

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES
Tuesday, January 5, 2016
7:00 pm – City Council Chambers, 420 Villa Drive, Box Elder

1. Call meeting to order: Mayor Larson called the meeting to order at 7:01 pm.

2. Moment of Silence/Pledge of Allegiance

3. Roll Call: Present were Council Members: Scott Allen; Steve Cowley; Doug Curry; Bruce Hegel; Jeff Hollinshead; and Tricia Weathers. Also present were: Police Chief Jason Dubbs; Planning & Zoning Coordinator Ron Koan; Public Works Director Al Todd; Legal Counsel Rex Hagg; and Assistant Finance Officer Mystee Lashwood.

4. Approve Agenda: Motion by Allen, seconded by Cowley to approve the agenda with Executive Session as per SDCL 1-25-2 Sub 1 for personnel and Sub 3 for contractual. Vote aye: Unanimous.

Motion by Allen, seconded by Cowley to amend the original motion to make an amendment to the heading of the agenda to reflect the January 5, 2016 date. Vote aye: Unanimous.

CONSENT AGENDA: Agenda items 5 through 9 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 15, 2015 Common Council Meeting Minutes.

6. To approve Payroll 26 (November 29 to December 12) Total Payroll \$46,174.42; General Government: \$1,453.85 Finance Office: \$1,888.80; General Finance: \$2,517.70; Police Dept: \$20,506.52; PW Street Maintenance: \$5,914.13; PW Animal Control: \$479.89; PW Street Lights: \$132.00; PW Parks: \$1,693.72; Planning & Zoning: \$3,162.85; PZ Board: \$150.00; PW Water Production: \$3,022.76; PW Water Distribution: \$4,332.00; PW Sewer Collection: \$920.20.

7. To approve Payroll 1 (December 13 to December 26) Total Payroll \$45,339.42; General Government: \$1,353.85 Finance Office: \$1,888.80; General Finance: \$2,521.94; Police Dept: \$21,117.15; PW Street Maintenance: \$10,024.28; PW Animal Control: \$497.61; PW Street Lights: \$14.25; PW Parks: \$3,919.05; Planning & Zoning: \$3,162.61; PW Water Production: \$5,687.79; PW Water Distribution: \$5,672.19; PW Sewer Collection: \$3,665.99.

8. To approve the Claims, Utility deposit refunds, Loan Payments, and Hand Checks. – Removed Claim #15 for separate consideration.

9. To approve Temporary Business License for Banana Bunch Daycare located in the Villa Mall.

Motion by Allen, seconded by Hollinshead to approve Items 5-9 as presented on the agenda. Vote aye: Unanimous.

Item removed for separate consideration – Claim #15 – Hills Material Inc. Council discussion on this item.

Motion by Allen, seconded by Weathers to defer to the next council meeting. Vote aye: Unanimous.

CITY BUSINESS:

10. POLICE DEPARTMENT/COUNCIL: Motion by Weathers, seconded by Hollinshead to defer until after the contract meeting regarding the Police Department Union Contract. Vote aye: Unanimous.

11. FINANCE DEPARTMENT: Motion by Hollinshead, seconded Cowley to defer the Salary Schedule for 2016 to the next council meeting. Vote aye: Unanimous.

12. FINANCE DEPARTMENT: Motion by Cowley, seconded by Allen to announce position seat up for re-election Ward 3, 1 year term. Vote aye: Unanimous.

13. FINANCE DEPARTMENT: Motion by Allen, seconded by Cowley to approve setting Election date for 2016 as April 12, 2016. Vote aye: Unanimous.

14. FINANCE DEPARTMENT: Motion by Hollinshead, seconded by Weathers to approve the declaration of benches as surplus. Vote aye: Unanimous.

15. FINANCE DEPARTMENT: Motion by Allen, seconded by Cowley to approve Pay Application 1 to Water System Drilling in the amount of \$411,187.30. Vote aye: Unanimous.

16. FINANCE DEPARTMENT: Motion by Curry, seconded by Cowley to approve Pay Application 2 to RCS Construction in the amount of \$72,848.84. Vote aye: Unanimous.

17. PLANNING/ZONING DEPARTMENT: Motion by Curry, seconded by Allen to approve Conditional Use Permit #150168 for Mid-States Leasing for a 4,500 sq ft freight terminal and truck storage at 353 Cimarron Drive. Vote aye: Unanimous.

18. PLANNING/ZONING DEPARTMENT: Motion by Hollinshead, seconded by Cowley to approve Grading Permit #150173 for America's Mailbox. Vote aye: Unanimous.

19. PLANNING/ZONING DEPARTMENT: Motion by Curry, seconded by Weathers to approve the hire of Keith Walker to fill new position of Code Enforcement/Inspector position. Vote aye: Unanimous.

20. DEPARTMENT HEAD REPORTS:

Mayor: Mayor Larson stated that the decision on the Christmas party has been made, the party will be on January 23rd in the Event Center and will be catered. He asked if the council would agree to pay for the spouses as well as the employees and council agreed. Council Member Hollinshead asked for more elaboration on the sports complex. Mayor Larson explained that there is a committee that is a separate entity with numerous representatives and that committee is working on the project and raising the funds. As far as the ownership of the complex, he stated that no one knows at this point who or what will own the complex at the end of the project. He stated that the original estimate of the project was over 9 million and as this is not a city funded or school funded project, the project is being funded solely by donations and fund raisers.

Police: Police Chief Dubbs gave the statistics report for 12/15/15 to 1/4/16; he stated that he has an upcoming meeting with Senator Rounds' Chief of Staff; he gave updates on the certifications for two officers. Council Member Allen spoke about the item that had been brought up in the Planning & Zoning meeting about speeders cutting off the tow trucks on Highway 14/16. Chief Dubbs stated that the department knows about it and will look into the issue.

Public Works: Public Works Director Todd stated that the driller for Well 5 is in the Madison aquifer; the leveling for the tank is in progress, the floor won't be poured until at least March so that there isn't a cracking issue of the base. He stated that he met with Lois Pierce regarding another easement for right of way and stated that she won't have an issue with giving the city one. He stated that he didn't have an update as of yet on Well 7. He stated that Well 4 is back up and running after the burned out pump was replaced. He stated that the redundancy system with Ellsworth Air Force Base doesn't work very well at this point and he stated that the City will need to discuss this issue with Ellsworth, as this issue was brought up under the P4 program and there is supposed to be no charges for water on either side.

Finance: No Input.

Planning & Zoning: Planning & Zoning Coordinator Koan gave an update on the FEMA issues with the floodplain violations. He stated that all of the issues except for three properties has been resolved. Council Member Weathers asked if the agreement had been returned from Charo Automotive. Legal Counsel Hagg stated that the affidavit, which was a "no occupancy requirement" has not been returned as of yet. Mayor Larson stated that he would go down and get the affidavit signed and speak to the owner about the possibility of revisions to the conditional use permit.

City Attorney: Items for executive.

21. COUNCIL REPORTS:

Allen: No Input.

Cowley: No Input.

Curry: No Input.

Hegel: No Input.

Hollinshead: No Input.

Weathers: No Input.

22. OTHER REPORTS:

Chamber of Commerce: Absent.

Economic Development: Wes Rick presented Mayor Larson with a check for \$142,129.06 to pay of the balance owed on the loan from the City.

23. CITIZEN INPUT: None.

24. EXECUTIVE SESSION: Motion by Hollinshead, seconded by Cowley to enter into Executive Session as per SDCL 1-

25-2 Sub 1 for personnel and Sub 3 for contractual. Vote aye: Unanimous.

Motion by Allen, seconded by Weathers to come out of Executive Session at 9:42 pm. Vote aye: Unanimous.

25. ADJOURNMENT: There being no further business to be considered in front of the Common Council at 9:44 pm, motion by Allen, seconded by Weathers to adjourn. Vote aye: Unanimous.

Seal:

Attest:

Larry Larson
Mayor

Mystee Lashwood
Assistant Finance Officer