

All City Council Meetings are recorded.

CITY OF CUSTER CITY
COUNCIL AGENDA
December 17th, 2018 – 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 – December 3rd, 2018 Regular Meeting
4. Declaration of Conflict of Interest
5. Public Hearings - Public Presentations
 - a. Second Reading – Ordinance #816 – 2018 Supplemental Budget Ordinance
 - b. Resolution #12-17-18A – Portion of French Creek Drive Street Closure
 - c.
 - d.
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. Deed Restriction – West Dam Wetlands
 - b. Minor Plat – Powell Tract and Lannoye Tract of Bavarian Hills Estates
 - c. Volunteer Coverage for Deer Management
 - d. Park, Recreation & Forestry Committee Appointment
 - e. Employee Step Increases
9. Presentation of Claims –
10. Department Head Discussion & Committee Reports –
11. Possible Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2(1-4))
12. Adjournment

REMINDERS

- ***End of Year Regular City Council Meeting – December 28th, 2018 12:00 P.M.*****
Public Works Committee Meeting – January 7th, 2019 4:30 P.M.
Regular City Council Meeting – January 7th, 2019 5:30 P.M.
General Government Committee Meeting – January 14th, 2019 4:30 P.M.
Planning Commission Meeting – January 15th, 2019 5:00 P.M.
Regular City Council Meeting – January 22nd, 2019 5:30 P.M.
Park & Recreation Committee Meeting – January 23rd, 2019 5:30 P.M.
Regular City Council Meeting – February 4th, 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
December 3rd, 2018**

Mayor Corbin Herman called to order the first meeting of the Common Council for the month of December 2018 at 5:30 p.m. Present at roll call were Councilpersons Blom, Whittaker, Nielsen, Fischer, Moore and Arseneault. City Attorney Chris Beesley was present. The Pledge of Allegiance was stated.

AGENDA

Councilperson Blom moved to approve the agenda. Seconded by Councilperson Whittaker, the motion unanimously carried.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Fischer, to approve the minutes from the November 19th regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

SECOND READING – ORDINANCE #815 – DESIGNATED WETLAND MAINTENANCE

Councilperson Fischer moved to adopt Ordinance #815, Designated Wetland Maintenance. Seconded by Councilperson Nielsen, the motion carried with Councilperson Blom, Whittaker, Nielsen, Fischer, Moore and Arseneault voting yes.

FIRST READING – ORDINANCE #816 – 2018 SUPPLEMENTAL BUDGET ORDINANCE

Councilperson Nielsen moved to approve Ordinance #816, 2018 Supplemental Budget Ordinance. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION #12-03-18A – WARRANTY DEED – TRACT CLINIC

Councilperson Nielsen moved to adopt Resolution #12-03-18A, Warranty Deed – Tract Clinic. Seconded by Councilperson Arseneault, the motion unanimously carried.

RESOLUTION #12-03-18B – DISSOLVING TIF #1 – FINANCING DISTRICT

Councilperson Fischer moved to adopt Resolution #12-03-18B, Dissolving TIF#1 Financing District. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION #12-03-18C – SELF-ASSESSMENT FOR PERFORMANCE REVIEW

Councilperson Blom moved to adopt Resolution #12-03-18C, Self-Assessment for Performance Review. Seconded by Councilperson Whittaker, the motion unanimously carried.

RESOLUTION #12-03-18D – DEED OF CONVEYANCE (LAPTOP)

Councilperson Fischer moved to adopt Resolution #12-03-18D, Deed of Conveyance (Laptop). Seconded by Councilperson Moore, the motion unanimously carried.

PUBLIC COMMENTS

No public comments were received.

CHRISTMAS PARADE RESCHEDULE – CUSTER CHAMBER OF COMMERCE

Councilperson Fischer moved to approve the Custer Chamber of Commerce request to reschedule the Annual Christmas Parade for Thursday, December 6th at 5:30 pm. Seconded by Councilperson Arseneault, the motion unanimously carried.

2019 ANIMAL CONTROL CONTRACT – BATTLE MOUNTAIN HUMANE SOCIETY

Councilperson Moore moved to approve the 2019 Animal Control Contract with Battle Mountain Humane Society at \$1,000 per month. Seconded by Councilperson Whittaker, the motion unanimously carried.

MINOR PLAT – TRACTS RAYMOND NORTH AND RAYMOND SOUTH

Councilperson Fischer moved to approve the minor plat for Tracts Raymond North and Raymond South. Seconded by Councilperson Nielsen, the motion unanimously carried.

MINOR PLAT – LOT 18R AND TRACT 7R OF DEER RIDGE SUBDIVISION

Councilperson Nielsen moved to approve the minor plat for Lot 18R and Tract 7R of Deer Ridge Subdivision. Seconded by Councilperson Blom, the motion unanimously carried.

MINOR PLAT – LOT 20R AND LOT 21R OF WHITTRICK SUBDIVISION

Councilperson Nielsen moved to approve the minor plat for Lot 20R and Lot 21R of Wittrock Subdivision. Seconded by Councilperson Blom, the motion unanimously carried.

WEST DAM CLOMR & LOMR APPLICATION SUBMITTAL - BANNER

Councilperson Fischer moved to approve the CLOMR & LOMR application submittal fees of \$14,500 for the West Dam Project as submitted by Banner. Seconded by Councilperson Whittaker, the motion carried with Councilperson Whittaker, Nielsen, Fischer, Moore, Arseneault and Blom voting yes.

DEER MANAGEMENT – DEER PROCESSING – TOP PIN ARCHERY

Councilperson Whittaker moved to approve Top Pin Archery's quote of \$40 per deer for processing the deer management deer. Seconded by Councilperson Nielsen, the motion carried with Councilperson Nielsen, Fischer, Moore, Arseneault, Blom and Whittaker voting yes.

CUSTER CRUISIN APPOINTMENT

Councilperson Fischer moved to approve the Mayor's appointment of Michael Francis to the Custer Cruisin Committee. Seconded by Councilperson Moore, the motion unanimously carried.

COST OF LIVING ADJUSTMENT

Councilperson Fischer moved to approve a 3% cost of living adjustment for all employees effective January 1st, 2019. Seconded by Councilperson Nielsen, the motion unanimously carried.

CLAIMS

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

Aflac, Insurance, \$542.74
Amazon.com, Supplies, \$965.31
Apple Store, Supplies, \$3.18
Battle Mountain Humane Society, Animal Control Contract, \$1,000.00
Black Hills Chemical, Supplies, \$38.36
Black Hills Energy, Utilities, \$2,354.81
Black Hills Area Community Foundation, Custer Dog Park, \$250.00
Baymont Inn, Travel/ Conference, \$153.98
Century Business Products, Supplies, \$165.82
Collins Flags, Supplies, \$5,510.08
Custer Do It Best, Supplies, Repair and Maintenance, \$134.40
Chronicle, Publishing, \$340.58
California State Disbursement, Deduction, \$53.19
Custer Heating & Air Conditioning, Repairs and Maintenance, \$112.37
Dacotah Bank, TIF #2 Payment, \$18,236.18
Dacotah Bank, TIF #4 Payment, \$26,670.80
Delta Dental, Insurance, \$254.20
Discovery Benefits, Supplies, \$956.92
EFTPS, Taxes, \$11,745.50
Express Collections, Professional Fees, \$35.71
Five Points Bank, TIF #5 Payment, \$20,694.23
First Interstate Bank, TIF #4 Payment, \$26,646.03
First Interstate Bank, TIF #1 Payment, \$22,437.08
Golden West Telecommunications, Utilities, \$592.05
Golden West Technologies, Repairs and Maintenance, \$673.50
National Emergency Training Center, Travel/ Conference, \$126.52
Northwest Pipe Fitting, Supplies, \$21.34
PDF Complete, Supplies, \$91.34
Petty Cash, Supplies, \$450.27
Pizza Hut, Supplies, \$48.96
Pitney Bowes, Supplies, \$48.69
Quill, Supplies, \$88.95
Regional Health Network, Deed, \$1.00
Sanders Sanitation, Garbage Collection Contract, \$14,264.80
SD Department of Revenue, License Transfer, \$75.00
SD Retirement System, \$6,307.08
Supplemental Retirement, \$500.00
Verizon Wireless, Utilities, \$1,333.06
Wright Express, Supplies, \$1,066.87
YMCA, Membership, \$40.00
Wise Richard, Utility Deposit Refund, \$10.54
Finance Department, \$4,626.28
Public Buildings, \$1,570.77
Planning Department, \$6,571.06

Public Works Department, \$3,015.25
Street Department, \$9,538.85
Cruisin Department, \$74.57
Parks Department, \$3,551.75
Water Department, \$12,344.30
Wastewater Department, \$11,266.28
Total Claims, \$217,600.55

DEPARTMENT HEADS & COMMITTEE REPORTS

Various committee reports were given in addition to updates from the department heads.

ADJOURNMENT

With no further business, Councilperson Whittaker moved to adjourn the meeting at 6:09 p.m. Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

ORDINANCE NO. 816
SUPPLEMENTAL APPROPRIATION

An Ordinance Entitled Ordinance No. 816, a Supplemental Appropriation
for the City of Custer City, South Dakota, for the Fiscal Year 2018.

WHEREAS, the budget adoption process was already completed when the additional budget items were implemented, it is necessary to make, approve, and adopt a supplemental appropriation ordinance for the fiscal year commencing January 1, 2018, to supplement certain funds established by the Appropriation Ordinance No. 794 for the fiscal year 2018:

THEREFORE, BE IT ORDAINED by the Common Council of the City of Custer City:

SECTION I: That in addition to the sums of money appropriated by said Appropriation Ordinance No. 794, the following sums shall be appropriated, to-wit:

FUNDS DERIVED FROM	
GENERAL FUND:	
Reserve Funds	\$11,200
State Grant Revenue	\$10,000
WATER FUND:	
Reserve Funds	\$37,000
DEBT SERVICE TIF FUND:	
Revenue	\$55,000
PROMOTION FUND:	
Revenue	\$10,000
TOTAL SUPPLEMENTAL FUNDING	\$123,200

FUNDS EXPENDED THROUGH	
GENERAL FUND:	
Mayor & Council - Beautification	\$5,500
Animal Control	\$1,700
Parks Department – Salary	\$2,000
Parks Department – Supplies	\$2,000
Economic Development Corp Subsidy	\$10,000
WATER FUND:	
Pump & Well Repair & Maintenance	\$10,000
Supplies	\$4,000
Pump & Well Supplies	\$17,000
Purification Supplies	\$6,000
DEBT SERVICE TIF FUND:	
TIF#2	\$10,000
TIF#4	\$20,000
TIF#5	\$25,000
PROMOTION FUND:	
Chamber Sales Tax Subsidy	\$10,000
TOTAL SUPPLEMENTAL APPROPRIATION	\$123,200

SECTION II: that no levy shall be made for any part of said \$123,200 from the 2018 funds here-in-above stated.

Resolution #12-17-2018A

WHEREAS, on August 6th, 2018 the City Council of Custer accepted the Final Conceptual Design of Harbach Park by KJ Engineering to expand Harbach Park, outlining potential future improvements therein; and

WHEREAS, a closure to French Creek Drive shall provide for a safer environment with improved traffic flow within the park, thereby prohibiting traffic interactions with pedestrians and park patrons; and

WHEREAS, the closure would also provide for a better use of the area within the overall design of the park as playground sizes would be increased, structures would be set back further from the French Creek Channel, and off-street parking would be established near the child play areas; and

WHEREAS, it has been determined such closure will continue to provide existing access, and offer potential new access to adjacent properties.

NOW THEREFORE BE IT RESOLVED that, pursuant to SDCL 9-45-1, the East-West Alley, previously named French Creek Drive, between the East line of the North-South Alley of Block 107 and the West line of 7th Street, adjacent to Lots 4,5,6,7,8 and 9, all in Block 107 with dimensions of approximately 30' x 150', shall hereby be closed to vehicular traffic to allow for park improvements.

NOW THEREFORE IT FURTHER BE RESOLVED such area of French Creek Drive shall also be determined to be park land and be incorporated within the adjacent Harbach Park area.

Dated this 17th day of December, 2018.

ATTEST:

CITY OF CUSTER

Laurie Woodward, Finance Officer

Corbin Herman, Mayor

(SEAL)

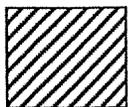
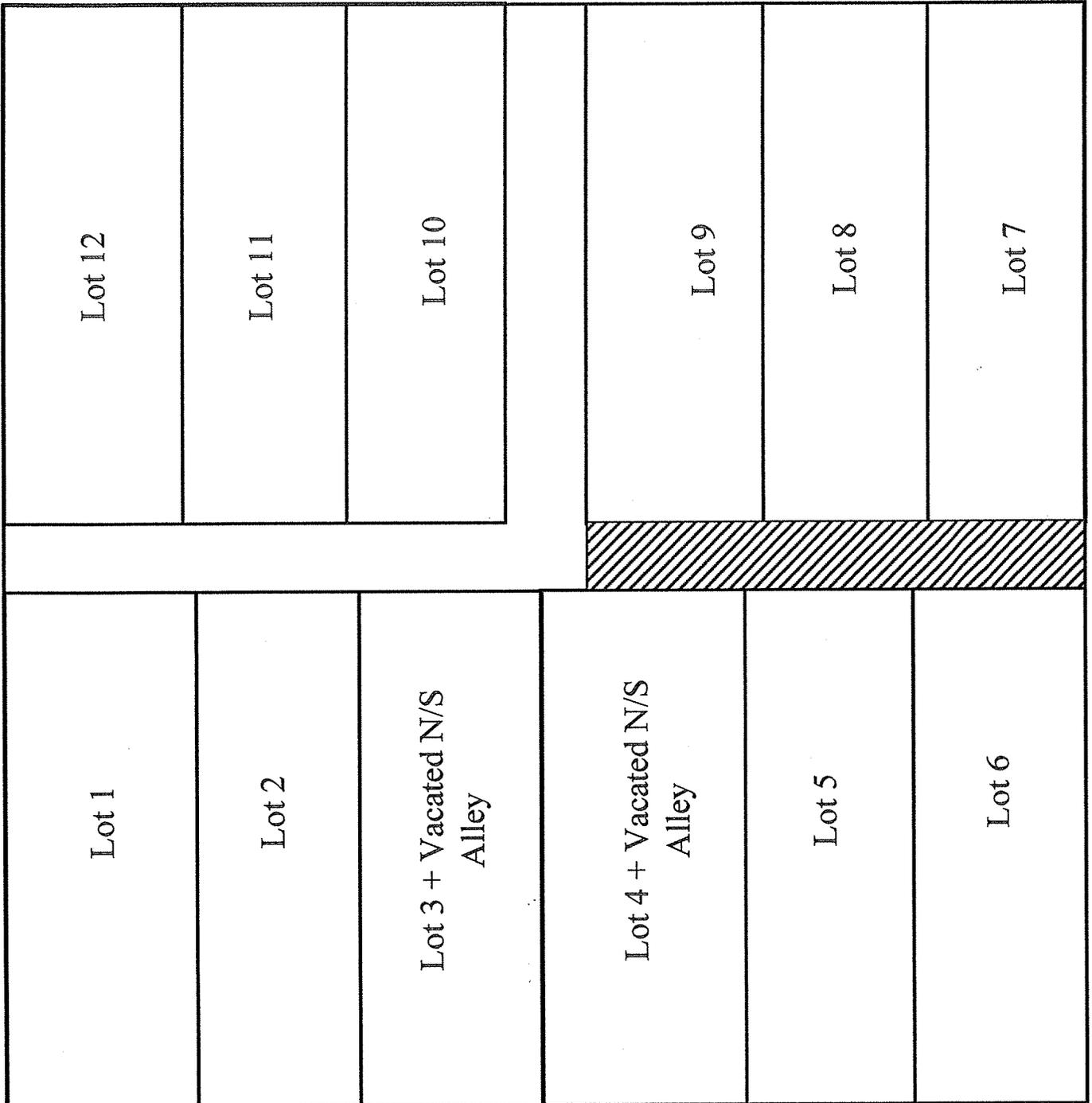
Resolution #12-17-2018A Exhibit

Block 107

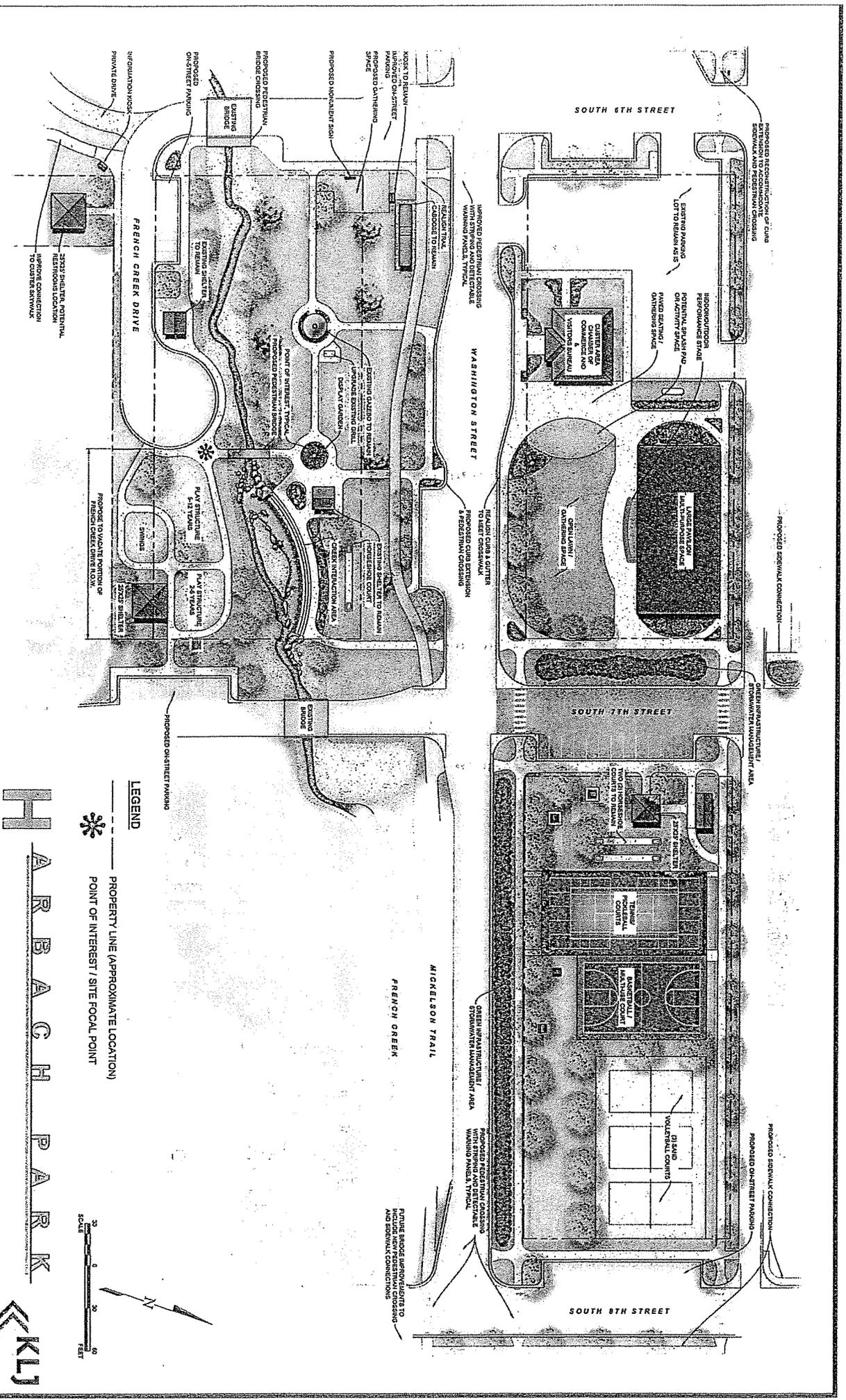
Washington Street

Sixth Street

Seventh Street



French Creek Drive Street Closure



H A R B A C H P A R K





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

Staff Report

Request: Street Closure, French Creek Drive - In Conjunction with the Harbach Park Master Plan
Location: Harbach Park - French Creek Drive
Date Prepared: December 13, 2018
City Council Meeting: December 17th, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

The Park and Recreation Board and KLJ Engineering, with input from the public recently completed the Harbach Park Conceptual Layout Plan. This plan provides a detailed layout for potential improvements and expansion of Harbach Park. KLJ engineering finalized the conceptual design, and the final design was accepted by the City Council at their August 6th, 2018 meeting.

One key component of this design is the proposed closure of approximately 180' of French Creek Drive located on the South side the existing Harbach Park (adjacent to Lots 4,5,6 and 7,8,9). Closing this portion of street would create a safer environment within the park by eliminating through traffic and providing separation between the streamflow of French Creek and the play areas. The closure would also provide for a better use of the area within the overall design of the park as playground sizes would be increased, structures could be setback further from the French Creek channel and off-street parking would be established near the child play areas.

City staff has conducted conversations with the neighboring property owner to address any possible access concerns that may arise. Per conversations, no concerns have been heard as access from adjacent property's would be unchanged from already established access points, and the remaining portion of French Creek Drive would remain available.

PREVIOUS ACTION BY PLANNING COMMISSION

Planning Commission discussed this street closure at their November 13th meeting. Discussion was mainly centered around the section of street being discussed, and access and ownership of the adjacent properties. After the discussion Commissioner Uhrich moved, with a second by Commissioner Harbach to recommend approval of the minor plat. Motion Unanimously carried.

SUMMARY

City staff and Legal researched most appropriate ways to address closure of this portion of French Creek Drive. The remainder of Rights of Ways within Custer's parks remain in place, the City can manage its street infrastructure as it sees fit, and the City cannot act as a sole petitioner for a vacation of a street right of way. For these reasons, a closure by resolution, as apposed to a street vacation is most appropriate. Staff supports this closure for a first step in proceeding with the Harbach Park master plan.

Deed Restriction

COVENANT OF DEDICATION

The City of Custer City now stipulates to the following statements of fact, and further agrees to restrict the use and title of the realty described in Attachment 1 to this document (hereinafter referred to as the "Land") in accordance with the terms and conditions set forth herein.

STIPULATIONS OF FACT

1. That the City of Custer City is the applicant for Department of the Army permit number NWO-XXXX-XXXX-XXX to place fill material in the wetlands located in Legal Description; and that the U.S. Army Corps of Engineers has regulatory jurisdiction over the discharge of dredged or fill material into said wetlands pursuant to Section 404 of the Clean Water (33 USC 1344).
2. That the City of Custer City is the owner in fee of the real estate described in Attach 1.
3. That the City of Custer City and the Omaha District of the U.S. Army Corps of Engineers have reached an agreement whereby the City of Custer City will be permitted to discharge fill material in wetlands in accordance with the terms and conditions of Department of the Army permit number NWO-XXX-XXX-PIE; and that in consideration for said discharge of fill material in the wetland, The City of Custer City will provide mitigation for the adverse environmental effects resulting from the placement of fill material in the wetland by dedicating the realty described in Attachment 1 for perpetual use as a conservancy area in accordance with the terms and conditions of this document and the above-mentioned permit.
4. That the above-mentioned dedication shall consist of the execution of this document by all parties necessary to restrict the use and title of the land; and that this document shall be recorded in the Office of the Register of Deeds for CUSTER COUNTY, SOUTH DAKOTA.
5. That upon receipt of a certified copy of this document, as recorded in the Office of the County Register of Deeds for CUSTER COUNTY, SOUTH DAKOTA, the District Engineer of the Omaha District of the U.S. Army Corps of Engineers will issue a validated permit, number

NWO-XXX-XXX-PIE to the City of Custer City; and that said permit shall be issued in consideration for the execution of this Covenant.

6. That the terms and conditions of this Covenant of Dedication shall, as of the date of execution of this document, bind the City of Custer City to the extent of his legal and/or equitable interest in the land; and that this Covenant shall run with the land and be binding on The City of Custer City and its successors and assigns forever.

7. That the terms and conditions of this Covenant shall be both implicitly and explicitly included in any transfer, conveyance, or encumbrance of the Land or any part thereof, and that any instrument of transfer, conveyance, or encumbrance affecting all or any part of the Land shall set forth the terms and conditions of this document either by reference to this document or set forth in full text.

DEED AND USE RESTRICTIONS

The City of Custer City hereby warrants that it is the owner in fee of the realty described in Attachment 1; and that the Land is hereby dedicated in perpetuity for use as a conservancy area.

The City of Custer City hereby agrees to restrict the use and title of the Land as follows:

1. There shall be no construction or placement of structures or mobile homes, fences, signs, billboards or other advertising material, or other structures, whether temporary or permanent, on the land.

2. There shall be no filling, draining, excavating, dredging, mining, drilling or removal of topsoil, loam, peat, sand, gravel, rock, minerals or other materials.

3. There shall be no building of roads or paths for vehicular or pedestrian travel or any change in the topography of the land.

4. There shall be no removal, destruction, or cutting of trees or plants; spraying with biocides, insecticides, or pesticides; grazing of animals, farming, tilling of soil, or any other agricultural activity. Management activities are acceptable upon approval from the Corps.

5. There shall be no operation of all-terrain vehicles or any other type of motorized vehicle on the land.

6. This Covenant of Dedication may be changed, modified or revoked only upon written approval of the District Engineer of the Omaha District of the U.S. Army Corps of Engineers. To be effective, such approval must be witnessed, authenticated, and recorded pursuant to the law of the State of South Dakota.

This Covenant needs to be reviewed by the Corps of Engineers prior to signature to assure compliance with permit conditions.

COE representative's initial _____

7. This Covenant is made in perpetuity such that the present owner and its heirs and assigns forever shall be bound by the terms and conditions set forth herein.

By:

(Owner Name)

Executed before me this _____ day of _____, 20____ by the _____ who is personally known to me. (Owner Name)

_____ My commission expires _____

Notary Public



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

Staff Report

Request: Minor Plat, Powell Tract and Lannoye Tract of Bavarian Hills Estates
Applicant: Gerald Lannoye
Location: Just north of the original Custer City. Lechner Lane
Legal Desc.: Powell Tract and Lannoye Tract of Bavarian Hills Estates - See Plat for full legal
Fee Paid: \$125.00
Date Prepared: December 13th, 2018
City Council Meeting: December 17th, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a lot line adjustment with two parcels that are not within the city of Custer but is subject to review by the City under the City's extraterritorial jurisdiction. The proposed Lannoye Tract is connected to City water while the proposed Powell Tract currently has no water service provided. Septic systems are provided on both properties.

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

The plat is performing a lot line adjustment between the existing Lot 8-A (2.18 acres) and Lot 9-A (3.48 acres). Proposed Lannoye Tract is will contain 2.71 acres and proposed Powell Tract will contain 2.96 acres. Proposed Lannoye Tract will absorb approximately 0.53 acres of the existing Lot 9-A.

COMPREHENSIVE PLAN

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

ROUTING SHEET RESPONSES

CC ROD – No concerns.

ACCESS

Existing access to the area is provided from US Hwy 16/385 to Lechner Lane. Lechner Lane is a previously platted 50' Public Access and Utility Easement and provides access to the west side of both parcels.

PREVIOUS ACTION BY PLANNING COMMISSION

The PC reviewed the minor plat at their November 13th, 2018 meeting. After some discussion Commissioner Hudson moved with a second by Commissioner Olson to recommend approval of the plat. Hudson's motion unanimously carried.

STAFF RECCOMENDATION

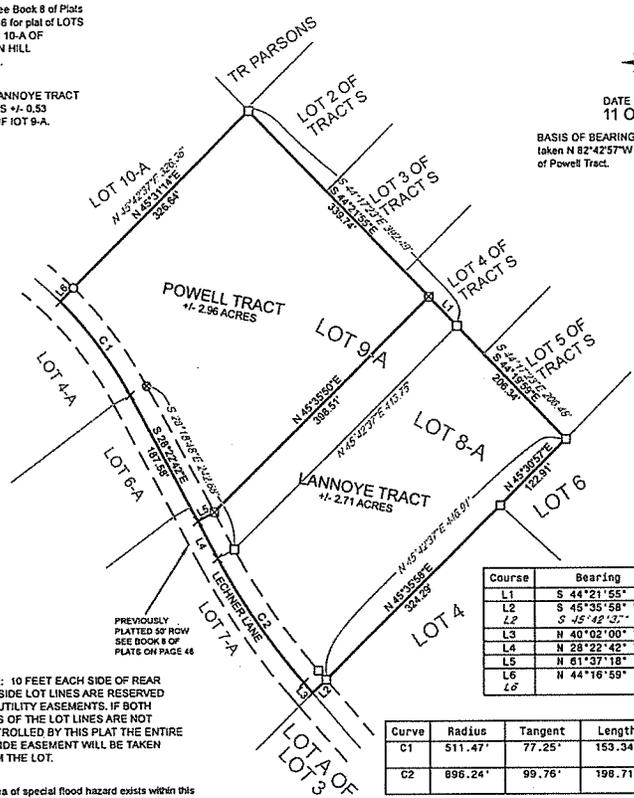
Staff supports approval of the minor plat.

18 Rec 10/26/18

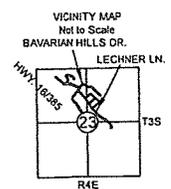
A PLAT OF POWELL TRACT AND LANNOYE TRACT OF BAVARIAN HILLS ESTATES (FORMERLY LOTS 9-A AND 8-A) LOCATED IN GOVT. LOT 11 OF SECTION 23, T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

NOTE: See Book 8 of Plats on Page 46 for plat of Lots 1-A THRU 10-A OF BAVARIAN HILL ESTATES.

NOTE: LANNOYE TRACT CONTAINS +/- 0.53 ACRES OF LOT 9-A.

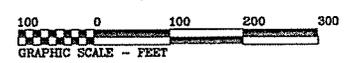


DATE SURVEYED 11 Oct. 2018
BASIS OF BEARING - GPS OBSERVATION taken N 82°42'57"W 578.68' from the NE corner of Powell Tract.



LEGEND

- ⊙ Found rebar w/aluminum cap marked "ANDERSEN PLS 2842"
- ⊠ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- Found rebar w/aluminum cap marked "BRYANT PLS 2196"
- Found rebar w/aluminum cap marked "BUCKHORN PLS 4896"
- × angle point not monumented
- 322.06' Slant lettering denotes record calls



Course	Bearing	Distance
L1	S 44°21'55" E	53.00'
L2	S 45°35'58" W	25.07'
L2'	S 45°42'57" W	25.09'
L3	N 40°02'00" W	17.59'
L4	N 28°22'42" W	55.14'
L5	N 61°37'18" E	25.00'
L6	N 44°16'59" E	25.00'
L6'	N 44°16'59" E	25.00'

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	511.47'	77.25'	153.34'	17°10'39" 12°12'24"	11°12'08"	152.77'	S 37°07'42" E
C2	896.24'	99.76'	198.71'	12°42'12" 12°45'58"	6°23'34"	198.30'	S 34°41'46" E

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS, IF BOTH SIDES OF THE LOT LINES ARE NOT CONTROLLED BY THIS PLAT THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 48033CD400F, effective date: Jan. 6, 2012. The placement of fill, any new construction, substantial improvements, or another development within the 100-year flood plain as designated by the County's Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, shall be in conformity with Custer County's Flood Ordinance.

WATER PROTECTION STATEMENT

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 SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.
Dated this ___ day of ___, 2018.

John D. McBride SDRLS No. 5906

STATE OF _____ COUNTY OF _____
We, Gerald Lannoye and Leann Lannoye, do hereby certify that we are the owners of the within described lands and that the within plat was made at our direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2018.

Gerald Lannoye
Leann Lannoye

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
Dated this ___ day of ___, 2018.

Custer County 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 the proposed subdivision road(s) with the existing public road(s) is hereby approved.
Date: _____
Highway Authority _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
Dated this ___ day of ___, 2018.

Director of Equalization of Custer County

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____ COUNTY OF _____
On this ___ day of ___, 2018, before me, a Notary Public, personally appeared Gerald Lannoye and Leann Lannoye, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public
My commission expires _____

STATE OF _____ COUNTY OF _____
I, James Thomas Powell, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2018.

James Thomas Powell

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____ COUNTY OF _____
On this ___ day of ___, 2018, before me, a Notary Public, personally appeared James Thomas Powell, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public
My commission expires _____

OFFICE OF THE REGISTER OF DEEDS
Filed for record this ___ day of ___, 2018, at ___ o'clock ___ M, and recorded in Book ___ of Plats on page ___.

Custer County Register of Deeds

RESOLUTION OF THE 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 set forth therein conform to the system of 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 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 ___, 2018.

Mayor

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 ___, 2018.

Custer City Finance Officer

Prepared by
ANDERSEN ENGINEERS
Land Surveyors, Professional Engineering, & Environmental Consultants

Drawn by DR	Date 10/18/2018	P.O. Box 448 Edgemont, SD 57735 (605)-662-5500 andersenengineers@gwtc.net
Approved by McB	Date 10/18/2018	
Scale 1"=100'	Sheet 1 of 1	File Name: 8A_BAVARIAN_HILLS

211 Helpline, 2018 Promotion Subsidy, \$500.00
A & A Weed Management, Maintenance, \$3,600.00
A & B Welding, Supplies, \$60.12
Beesley Law Office, Professional Fees, \$1,812.50
Black Hills Energy, Utilities, \$14,075.32
Butler Machinery, Supplies, \$1,933.60
California State Disbursement, Deduction, \$53.19
Core & Main, Repairs and Maintenance, \$1,339.21
Culligan, Repairs and Maintenance, \$54.50
Custer Car Wash, Repairs and Maintenance, \$19.00
Chamber of Commerce, Sales Tax Subsidy, \$4,177.46
Custer County Housing, 2018 Promotion Subsidy, \$3,000.00
Custer Meals Program, 2018 Promotion Subsidy, \$2,500.00
Custer Ace Hardware, Supplies, Repairs and Maintenance, \$821.15
Discovery Benefits, Supplies, \$25.00
French Creek Supply, Supplies, \$837.43
Green Owl Media, Professional Fees, \$140.00
Hawkins, Supplies, \$20.00
Honeywell, Repairs and Maintenance, \$7,208.22
Jenner Equipment, Repairs and Maintenance, \$45.98
Lynn's Dakotamart, Supplies, \$23.10
Laurie Woodward, Reimbursement, \$360.00
Mid Continent Testing Labs, Professional Fees, \$108.00
Nelson's Oil & Gas, Supplies, \$618.91
Pitney Bowes, Supplies, \$500.00
Raber, Brain, Reimbursement, \$319.08
Rapid Delivery, Professional Fees, \$66.15
Rancher's Feed & Supply, \$1,233.10
S & B Motors, Supplies, \$119.90
Scull Construction, Repairs and Maintenance, \$5,382.00
Servall, Supplies, \$165.42
Bit Finance/ State Long Distance, Utilities, \$36.96
The Hartford, Insurance, \$68.20
Tim Hartmann, Reimbursement, \$41.16
USDA Loan Payment, \$8,910.00
Wellmark BCBS, Insurance, \$13,836.75
Custer Clinic – PT, Utility Deposit Refund, \$56.77
Green, Anton, Utility Deposit Refund, \$50.08
Total Claims \$74,118.26

