

**BOX ELDER CITY COUNCIL MEETING MINUTES  
FOR THE REGULAR MEETING OF JANUARY 6, 2015 AT 7:00 P.M.**

**CALL TO ORDER**

Mayor William Griffiths called the meeting to order at 7:01 p.m.

A moment of silence was held and then pledge of allegiance was resided.

**ROLL CALL**

Council members present: Scott Allen, Steve Cowley, Mark Coatney, Doug Curry, Carolyn Haddenham and Jeff Hollinshead. Also in attendance was Mayor Griffiths

Staff present: Al Todd, Jason Dubbs, Ron Koan & Rex Hagg

Number of guests present: 11 Others Present: Mike Hanson, Chamber of Commerce & Wes Rick, Box Elder Economic Development

**APPROVAL OF AGENDA**

**4 & 5** Motion by Hollinshead, seconded by Allen, to approve the agenda for the December January 6, 2015 City Council meeting without an *Executive Session*. Vote aye: Unanimous

**6. CONSENT AGENDA:** Agenda items A through G 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 December 16, 2014 Common Council Minutes.

**B.** To approve Payroll 26 (November 30 to December 13): Total Payroll \$51,042.12; General Government: \$1,603.85; Finance Office: \$2,452.00; General Financial: \$2,479.71; Police Dept: \$19,455.61; PW Street: \$13,074.21 Animal Control: \$510.00; Sign Inspection: \$96.90; PW Parks: \$1,364.12; Planning & Zoning: \$3,160.31; PZ Board: \$450.00 PW Water Production: \$3,600.11; PW Water Distribution: \$1,893.10; PW Sewer Collection: \$902.20.

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

**D.** To approve Business License Application #1619 by Jean Dean for The Game Crossing, a game and model retail store, to be located at 520 N Ellsworth Rd, Ste 5A.

**E.** To approve Business License Application #1620 by Jeffery Nobel for The Gyro Hub, a restaurant, to be located at 520 N Ellsworth Rd, Ste 6C.

**F.** To approve Business License Application #1621 by Stephanie Cole for Divine Designs by Stephanie, a beauty salon, to be located at 520 N Ellsworth Rd, Ste 3C.

**G.** To approve abatement for Chris M Srstla or Janine G Farrar Srstk in the amount of \$231.20 for 2013. The mobile home was moved to Fall River County in March of 2012. Owner obtained a moving permit and paid 2012 taxes in advance. Home was assessed and paid taxes in Fall River for 2013. Home was deleted for 2014 in Pennington, but 2013 taxes need to be abated.

Motion by Coatney, Seconded by Cowley, to approve the consent agenda with following changes to item "A" above, Common Council Minutes for December 16, 2014.

Paragraph of 7 (H) of the December 16, 2014 Council Minutes shall be amended to read as follows: H. Motion by Allen, Seconded by Coatney to approve the 2% Cost of Living Increase

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and defer the longevity discussion until the next meeting. Need to do a budget adjustment for COL increase and to adjust wages for PZ Coordinator Koan as he is changing from hourly to salary and begin salary for department head is \$48,900. Take out holiday for Martin Luther King Jr., City offices will be open ~~Birthday~~ and eliminate paid Birthdays off for employees. Vote aye: To discuss and approve decision on employee benefits and cost of living increase for 2015. Vote aye: Unanimous.

**City Business**

**7 (A).** Motion by Hollinshead, seconded by Cowley, to approve the 2% COL for all employees and to further discuss the benefit/bonuses after the employee compensation and classification study has been completed, at this time the council will revisit the budget and determine what additional benefits are applicable. During the discussion on this item, Alderman Hollinshead advised he would have a recommendation for the consultant in relation to the employee compensation and classification study.

**7 (B).** Motion by Curry, seconded by Allen to approve Pay Application #2 from Atlantis LLC, for Tax Increment District #3 Public Improvements – Residence Inn Infrastructure a/k/a WaTiki Way. Application in the amount of \$1,122.21. Vote aye: Unanimous.

**7 (C).** Motion by Allen, seconded by Coatney, to approve Pay Application #3 from Atlantis LLC, for Tax Increment District #3 Public Improvements – Residence Inn Infrastructure a/k/a WaTiki Way Applicatoin, removing line item #14 - sub-house moving (\$20,000). And allow payment amount of \$3,547.52. *Discussion:* City Attorney Hagg referred the Council to SDCL 11-9-15 and SDCL 11-9-24 to use as criteria for approval of pay requests related to Tax Increment Finance Districts. He further advised it is unclear if Item #14 meets the requirements set forth in these statues, and it would be at the Council discretion to make the decision.

After review of this pay request, and review of the cost estimates of the project, the Council did not believe that item #14 of the pay request met the criteria for reimbursement under the TIF. Vote aye: Unanimous.

**7 (D).** Motion by Coatney, seconded by Cowley to approve Payment of invoice for South I-90 sanitary service line hook ups under WaTiki Way project in the amount of \$8,766.34. Discussion: Public Works Director Todd advised this expense is related to the sanitary service line connections for GSA, etc. that were agreed to some years ago in exchange for voluntary annexation of property. Vote aye: Unanimous.

**7 (E).** Motion by Allen, seconded by Coatney, to approve the proposed Salary schedule for FY 2015. Vote aye: Unanimous.

**7 (F).** Motion by Allen, seconded by Coatney to approve first reading of Ordinance #552, an ordinance to amend the 2015 budget. Vote aye: Unanimous.

**7 (G).** Motion by Coatney, seconded by Hollinshead to approve 2015 Municipal Election day as April 14, 2015 the second Tuesday in April. Vote aye: Unanimous.

**7 (H).** Motion by Coatney, seconded by Allen to approve the following positions open for re-election on April 14, 2015: Mayor and Council positions: Ward 1 – Carolyn Haddenham; Ward 2 – Jeff Hollinshead; and Ward 3 – Steve Cowley. Vote aye: Unanimous.

**7 (I).** Motion by Coatney, seconded by Allen to designate Rapid City Journal (Lee Newspapers) as the official newspaper for the City of Box Elder for FY 2015. Vote aye: Unanimous.

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**7 (J).** Motion by Coatney, seconded by Cowley to approve schedule the 2015 Equalization Meetings as Monday, March 16; Wednesday, March 18; and Thursday, March 19 (if needed).  
Vote aye: Unanimous.

**7 (K).** Motion by Coatney, seconded by Curry to approve request by First Line Investment Company for a variance to minimum required commercial lot public right-of-way frontage for a proposed lot split at 1208 North Elk Vale Road. Vote aye: Unanimous.

**7 (L).** Motion by Allen, seconded by Haddenham to defer to the January 20, 2015 Council meeting, the request by Leroy Hix for a variance to allow the placement of manufactured homes due to a private platted access easement at 508 & 510 Line Rd.; and staff recommendation for a developers agreement with a time line for improvements be created for signature of the mayor and Mr. Hix. Furthermore, that staff and Mr. Hix would work together to develop a timeline for which Mr. Hix would completed the proposed development on the property and make any structures on placed on the property habitable. Vote aye: Unanimous.

**7 (M).** Motion by Coatney, seconded by Haddenham to defer the Conditional Use Permit #140173 request by Western SD Properties to permit the operation of a truck parking depot at 120 North Ellsworth Rd. until January 20, 2015; and send the item back to Planning Commission for further review at the January 12, 2015 Planning meeting, and request recommendations thereof. Council further moved to request the business operators attend the January 20, 2015 Council Meeting. *Discussion:* A general discussion was held in relation to the amount of truck traffic that will take place in relation to this business. Furthermore, Council requested staff acquire a truck schedule from the operator in order to better review this proposal. Public Works Director Todd was asked if the roads around the proposed property would handle the anticipated truck traffic, Mr. Todd advised they would. Chief Dubbs was questioned if he believe there were any safety issues, he advised there were none he was currently aware of at this time. Vote aye: Unanimous.

**7 (N).** Motion by Coatney, seconded by Haddenham to defer the Conditional Use Permit #140176 request by Kube Portable Storage to permit the storage of shipping containers on the property at 118 North Ellsworth Rd. until January 20, 2015; and send the item back to Planning Commission for further review at the January 12, 2015 Planning meeting, and request recommendations thereof. Council further moved to request the business operators attend the January 20, 2015 Council Meeting. *Discussion:* A general discussion was held in relation to the amount of truck traffic that will take place in relation to this business. Furthermore, the existing structure was discussed, in relation to possible demolition of the structure, or rehabilitation. Public Works Director Todd was asked if the roads around the proposed property would handle the anticipated truck traffic, Mr. Todd advised they would. Chief Dubbs was questioned if he believe there were any safety issues, he advised there were none he was currently aware of at this time. Vote aye: Unanimous.

**7 (O).** Motion by Hollinshead, seconded by Allen to approve adoption of the Box Elder's Strategic Transportation Plan, also known as the "BEST Plan". Vote aye: Unanimous.

**7 (P).** Motion by Coatney, seconded by Cowley to approve Application for Minor Plat #140172 by First Line Investment Company for 1208 N Elk Vale Rd. Vote aye: Unanimous.

**7 (Q).** Motion by Hollinshead, seconded by Allen to application for Sign Permit #140179 by Epic Outdoor Advertising to convert the structure of an existing off-premise sign to a monopole at 4309 S I-90 Service Rd. Vote aye: Unanimous.

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**7 (R).** Motion by Coatney, seconded by Cowley to approve application for Minor Plat #140180 by Knock Enterprises Inc for 15006 225<sup>th</sup> St. Vote aye: Unanimous.

**7 (S).** Motion by Allen, seconded by Cowley to approve petition for Voluntary Annexation by Knock Enterprises Inc for 15006 225<sup>th</sup> St. Vote aye: Unanimous.

**7 (T).** Motion by Cowley, seconded by Coatney to approve the formal adoption of an Ethics Policy as presented and adopted unanimously by the Planning Commission. Vote aye: Unanimous.

**7 (U).** Motion by Coatney, seconded by Cowley to approve the adoption of a new agreement with Box Elder Fitness and end the old agreement related to cleaning of the Event Center in exchange for rental of the facility. Furthermore, that Box Elder Fitness would begin utilizing the facility as a standard paying customer. Vote aye: Unanimous.

**8. DEPARTMENT HEAD REPORTS TO COUNCIL**

**Mayor:** Nothing noted.

**Chief of Police:** Chief Dubbs gave a brief report in relation to calls for service over the last two (2) weeks. He further advised that the new Impala was ready for service with the exception of identification markings and stripping. The Chief also advised the old Ford Explorer will be retired from routine service and will be utilized the investigator. The Chief closed out his report by advising the Council he is looking into technology upgrades for the department, and would propose implementation next year.

**Public Works:** Mr. Todd advised he had received one response from a Manufactured Home Court owner in relation to the Master Meter change, and it was a positive response thanking the City for being progressive. Mr. Todd gave an update on Well #7 (Ghere Well) advising that he had met with engineers from AE2S to request a cost estimate to studying treatment options for the well and possibility acquiring estimates for installation of treatment equipment and ongoing treatment costs. Mr. Todd advised the Council he has been speaking with Hunt Housing (Antelope Ridge) in relation to their water service. Hunt would like to transition to the City water system from the base water system as soon as possible as the base will be increasing its fees for service. Mr. Todd advised it should be a couple more weeks before the new booster pumps are installed, and we can begin service once the pump project is completed. Mr. Todd also advised that Hunt Housing is now also receiving sanitary sewer services from the City and we are seeing increased revenue related to this service. Mr. Todd advised he did not believe the new Northern Lights well will be in production before the new Marriot Residence Inn is open, and we may need to bring water from Rapid City for a short period this summer until the well is online. Mr. Todd advised we will purchase the water from Rapid City at their bulk rate, which is 15% less than their normal water rate.

**Planning:** Mr. Koan had nothing to report.

**City Attorney:** There was a short discussion in relation to the lease proposal from South Dakota Ellsworth Development Authority for the Sewer Plant. Council advised the current proposal will need to be placed on the January 20, 2015 Council Agenda for discussion and action.

**Chamber of Commerce:** Chamber President Mike Hanson reported that they or conducting interviews and are down to two (2) candidates, and the board will be making a selection in the near future.

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**Box Elder Economic Development:** Wes Rick from BEED advised there would be a meeting in the event center on Thursday at noon to speak with a business owner concerning a possible expansion.

**Citizen Input:**

Mr. Lester Dean who was in the audience questioned if Cheyenne Boulevard was proposed for construction. The Council advised it is on the list, but would be some time before the road would be funded.

Connie Olson from Youth and Family Services spoke about YFS and their services to children in the region, and then spoke about the garden program which will begin this spring on property donated to them along South Ellsworth Road here in Box Elder. She further advised they may be planting trees and begin a small tree farm as well as holding other youth activities on the property.

**ADJOURNMENT**

Motion by Allen, seconded by Coatney to adjourn the January 6, 2015 City Council meeting at 9:30 pm. Vote aye: Unanimous.

Seal:

Attest:

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William Griffiths

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Mystee Lashwood