of the resumes in advance?" Legal: "No reason not to, but all information is to be treated as confidential till otherwise notified." Follow up on the Attorney's comment about signing the Code of Ethics, "We all swore on oath to office to enforce all the ordinances and everything that went into the city so to have something separate that we need to sign seems really not to make sense." R. Plumier I'll just say that was part of the resolution which council adopted at the last meeting and it was contemplated that everyone would sign off on that.

Cowley: None.

Hegel: None.

Hollinshead: None.

McPherson: "Attorneys, what kind of hiring process is this going to be? Who will be involved? How will this be conducted?" Legal: That's the mayor's call but I would encourage that Nicole sets up the interview schedule and everyone knows about the schedule and as many as possible can participate in the interviews. The Mayor will take the lead on asking questions and I'll have some questions for the mayor and I would appreciate as much participation from council members as possible.

Weathers: Absent.

## **23. OTHER REPORTS:**

Economic Development: "Will the interviews be open to Planning and Zoning to come listen or ask a question? R. Plumier: The mayor will conduct the meeting and the meeting will be a public meeting, but the public will not be allowed to ask questions of each candidate during the interviews. If you have a question you would like to ask, please submit it for review prior to the interviews. Legally speaking we want to make sure all the same questions will be asked of the candidates, so that they can be commenting on the same questions. ED: "Been chasing a couple wild birds around for other properties and excited about the new transfers."

**24. CITIZEN INPUT:** None.

**25. ADJOURNMENT:** 7:33 pm.

Motion to adjourn by McPherson, seconded by Hegel. Vote aye: unanimous.

**Seal:**

**Attest:**

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**Larry Larson**  
Mayor

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**Nicole Schneider**  
City Administrator/Finance Officer