

CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES
Tuesday November 21, 2017
6:30 pm Regular Meeting – City Council Chambers, 420 Villa Drive, Box Elder

Public comments are welcomed, but no action will be taken by the Council on comments received for items not on this agenda. Anyone wishing to have the Council vote on a new item will need to fill out an agenda request item form for the item to be considered on the next council agenda.

1. Call meeting to order

2. Moment of Silence/Pledge of Allegiance

3. Roll Call

4. Approve Agenda

Motion to approve by Allen, seconded by Cowley. Vote aye: unanimous

5. EXECUTIVE SESSION (SDCL 1-25-2): Legal Session for contractual and legal matters, started at 6:31 pm; Out of Session at 7:18 pm.

Motion to enter session by Cowley, seconded by McPherson. Vote aye: unanimous

CONSENT AGENDA: Agenda items 6 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.

6. To approve the reading of the November 7, 2017 Common Council Meeting Minutes.

7. To approve Payroll 24 (October 29 to November 11). Total Payroll 24 \$58,773.01; General Government: \$2,470.38; Finance Office: \$8,179.93; Police Department: \$25,340.88; PW Street Maintenance: \$5,447.36; PW Parks \$3,956.46; Planning & Zoning: \$5,081.91; P & Z Board: \$750.00; PW Water Production \$2,457.47; PW Water Distribution: \$3,934.40 and PW Sewer Collection: \$1,154.22.

8. To approve the claims, loan payments, and hand checks.

To discuss and decide action on Consent Agenda Items 6-8.

Weathers: Question #34- Whiting Hagg, Hagg, Dorsey, & Hagg- if this is the last invoice. Advised by Finance Temporary Legal counsel began billing for services at the end of Sept 2017 and this was for services at the beginning of Sept 2017 therefore it should be the last invoice.

Weathers: Hand-Check #17 is cut-off in agenda packet what is the vendor, amount, and description? Runnings Supply, \$316.14 for Service Awards Gifts and Prizes for the Staff event coming up on December 9th.

Hollinshead: Chief, please explain from payroll pay code report line 01-0010 and the 171.00 hours. Chief: This was the sell back of vacation.

Motion to approve by Weathers, seconded by Hollinshead. Vote aye: unanimous.

PUBLIC HEARING:

9. To hear comments for the Community Park Master Plan of the City of Box Elder.

Public Works Director B.Kaufman presented Park Master Plan with map. Park Board has been working sometime on a new Park Master Plan based on the property that was recently purchased by the City for the new Public Works Facility. This would allow the current building/property to be removed from its current location freeing up space to expand the parks and develop the surrounding space. This is being planned in a phase project through the planning process. Expand ball fields, upgrade playground equipment, expand/improvement parking facilities, and possibly exercise/water feature (splash pad) similar to downtown Rapid City. Phasing work would review be reviewed and executed per section. For example, if we begin with Bandit Ball fields but also would like a water feature; verify that the lines implemented would suffice for both plans. This area is in BID#2, where we are receiving funds per year that could turn out to be a 2-5-year project with BID funds of \$200-250K year project each year.

Citizen: Asked if the City plans on using the Vandenberg playground equipment. Kaufman advised that yes we could but there also is LWCF grant program available to complete this grant application with a whole new playground feature.

Citizen: Asked about the water station. Kaufman: The standpipe would remain in place at this time; if we did need to remove it from that specific location it would be re-located as a service.

CITY BUSINESS:

10. CITIZEN: DENNIS BOOMSMA: Request by Dennis Boomsma for permanent Water Service Connection outside the City limits.

Boomsma: Well, I believe I was here about a year ago asking permission to hook-up, but never did. The stipulation back then was that you could shut me off 1 July if you were short of water and I am asking if that permit is still valid til 1 July or do we have to re-visit the issue. Hollinshead: 1 July 2017?. The agreement was that he come back on an annual basis in a need situation and is in the same situation in hauling water daily which is the same as last year. Dennis Boomsma, says he isn't taking more or any less water out of the system. Hollinshead: It still turns into the same problem, overall; we just declined a permit request at our last meeting for someone who is hauling water to their land also. It's bigger than just your property and someone else's property its as a whole, the situation we are in. I don't think temporary is out of the question. I think permanent is out of the question. You are in a great position because you are bordering a city where you could annex into the city if you choose to. Boomsma: I didn't put the word "permanent" in there; I'm asking for the same scenario as last year. Water is only needed in the winter months in the off-peak season. Hollinshead: I'll defer to PZ&PW for a specific clause. Koan; We have the moratorium we have for servicing water outside of the city limits and setting the precedence on this. Last year's temporary approval was done before the moratorium last year and he never put the line/tap in. Weathers: Were you able to drill a new well; which was the reason for the request last year. Boomsma: I can't afford to drill 2600ft in the winter. What moisture we did have, recharged my well until 1 Oct; so I is in the same boat again. Koan: Will you be willing to annex? Boomsma; I got 10 acres plotted out I might be willing to give you that is bare ground. Hollinshead: But you would be using water for the whole property? Boomsma: Probably. Hollinshead: So we would have to annex the whole property if you are utilizing water for the entire property. Boomsma: so basically, the permission you gave me was just for last year. Allen: Considering he didn't use it last year, I don't have a problem giving him a 1 year temporary again. Not even really 1 year, it would be until 1 July 2018 to revisit again next year. Hollinshead: Moratorium was passed the first part of 2017 and to allow in one area it causes problems. Boomsma: But have the other requests had time limit or were they temporary hook-up requests? Koan: No, so far they have been permanent requests. Boomsma; Even though the agenda says permanent that was not the intent of the request. Allen: If we put them in permanent we have no chance of shutting them off, but temporary knowing that if we run short and we can shut them off, once again, I still don't have a problem with it. Weathers: Do you have any objections to annexing the whole property? Boomsma: I got way too many animals to be in the City Limits. Koan: You have 40 acres, you would still be zoned as agriculture status and be grandfathered in with the property use. Boomsma: Can't answer that right now without knowing the pros/cons of annexation within the city and could probably look at that option and understand it. Hollinshead: Should we defer to allow time to research and have conversations with Planning & Zoning to come up with the best solution for the City and yourselves? Boomsma: You could vote on it, if it get denied, I get denied and then I have another course. I know what you are saying after passing the moratorium; but I've kind of already been in the system. If I would have already been hooked up and asked for a revisit on the previous issue. Hollinshead: I'm not willing to comment on would have, should have, could have. Boomsma: Weather is getting colder and it is harder to get waterline in. Hollinshead: If we approve temporary now; we would open Pandora's box for future requests when we have other viable options. Boomsma: The city must have something on Ordinance/Ag property that you can shut it off, we have leased other property that is in City Limits and when the city was short on water they called me and said they had to shut off water there; but I didn't have cattle there anyway. Koan: Some of those are specific individual agreements only.

Motion to Deny by Hollinshead based on Moratorium being passed since them, seconded by Cowley.

Roll Call: Allen-N Cowley-Y Hegel-N Hollinshead-Y McPherson-N Weathers-N

Motion to Approve by Allen on a temporary water service connection with the understanding if we have an emergency it can be shut-off and the line must be added before 1 July 2018. The service will expire 1 July 2018 and must come back to City Council to revisit the issue, Seconded by Hegel.

Roll Call: Allen-Y Cowley-N Hegel-Y Hollinshead-N McPherson-Y Weathers-Y

11. LEGAL: First reading of City Ordinance #585, amendment to Chapter 32 of Title III ordinances of the City of Box Elder.

Motion to approve by Weathers, Seconded by Hollinshead. Vote aye: Unanimous.

12. LEGAL: Second reading of City Ordinance #584, for the creation of BID #2 of the City of Box Elder.

Motion to approve by Hollinshead, Seconded by Allen. Vote aye: Unanimous.

13. FINANCE: Discuss and take action regarding selection of Health Plan for Fiscal year 2018.

Davis: In your packet you will find a comprehensive list of comparable aspects of the different plans. I believe we budget \$734.23/person based on the South Dakota Health Pool quote, this year we are currently paying just about \$752/person. The Traditional, High Deductible, & Blue Simplicity plans will vary over time because they are based on age so they aren't a set limit. Based on the presentations from the last meeting we would like you to make a decision on what direction you would like to go. It is recommended that we possibly look at committing a certain dollar amount per person, and allowing the City Administration and staff to choose which plan works best for them because everyone is different. Hollinshead: So Rebecca, it is my understanding the desire is that Council choose either the Grandfathered or Health Pool and a dollar

amount and let each individual participate up to that dollar amount in which plan they would want to. Davis: Correct. Weathers: I thought with the Grandfathered Plan we couldn't change how much we were paying towards percentage wise of their plan and stay on that plan; Hegel: 5%. Weathers: If we choose that we would have to be mindful of that dollar amount thing we are throwing out there. Hegel: If we choose that and it's more than 5% either way we would lose the Grandfathered plan. Hollinshead: I believe that dollar amount that was budgeted for would cover either plan. Davis: Yes, it would, the Grandfathered Plan quote came in at \$702 & change, so it is slightly less, but it is the same that we have had before and there is no flexibility in options and it is basically just the employee. So either way, the \$734 that was quoted with the HP would cover the Grandfathered Plan if you are looking at a dollar amount. Hegel: So right now we are paying \$704. Davis: it would be just over \$702, if we stay with the Grandfathered Plan. Right now we are paying just over \$752/person for FT employee benefits: Hollinshead: Either way it is down from where we were for 2017. It would still be 100% funding so it wouldn't change if we stayed with Grandfathered plan. What caught my eye was protection from the double digit increases versus what we had on the Grandfathered plan versus the 32% increase we had last year. Hegel: SDHP is more than what the Grandfathered plan is, correct. Yes it is, by approximately \$31/person. Weathers: How much of the increase was from the agent? Hollinshead: My understanding that High Claims are were what drove the increase. Hegel: High claims would be spread over a larger pool, so maybe wouldn't raise rates as high as the Grandfathered plan but why is the cost higher this next year? Weathers: There is a little bit more coverage, preventative care is free, virtual office visits and urgent care. Hollinshead: the things that most employees would use. Davis: they also have lower deductibles than the Grandfathered plan so they will actually be paying a little more than the Grandfathered the employee won't be paying as much out of pocket for the deductible piece. Hollinshead: they are very close, would like to try and control a little inflation. Kaufman: the preventative care can be valuable if we market it correctly to staff to keep them on the job. Allen: Has there been any feedback from staff? Kaufman: we have not had this to give to the over all staff. Weathers: no pediatric, dental, or vision; to be honest the out of pocket savings is a huge difference. Hollinshead: The SDHP does offer +1 coverage. Davis: Yes, so the cost could be less overall instead.

Motion to select SDHP with \$734.23 per person and allowing staff to chose what best fits their needs by Hollinshead, Seconded by Weathers: Vote aye; unanimous.

14. PLANNING & ZONING: Discuss and decide action on Floodplain Development Application for West River Electric to install new power poles in the floodplain and floodway.

Motion to Approve by Allen, Seconded by Cowley. Vote Aye; Unanimous.

15. PLANNING & ZONING: Discuss and decide action on Variance application for 598 Stealth Lane for side yard setback. Koan: Built in 2004, there were two different surveyors that need to resolve the set-back locations.

Motion to Approve Allen, Seconded by Hollinshead. Vote Aye: Unanimous.

16. PUBLIC WORKS: Discuss and decide action on City Hall Storage Building.

Kaufman: We have a tremendous amount of records that need to be removed/stored from the upstairs during City Hall completion. This would be taken out of what is already budgeted for the capital project at an estimate of \$35,000.

Motion to Approve Weathers, Seconded by Hollinshead. Vote Aye: Unanimous.

17. PUBLIC WORKS: Review bids and award contract for Box Elder Welcome Signs.

Kaufman: Opened Bids last week; 3 Bidders with low bid Ainsworth Benning Construction. There are different methods of providing the coloring of the sign. The \$102K BID is the over what was budgeted but the it is a Vduct where there would cast and stain the concrete and adding a UV sealer to make it last down the road. If it chips, the color would be gone. \$7K would be the approximate difference between coloring throughout versus staining outside.

Motion to award contract to Ainsworth Benning Construction, low bidder at \$109,600.00 with Alt option (color throughout) sign by Hollinshead, Seconded by Cowley. Vote Aye: unanimous

18. PUBLIC WORKS: Review bids and award contract for Ghere Well Site Closeout work.

Kaufman: Two-piece project. Schedule A- Fencing, grading, site clean-up around Ghere Well. Schedule B. Fencing around new PW Facility. Highmark Incorporated under Engineer estimates on both Schedules at \$88,200.95.

Motion to award contract to Highmark Incorporated by McPherson, Seconded by Hegel. Vote aye: unanimous.

19. DEPARTMENT HEAD REPORTS:

Mayor: Attended Rural Electric Economic Development fund which is for Cities and Businesses to apply for low interest loans. Attended Mac Luncheon with presentation on Waste Water Treatment Plant and current deployment. We did not get the Barksdale Award was given to Dias AFB. Coffee with the Mayor at the Library which was fun because some of the Debate Team had several questions about what was going on in the City. Black Hills Form and Press Club Luncheon where main speaker was Tim who founded the Native Sun News and growing up on Pine Ridge and how things have changed over the years.

Police: Chris & I attended train the trainer course who can now give the training to others. Received 10 doses of Narcan for opioid overdose. Chris and John leaving for training on Sunday until March 2018. Some have seen, our partnership with Stragose International hosting two day church security training at Outreach Community Church on Dec1 & Dec 2. Happy Thanksgiving everyone.

Public Works: Valley Heights Booster Station finally have electrical work completed. Crew is up in Hillview currently due to water-break. Interviews for Architecture/Engineer for PW upgrades next week. Park Equipment from Vandenberg has been salvaged and is in the new yard and will be working on redistributing that next spring.

Finance: Accountant Interviews were held today with an individual from Casey Peterson on the interview board. We do have an individual we would like to extend an offer to; so, you will see this on the Dec 5th Agenda. Still working on some clean-up for end of year stale-dated checks and missing W-9s. Also working on Desktop manuals and the Staff Event Details.

Planning & Zoning: Happy Thanksgiving.

City Attorney: NA

20. COUNCIL REPORTS:

Allen: NA

Cowley: NA

Hegel: NA

Hollinshead: Dept. Heads and please pass this on; extremely busy year up until this point. Please have a happy safe Thanksgiving wherever that may be.

McPherson: Happy Thanksgiving

Weathers: Happy Thanksgiving

21. OTHER REPORTS:

Economic Development: Happy Thanksgiving

22. CITIZEN INPUT:

Doug Heiser- Box Elder Fire District Board. Working with Fire Department and getting paid positions. The Stress and call volume has increase about 3x time now. We are looking for city support.

Barb: Long Process but looking forward to the future.

Dubbs; What type of tasks are you looking for the FTE?

BEFD: Most Administrative, EMT & Firefighter Certified and must complete EMT Basic within the first year of hire with certain stipulations to maintain employment with Structure and Wildland side and the paperwork that is required. It is not just a Box Elder Problem; it is Nationwide.

Allen: I don't any reason why we can't help answer questions or anything like that; just come here, talk with Finance. They are in the Community we need to cooperate.

BEFD: Currently, we are at 643 calls for the year: October 2017 - 59 calls- 32 were Medical, 11 were Fire Alarms, 7 were Fires, were mutual aid calls to assist the county, 3 motor vehicle wrecks, and a couple other service calls. Some will have business/area pre-planning to assist with ISO ratings, so they have an idea what to expect when they get somewhere and how to handle it. Also working with Fire Hydrant helps with ratings also.

Kaufman: If you know of any Fire Hydrants that are not working, please let me know.

BEFD: With the Insurance Rate/Discussion; if their tax rate for fire protection goes up there are several insurance companies out there that as the ISO rating comes down their rates will come down for costs. Personnel ready to respond and having training available will also help. Box Elder also has a new truck on the way from Sioux City, IA. If we get the paid personnel, we hope that it will entice other volunteers to come on and we are discussing that we could pay help by the day by stipend.

Citizen: Trying to find out about the Race Track by the lagoons as a property owner next to the area. Mayor L. Larson there were some issue about having sent out letters but there is some reason why that didn't happen. Koan: If you are outside the city limits we don't notify anyone if there was re-zoning or conditional use. In this case the zoning is appropriate for what was there as far as the use for outdoor recreation; so, there wasn't a hearing or anything. Council agreed to leasing the property to Box Elder Economic Development, in turn then leasing it to the operator of the track where they too will put some investment into it also. Citizen: Will you be able to keep the public informed about some of these things, so we know down the road? I have several concerns about the traffic, parking, trash in my irrigation pumps, or accidents with people and the water areas, dust, litter control, etc. Mayor Larson: we have discussed some of those things with the people and they assured us that they would be good neighbors. Citizen: Is this a done deal? Council: Yes. Citizen: So, there will be a race track there, It just seems unfair to me that people aren't in the community are not informed of this; not too many of you want it in your back yard I don't think? Hollinshead: In regard to your question, it fits the zoning requirements for the property out there. You are welcome to come to any Council Meeting where these items are discussed but we don't sent letters outside the City Limits anyhow.

23. ADJOURNMENT: 8:15 pm.

Motion to adjourn by Allen, Seconded by Hollinshead. Vote aye: unanimous.

Seal:

Attest:

Larry Larson
Mayor

Nicole Schneider
City Administrator/Finance Officer