

**CITY OF BOX ELDER COMMON COUNCIL MEETING MINUTES**  
**Tuesday, October 20, 2015**  
**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:** To honor our fallen soldiers and active duty personnel. **Pledge of Allegiance**

**3. Roll Call:** Present were: Council Members: Scott Allen; Steve Cowley; Doug Curry; and Bruce Hegel. Council Member Jeff Hollinshead was absent. Also present were: Police Chief Jason Dubbs; Planning & Zoning Coordinator Ron Koan; Public Works Director Al Todd; Legal Counsel Rex Hagg and Finance Officer Mystee Lashwood. There were 15 citizens present.

**4. Approve Agenda:** Motion by Cowley, seconded by Hegel to approve the Common Council Meeting Agenda for October 20, 2015 as presented. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**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 October 6, 2015 Common Council Meeting Minutes.

**6.** To approve Payroll 21 (September 20 to October 3) Total Payroll \$: General Government: \$1,153.85 Finance Office: \$1,888.80; General Finance: \$2,522.41; Police Dept: \$21,528.75; PW Street Maintenance: \$2,658.67; PW Parks: \$2,436.44; Planning & Zoning: \$3,213.09; Planning & Zoning Board: \$250.00; PW Water Production: \$2,516.60; PW Water Distribution: \$5,657.08; PW Sewer Collection: \$920.20.

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

**8.** To approve Business License Application #1669 for The Smith's Precious Angel's Daycare. This is a home daycare to be located at 342 Sacajawea Court.

Motion by Allen, seconded by Curry to approve Items 5 through 8 as presented on the Consent Agenda. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**CITY BUSINESS:**

**9. COUNCIL PRESIDENT ALLEN:** To appoint Ward 3 Council Member. Discussion. Motion by Allen, seconded by Curry to defer this item to the November 3 council meeting. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**10. MAYOR:** To discuss and appoint representative and alternate to the Rushmore Regional Rail Authority Committee. Discussion. Motion by Allen, seconded by Curry to defer this item to the November 3 council meeting. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**11. PUBLIC WORKS/FINANCE DEPARTMENT:** To discuss and decide action on Pay Application #9 in the amount of \$128,962.48 and #10 in the amount of \$2,098.75 for TIF #3 Public Improvements Reimbursement Request – Residence Inn Infrastructure a/k/a WaTiki Way. Discussion. Motion by Cowley, seconded by Hegel to approve payment of Pay Application 9 and 10. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**12. PUBLIC WORKS DEPARTMENT:** To discuss and decide action on authorization of signature for Memorandum of Agreement between Ellsworth Air Force Base and City of Box Elder for the temporary emergency water purchase as needed for construction on the main distribution line from Rapid City. Discussion. Motion by Cowley, seconded by Allen to approve Memorandum of Agreement and authorize necessary signature. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**13. PLANNING/ZONING DEPARTMENT:** To discuss and decide action on Resolution 15-33, a resolution to approve a plat for DB Subdivision. Motion by Curry, seconded by Cowley to approve Resolution 15-33. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**14. PLANNING/ZONING DEPARTMENT:** To discuss and decide action on Minor Plat #150130 for Sarver-Heidemann at 22470 Bennett Road. Motion by Curry, seconded by Hegel to approve Minor Plat #150130. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**15. PLANNING/ZONING DEPARTMENT:** To discuss and decide action on Resolution 15-34, a resolution to approve a plat for Alben Subdivision. Motion by Curry, seconded by Cowley to approve Resolution 15-34. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**16. PLANNING/ZONING DEPARTMENT:** To discuss and decide action on Floodplain Development Permit #150131 for 640 Box Elder Road West. Motion by Allen, seconded by Cowley to approve Floodplain Development Permit #150131. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**17. PLANNING/ZONING DEPARTMENT:** To discuss and decide action on the second reading of Ordinance #557, Amendments to the Official Zoning Map of the City. Motion by Cowley, seconded by Hegel to approve second reading of Ordinance #557. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

**18. DEPARTMENT HEAD REPORTS:**

Mayor: Mayor Larson gave the council an update on the MPO meeting he attended and stated that he asked about the progress of the Radar Hill Road project plan, and stated that the response was that there is no defined date as of yet when the project will be started. Legal Counsel Hagg stated that there was a letter sent out regarding the liability of the delay on the start date of the project due to the slippage of the hill. Council President Allen asked if the jersey birms are causing part of the problem, Public Works Director Todd stated that he spoke to DOT and they will be looking at putting something up on the road in the interim until the project can be started.

Police: Police Chief Dubbs gave the statistics report for the department. He gave an update on the Zuercher conference that was attended. He spoke about the regional training and stated that they are working on being assigned as site coordinators for the training in the future. He stated that the Halloween patrol on October 31<sup>st</sup> will begin at 6:00 pm.

Public Works: Public Works Director Todd gave an update on the interviews that were conducted, he stated that one said yes and the other will not work out due to the timing. He stated that they will be interviewing another candidate. He stated that there was a water line break over the weekend on Villa Drive, and the department will be putting a patch on the road. He stated that they added City Hall maintenance to the list of extended maintenance.

Finance: No Input.

Planning & Zoning: Planning & Zoning Coordinator Koan stated that the Siren Project plan is moving forward, the bid opening will be on November 13<sup>th</sup>. He stated that they will be advertising for a code enforcement employee. He stated that he is working on the violations letter received from FEMA. He stated that some of the can be fixed, but others are older and are more complicated to solve.

City Attorney: No Input.

**19. COUNCIL REPORTS:**

Allen: No Input.

Cowley: Cowley extended a thank you to the Mayor for the update report that was sent out.

Curry: Curry extended a thank you to Ron for the research data he collected for the garbage services.

Hegel: No Input.

Hollinshead: Absent.

**20. OTHER REPORTS:**

Chamber of Commerce: Dennis Wagner stated that the Chamber of Commerce had a turn over of board members. He also stated that they will no longer require monies from the City. He stated that the chamber would be returning unused monies to the City from the funds that were already distributed for 2015.

Economic Development: Wes Rick stated that they are working on a contract renewal and that it is getting closer to completion with an extension being considered for the contract.

**21. CITIZEN INPUT:**

Frank Hanson asked if it could be reviewed in the ordinances regarding yards and vacant lots being mowed in a timely fashion. He also asked if there is a way to put more "teeth" into the animal control ordinance regarding animals and what the animal control is allowed to do. He extended a thank you to the Public Works department for patching the alleyways in Northern Lights Subdivision.

**22. EXECUTIVE SESSION:** None.

**23. ADJOURNMENT:** There being no further business to be considered in front of the Common Council at 7:49 pm, motion by Allen, seconded by Cowley to adjourn. Vote aye: Allen, Cowley, Curry, and Hegel. Absent: Hollinshead.

Seal:

Attest:

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Larry Larson  
Mayor

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Mystee Lashwood  
Finance Officer