

All City Council Meetings are recorded.

**CITY OF CUSTER CITY
COUNCIL AGENDA
August 19th, 2019 – 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 – August 5th, 2019 Regular Meeting
4. Declaration of Conflict of Interest
5. Public Hearings - Public Presentations
 - a. Public Hearing – Special Wine License by Special On-Sale Wine License to Organization – Custer Senior Center
 - b. Resolution #08-19-19A – Certifying Delinquent Assessment
 - c. Custer Economic Development 2020 Budget Request
 - d. Custer Flood Update – Mike Carter
 - e.
6. Public Comments (3-minute max. per person, with total public comment period not to exceed 15 minutes)
7. Old Business
 - a.
 - b.
8. New Business
 - a. Final Plat – Spring Subdivision Lots 2R & 3
 - b.
 - c.
 - d.
 - e.
9. Presentation of Claims -
10. Department Head Discussion & Committee Reports –
11. Possible Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2(1,2,3,4,5))
12. 2020 Budget Work Session
13. Adjournment

**CITY OF CUSTER CITY
BOARD OF ADJUSTMENT AGENDA
August 19th, 2019 – City Hall Council Chambers
Following Council Meeting.**

1. Call to Order - Roll Call
2. Approval of Minutes – August 3rd, 2019 Board of Adjustment Meeting
- 3 Adjournment

REMINDERS

- Park & Recreation Committee Meeting – August 20th, 2019 5:30 P.M.
Public Works Committee Meeting – September 3rd, 2019 4:30 P.M.
Regular City Council Meeting – September 3rd, 2019 5:30 P.M.
General Government Committee Meeting – September 9th, 2019 4:30 P.M.
Planning Commission Meeting – September 10th, 2019 5:00 P.M.
Regular City Council Meeting – September 16th, 2019 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
August 5th, 2019**

Mayor Herman called to order the first meeting of the Common Council for the month of August 2019 at 5:30 p.m. Present at roll call were Councilpersons Blom, Whittaker, Moore, Fischer, Nielsen and Ryan. City Attorney Chris Beesley was present. The Pledge of Allegiance was stated.

AGENDA

Councilperson Blom moved, with a second by Councilperson Nielsen, to approve the agenda. The motion unanimously carried.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Moore, to approve the minutes from the July 15th regular council meeting and the July 29th special council meeting, with a grammar correction. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

PUBLIC HEARING – RETAIL ON-OFF SALE WINE & CIDER LICENSE TRANSFER – BEGGING BURRO LLC

Councilperson Fischer moved to approve the retail on-off sale wine & cider license transfer for the Begging Burro LLC. Seconded by Councilperson Blom, the motion unanimously carried.

ACKNOWLEDGEMENT OF DELEGATION OF AUTHORITY FOR MANAGEMENT OF THE CUSTER FLOOD INCIDENT

Councilperson Nielsen moved to acknowledge the delegation of authority for management of the Custer Flood Incident, which Mayor Herman signed on August 3rd, 2019. Seconded by Councilperson Moore, the motion unanimously carried.

PUBLIC COMMENTS

No public comments were received.

MINOR PLAT – BEAVER LAKE CAMPGROUND SUBDIVISION

Councilperson Fischer moved to approve the minor plat for Beaver Lake Campground Subdivision. Seconded by Councilperson Blom, the motion unanimously carried.

LETTER OF NOTICE OF RETIREMENT

Councilperson Nielsen moved to acknowledge Robert Morrison's letter of retirement effective January 31, 2020. Seconded by Councilperson Blom, the motion unanimously carried.

CLAIMS

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

Ainsworth Benning, Professional Fees, \$6,000.00

A & B Electric, Repairs and Maintenance, \$148.26

Aflac, Insurance, \$746.47

Apple Store, Supplies, \$5.31

Battle Mountain Humane Society, Animal Control Contract, \$1,000.00

Beesley Law Office, Professional Fees, \$3,076.00

Black Hills Chemicals, Supplies, \$568.78

Black Hills Energy, Utilities, \$4,461.04

Calamity Jane Winery, Supplies, \$806.19

Custer Ambulance District, TIF #1 Payment, \$225.23

Custer Do It Best, Supplies, \$58.36

Custer Chronicle, Publishing, \$1,302.08

Custer County Treasurer, TIF #1 Payment, \$3,056.96

Custer School District, TIF #1 Payment, \$7,935.83

Dales Tires, Repairs, \$265.00

Discovery Benefits, Supplies, \$1,000.00

Fastenal, Supplies, \$61.08

Fennell Design, Professional Fees, \$17,860.50

First Interstate Bank, Supplies, \$63.15
Golden West Telecommunications, Utilities, \$521.38
Golden West Technologies, Professional Fees, \$1,315.50
Green Owl Media, Professional Fees, \$468.00
Hach, Supplies, \$235.63
Hawkins, Supplies, \$11,992.69
ImageAll, Supplies, \$39.00
J & M Lawncare, Cemetery Caretaker Contract, \$5,000.00
Kimball Midwest, Supplies, \$440.05
KLJ, Professional Fees, \$11,684.50
Lamonte's Auto Center, Repairs & Maintenance, \$690.09
McDonnell, Chantel, BID Board Advertising, \$1,400.00
Ness Stump Grinding, Maintenance, \$225.00
Northwest Pipe Fittings, Supplies, \$2,341.71
Pace, Supplies, \$360.05
Petty Cash, Supplies, \$501.01
Pitney Bowes, Supplies, \$48.69
Ramkota Hotel – Pierre, Travel and Conference, \$184.32
Rapid Fire Protection, Professional Fees, \$390.00
Simon Materials, Capital Improvements, \$106,847.40
SD DCI, Safety, \$43.25
The Hartford, Insurance, \$59.54
Thomson Reuters – West, Supplies, \$219.26
USA Bluebook, Repairs & Maintenance, Supplies, \$501.06
Wellmark, Insurance, \$12,754.93
Verizon, Utilities, \$416.23
Boot Hill LLC, Utility Refund, \$78.01
Total Claims, \$207,397.54

DEPARTMENT HEADS & COMMITTEE REPORTS

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

Council took a break from 6:04 pm – 6:08 pm

EXECUTIVE SESSION

Councilperson Fischer moved to go into and out of executive session for personnel and proposed litigation per SDCL 1-25-2(1-5) at 6:08 pm, with the Attorney, Public Works Director, Planning Administrator and Finance Officer present. Seconded by Councilperson Ryan, the motion unanimously carried. Council came out of executive session at 6:23pm. Councilperson Moore moved to authorize City Attorney Beesley to proceed legally with enforcement of the zoning ordinance and conditional permits or violations. Seconded by Councilperson Ryan, the motion unanimously carried.

Council recessed for a short Board of Adjustment Meeting 6:24 pm – 6:32 pm

2020 BUDGET WORK SESSION

Council had a work session for the 2020 budget.

HARASSMENT VIDEO

Council watched a harassment video.

ADJOURNMENT

With no further business, Councilperson Ryan moved to adjourn the meeting at 7:21 p.m. Seconded by Councilperson Fischer, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

**CITY OF CUSTER CITY
BOARD OF ADJUSTMENT MEETING
August 5th, 2019**

Chairman Herman called to order the Board of Adjustment Meeting at 6:24 p.m. Present at roll call were Board Member Blom, Whittaker, Moore, Fischer, Nielsen and Ryan. City Attorney Chris Beesley was present.

AGENDA

Board Member Nielsen moved, with a second by Board Member Blom, to approve the agenda. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

PUBLIC HEARING – SETBACK VARIANCE REQUEST 1203 BLUEBELL LANE LOT 2 OF BLOCK 2 WOODLAND ESTATES

Board Member Whittaker moved to approve the variance request for a manufactured steel carport at 1203 Bluebell Lane. Seconded by Board Member Blom, the motion carried with Board Member Blom, Whittaker, Nielsen, Fischer, Moore, Ryan and Herman voting yes.

PUBLIC COMMENTS

No public comments were received.

ADJOURNMENT

With no further business, Board Member Nielsen moved to adjourn the meeting at 6:32 p.m. Seconded by Board Member Whittaker, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Chairman

NOTICE OF PUBLIC HEARING UPON APPLICATIONS FOR SPECIAL WINE LICENSE BY SPECIAL ON-SALE WINE RETAILER LICENSE TO ORGANIZATIONS

UPON APPLICATION for special wine license by special on-sale wine retailer license to organizations, notice is hereby given that the City Council of the City of Custer City, Custer County, South Dakota will hear and consider the following applications for special wine license by special on-sale wine retailer license to organizations at a meeting of the City Council to be held on the 19th day of August, 2019, in the Council Chambers of City Hall in said City at 5:30 p.m. of said day. Application to be considered for pursuant to SDCL 35-4 is as follows:

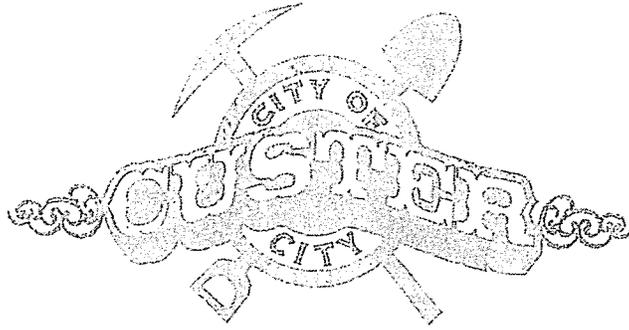
Custer Senior Center – August 6th, 2019 and August 13th, 2019 – Custer Senior Center Dinner Play Event

Any person or persons interested either for or against the granting of any such application may appear at the time and place above stated. Individuals needing assistance, pursuant to the Americans with Disabilities Act should contact the City Finance Officer no less than 24 hours prior to this meeting to make necessary arrangements.

Dated this 2nd day of August 2019.

/s/Sydney Gramkow
Custer City Deputy Finance Officer

Custer County Chronicle – Please Publish August 7th, 2019



622 Crook Street
Custer, SD 57730

Phone: (605) 673-4824
Fax: (605) 673-2411

Application for Special Events Alcoholic Beverage License

This application is for special malt beverage retailers license, special retail on-sale wine license, or special permit for alcohol on public property (brown bag permit) in conjunction with a special event to any public, civic, charitable, educational, fraternal, or veterans organization to be held in the City of Custer for a period not to exceed 15 consecutive days. ****If applying for a Brown Bag Permit, there shall be NO exchange of money at the event! ****

<p>Organization/Business Name: Custer Senior Center.</p> <p>Owner Name: Director: Jill Kettle.</p> <p>Address: 538 Mt. Rushmore Rd. Custer, S.D. 57730</p> <p>Telephone: (605) 673-2708</p>	<p>Dates of Event: (2 nights) Fri. SEPT. 6, 2019. Fri. SEPT. 13, 2019.</p> <p>Location of Event: (COMPLETE DESCRIPTION INCLUDING STREET ADDRESS) Custer Senior Center. 538 Mt. Rushmore Rd. Custer, S.D. 57730.</p> <p>Officers of Organization: Dick Dunnean - president.</p>
<p>Description of Event: See Attached Flier.</p>	

See next page

*Pat Steele & Phyllis Stotz
with
Thea Teasly & Bill Gribbin*



Do You Remember?

A new Heartfelt comedy by

Wally Steele

Dinner theater presentation

at the

Custer Senior Center

September 6th and 13th

Dinner served at 6:00PM

Play to follow

Dessert at intermission

Proceeds go to the Custer Senior Center

Tickets \$25.00

Advanced sales only. Limited seating.

For tickets call Senior Center - 678-2708, Pat Steele -

605-695-8014, Phyllis Stotz - 605-695-8014.

Check which license is being requested for the Special Event: Malt beverage Wine Brown Bag

Do you own or lease this property within the city? If leasing, please include copy of lease agreement.

FOR SPECIAL MALT BEVERAGE OR WINE LICENSE:

\$50 FOR SPECIAL MALT BEVERAGE OR WINE LICENSE \$50 = \$50 TOTAL

PLUS \$5 FOR EACH ADDITIONAL DAY NO. OF DAYS 2 X \$5 = 10.00 TOTAL

} \$55

FOR SPECIAL MALT BEVERAGE BY CURRENT LICENSEE:

\$300 FOR SPECIAL MALT BEVERAGE LICENSE PER SDCL 35-4-2(16)

\$5 PER EVENT FOR BROWN BAG NO. OF EVENTS _____ X \$5 = _____ TOTAL

TOTAL AMOUNT DUE 55-

If using City Property:

Has applicant submitted request to use City property as part of license request? Yes No

Copy of request attached

Signature

Jim Kestle

Date

8/6/19

BUSINESS OWNER OR ORGANIZATION OFFICER ONLY

OFFICE USE ONLY:

Notice of Hearing published on August 7th 2019

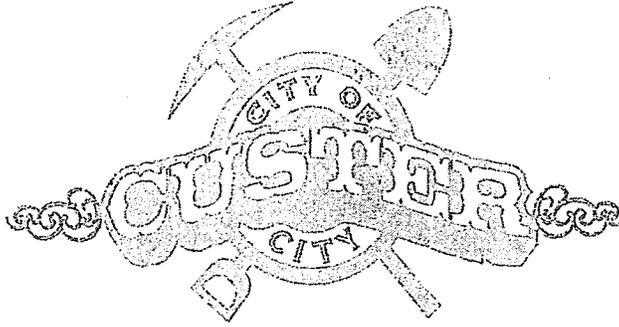
Public Hearing Held on August 19th 2019

COUNCIL DECISION: Approved Disapproved

Paid \$55 CK
on 8-6-19
Rcpt # 46850

See next page

If there is a flyer advertising your event, please attach it to this application



622 Crook Street
Custer, SD 57730

Phone: (605) 673-4824
Fax: (605) 673-2411

PROOF OF INSURANCE ATTACHED

CERTIFICATION: The undersigned applicants certify under penalties of perjury, by law provided that all statements herein are true and correct; that the said applicants comply with all of the statutory requirements for this class of license being applied for and in addition agree to permit agents of the City of Custer access to the licensed premises and records as provided in SDCL 35-2-2.1, and agree that this application shall constitute a contract between applicants and the City of Custer entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of SDCL Title 35, as amended.

HOLD HARMLESS AND INDENMIFICATION AGREEMENT: If any alcoholic or malt beverages are involved in the use of the City's property or premises, the applicant hereby agrees to maintain liquor liability insurance with a limit of not less than \$2,000,000 per incident. If such insurance contains a general aggregate limit, it shall apply separately to this agreement or be no less than two times the occurrence limit herein. Such insurance shall add the City, its officials, agents, its employees and volunteers, as additional insured's, and a Certificate of Insurance shall be attached to this application and delivered to the City's Finance Officer.

That in all cases, the applicant agrees to use and possess the property or premises hereby rented or leased to it by the City, in accordance with all applicable federal, state, county and local rules and regulations. Further, the applicant hereby states that it shall hold harmless and indemnify the City, its officials, agents, its employees and volunteers from any and all loss, injury, damages, and/or death, of any kind or type whatsoever that may be occasioned by the applicant using the City's property or premises.

I UNDERSTAND THAT THERE IS TO BE NO EXCHANGE OF MONEY AT THIS EVENT IF I AM APPLYING FOR A BROWN BAG PERMIT

Signed this 6th day of August
Signature Jim A. Hinkle Director.

APPROVAL BY CITY OF CUSTER – Notice of hearing was published on _____.
Public hearing on the application was held _____, not less than seven (7) days after official publication. The Custer City Council, by majority vote, recommends the approval and granting of this license and certifies that requirements as to location and suitability of the premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Date Council Approved: _____

Finance Officer

Fee collected with this application \$ 55-

RESOLUTION #8-19-19A
RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CUSTER
CERTIFYING A DELINQUENT ASSESSMENT PURSUANT TO
SDCL 10-23-1.1

The City Council of the City of Custer, State of South Dakota does hereby assess and levy on and against the several lots and parcels of land described below the respective sums of money set against each lot or parcel.

This assessment is made to defray the cost of abating a nuisance as per SDCL 21-10-6.

The owners of said described lot or parcel have been noticed by certified mail return receipt requested and have failed to pay the amount of said described abatement.

NAME OF OWNER	DESCRIPTION OF PROPERTY	AMOUNT
WITT / VANDER HEIDE DEBRA S LAMBERSON (WALLING)	304 YOUNG DRIVE LOTS 8-9 BLOCK 12 CUSTER, SOUTH DAKOTA PARCEL #008079	\$1,125.00
	TOAL	\$1,125.00

The City Finance Officer is directed to file this Resolution with the Custer County Auditor's Office to certify the delinquent assessment pursuant to SDCL 10-23-1.1.

Attest:

CITY OF CUSTER

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

(SEAL)

Adopted: August 19, 2019



Custer Area Economic Development Corporation
PO Box 15, Custer, SD 57730
Driving Community and Economic Growth

What is CAEDC?

The CAEDC is a non-profit (currently all-volunteer) organization with the mission of Driving Community and Economic Growth; our goal is long term community stability and economic well-being for all of the citizens of Custer County. Our Board members are Jeff Prior, President, Phil Abernathy, Treasurer, Tanya Olson, Secretary, Kelly Miller, Brad Krush, Gene Fennell, and Martin Freidel.

Our work so far:

- 1) In partnership with the City of Custer, we have funded and organized the Dakota Resources Community Assessment, both through grants and self-funding
- 2) Funded and Organized Community Coaching
- 3) Created the CAEDC Foundation, a tax exempt organization, in preparation for:
 - a) Facilitating desperately needed workforce housing
 - b) Funding a full time Economic Development Director
- 4) Housing subcommittee organized the Custer Housing Assessment (THANK YOU Custer City for helping to fund that study!)
- 5) Recreation subcommittee organized a community walking audit that is driving recreational improvements
 - a) Using our new tax exempt status to apply for \$8,500 in grants
- 6) Education subcommittee directives are driving post-secondary and CTE initiatives at the school district
- 7) Represents Custer in the Rushmore Region Economic Development Alliance
- 8) Our Board members are helping grow new businesses



What are we asking for and why?

We are a 100% Volunteer organization that is doing a lot but doesn't have the time or expertise necessary to accurately plan and respond for a quickly changing economy. We are looking for a funding partnership with Custer County and the City of Custer to support a Full Time Economic Development Director (EDD).

We are missing opportunities to direct our own economy – we need to be acting as soon as opportunities arise with an eye always toward our future. For example an EDD could be proactive in filling the now-empty dentist's office and Shopko building. We need a point of contact and manager for grants that we or our committees apply for. We need a person to connect local small businesses with education and grant opportunities. We need someone to help with ACTIVE strategic economic development, diversification, and workforce development. These activities ensure that an Economic Development Director is a position that pays for itself in increased tax revenue.

What does and Economic Development Director do to fill the need?

See job description attached



Custer Area Economic Development Corporation
PO Box 15, Custer, SD 57730
Driving Community and Economic Growth

How would an EDD help Custer City?

An EDD ties all the work we are all doing together and helps us work more effectively and seamlessly – between City, County, GOED, other regional Economic Development Organizations, and Non-Governmental Organizations. An EDD understands and develops a big vision for our community and economy to grow in a stable, sustainable way; thrive when the economy is good and develop resistance to economic downturns.

1) Develops Strategic Economic Development

- a) Understand and advise CAEDC, the City and County on policy impacts to economic growth
 - b) Build a stronger relationship with GOED and other ED organizations gives us a big picture view of our economy in relationship to region and state
 - c) Active economic diversification
 - d) Active job development
 - e) Active retention of existing jobs / professions
 - i) Active development of employee pipeline and workforce development
 - ii) Active replacement of retirees in critical professions – dentists, plumbers, electricians, day care providers, mechanics, and other professions that are hard to fill in rural areas.
 - f) Leverage economic development opportunities
- 2) Expand tax base
 - 3) Successfully compete with surrounding communities
 - 4) Identify and serve the needs of local business owners
 - 5) Apply for and implement grants for community and economic development
 - 6) Help identify and drive workforce housing development
 - 7) Manage the CAEDC Foundation
 - 8) Many other tasks that drive community and economic growth



Custer Area Economic Development Corporation
PO Box 15, Custer, SD 57730
Driving Community and Economic Growth

CAEDC Economic Development Director DRAFT

Job Summary

Performs a variety of complex, administrative, technical and professional work in directing the City's economic development, community development and planning functions, under general direction of the City Manager. Work involves business recruitment and retention, advocacy of business interests in City government, marketing, strategic visioning, supervision of department staff, budget preparation and evaluation of department programs.

Essential Duties and Responsibilities

- Maintains close liaison with existing businesses in the community to retain their operations and assist in proposed expansion;
- Meets with representatives of businesses to develop interest in their locating in the city. Provides information on site and land availability, utilities, financial support, labor force supply, market information and rental space;
- Works towards diversifying the City's economic base & revitalizing the City.
- Works with State and Federal agencies, including preparation of TIF, CDBG documents and Federal loan and grant applications, to promote economic development activities in the City;
- Maintains and fosters contact with business leaders, developers, merchants, bankers, State Agencies, Chamber of Commerce, University, HUD, EDA, Congressional and Legislative Delegation;
- Advises the City and County on matters germane to economic and community development, leads the economic development committee.
- Directs and coordinates the development of community and economic development plans and strategies, including preparation of grant applications to achieve the City's economic development goals;
- Maintains business & City inventory and database relative to CAEDC's functions and maintains CAEDC's website;
- Promotes the development of small businesses and entrepreneurs through targeted programs and services;
- Participates/coordinates in activities/organizations that are central to the department's mission;
- Performs related work as required

Desired Minimum Qualifications

Education and Experience:

- Bachelor's degree in public/business administration, planning, or related field;
- A minimum of seven (7) years of related experience, or equivalent combination of education and experience in economic development

Necessary Knowledge, Skills and Abilities:

- Executive experience in business planning and development, including managerial work in government or private organizations;



Custer Area Economic Development Corporation

PO Box 15, Custer, SD 57730

Driving Community and Economic Growth

- Proven ability to address problems confronting the business, service and industrial firms of the community and also of those who could potentially locate in the City;
- Ability to direct and perform technical and financial research, analyze and assemble data to make effective oral and written presentations of the results to staff, City Council and various boards and committees;
- Working knowledge of real estate law and practices and business financing;
- Excellent communication skills, both verbally and in writing;
- Knowledge of geographic, economic, social and governmental characteristics of the area.
- Ability to establish and maintain effective working relationships with the private sector, representatives of other agencies, the general public and municipal employees;
- Ability to plan and coordinate departmental activities and programs with other municipal, public and private agencies.
- Ability to read and interpret engineering drawings such as surveys, construction plans, sewer plans and soil surveys.
- Possess effective public presentation skills - public speaking and to include Microsoft Office Suite tools of Word, Excel and PowerPoint.

Job Requirements

Professional certifications in Economic/Community Development desirable.

Physically and mentally capable of performing essential job functions.

Flexibility to attend various meetings outside of the normal workday; or to travel occasionally for meetings, seminars or workshops.

Job Type: Full-time

Salary: \$56,000.00 to \$73,000.00 /year (typical to industry)

Experience: relevant: 7 years (Preferred)

This Job Is Ideal for Someone Who Is:

- Dependable -- more reliable than spontaneous
- People-oriented -- enjoys interacting with people and working on group projects
- Adaptable/flexible -- enjoys doing work that requires frequent shifts in direction
- Detail-oriented -- would rather focus on the details of work than the bigger picture
- Achievement-oriented -- enjoys taking on challenges, even if they might fail



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

Staff Report

Request: Final Plat, Spring Subdivision Lots 2R & 3
Applicant: Matt Hespen
Legal Desc.: Spring Subd - Lots 2R and 3 - See Plat for full legal
Fee Paid: \$450.00
Date Prepared: August 14, 2019
City Council Meeting: August 19, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a subdivision of land adjacent to the E, N/E side of the City. Per SDCL 11-3-6 the City is responsible for reviewing and approving plats adjoining the City. The proposed plat will divide the existing Lot 2 (13.608 acres) into two proposed lots, Lot 3 (6.752 acres) and Lot 2R (6.857 acres). The existing Lot 2 currently does not have any structures upon such.

The proposed plat is the initial phase of some planned development with this parcel and area East of the new Custer Regional Hospital.

The area is currently in the county and therefore has no zoning.

COMPREHENSIVE PLAN

The plat is within the area projected as Suburban Residential on the Comprehensive Plan.

ROUTING SHEET RESPONSES

SDDOT – No concerns.

CC Planning – Legal description.

CC ROD – Legal description.

ACCESS AND PUBLIC SERVICES

Access to the proposed Lot 3 will be primarily provided by the 50' in width Crook Street Right of Way. After completion of this plat, the proposed Lot 3 may be incorporated within the adjacent Lot 1.

The remaining portion of existing Lot 2, the proposed Lot 2R will retain access directly from Montgomery Street.

City water and sewer services are available near the West property line of the proposed Lot 3 within the Crook Street Right of Way. Water services have also been stubbed just past the N/E corner of the neighboring Lot 1.

A 30' utility easement has been added the N, N/W side of the proposed Lot 3 to accommodate possible service extensions if needed.

ANNEXATION AND ZONING

Upon approval of this plat, annexation of the proposed Lot 3 appears to be desirable by all party's involved. City staff and City Legal Counsel have begun correspondence with Mr. Hespen and Regional Health concerning annexation and zoning upon completion of this plat

PREVIOUS ACTION BY THE PLANNING COMMISSION & COUNCIL

The Planning Commission reviewed this plat at their July 9th, 2019 meeting. After some discussion mainly focused around the planned development of the area, Crook Street Right of Way and water and sewer service locations and improvements, the Commission unanimously recommended approval of the plat by the Council.

The City Council also reviewed this plat at their July 15th, 2019 meeting. After some discussion the Council did approve the preliminary plat, subject to further review of access easements for sewer, water or street extensions. Such discussion being the primary reason for the addition of the 30' Utility Easement as seen on the Final Plat.

The Planning Commission reviewed the final plat at their August 13, 2019 meeting. Staff explained the addition of the utility easement, the conditions requested by the City upon approval of the plat, and that there are no other changes to the plat. The Commission then unanimously approved recommending approval of the final plat by the Council.

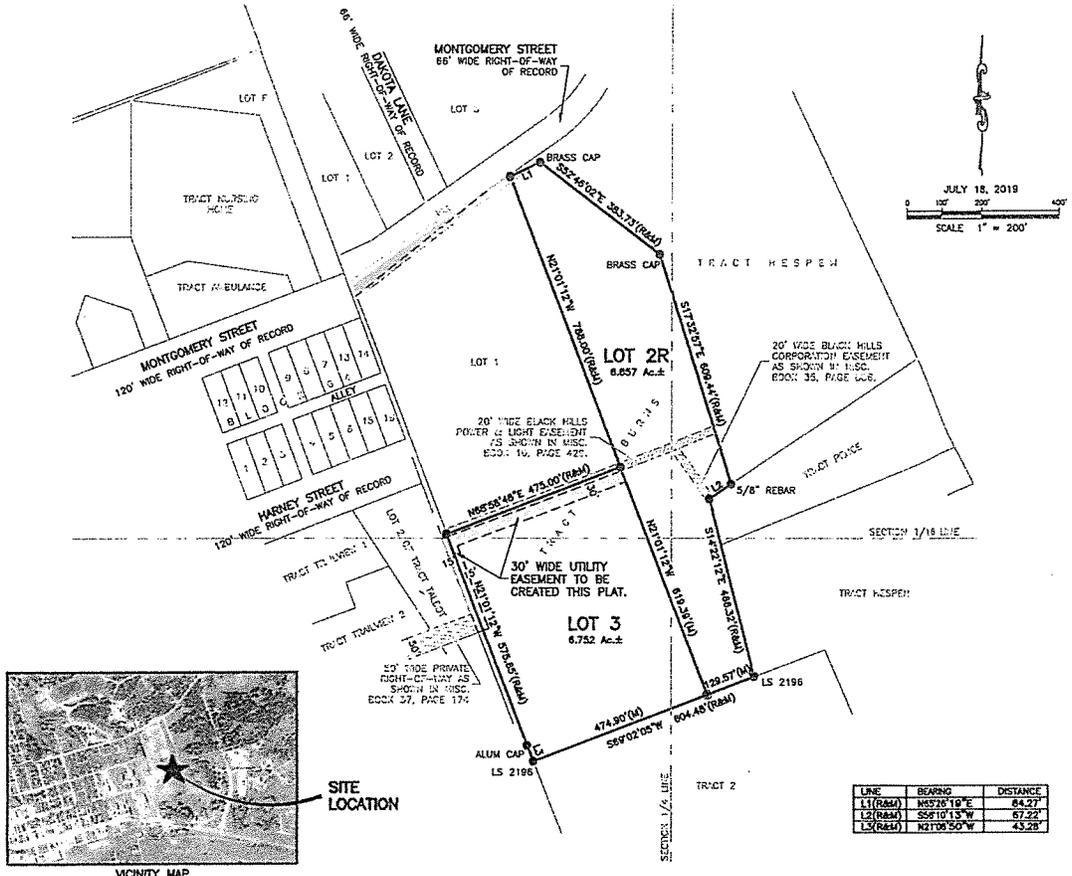
STAFF RECCOMENDATIONS

Staff recommends approval of the plat by the Council. The primary discussion during the preliminary plat phase, utility improvements, has been addressed with the addition of the 30' utility easement.

SPRING SUBDIVISION

LOTS 2R AND 3 OF LOT 2 OF SPRING SUBDIVISION OF TRACT BURNS OF TRACT 1 AND 3 OF TRACT W OF CLARK PLACER M.S. 506 AND HALL PLACER M.S. 594
 (formerly Spring Subdivision Lot 2 of Tract Burns of Tract 1 and 3 of Tract W of Clark Placer M.S. 506 and Hall Placer No. 594)
 LOCATED IN SECTION 24, T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

C
7/18/19



SITE LOCATION
 MONTGOMERY MAP
 NOT TO SCALE

NOTE:
 AN AREA OF SPECIAL FLOOD HAZARD DOES NOT EXIST ON SUBJECT PROPERTY.
 PREVIOUS PLAT OF SUBJECT PROPERTY IS SHOWN ON PLAT BOOK 12, PAGE 640.

PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2, THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE, INCLUDING GROUNDWATER, LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

CERTIFICATE OF OWNERSHIP
 State of South Dakota S.S.
 County of Custer

I, the undersigned do hereby certify that I am the owner of the tract of land shown and described herein, that said land is free from any encumbrance, that I did authorize and do hereby approve the survey and within plot of said land for the purposes indicated herein. I further certify that the development of this land shall conform to all existing applicable zoning, subdivision, erosion and sediment control regulations.

Any land shown on the within plot as dedicated to public right-of-way is hereby dedicated to public use and public utility use as such forever, but such dedication shall not be continued to be a donation of the fee of such land.

In witness whereof, I have set my hand and seal.

OWNER: _____
 Matthew Haspen

On the _____ day of _____, 20____ before me, a Notary Public, personally appeared Matthew Haspen, known to me to be the person described in the foregoing instrument and acknowledged to me that he signed the same.

NOTARY PUBLIC: _____
 My commission expires: _____

CERTIFICATE OF DIRECTOR OF EQUALIZATION
 I, Director of Equalization of Custer County, do hereby certify that I have received a copy of such plat.

Dated this _____ day of _____, 20____

 Director of Equalization Custer County

APPROVED: _____
 Director of Equalization Custer County

CERTIFICATE OF CITY FINANCE OFFICER
 I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota, at a meeting held on the _____ day of _____, 20____.

 City Finance Officer



CERTIFICATE OF SURVEYOR
 State of South Dakota S.S.
 County of Pennington

I, Eric D. Howard, Registered Land Surveyor No. 9213 in the State of South Dakota, do hereby certify that at the request of the owners listed herein, I have surveyed the tract of land shown, and to the best of my knowledge and belief, the within plat is a representation of said survey. Easements or restrictions of miscellaneous record or private easements that are not known to me are not shown hereon.

In witness whereof, I have hereunto set my hand and seal.

Eric D. Howard, Registered Land Surveyor Date: _____

RESOLUTION OF CITY COUNCIL
 Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that the said plat and the survey thereof have been executed according to law.

Now therefore, BE IT RESOLVED, that said plat is hereby approved in all respects.

Dated at Custer, South Dakota this _____ day of _____, 20____

Mayor _____ Finance Officer _____

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 the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Dated this _____ day of _____, 20____

 Highway Authority

CERTIFICATE OF COUNTY TREASURER
 I, Treasurer of Custer County, do hereby certify that all taxes that are due upon any land included within the Plat, as shown by the records of his/her office, have been fully paid.

Dated this _____ day of _____, 20____

 Treasurer of Custer County

CERTIFICATE OF REGISTER OF DEEDS
 State of South Dakota S.S.
 County of Custer

Filed this _____ day of _____, 20____ at _____ o'clock _____ M.

In Book _____ of Plats, Page _____

 Register of Deeds

Fee: \$ _____

A & B Electric, Repairs and Maintenance, \$270.30
American Legal Publishing, Professional Fees, \$438.90
Black Hills Urgent Care, Safety, \$230.00
Black Hills Chemical, Supplies, \$143.92
Black Hills Energy, Utilities, \$16,593.97
California State Disbursement, Deductions, \$92.30
Clark, Jeff, Reimbursement, \$73.71
Code Works, Professional Fees, \$232.62
Core & Main, Repairs and Maintenance, \$103.57
Culligan, Repair & Maintenance, \$18.50
Custer Area Arts Council, Other, \$757.00
Custer Beacon, Supplies, \$507.00
Custer Car Wash, Repairs and Maintenance, \$12.25
Chamber of Commerce, Sales Tax Subsidy, Supplies, \$44,353.51
Custer Heating & Air Conditioning, Repairs and Maintenance, \$74.43
Custer Ace Hardware, Supplies, Repairs & Maintenance, \$587.60
DGR Engineering, Professional Fees, \$5,366.50
Discovery Benefits, Supplies, \$27.00
First Interstate Bank, Supplies, \$163.92
French Creek Supply, Supplies, \$196.79
Hawkins, Supplies, \$4,807.69
Hills Toilet Service, Supplies, \$140.00
Image All, Supplies, \$19.50
Kimball Midwest, Supplies, \$106.23
Laboratory Corporation, Safety, \$69.75
Lone Elk – Engelbrecht, Cruisin Refund, \$500.00
Lynn's Dakotamart, Supplies, \$43.72
Midcontinent Testing Labs, Professional Fee, \$657.00
Nelson's Oil & Gas, Supplies, \$1,437.89
Petty Cash, Supplies, \$37.40
Promotion Physical Therapy, Safety, \$60.00
Pace, Supplies, \$382.13
Rapid Delivery, Supplies, \$66.15
Regional Health Network, Sales Tax Subsidy, \$80,873.90
Sander Sanitation, Supplies, \$599.82
Servall, Supplies, \$190.20
SD DENR, Permit Fees, \$95.00
State of SD, Sales Tax, \$1,147.88
Secretary of State, Supplies, \$125.00
Bit Finance/State Long Distance, \$44.85
Svensson, Karl, Supplies, \$4,034.23
USDA Loan Payments, \$8,910.00
Nelson, John, Utility Refund, \$63.01
Fisher, Rodney, Utility Refund, \$7.01
Total Claims \$174,662.15

