

All City Council Meetings are recorded.

**CITY OF CUSTER CITY  
COUNCIL AGENDA**

**November 20<sup>th</sup>, 2017 – City Hall Council Chambers  
5:30 P.M.**

1. Call to Order - Roll Call - Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes – November 6<sup>th</sup>, 2017 Regular Meeting Minutes
4. Declaration of Conflict of Interest
5. Public Presentations - Public Hearings
  - a. Second Reading – Ordinance #796 – Water Rates
  - b. Second Reading – Ordinance #797 – Wastewater Rates
  - c. Second Reading – Ordinance #798 – Service Reduction (Water Off) Rates
  - d.
  - e.
6. Old Business
  - a.
  - b.
  - c.
7. New Business
  - a. Final Plat – Keupp Subdivision
  - b. Old Time Country Fourth of July Request – Chamber of Commerce
  - c. Water Treatment Improvements Change Order – RCS Construction
  - d. Comprehensive Plan Update Proposal – Black Hills Council of Local Government
  - e.
8. Presentation of Claims –
9. Department Head Discussion & Committee Reports –
10. Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2)
11. Adjournment

**REMINDERS**

**Park & Recreation Committee Meeting – November 21<sup>st</sup>, 2017 5:30 P.M.  
Public Works Committee Meeting – December 4<sup>th</sup>, 2017 4:30 P.M.  
Regular City Council Meeting – December 4<sup>th</sup>, 2017 5:30 P.M.  
General Government Committee Meeting – December 11<sup>th</sup>, 2017 4:30 P.M.  
Planning Commission Meeting – December 12<sup>th</sup>, 2017 5:00 P.M.  
Regular City Council Meeting – December 18<sup>th</sup>, 2017 5:30 P.M.**

ADA Compliance: The City of Custer City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Finance Office 24 hours prior to the meeting so that appropriate services are available.

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
November 6<sup>th</sup>, 2017**

Mayor Corbin Herman called to order the first meeting of the Common Council for the month of November 2017 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer, Blom and Arseneault. City Attorney Chris Beesley was also present. The Pledge of Allegiance was stated.

**AGENDA**

Councilperson Fischer moved to approve the agenda. Second by Councilperson Arseneault, the motion unanimously carried.

**MINUTES**

Councilperson Nielsen moved, with a second by Councilperson Blom, to approve the minutes from the October 16<sup>th</sup> regular council meeting. The motion carried with Councilperson Heinrich, Nielsen, Fischer, Blom and Arseneault voting yes, while Councilperson Maciejewski abstained.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**PUBLIC HEARING – NEW MALT BEVERAGE LICENSE & NEW WINE LICENSE – DOLLAR GENERAL STORE #18364**

Councilperson Fischer moved to approve the retail on-off sale malt beverage and on-off sale wine license for Dollar General Store #18364, contingent upon operating agreement being signed, proof of insurance being provided, and background check of District Manager being completed. Seconded by Councilperson Heinrich, the motion unanimously carried. The wine license will have an effective date of January 1<sup>st</sup>, 2018.

**PUBLIC HEARING – LIQUOR & WINE LICENSE RENEWALS**

Councilperson Nielsen moved to approve the liquor and wine licenses (twenty-five licenses) for 2018 renewal. Motion seconded by Councilperson Arseneault. Councilpersons Nielsen and Arseneault amended their motion and second to include approval contingent upon proof of insurance being provided. The motion unanimously carried.

**DRAINAGE ISSUES – SOUTHERN HILLS BIBLE CHURCH**

Councilperson Maciejewski moved to table the Southern Hills Bible Church's drainage issues. Seconded by Councilperson Blom, the motion unanimously carried.

**FIRST READING – ORDINANCE #796 – WATER RATES**

Councilperson Fischer moved to approve the first reading of Ordinance #796, Water Rates. Seconded by Councilperson Blom, the motion unanimously carried.

**FIRST READING – ORDINANCE #797 – WASTEWATER RATES**

Councilperson Maciejewski moved to approve the first reading of Ordinance #797, Wastewater Rates. Seconded by Councilperson Nielsen, the motion unanimously carried.

**FIRST READING – ORDINANCE #798 – SERVICE REDUCTION RATES**

Councilperson Maciejewski moved to approve the first reading of Ordinance #798, Service Reduction Rates. Seconded by Councilperson Nielsen, the motion unanimously carried.

**RESOLUTION #11-06-17A – PUBLIC PARK, PUBLIC POOL & PUBLIC PLAYGROUND LOCATIONS**

Councilperson Heinrich moved to adopt Resolution #11-06-17A, Public Park, Public Pool & Public Playground Locations. Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION NO. 11-06-17A

**PUBLIC PARK, PUBLIC POOL & PUBLIC PLAYGROUND LOCATIONS**

WHEREAS, the City of Custer City has certain property which is used for public use; and

WHEREAS, the City of Custer City feels that public parks, public pools and/or public playgrounds are an important part of our community.

NOW THEREFORE BE IT RESOLVED by the common council of the City of Custer City, that it is advisable and in the best interest of the public that the following property be declared Public Parks, Public Pool and/or Public Playgrounds;

Custer Swimming Pool  
Harbach Park  
French Creek Park

Lots 4-5-6 Block 35  
Lots 7-8-9-10-11-12 Block 107  
Lots 1-2-3-4-5-6 Block 124  
Lot B of Lot 12 Block 124

Volleyball Court	Lots 5 & 6 Block 106
Tennis Courts, Horseshoe Pits & Skateboard Park	North 125' of Lots 1-2-3 Block 105 South 25' of Lots 1-2-3 Block 105
Custer Community Center Fenced Playground Areas	Lots 4-5-6 Block 105 plus Vacated North/South Alley All of Block 32 plus 25' of Vacated Third Street plus 25' of Vacated Harney Street plus 25' of Vacated Crook Street & West 50' of Vacated Fourth Street Lots 1-2-3 Block 15 plus East 50' of Fourth Street & North 25' of Crook Street & West 15' of North/South Alley

NOW THEREFORE BE IT FURTHER RESOLVED that the above listed properties be designated Public Parks, Public Pools and/or Public Playgrounds.  
Dated this 6<sup>th</sup> day of November 2017.

CITY OF CUSTER CITY

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

**BARK BEETLE EVENT REQUEST – HANK FRIDELL**

Councilperson Fischer moved to approve the Bark Beetle Blues Committee, Custer Area Arts Council and Custer Volunteer Fire Department joint request to use Pageant Hill on January 20, 2018 for the Burning of the Beetle Event and to have fireworks at the event on Pageant Hill, in addition the City will provide a place for Christmas trees to be dropped off and a port-a-pot on Pageant Hill. Seconded by Councilperson Arseneault, the motion unanimously carried.

**FIRE SUPPRESSION SYSTEM COVENANT AND AGREEMENT – SPARLING**

Councilperson Blom moved to approve the fire suppression system covenant and agreement with Jason & Alana Sparling and Spink County Land, LLC for 503 Mt Rushmore Road. Seconded by Councilperson Heinrich, the motion unanimously carried.

**CLAIMS**

Councilperson Maciejewski moved, with a second by Councilperson Nielsen, to approve the following claims. The motion carried unanimously.

AE2S, Professional Fees, \$3,663.10  
A & B Electric, Repair/Maintenance, \$275.12  
AFLAC, Insurance, \$660.28  
AFSCME Council 65, Dues, \$259.89  
Battle Mountain Humane Society, Animal Control Contract, \$800.00  
Beesley Law Office, Professional Fees, \$2,917.50  
Black Hills Energy, Utilities, \$3,137.92  
Birmingham Receipt Book, Supplies, \$455.00  
Century Business Products, Supplies, \$136.90  
Code Works, Professional Fees, \$432.74  
Custer Do It Best, Supplies, Repair & Maintenance, \$37.32  
Chamber of Commerce, Conference, \$125.00  
Chronicle, Publishing, \$254.42  
Custer Sign Company, Supplies, \$205.70  
Dakota Bank, TIF #2, \$526.05  
Dakota Bank, TIF #4, \$25.15  
Dakota Lodge, Travel & Conference, \$158.00  
Delta Dental, Insurance, \$232.60  
EFTPS, Taxes, \$19,317.81  
Edward Enterprises, Refund, \$250.00  
Fastenal, Supplies, \$48.17  
First Interstate Bank, TIF #4, \$25.15  
First Interstate Bank, Supplies, \$30.79  
First Interstate Bank, TIF #1, \$2,329.68  
Goldenwest Telecommunications, Utilities, \$610.04  
Goldenwest Technologies, Professional Fees, \$648.50  
Green Owl Media, Professional Fees, \$132.00  
Hillyard, Supplies, \$459.62

Home Slice Media Group, Bid Board, Advertising, \$56842.32  
NASASP, Dues, \$40.25  
Nelson's Oil & Gas, Supplies, \$585.73  
Northwest Pipe Fitting INC, Supplies, \$4242.79  
Petty Cash, Supplies, \$363.10  
Pittney Bowes, Supplies, \$48.69  
Promption Physical Therapy, Safety, \$120.00  
Quill, Supplies, \$212.33  
Rapid Delivery, Professional Fees, \$50.60  
SD Department Revenue, \$100.00  
SDML, Conference, \$65.00  
SD One Call, Supplies, \$576.45  
SD Retirement System, \$8426.08  
Supplemental Retirement, \$500.00  
The Hartford, Insurance, \$68.70  
Toby Brusseau, Bid Board, Advertising, \$6400.00  
Traffic Control Corporation, Repair & Maintenance, \$1356.00  
Vector Design and Tech, Supplies, \$248.95  
Verizon Wireless, Utilities, \$463.93  
United Way, Contributions, \$90.00  
Wellmark, Insurance, \$9778.26  
Woodward, Laurie, Reimbursement, \$360.00  
YMCA, Contributions, \$150.00  
Vandel, Larry, Utility Refund, \$24.54  
Geratets, Darlene, Utility Refund, \$50.00  
Mayor & Council, \$4,400.00  
Finance Department, \$7,628.90  
Public Buildings, \$3,955.70  
Planning Department, \$9,590.00  
Public Works Department, \$4,342.38  
Street Department, \$9,986.46  
Parks Department, \$115.33  
Water Department, \$16,950.78  
Wastewater Department, \$15,956.10  
Total Claims, \$129,317.87

**DEPARTMENT HEADS & COMMITTEE REPORTS**

Various committee reports were given in addition to department heads giving an update.

**ADJOURNMENT**

With no further business, Councilperson Arseneault moved to adjourn the meeting at 6:33 p.m.  
Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Corbin Herman  
Mayor

ORDINANCE NO. 796

An Ordinance entitled An Ordinance Amending Title 13 Public Services, Chapter 13.08. Section 13.08.010 A & B of the City of Custer City Municipal Code and amending, replacing, and superseding all prior ordinances or amendments, by which amending and superseding said Ordinance as follows, to wit:

13.08.010 Rates and charges.

There shall be charged by the city, effective for the January 2018 billing upon passage and publication of the ordinance codified in this chapter as provided by law, a charge for water services (operation and maintenance) to persons, associations of individuals, partnerships, corporations or firms based upon the usage of water. The rates shall be as follows:

- A. 1. Operation and Maintenance—Residential (Single Family).

Gallons Used	Water Charge
2,000 (minimum)	\$10.69

On amounts of water used over two thousand (2,000) gallons, add seven dollars and fifty-three cents (\$7.53) per thousand gallons used to the water charge.

- B. 1. Operation and Maintenance—Commercial and Multi Family.

Gallons Used	Water Charge
2,000 (minimum)	\$23.02

On amounts of water used over two thousand (2,000) gallons, add eight dollars and eighty-six cents (\$8.86) per thousand gallons used to the water charge.

NOW BE IT ORDAINED that all ordinances or parts thereof in conflict with this ordinance are hereby repealed. Should any section or part of this ordinance be determined to be invalid, the same shall not invalidate the remaining section(s) of this Ordinance.

Dated this 20th day of November, 2017.

City of Custer City

Attest \_\_\_\_\_  
Laurie Woodward, Finance Officer

\_\_\_\_\_  
Corbin Herman, Mayor

(SEAL)

First Reading: November 6<sup>th</sup>, 2017  
Seconding Reading: November 20<sup>th</sup>, 2017  
Publication: November 29<sup>th</sup>, 2017

Vote:  
Arseneault:  
Heinrich:  
Nielsen:

Fischer:  
Blom:  
Maciejewski:

ORDINANCE NO. 797

An Ordinance entitled An Ordinance Amending Title 13 Public Services, Chapter 13.20. Section 13.20.130 of the City of Custer City Municipal Code and amending, replacing, and superseding all prior ordinances or amendments, by which amending and superseding said Ordinance as follows, to wit:

BE IT ORDAINED by the Common Council of the City of Custer City that section 13.20.130 be amended as follows:

13.20.130 Rates and charges.

There shall be charged by the city, effective for the January 2018 billing upon passage and publication of the ordinance codified in this chapter as provided by law, a charge for wastewater services (operation and maintenance) to persons, associations of individuals, partnerships, corporations or firms based upon the usage of water. The rates shall be as follows:

A. 1. Operation and Maintenance—Residential (Single Family).

Gallons Used	Wastewater Charge
2,000 (minimum)	\$21.17

On amounts of water used over two thousand (2,000) gallons, add two dollar and thirty-three cents (\$2.33) per thousand gallons used to the wastewater charge.

B. 1. Operation and Maintenance—Commercial and Multi Family.

Gallons Used	Wastewater Charge
2,000 (minimum)	\$24.85

On amounts of water used over two thousand (2,000) gallons, add six dollars and seventy-two cents (\$6.72) per thousand gallons used to the wastewater charge.

C. In addition to the charge for wastewater services (operation and maintenance) to persons, associations of individuals, partnerships, corporations or firms, there shall be a surcharge for the services of the facilities financed.

1. Bond Redemption – 2012 SRF. The following surcharge is imposed pursuant to SDCL 9-40-15 to pay, redeem and discharge the 2012 SRF Loan in the amount of nine hundred twenty-five thousand nine hundred and nineteen dollars (\$925,919.00) until such loan is paid full. This charge shall be charged by the city, commencing with the June 2016 billing upon passage and publication of the ordinance codified in this chapter as provided by law.

	Monthly Fee Charged
Residential (Single-family), Commercial, and Multifamily	\$5.50

NOW BE IT ORDAINED that all ordinances or parts thereof in conflict with this ordinance are hereby repealed. Should any section or part of this ordinance be determined to be invalid, the same shall not invalidate the remaining section(s) of this Ordinance.

Dated this 20th day of November, 2017.

City of Custer City

Attest \_\_\_\_\_  
Laurie Woodward, Finance Officer

\_\_\_\_\_  
Corbin Herman, Mayor

(SEAL)

First Reading: November 6<sup>th</sup>, 2017  
Seconding Reading: November 20<sup>th</sup>, 2017  
Publication: November 29<sup>th</sup>, 2017

Vote:	Fischer:
Arseneault:	Blom:
Heinrich:	Maciejewski:
Nielsen:	

ORDINANCE NO. 798

AN ORDINANCE ENTITLED AN ORDINANCE AMENDING TITLE 13 PUBLIC SERVICES CHAPTER 13.24 WATER AND SEWER RATE CLASSIFICATIONS SECTION 13.24.060 SERVICE REDUCTION OF THE CITY OF CUSTER CITY MUNICIPAL CODE AND AMENDING, REPLACING, AND SUPERSEDING ALL PRIOR ORDINANCES OR AMENDMENTS, BY WHICH AMENDING AND SUPERSEDING SAID ORDINANCE AS FOLLOWS, TO WIT:

13.24.60 Service Reduction

All residential and commercial customers whose home is not occupied for a period of thirty (30) consecutive days or more shall present a written request for water shut-off in order to have their water and wastewater bill reduced during said period. In order to reinstate water and wastewater service, the customer shall present a written request therefore, at which time the rate reduction will terminate. The following reduced rates will apply for residential customers: water charge – six dollars and fifty-two cents (\$6.52); bond charge – two dollars and sixty cents (\$2.60); wastewater charge - seven dollars and eleven cents (\$7.11). The following reduced rates will apply for commercial customers: water charge – seven dollars and eighty-three cents (\$7.83); bond charge – two dollars and sixty cents (\$2.60); wastewater charge - nine dollars and forty-nine cents (\$9.49).

NOW BE IT ORDAINED that all ordinances or parts thereof in conflict with this ordinance are hereby repealed. Should any section or part of this ordinance be determined to be invalid, the same shall not invalidate the remaining section(s) of this Ordinance.

Dated this 20<sup>th</sup> day of November, 2017.

City of Custer City

\_\_\_\_\_  
Corbin Herman, Mayor

Attest \_\_\_\_\_

Laurie Woodward, Finance Officer

(SEAL)

First Reading: November 6<sup>th</sup>, 2017

Seconding Reading: November 20<sup>th</sup>, 2017

Publication: November 29<sup>th</sup>, 2017

Vote:

Arseneault:

Heinrich:

Nielsen:

Fischer:

Blom:

Maciejewski:

# 2018 UTILITY RATES - 2000 GALLON BASE

Single Family	1000 Gallons	2000 Gallons	3000 Gallons	4000 Gallons	5000 Gallons	6000 Gallons	7000 Gallons	8000 Gallons	9000 Gallons	10000 Gallons
Water	10.69	10.69	18.22	25.75	33.28	40.81	48.34	55.87	63.40	70.93
Water Bond	3.40	3.40	4.99	6.58	8.17	9.76	11.35	12.94	14.53	16.12
Wastewater	21.17	21.17	23.50	25.83	28.16	30.49	32.82	35.15	37.48	39.81
Sewer Bond	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50
Garbage	19.20	19.20	19.20	19.20	19.20	19.20	19.20	19.20	19.20	19.20
Garbage Tax	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
<b>Total Residential Rate</b>	<b>61.21</b>	<b>61.21</b>	<b>72.66</b>	<b>84.11</b>	<b>95.56</b>	<b>107.01</b>	<b>118.46</b>	<b>129.91</b>	<b>141.36</b>	<b>152.81</b>

7.53  
1.59  
2.33

Commercial & Multi Family	1000 Gallons	2000 Gallons	3000 Gallons	4000 Gallons	5000 Gallons	6000 Gallons	7000 Gallons	8000 Gallons	9000 Gallons	10000 Gallons	20000 Gallons
Water	23.02	23.02	31.88	40.74	49.60	58.46	67.32	76.18	85.04	93.90	182.50
Water Bond	3.40	3.40	4.99	6.58	8.17	9.76	11.35	12.94	14.53	16.12	32.02
Wastewater	24.85	24.85	31.57	38.29	45.01	51.73	58.45	65.17	71.89	78.61	145.81
Sewer Bond	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50
<b>Total Commercial Rate</b>	<b>56.77</b>	<b>56.77</b>	<b>73.94</b>	<b>91.11</b>	<b>108.28</b>	<b>125.45</b>	<b>142.62</b>	<b>159.79</b>	<b>176.96</b>	<b>194.13</b>	<b>365.83</b>

8.86  
1.59  
6.72

10000 Gallons	20000 Gallons
891.30	1777.30
159.22	318.22
683.41	1355.41
5.50	5.50
<b>1739.43</b>	<b>3456.43</b>

# 2018 UTILITY RATES INCREASE

Single Family	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000
	Gallons									
Water	0.31	0.31	0.53	0.75	0.97	1.19	1.41	1.63	1.85	2.07
Water Bond	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Wastewater	0.62	0.62	0.69	0.76	0.83	0.90	0.97	1.04	1.11	1.18
Sewer Bond	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Garbage	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Garbage Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Residential Rate</b>	0.93	0.93	1.22	1.51	1.80	2.09	2.38	2.67	2.96	3.25

0.22  
0.00  
0.07  
0.00  
0.00  
0.00

Commercial & Multi Family	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000	20000
	Gallons										
Water	0.67	0.67	0.93	1.19	1.45	1.71	1.97	2.23	2.49	2.75	5.35
Water Bond	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Wastewater	0.72	0.72	0.92	1.12	1.32	1.52	1.72	1.92	2.12	2.32	4.32
Sewer Bond	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Commercial Rate</b>	1.39	1.39	1.85	2.31	2.77	3.23	3.69	4.15	4.61	5.07	9.67

100000	200000
Gallons	Gallons
26.15	52.15
0.00	0.00
20.33	40.34
0.00	0.00
46.48	92.49
3%	3%

# 2017 UTILITY RATES - 2000 GALLON BASE

Single Family	1000 Gallons	2000 Gallons	3000 Gallons	4000 Gallons	5000 Gallons	6000 Gallons	7000 Gallons	8000 Gallons	9000 Gallons	10000 Gallons
Water	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Water Bond	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Wastewater	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Sewer Bond	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Garbage	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Garbage Tax	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Total Residential Rate</b>	1.5%	1.5%	1.7%	1.8%	1.9%	2.0%	2.1%	2.1%	2.1%	2.2%

3%  
0%  
3%

Commercial & Multi Family	1000 Gallons	2000 Gallons	3000 Gallons	4000 Gallons	5000 Gallons	6000 Gallons	7000 Gallons	8000 Gallons	9000 Gallons	10000 Gallons	20000 Gallons
Water	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Water Bond	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Wastewater	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Sewer Bond	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Total Commercial Rate</b>	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%

3%  
0%  
3%

100000 Gallons	200000 Gallons
3%	3%
0%	0%
3%	3%
0%	0%
3%	3%
0%	0%
3%	3%
0%	0%
3%	3%
0%	0%



Planning Department  
622 Crook Street  
Custer, SD. 57730  
Phone: 673-4824 Fax: 673-2411  
e-mail: timh@cityofcuster.com

#### Staff Report

Request: Final Plat, Keupp Subdivision  
Applicant: Kitty & Lloyd Aman  
Location: South Side of Mount Rushmore Road, at the intersection of Aman Road  
Legal Desc.: Balance of TR KEUPP (Less Rita Tract & Tract Aman) Part of NW4SW4 & Government Lot2 in Sec. 26, T3S, R4E  
Date Prepared: November 16, 2017  
City Council Meeting November 20, 2017  
Prepared by Tim Hartmann, Planning Administrator

#### **GENERAL**

The Plat is for a subdivision that is within the corporate limits of the City of Custer. City utilities serve the current parcels. Individual wells and wastewater systems are also available on site.

The plat splits one parcel into two lots. The area was annexed into the city in 2008 but currently has no zoning.

The applicant wishes to divided Tract Keupp into 2 parcels, Tract Kitty and Tract Lloyd. Tract Kitty is proposed to contain 8.79 acres and Tract Lloyd will contain 23.80 acres. Tract Rita and Aman currently is located within the subdivision and no change will occur with this parcel.

The proposed lot line was recently vacated. The planned Keupp subdivision would return the area to original plat recorded in Book 12 Page 466. State statute 11-3-26 requires that a previously vacated plat be subdivided in the original platting procedure. Therefore, for the applicant to return to the original plat the area must be re-platted.

#### **COMPREHENSIVE PLAN**

The land use section of the Comprehensive Plan identifies this area as Suburban Residential.

#### **ROUTING SHEET RESPONSES**

Custer County Highway – No Concerns  
Custer County Planning – Legal, Keupp Subdivision/ Plat of Tract Kitty and Tract Loyd of Keupp Subdivision of Tract Keupp, Located in .....  
Custer County ROD - Legal should state (less Rita Tract & Tract Aman)

#### **PRIVATE AND PUBLIC UTILITIES**

Tract Kitty currently contains one residence and an active auto repair shop. Tract Aman & Rita contains one residence. Each building has been connected to public services, but some upgrades are needed. Public Works staff is working to address the issues with the subdivision applicant.

## **ACCESS**

Existing access to the area is provided from Mount Rushmore Road/ Hwy 16.

Tract Kitty will continue to be accessed directly from Mount Rushmore Road/ Hwy 16

Tract Lloyd will have access via a 50' Private Access and Utility Easement. The plat is originally platted with a 50' Right of Way (ROW). For the purpose of platting, a ROW is to be separate from the lots or parcels and not included within the dimensions or area of such lots or parcels, whereas an easement is defined as authorization by a property owner for the use by another, and for a specified purpose, of any designated purpose (CMC 16.04.100). Therefore, a private access and utility easement has been provided to access Tract Lloyd. Should the single parcel be further developed in the future, the easement would then be transferred public, with possible improvements required under development standards (CMC 16.20.100, CC Ordinance #2)

\*\* Private access easements are intended to serve only one residence. The Board may allow a Private Access Road to be shared by two adjoining residences where topography or access restrictions onto Federal, State, or County highways make such sharing necessary. Development of Private Access Roads is not required. (CC Ordinance #2 Section 1 #5)

## **REVISIONS NEEDED TO PRELIMINARY PLAT**

The Keupp Subdivision legal description will be addressed and assured it is sufficient. *Complete*  
The Right of Way will be changed to a Private Access and Utility Easement. *Complete*

## **PREVIOUS ACTIONS**

9/12/17 – Planning Commission reviewed the preliminary Plat. Planning Commission recommend to Council approval of the Preliminary Plat, contingent upon the changes addressed in "Revisions Needed to Preliminary Plat." *Changes Complete*

10/2/17 – Council approval of preliminary plat with the private easement shifted to follow the property line through Tract Kitty.

10/16/17 – Council re-approval of preliminary plat. Approved as originally presented to PC. Easement cannot follow property line due to topographical concerns.

11/14/17 – Planning Commission review of the Final Plat

## **PLANNING COMMISSION RECOMMENDATIONS**

The Planning Commission reviewed the final plat at the November 14<sup>th</sup>, 2017 meeting. Commission member Dvorak moved, with a second by Commission member Stites, to recommend to City Council approval of the final plat. Motion Carried.

## **STAFF RECOMMENDATIONS**

Staff supports a recommendation to council for approval of the final plat.

## Various References

CMC 16.20.100

Conformance with other regulations.

CC Ordinance #2

Private Access Roads are intended to serve only one (1) Residence.

CC Road Design Standards

Low-Volume Roads – 18', Provided access for no more than five (5) Dwelling



**KEUPP SUBDIVISION**  
 PLAT OF TRACT KITTY AND TRACT LLOYD OF KEUPP  
 SUBDIVISION OF TRACT KEUPP, LOCATED IN GOVERNMENT LOT 3  
 AND NW 1/4 SW 1/4 OF SECTION 26, T3S, R4E, BHM,  
 CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA

STATE OF SOUTH DAKOTA  
 COUNTY OF CUSTER S.S.

I, WE \_\_\_\_\_ DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND WITHIN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE

ZONING, SUBDIVISION, AND SEDIMENT CONTROL REGULATIONS. OWNERS: \_\_\_\_\_

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_ KNOWN BY ME TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

**STATEMENT OF SURVEYOR**  
 FOR BUCKHORN SURVEYING INC.

I, JACK H. KHUST, REGISTERED LAND SURVEYOR NO. 4895 OF THE STATE OF SOUTH DAKOTA DO HEREBY STATE THAT BEING SO AUTHORIZED, THE SURVEY AND WITHIN PLAT OF THE LAND SHOWN AND DESCRIBED HEREON WERE MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE WITHIN PLAT IS A REPRESENTATION OF SAID SURVEY.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY JACK H. KHUST, REGISTERED LAND SURVEYOR: \_\_\_\_\_  
 FOR BUCKHORN SURVEYING INC.



**CERTIFICATE OF COUNTY TREASURER**

I, TREASURER OF CUSTER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON THE WITHIN DESCRIBED LANDS ARE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

TREASURER: \_\_\_\_\_

**CERTIFICATE OF HIGHWAY AUTHORITY:**

IT APPEARS THAT EVERY LOT HAS AN ACCEPTABLE APPROACH LOCATION ONTO A PUBLIC ROAD AND THE LOCATION OF THE INTERSECTION(S) OF ANY PROPOSED SUBDIVISION ROAD(S) OR PRIVATE ACCESS ROAD(S) WITH EXISTING PUBLIC ROAD IS HEREBY APPROVED

HIGHWAY AUTHORITY: \_\_\_\_\_

**RESOLUTION OF GOVERNING BOARD**

STATE OF SOUTH DAKOTA

CITY OF CUSTER S.S.

WHEREAS THERE HAS BEEN PRESENTED TO THE CITY OF CUSTER, SOUTH DAKOTA, THE WITHIN PLAT OF THE ABOVE DESCRIBED LANDS AND IT APPEARING TO THE COUNCIL THAT

- a. THE SYSTEM OF STREETS SET FORTH THEREIN CONFORMS TO THE SYSTEM OF STREETS OF THE EXISTING PLATS OF THE MUNICIPALITY,
  - b. ALL PROVISIONS OF ANY THREE MILE UNIT SUBDIVISION HAVE BEEN FULLY COMPLIED WITH,
  - c. ALL TAXES AND SPECIAL ASSESSMENTS UPON THE SUBDIVISION HAVE BEEN FULLY PAID, AND
  - d. THE PLAT AND SURVEY THEREOF HAVE BEEN EXECUTED ACCORDING TO LAW.
- NOW THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MAYOR OF THE CITY OF CUSTER: \_\_\_\_\_

I, FINANCE OFFICER OF THE CITY OF CUSTER, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

THE \_\_\_\_\_ CITY COUNCIL, BY RESOLUTION DID APPROVE THE PLAT AS SHOWN HEREON.

CUSTER CITY FINANCE OFFICER: \_\_\_\_\_

**CERTIFICATE OF DIRECTOR OF EQUALIZATION**

I, DIRECTOR OF EQUALIZATION OF CUSTER COUNTY, DO HEREBY CERTIFY THAT I HAVE ON RECORD A COPY OF THE WITHIN DESCRIBED PLAT, DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DIRECTOR OF EQUALIZATION: \_\_\_\_\_

**CERTIFICATE OF REGISTER OF DEEDS**

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

AND RECORDED IN BOOK \_\_\_\_\_ OF PLATS ON PAGE \_\_\_\_\_

REGISTER OF DEEDS, CUSTER COUNTY \_\_\_\_\_



November 14, 2017

City of Custer City  
ATTN: City Council  
622 Crook Street  
Custer, SD 57730

Dear City Council Members:

The Custer Area Chamber of Commerce would like to request the following actions for the Old Time Country Fourth celebration planned for July 2 – 4, 2018. This event will be very similar to the event last summer. This two-day celebration will feature an old-fashioned fair; flag-raising ceremonies; entertainment; and a parade. Of course, the celebration will culminate with the fireworks at Pageant Hill put on by the Custer Volunteer Fire Department, weather permitting. The July 2 is for set up for the City crew only.

**Fair:** We would like to request Way Park for July 3 – 4 for the purposes of holding a children's fair. This will entail old-fashioned games, face painting, and other family-friendly activities. There will be snack concessions sold in Way Park by a community group.

**Showmobile:** We would like to request the use of the Showmobile for July 3 – 4 for entertainment throughout both days. This would be placed on 4<sup>th</sup> Street, next to Way Park. We would like the Showmobile to be set up on July 2 so that it's ready to go on the morning of July 3.

**Parade:** We would like to request permission to hold a Patriots' Parade on the morning of July 4. The parade would begin on 8<sup>th</sup> Street at Lynn's Dakotamart and proceed down Mt. Rushmore Road to Custer Corral. Line-up will be on Washington Street, much like it is for the Christmas Parade. This parade will be open only to retired and active military personnel, and emergency personnel, such as law enforcement, fire departments, search and rescue, ambulance, etc.

**Flag-raising ceremonies:** We would like to hold a flag-lowering ceremony on the evening of July 3, and a flag-raising ceremony on July 4 following the parade, both would take place at the flag pole at the Veterans' Memorial.

**Equipment needed:** We will need the City's 3 large tents, trash cans, picnic tables, traffic barriers and water key.

We hope to make the Old Time Country Fourth the best Independence Day celebration in the Black Hills.

Respectfully,

Dolsee Davenport  
Office Manager

CUSTER AREA CHAMBER OF COMMERCE

PO Box 5018 ♦ Custer, South Dakota 57730 ♦ (605) 673-2244 ♦ 800-992-9818

[www.custersd.com](http://www.custersd.com) ♦ [info@ustersd.com](mailto:info@ustersd.com) ♦ Fax: (605) 673-3726



October 27, 2017

Dustin Dale  
AE2S  
1560 Concourse Drive  
Rapid City, SD 57703  
Phone: (605) 341-7800  
Fax: (605) 341-7864  
Email: Dustin.Dale@ae2s.com

RE: Custer Water Treatment Improvements  
*Proposal Request #01 – Replace Gate Valve, Pipe Spool and Saddles*

Dear Dustin,

Enclosed, please find our proposal cost summary form to replace an 8" Gate Valve, 8" x 32" steel pipe spool, 1" and 3/4" tapping saddles and reconnection to the existing lines per Bob Morrison with the City of Custer's request. No other work is assumed to be included with this proposal other than what is stated on our cost summary form. We are requesting "1" days at this time.

Please advise if you wish to accept this proposal as per the attached, and should you have any questions, or require further information, please do not hesitate to contact our office.

Kind Regards,

Evan Waltermann  
Project Manager/ Estimator  
R.C.S. Construction, Inc.



Safety • Quality • Communication • Timeliness

P.O. Box 9337 • Rapid City, SD 57709-9337  
Phone (605) 342-3787 • Fax (605) 348-4041  
[www.rcsconst.com](http://www.rcsconst.com)



# R.C.S. CONSTRUCTION, INC. PROPOSAL COST SUMMARY

**Subject: Custer Water Treatment Improvements**

**RFP 1**

**Replace Spool, Valve & Saddles**

**Date:**

**10/27/2017**

General Contractor:		MATERIAL	LABOR	EQUIP.	SUBS.
1	R.C.S. Construction - Replace piping and appurtenances		\$512.50		
2					
3					
Subcontractors/ Suppliers:					
1	Northwest Pipe - 8" Pipe Spool, 8" Hand Wheel Gate Valve & Saddles	\$1,444.59			
2	Credit to delete downspouts from project				-\$300.00
3					
	Taxes - Material - Equip 6.5%	\$93.90		\$0.00	
	Labor Markup incl%		\$0.00		
<b>TOTALS:</b>		<b>\$1,538.49</b>	<b>\$512.50</b>	<b>\$0.00</b>	<b>-\$300.00</b>

<b>RECAP</b>		
Material	15%	\$1,769.26
<b>Subtotal</b>		<b>\$1,769.26</b>

Labor	15%	\$589.38
<b>Subtotal</b>		<b>\$589.38</b>

Equipment		\$0.00
Subs		-\$300.00
<b>Subtotal</b>		<b>-\$300.00</b>

GC - Profit	10%	\$205.86
<b>Subtotal</b>		<b>\$2,264.50</b>

Insurance	0.00%	\$0.00
<b>Subtotal</b>		<b>\$2,264.50</b>

Excise Tax	2.04%	\$46.22
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TERO	0.00%	\$0.00
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<b>Net Increase or Decrease</b>		<b>\$2,310.72</b>
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<b>RECAP</b>		
Contractor Costs		\$2,610.72
Subcontractor Costs		-\$300.00
<b>Net Increase or Decrease</b>		<b>\$2,311</b>
Change in Working days		1

Signed:



Evan Waltermann, Project Manager  
R.C.S. Construction



## CUSTER COMPREHENSIVE PLAN UPDATE

*Proposed scope of work, estimated timing, and estimated costs*

The following outline details the proposed scope of work and provides estimated timing and costs to update Custer's Comprehensive Plan. The total estimated cost for all phases is \$30,604.60. This is based on a rate for BHCLG members of \$51.35/hour and includes all travel, copies, and miscellaneous supplies required to conduct the meetings and complete the Comprehensive Plan. The City should also plan on an additional cost of approximately \$250/year to host the Comprehensive Plan website.

### PHASE ONE – *Planning process groundwork*

- **BACKGROUND DATA COLLECTION/WEBSITE DEVELOPMENT (August – September 2018)**
  1. BHCLG will collect and review planning documents related to the comprehensive plan update.
  2. BHCLG will collect GIS information for use on the project as available, including but not limited to: city parcel layer; street network system; existing water and sewer infrastructure; and, existing land use layer.
  3. BHCLG will collect up-to-date data on Custer's demographics; employment, income; economics; education; transportation system; land uses; infrastructure; and, community facilities.
  4. BHCLG will develop a comprehensive plan website to keep the public informed of the planning process.
- **SCOPING SESSION (September 2018)**
  - BHCLG will conduct a meeting with the Planning Commission to review accomplishments from the 2031 Plan and identify key issues to focus upon during the update process.
- **PUBLIC INPUT STRATEGY DEVELOPMENT (October 2018)**
  - BHCLG will conduct a meeting with the Planning Commission to develop the public input strategy and discuss preferred avenues of citizen engagement for the plan update.
- **PHASE 1 ESTIMATED TIME/COST: 72 HOURS/\$3,697.20**

### PHASE TWO – *Initial input from the public*

#### A. **COMMUNITY SURVEY (November – December 2018)**

1. Based on the input from the City and Planning Commission, BHCLG will develop a community survey to gauge the public's view of the issues and opportunities facing Custer. The survey will be available online and via paper format. The results of the survey will help to inform revisions to the vision and goals included in the plan document.



***B. STAKEHOLDER MEETINGS (January 2019)***

1. BHCLG will conduct four small group stakeholder meetings with attendees identified by the City. These meetings will focus on issues and opportunities for the City of Custer. BHCLG will develop the invitation materials—letters and posters—but the City will be responsible for distributing the invitations and publicizing the event. The input from these meetings will inform revisions to the vision and goals included in the plan document.

- PHASE 2 ESTIMATED TIME/COST: 116 HOURS/\$5,956.60

**PHASE THREE –*Profiling the community***

***A. UPDATED COMMUNITY PROFILE (February 2019)***

1. BHCLG will complete a Community Profile, which will include an analysis of existing conditions in demographics, employment, housing, land use, transportation, and community facilities. The community profile information will appear throughout the plan, articulated in the form of infographics, graphs, tables, and maps.
2. Based on the availability of data, BHCLG will develop a series of maps to illustrate existing conditions in areas such as land use, transportation network, infrastructure services, and parks.
3. BHCLG will synthesize all survey results and information obtained from the stakeholder meetings to relate the desires and ideas expressed by the public and this will be used as a foundation for the Phase Four visioning sessions.

- PHASE 3 ESTIMATED TIME/COST: 80 HOURS/\$4,108

**PHASE FOUR –*Plan vision and goal revisions***

***A. VISIONING/GOAL SETTING SESSIONS (March and April 2019)***

1. BHCLG will hold a meeting with the Planning Commission to present the community profile information, the public survey results, and input received during the stakeholder meetings.
2. BHCLG will conduct two public visioning and goal setting meetings, in which participants will take part in visioning and goal setting activities regarding the future of Custer. BHCLG will develop the materials inviting people to attend this meeting and to publicize the events, but the City will be responsible for distributing the invitations and publicizing the events.

- PHASE 4 ESTIMATED TIME/COST: 40 HOURS/\$2,054



## PHASE FIVE – *Drafting the plan*

### A. *PLAN DOCUMENT DEVELOPMENT (May – July 2019)*

1. Using the background data, maps, and the input gathered, BHCLG will develop a draft of the comprehensive plan. It is anticipated that the plan will consist of the following sections: Community Profile; Planning Process; Vision and Goals; and, Implementation. In general, the following elements will be addressed in the Community Profile, Vision & Goals, and Implementation sections: Land Use; Housing; Economic Development; Recreation; and, Public Facilities and Services.
2. BHCLG will conduct one public open house to present the draft plan. BHCLG will develop the materials inviting people to attend this meeting and to publicize the events, but the City will be responsible for distributing the invitations and the actual publications.

- PHASE 5 ESTIMATED TIME/COST: 208 HOURS/\$10,680.80

## PHASE SIX – *Finalizing the plan*

### A. *FINAL DOCUMENT (August 2019)*

1. BHCLG will work with City staff and the Planning Commission to prepare a final draft of the comprehensive plan based upon the public input received in Phase Five.
2. BHCLG will provide an electronic copy of the final plan document for adoption and sample notices and resolutions for use during the adoption process. The City will be responsible for all legal notices.

- PHASE 6 ESTIMATED TIME/COST: 80 HOURS/\$4,108