

**COMMON COUNCIL MEETING OF THE CITY OF BOX ELDER**  
**DRAFT MEETING MINUTES**  
**Tuesday, June 17, 2014, 7:00 p.m.**

A scheduled meeting of the Common Council of the City of Box Elder was called to order at 7:00 pm on Tuesday, June 17, 2014. Present were: Mayor William Griffiths; Council Members: Allen; Cowley; Coatney; Curry; and Hollinshead; Haddenham was absent. Police Chief Dubbs; Finance Officer Mystee Lashwood; Legal Counsel Rex Hagg; Public Works Director Al Todd; and Planning & Zoning Director Ron Koan.

**Moment of Silence and Pledge of Allegiance**

- 1. Call meeting to order at 7:00pm.**
- 2. Pledge of Allegiance and moment of silence.**
- 3. Roll Call:** Present: Allen; Cowley; Coatney; Curry; and Hollinshead. Absent: Haddenham.
- 4. Approve Agenda**

Motion by Hollinshead, seconded by Allen to approve the agenda. Vote Aye: Unanimous.

- 5. EXECUTIVE SESSION:** Legal as per SDCL 1-25-2 (3) and Contractual as per SDCL 1-25-2 Sub (4).

Motion by Cowley, seconded by Coatney to enter into executive session for Legal as per SDCL 1-25-2 (3) and Contractual as per SDCL 1-25-2 Sub (4) at 7:03pm. Vote Aye: Unanimous.

Motion by Hollinshead, seconded by Coatney to exit executive session for Legal as per SDCL 1-25-2 (3) and Contractual as per SDCL 1-25-2 Sub (4) at 7:40pm. Vote Aye: Unanimous.

No decisions were made.

**6. CONSENT AGENDA:** Agenda items A through K on the Consent Agenda are meant to be approved as a group with a single motion. Questions maybe 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 June 3, 2014 Common Council Minutes.

**B.** To approve Payroll 12 (May 18 to May 30): Total Payroll \$48,321.67; General Government: \$1,693.85; Finance Office: \$1,852.00; General Financial: \$3,863.89; Police Dept: \$21,038.09; PW Street: \$3,802.75; Animal Control: \$544.00; Sign Inspection: \$258.40; PW Parks: \$5,630.76; Planning & Zoning: \$3,082.17; PZ Board: \$360.00; PW Water Production: \$2,396.60; PW Water Distribution: \$2,488.96; PW Sewer Collection: \$1,310.20.

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

**D.** To approve Malt Beverage Package Off Sale License – New issue – for Americas Beverage and Entertainment. Questions asked and answered.

**E.** To approve Business License #1570 for Grizzlys by Larry Marquette, to be located at 316 Villa Drive #1, Box Elder, SD.

**F.** To approve Business License #1571 for Southwestern Advantage by Kerttu Aruaas, located at 4032 W Omaha, Rapid City, SD.

**G.** To approve Application for Final Plat #140066 by Capital Holdings LLC for Lots 1-6 of Capital Estates Subdivision (formerly Tract F Revised of Box Elder Subdivision No. 3 and Tract K of the N1/2SE1/4 of Section 19) located in the SE1/4 of Section 19, T2N, R9E, BHM, Box Elder Pennington County, South Dakota. Recommendation from Planning/Zoning Board to approve as presented.

**H.** To approve Application for Floodplain Development Permit #140091 by Matt J Marsh Contracting to build an addition at 317 Circle Drive (Lot A of Lot 4 of Block 5 of Sunnydale Estates Subdivision in Section 29, T2N, R9E, BHM, Box Elder, Pennington County, South Dakota). Recommendation from Planning/Zoning Board to approve the permit for the  
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addition with the lowest floor of the addition being no less than 3,025.5 feet above sea level.

**I.** To approve annual review of Conditional Use Permit #120065 by Kathy Silversmith allowing the operation of a beauty salon in addition to the residential occupation of the property at 508 Falcon Drive (Lot 21 of Block 3 of Cardinal Heights Subdivision in Section 17, T2N, R9E, BHM, City of Box Elder, Pennington County, SD). Recommendation from Planning/Zoning Board to approve continuance of permit.

**J.** To approve annual review of Conditional Use Permit #130070 by LEESCO LLC to allow truck parking, relay, and staging on an approximately 4.50 acre portion of the SE1/4SE1/4 less Lot H1 lying northeast of Liberty Boulevard in Section 17, T2N, R9E, BHM, City of Box Elder, Pennington County, South Dakota. Recommendation from Planning/Zoning Board to approve continuance of permit.

**K.** To approve annual review of Conditional Use Permit #130073 by Leskca Inc to allow a contractor's shop/storage area at 210 Cottonwood Drive (Lot A of Tract 2 of McGriff Addition in Section 20, T2N, R9E, BHM, City of Box Elder, Pennington County, SD). Recommendation from Planning/Zoning Board to approve continuance of permit.

Motion by Cowley, seconded by Curry to approve the consent agenda. Vote Aye: Unanimous.

## **7. CITY BUSINESS:**

**A. COUNCIL PRESIDENT/FINANCE DEPARTMENT:** Motion by Coatney, seconded by Allen to approve the second reading of Ordinance #548, an ordinance amending Ordinance #520 related to and permitting of the on and off sale of alcoholic beverages on Sunday and Memorial Day. Vote Aye: Unanimous.

**B. FINANCE DEPARTMENT:** To discuss and decide disposition of Surplus Inventory Listing.

Motion by Allen, seconded by Coatney to declare the 2004 Harley Davidson Road King Motorcycle surplus and defer the rest of the surplus inventory listing to the July 15<sup>th</sup> meeting. Vote Aye: Unanimous.

**C. FINANCE DEPARTMENT:** To approve Special Event Permit and Special Event Alcohol Permit for Box Elder Bash and 50<sup>th</sup> Anniversary Celebration sponsored by Box Elder Area Chamber of Commerce on July 5, 2014.

Discussion. The Chamber is requesting help from the City to use their equipment and man power to do the prep work for the Box Elder Bash derby event.

Motion by Coatney, seconded by Allen to approve the permit and donate the city equipment and man power needed to get this done for the derby. Vote Aye: Unanimous.

Attorney Hagg requested that the Chamber contact him to verify the insurance requirements for this event.

## **8. DEPARTMENT HEAD REPORTS TO COUNCIL:**

Mayor: Griffiths notified that we are scheduled for a meeting with the Board of Directors of the South Dakota Economic Development Association to discuss the new sewer treatment plant on Wednesday June 18<sup>th</sup> at 10am. Also, there will be an employee appreciation sponsored by Paradigm Church on Thursday at noon.

Police: Chief Dubbs gave the department statistics report for June 1 to June 13. He also notified that today and tomorrow Box Elder officers will be attending to qualify for their hand guns this summer. Everyone that attended today passed, and he expects the same of the officers tomorrow. Council Member Hollinshead asked about the Rapid City Police Department being in Creekside on Monday morning. Dubbs said a search warrant was served and a Box Elder Officer was present to assist as needed and transport the prisoners; he also noted that his office is always notified when a different law enforcement department comes into Box Elder.

Public Works: Director Todd reported that a pollution test for Box Elder Creek has been completed and the the results did not indicate pollution. He gave kudos to Animal Control Officer Olson for noticing a correction needed with a recent Humane Society bill. The playground equipment will be shipped on June 20<sup>th</sup> and we will begin putting it in place once it arrives. The new sewer treatment plant is scheduled to switch over on July 7<sup>th</sup>, currently it is in the testing phase. On July 1<sup>st</sup> we will have a parks board meeting at 6:00pm in the Event Center to discuss the 2015 parks budget. Curry asked Todd for a tour of the surplus items upstairs after the meeting. Allen asked how accurate the test for the creek is, Todd said the tests are accurate and that creeks with flowing water naturally clean themselves out. He said to prevent people from dumping in them we need to catch them in the act so please call code enforcement if you see it happening. Resident Curt Meier reported a street light out at 624 Box Elder Rd. West.

Finance: No input. Allen asked if the time clock is up yet for employees. Lashwood said it is not and Mayor Griffiths said it will be put up. Resident Maine asked about the time clocks and Allen said they are needed at City Hall and at Public Works.

Planning/Zoning: Director Koan explained that the City is responding to a lot of grass complaints and we are getting letters sent out to those people.

City Attorney: No input.

**9. COUNCIL REPORTS:**

Allen: No input.

Cowley: No input.

Coatney: No input.

Curry: No input.

Haddenham: Absent

Hollinshead: Thanked Scott, Steve, and Ron for the work they have been doing on a project that will come to fruition soon.

**10. OTHER DEPARTMENT REPORTS:**

Chamber of Commerce: Member Weathers reported that we are moving ahead with the bash, advertisements are starting to go out, and we are seeing a lot of support from the community.

Economic Development: No input.

**11. CITIZEN INPUT:**

**12. ADJOURNMENT: THERE BEING NO FURTHER BUSINESS TO BE TAKEN IN FRONT OF THE COUNCIL AT 8:10PM MOTION BY Coatney, SECONDED BY Cowley TO ADJOURN. Vote Aye: Unanimous.**

Seal:

Attest:

\_\_\_\_\_  
William F Griffiths Sr  
Mayor

\_\_\_\_\_  
Mystee Lashwood  
Finance Officer