

**CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES**  
**Tuesday, June 21, 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 7:00 pm.

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

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

**4. Approve Agenda:** Motion by Allen, seconded by Hollinshead to approve the agenda for Tuesday, June 21, 2016 as presented with Executive Session for legal contract. Vote aye: Unanimous.

**CONSENT AGENDA:** Agenda items 5 through 8 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 June 7, 2016 Common Council Meeting Minutes.

**6.** To approve Payroll 12 (May 15 to May 28) Total Payroll \$51,353.40; General Government: \$2,165.38; Finance Office: \$1,969.25; General Finance: \$2,673.37; Police Dept: \$21,561.20; PW Street Maintenance: \$2,812.39; PW Animal Control: \$374.00; PW Sign Inspection: \$233.76; PW Parks: \$6,255.25; Planning & Zoning: \$4,795.50; Planning & Zoning Board: \$25.00; PW Water Production: \$2,888.02; PW Water Distribution: \$4,795.50; PW Sewer Collection: \$1,072.97.

**7.** To approve the claims and hand checks.

**8.** To approve business license 1696 for Brain Freezers at 358 Hillview Drive. Business is an ice cream truck.

Motion by Weathers, seconded by Cowley to approve Consent Agenda items 5-8 as presented. Vote aye: Unanimous.

**CITY BUSINESS:**

**9. PLANNING/ZONING DEPARTMENT:** Motion by Hollinshead, seconded by Allen to approve agreement between landowner and City in regards to acquisition of right of way for S Ellsworth Rd and east/west access road between Creekside Subdivision and Prairie View Subdivision. Discussion on the schedule for the work so that the majority of the work can be done before school starts in August, possible placement of temporary signal lights for traffic on Radar Hill Rd. Vote aye: Unanimous.

**10. MAYOR:** Motion by Allen, seconded by Hegel to approve request by Dennis Boomsma to graze cattle on city property for 119 days and no charge. The statute states that this can be done as long as the contract is for less than 120 days and less than \$500.00. Mr. Boomsma stated that he will put up a temporary fence across the property on Liberty Blvd. and the cattle will be off of city property by September 1. Vote aye: Unanimous.

**11. PLANNING/ZONING DEPARTMENT:** Motion by Hollinshead, seconded by Weathers to approve request to refund on building permit. Permit 160027 for a manufactured home foundation placed at 1013 Bennington Drive. Estimated cost of construction on application was \$85,000 and should have been \$6,000. The original building permit fee was \$564.00 and should have been \$81.00. Request is to refund difference of \$483.50. Vote aye: Unanimous.

**12. PUBLIC WORKS DEPARTMENT:** Motion by Hollinshead, seconded by Allen to approve final change order 3F for RCS Construction. This increases the contract price by \$8,595.91 and is a final adjustment for actual installed quantities for the reservoir and well house for Well #5. Vote aye: Unanimous.

**13. PUBLIC WORKS DEPARTMENT:** Motion by Allen, seconded by Hollinshead to approve Pay Application #7 – Final Pay App for R.C.S. Construction in the amount of \$343,233.70. Tank and pump station. Public Works Director Kaufman stated that there are some warranty items that will have to be completed before the check is issued. Vote aye: Unanimous.

**14. PUBLIC WORKS DEPARTMENT:** Motion by Cowley, seconded by Allen to approve final change order 2F for Water System Drilling. This increases the contract price by \$25.70 and is a final adjustment for actual installed quantities for Well #5. Vote aye: Unanimous.

**15. PUBLIC WORKS DEPARTMENT:** Motion by Hegel, seconded by Cowley to approve Pay Application #6 – Final Pay App for Water System Drilling in the amount of \$59,507.99. Vote aye: Unanimous.

**16. PLANNING/ZONING DEPARTMENT:** Motion by Hollinshead, seconded by Weathers to approve sign permit application 160065 for Big Fireworks at 4501 S Interstate 90 Service Road. Vote aye: Unanimous.

**17. PLANNING/ZONING DEPARTMENT:** Motion by Curry, seconded by Hegel to approve floodplain development permit application 160066 for Thunderbird Realty at 112 Maxwell Drive. Vote aye: Unanimous.

**18. PLANNING/ZONING DEPARTMENT:** Motion by Hollinshead, seconded by Allen to approve floodplain development permit application 160067 for City of Box Elder for South Ellsworth Road realignment and culvert project. Vote aye: Unanimous.

**19. PLANNING/ZONING DEPARTMENT:** Motion by Curry, seconded by Hollinshead to approve layout plat application 160062 for Jaennis LLC for Liberty Park Subdivision. Vote aye: Unanimous.

**20. PLANNING/ZONING DEPARTMENT:** Motion by Curry, seconded by Cowley to approve first reading of Ordinance 565, Title 152, Subdivision ordinance. Vote aye: Unanimous.

**21. FINANCE DEPARTMENT/COUNCILMEMBER WEATHERS:** Motion by Allen, seconded by Curry to approve contract for service between Premier Pyrotechnics and City of Box Elder for the fireworks purchased in the amount of \$6,800.00 for the Box Elder Bash with a wording sign off of Legal Counsel Hagg and the addition of insurance. Vote aye: Unanimous.

**21A. MAYOR/LEGAL COUNSEL:** Motion by Weathers, seconded by Hegel to approve Resolution 16-14, a resolution to lease poles for banners as per SDCL 9-12-5.1. Vote aye: Unanimous.

**21B. POLICE DEPARTMENT:** Motion by Curry, seconded by Hollinshead to approve amended Resolution 16-12. The amendment is to the hours for the discharge of fireworks for the 4<sup>th</sup> of July holiday, with a change to the dates of July 2<sup>nd</sup> from 9am to 11pm; July 3<sup>rd</sup> from 9am to 11pm; and July 4<sup>th</sup> from 9am to 11pm. Vote aye: Unanimous.

**21C. COUNCILMEMBER WEATHERS:** Motion by Hollinshead, seconded by Curry to approve the contract with the Remingtons for the demolition derby for the Box Elder Bash. Vote aye: Cowley, Curry, Hegel, Hollinshead, and Weathers. Abstain: Allen.

**21D. COUNCILMEMBER WEATHERS:** Motion by Allen seconded by Curry to approve the entertainment contract with Brandon Jones & The Thirsty Fish for the Box Elder Bash. Vote aye: Unanimous.

**21E. COUNCILMEMBER WEATHERS:** Motion by Curry, seconded by Cowley to approve the contract for bleachers for the Box Elder Bash. Vote aye: Unanimous.

## **22. DEPARTMENT HEAD REPORTS:**

Mayor: Larson gave an update on the planning progress of the sports complex; the groundbreaking at the new apartments; the chamber mixer; the MPO meeting where traffic crash review enforcement was discussed; change of command ceremonies; and information on donations requests.

Police: Chief Dubbs gave the statistics report for June 7 to June 20. He discussed the program that the department is using to increase community resource information for public safety and how there will be some vendors soliciting ad space for the information. He stated that the parking enforcement program is going well.

Public Works: Director Kaufman gave an update on the Ghere well progress; the drainage study interviews; a water break on Hillview Dr.; pre-bid meeting for S. Ellsworth Rd project.

Finance: Officer Lashwood gave an update on the credit card payment systems; and stated that direct deposit slips will now be emailed to employees.

Planning & Zoning: Coordinator Koan gave an update on the property on Coyote Trl; the improvements to be done around the Flying J Truck Stop; the hotel construction beginning; and stated that the event center/city hall area is not to be considered a storm shelter because there are too many windows in the event of tornado warnings.

City Attorney: None.

## **23. COUNCIL REPORTS:**

Allen: None.

Cowley: None.

Curry: Told Tricia (Weathers) that she has done nice work and a job well done in the planning of the Bash. He asked Ron about how Keith is doing. Keith is back at work and is doing very well.

Hegel: None.

Hollinshead: None.

Weathers: Gave an update on information received about the economic development funding and hiring of an executive director using promoting the city funds.

**24. OTHER REPORTS:**

Economic Development: Wes Rick stated that they will be looking for a CPA firm to handle the finances for the board.

**25. CITIZEN INPUT:**

Jane Maine asked where the city is on hiring a City Administrator/Finance Officer. Mayor Larson stated that the position is still being advertised. She suggested that when considering donations, the city should request financial statements as part of the criteria.

Frank Hansen thanked the police department for the increased patrols in the Northern Lights neighborhood and suggested that they keep an eye out for the construction vehicles that are speeding on Iditarod and by the new apartments. He asked who would handle traffic control enforcement on Cheyenne Blvd, Chief Dubbs stated that the City of Rapid City handles enforcement on that section of the area.

**26. EXECUTIVE SESSION:** Motion by Weathers, seconded by Allen to enter into executive session at 8:45 pm for legal discussion as per SDCL 1-25-2, Sub 2 for legal discussion. Vote aye: Unanimous.

Out of Executive Session at 10:05 pm.

**27. ADJOURNMENT:** There being no further business to be considered in front of the common council at 10:06 pm, motion by Allen, seconded by Hollinshead to adjourn. Vote aye: Unanimous.

Seal:

Attest:

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Larry Larson  
Mayor

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Mystee Lashwood  
Finance Officer