

**CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES**  
**Tuesday, July 16, 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 Christopher Christianson, Council Members Dawn Beltran, Michael Hanson, Michael Knight, and John Talich.

Also present were City Administrator/ Chief Finance Officer Nicole Schneider, Police Chief Jason Dubbs, Public Works Director Bob Kaufman, Planning and Zoning Director Ron Koan, Community and Economic Development Director Blaise Emerson, Assistant Public Works Director Nathan Gjovik, Accountant Mandy Morris, and City Clerk Jermy Washington.

Mayor Larson said need to remove Item 18, there will be no Executive Session; Adjournment will move up to 16. Added Item 13F – Bill Keester and Discussion on Track. Removed Item 13C; everything moved up, Keester become 13E.

Motion by Knight to approve order of business with changes. Seconded by Beltran. Hanson asked if can remove Recess (Item 16) and Item 17; Knight said motion still good, Mayor asked Beltran if okay, Beltran said yes (motion and second still good). Vote: Aye. Unanimous. Motion passed.

**PUBLIC COMMENT:**

Leroy Hix – 311 Willow Drive. Mr. Hix said 1st June, City tried to flood him out, water started coming into garage and son got Bobcat and starting scraping road; 9 o'clock, cops showed up told him to cease; he said trying to protect property and he'd like have couple 18-inch culverts go underneath road so water get out, it's trapped there. He mentioned if anybody want see video, he can send to them. He spoke water flow and now how water has to raise to certain level before can get out; said will send if anybody want look at it.

**COUNCIL COMMITTEE REPORTS:**

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

Motion by Beltran to Accept the Public Works, Planning and Zoning, and Community and Economic Development Committee Report. Seconded by Hanson. 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 Beltran to approve Consent Agenda Items A – D (July 2, 2019 Council Minutes; Claims List; Second Reading Ordinance 626 – Knox Box; Approve Rescinding Resolution 12-06 – SRF Bulk User Resolution). Seconded by Talich. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; Talich-Aye. Unanimous. Motion passed.

## **INFORMATIONAL ITEMS:**

Water Tank Inspection Report Summary. Public Works (PW) Director gave summary of report; Northern Lights Tank, Ghere Tank, and Cheyenne Pass Tank good condition; few safety items to address in each one, will probably do safety upgrades with staff throughout the next year. "Big Blue Tank" (Prairie View Tank) different story; recommendation in report actually cheaper to replace tank than to do repairs on it. Issues with Cheyenne Pass Tank roof panels, storms blown panels off; need to replace them, panels limited design had problems, manufacturer stopped using; getting roof panels to replace get more problematic as time goes on. He proposed to Public Works Committee meeting, budget for next year do minor repairs, cleaning, and replace roof on Cheyenne Pass Tank; following year, budget to replace "Big Blue Tank"; year following that, remaining repairs on other two tanks. Wall tank inspected; to point where it lived its life, but City does not own Wall Tank. No action taken.

## **NEW BUSINESS:**

Discussion on Mowing vs. Haying City-Owned Property in Line Road Area. PW Director spoke about issue comes up each year residents ask if can hay their property, by time summer comes it's over and nothing discussed until the following spring. He said City acquiring quite bit of property from SDEDA; staff wants take property south of Line Rd and keep as natural area, as time goes on, put in bike paths and walking paths and turn into nature area. He said other properties that acquiring old trailer courts and he has concerns letting people go do anything in there because of old utility and telephone risers, and water curb stops, etc...which still viable; if torn up could cause added expenses to City to go back and repair. If did put out for haying, City don't have to incur costs keeping mowed throughout summer; negative side, if someone wants to hay doesn't want to cut until it quits growing to get maximum amount hay; in meantime, City residents being told by Code Enforcement to cut yard because grass getting above allowable limit, yet City has grass letting grow until somebody cuts hay. Public Comment: Leroy Hix – said most of time, around 10th of June when normally mows; depends on if raining or not—can't do anything; he said down in his area, it's all dammed up and flooded from surplus gravel dumped on road. Hanson said has issue with City going to residents telling them mow lawns and keep properties kept up, and mentioned City property areas where grass is tall; he asked if would tell people haying property to keep grass cut back certain distance from edge of road to have site distances, or let completely overgrown and natural there; also concerned when grass gets tall and rain stops, serious fire hazard. Talich said also same two concerns he had; thinks great idea bring income into City, but want do it safely; also spoke on enforcing code on residents while City property next door way out of control and that he's split on idea. PW Director explained have put out formal bid each spring and could add clause that must be cut by specific date regardless of what condition it's in. Beltran asked about clause for specific height when grass must be cut for haying; PW Director said can add if want contract written that way. Knight said know added cost, but save heartache and aggravation if went with mowing. Beltran asked if City mowing or contractor; PW Director answer City. Motion by Hanson that the City would mow it. Seconded by Knight. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; Talich-Nay. Motion passed 3 to 1. Beltran asked if can bring up again in future and if majority that area will be cleared out by then by SDEDA; PW Director said will depend on workload, and as far as Public Works getting down and dealing with utility risers, not going to be high priority if got other things working on; he said propose bring back up again in February.

Funding Request for Flood Plain Modeling for BUILD GRANT. PW Director gave overview and said started originally part of project KLJ working with Department of Transportation (DOT) and Pennington County to redesign Radar Hill Road/1416 intersection; part of requirements in Scope of Work new intersection had meet FEMA No-rise qualification to make intersection work. He said KLJ can't meet No-rise requirement because not enough space between railroad and proposed new interchange; he explained design, then said during meetings, option came up way to change design to make bigger

separation between 1416 intersection and railroad; as conversations continued became clear much bigger item, which is how floodplain studied through entire corridor all way out to new Exit 63 location on interstate. He said DOT asked proposal from KLJ to study entire area (new interchange area included); KLJ said can do study for \$60,000; DOT agreed to pay for half and asked City to pay for other half; PW Director said thinks wise investment since City needs entire study done anyway for BUILD GRANT, and can use as part of matching funds for BUILD GRANT. Hanson asked if County has part since it on County road; PW Director said not at present time, County involved with 1416/Radar Hill Road work, so already paying part of initial flood study commissioned for interchange work. Motion by Hanson to approve. Seconded by Talich. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; Talich-Aye. Unanimous. Motion passed.

Discuss and Decide Action Regarding Vacation of Don Williams Drive, Recommend by Staff & Planning Commission (Resolution 19-16). Planning and Zoning (PZ) Director said no objections when had public hearing at Planning Commission for vacation of right-of-way. Motion by Hanson to approve. Seconded by Knight. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; Talich-Aye. Unanimous. Motion passed.

Recap of BASH and Discussion on Alternative Dates of Fireworks. Community and Economic Development (CED) Director said canceled event on day of because site not able to handle event because of rain; said need make decision tonight on new date for fireworks display, Legal/Finance Committee recommended move to Sat., Sept. 14, 2019 and be part of Box Elder Salute. Motion by Knight to approve that. Seconded by Hanson. Roll Call: Beltran-Aye; Hanson-Aye; Knight-Aye; Talich-Aye. Unanimous. Motion passed.

Bill Keester and Discussion on Track. Mr. Keester addressed Council and said would like extension on completion date for Bandit Speedway. He also commented that can't have races even if completed by Oct./Nov. and explained because sanctioning body ends local track points; said Sept. cannot have anymore races on local point system, can only have national events; he said can schedule national event, but drivers have no incentives except come out have fun in non-sanctioned race; he said if sanctioned track and have non-sanctioned race, they kick you out of the sanctioning. He said really thinks community, racers, fans would be better served if done May 2020 start; he mentioned that traditionally do car show in community the weekend track opens, in morning and racers test/tune/practice on the track in the evening (not racing); he added that fans like seeing drivers, crews, and cars—they're looking forward to new season altogether. He said more than willing to have them [Council/elected officials] come any time want and check progress out; he said really hopes can convince to start early May 2020. Motion by Hanson to approve the May 2020 opening date with the update requested in November—our first meeting in November. Seconded by Beltran. Mr. Keester said looks at this as partnership between Bandit Speedway and the community because community and Bandit Speedway been working really well together and he doesn't want this to end. Vote: Aye. Unanimous. Motion passed.

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

Finance – Nicole Schneider – Mandy (Accountant) will be contacting Council Members to schedule one-on-one meetings. Also had super successful conference for SHRM (Human Resources Management), brought back lot of resources that will be instituting and applying, pretty excited about that.

Public Works – Bob Kaufman – had several water outages up in this area, last couple in association with meter vaults putting in for East Base Water Line, have another scheduled for tomorrow and should

be last of those; will have one following day to repair couple water leaks up in Westwinds area. Question came up about BMX, when gets dry enough to get down there, just rains again...no sense playing in mud, they're trying to make it right.

Public Safety – Jason Dubbs – as discussed in Finance, Legal, and Public Safety Committee, fireworks for date of Aug. 7 for consumer fireworks as well as extension for fireworks display for public on Sept. 14, that provided for in codified law by permit; if comfortable with that; not sure if Council needs to convene to approve the permits because permitting generally at staff level, but simple consensus on will we honor permits for those events [Council members agreed]; we do need to follow statute on that one by permit.

**COUNCIL MEMBERS:**

Hanson – want to thank Department Heads and staff for help with Box Elder BASH even though it did not happen, know there were a lot of hours put into trying to make it happen. Jason, you and your crew did fantastic job trying to plan for that; Blaise you really stepped up even though you just came on a month ago, maybe two, so fantastic job, lot of background work put into it; we appreciate it.

Beltran – is there possibility of putting the speed wagon in there in our neighborhood? We've got people that are coming through on Westwind Drive and Westwind Road because they can't get down Prairie, and they kind of forget that the speed limit in there is 25 and they're doing much more than that. Chief Dubbs said will check to see where at on rotation. Hanson said seen more complaints about speeding in Bluebird area. Chief Dubbs – getting constant and persistent complaints about speeding down there; we do constant and consistent patrols...that neighborhood gets a little bit more attention than most other neighborhoods.

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

**ADJOURNMENT: 7:34 p.m.**

**Seal:**

**Attest:**

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**Larry Larson**  
**Mayor**

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

## CITY OF BOX ELDER CLAIMS for 07/16/2019

AFLAC	\$	790.31
CREDIT COLLECTIONS BUREAU	\$	60.00
DELTA DENTAL OF SOUTH DAKOTA	\$	1,497.32
DEPT OF TREASURY- IRS	\$	26,645.62
HEALTH POOL OF SD	\$	20,563.69
LIBERTY CHRYSLER CENTER, LLC	\$	21,827.00
OFFICE OF CHILD SUPPORT ENFORCEMENT	\$	66.68
REMINGTON, JODIE	\$	513.38
SD DEPT OF REVENUE & REGULATION	\$	96.20
SDRS SUPPLEMENTAL RETIREMENT PLAN	\$	30.00
SOUTH DAKOTA RETIREMENT SYSTEM	\$	13,682.78
TEAMSTERS LOCAL NO. 120	\$	350.00
ARC INTERNATIONAL, INC	\$	3,360.00
B.Y.R.S. LAWN CARE	\$	792.50
BLACK HILLS CHEMICAL & JANITORIAL	\$	48.96
BOX ELDER TRUE VALUE	\$	59.34
CARQUEST #3951	\$	136.63
CENTURY BUSINESS PRODUCTS, INC	\$	1,099.89
CERTIFIED LABORATORIES	\$	1,600.50
CITY OF RAPID CITY	\$	261.49
COCA COLA BOTTLING COMPANY HIGH COUNTR	\$	58.50
CORE & MAIN LP	\$	9,191.17
EPIC OUTDOOR ADVERTISING	\$	450.00
FERBER ENGINEERING COMPANY	\$	4,600.00
GODFREY BRAKE SERVICE & SUPPLY, INC	\$	114.00
GREAT WESTERN BANK	\$	12,522.33
GREAT WESTERN TIRE	\$	202.30
GUNDERSON, PALMER, NELSON, & ASHMORE L	\$	2,583.50
HEAVY CONSTRUCTORS, INC.	\$	48,691.34
HIGHMARK, INC	\$	12,824.79
HUMANE SOCIETY OF THE BLACK HILLS	\$	1,020.00
J&D PRECAST, INC	\$	2,648.00
KIMBALL MIDWEST	\$	1,974.62
KIRSCHENMANN, DEAN	\$	102.65
KLM ENGINEERING, INC.	\$	23,000.00
KT CONNECTIONS, INC	\$	20,137.00
KTM DESIGN SOLUTIONS, INC	\$	405.84
LAMAR COMPANIES	\$	509.16
MATHESON TRI-GAS INC dba LINWELD	\$	213.68
MCKIE FORD LINCOLN, INC.	\$	35.14
MIDCONTINENT COMMUNICATIONS	\$	550.30
MIDCONTINENT TESTING LABORATORIES, INC	\$	1,024.00
MISSILT, CHRISTOPHER	\$	326.00
NORTHWEST PIPE FITTINGS, INC	\$	947.10
OFFICE DEPOT	\$	107.51

PETE LIEN & SONS, INC	\$	871.31
POWERHOUSE	\$	74.97
POWERPLAN OIB	\$	90.07
QUALIFIED PRESORT SERVICE, LLC	\$	666.95
RAPID CITY JOURNAL C/O LEE ENTERPRISES	\$	29.67
RAPID CONSTRUCTION LLC	\$	132,504.19
REMBOLT ENTERPRISES INC.	\$	1,904.80
ROBIN C. BLACK	\$	840.00
RUNNINGS SUPPLY, INC	\$	32.16
SANDER SANITATION	\$	275.30
SANFORD LABORATORIES	\$	325.00
SD ASSO RURAL WATER SYS	\$	2,250.00
SD FEDERAL PROPERTY	\$	260.00
SD POLICE CHIEFS' ASSO	\$	22.50
SERVALL UNIFORM & LINEN SUPPLY	\$	288.42
SIMON CONTRACTORS OF SOUTH DAKOTA INC.	\$	328.10
SOUTH DAKOTA OVERHEAD DOORS	\$	240.00
STEC'S ADVERTISING SPECIALTIES AND SAF	\$	196.70
SUMMIT SIGNS & SUPPLY INC.	\$	313.00
SWIFTEC, INC	\$	197.50
TEMP VENDOR	\$	1,450.00
TEMPERATURE TECHNOLOGY, INC	\$	493.82
TYLER TECHNOLOGIES INC	\$	16,201.38
WARNE CHEMICAL & EQUIPMENT	\$	538.30
WEX BANK	\$	1,378.62
BAUMGARDNER, SHEILA/CHARLES	\$	20.89
BOOMSHOCKALOCKA	\$	45.35
CROMER, APRIL/MICHAEL	\$	46.57
DANIEL, MELISSA/CHRISTO	\$	12.76
DE-AVILA-DIAZ, PAULIN/NANCY	\$	71.15
DIXON, BEVERLY/GARY	\$	41.94
GRAFF, ED	\$	72.45
MCDONALD/TINGLE, JEREMIAH/ZACH	\$	47.88
PAULEY, DEVIN	\$	15.11
ROY, SAMANTHA/PHILLI	\$	28.15
SARGENT, KRISTI	\$	8.79
SAUNDERS, STEPHANNIE/BENJ	\$	99.43
SEVENING, KILEY	\$	100.00
SHAFFER, MATTHEW	\$	6.15
SHOVER, WESLEY/JILL	\$	50.25
SLOWICK, LYNN/JEFFREY	\$	8.15
SPEICHER, JONATHAN	\$	33.76
STIBOR, LILLIAN/GIDEON	\$	17.33
TIGER, RICHARD/MADELEI	\$	28.54
**PAYROLL EXPENSES	\$	106,849.30
<b>TOTAL</b>	<b>\$</b>	<b>507,097.93</b>