

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
June 3<sup>rd</sup>, 2019**

Mayor Corbin Herman called to order the first meeting of the Common Council for the month of June 2019 at 5:30 p.m. Present at roll call were Councilpersons Blom, Whittaker, Nielsen, Fischer and Moore. 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 Blom, to approve the minutes from the May 20<sup>th</sup> regular council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**SECOND READING – ORDINANCE #824 – REMOVING SECTION 17.45 AND 17.46**

Councilperson Fischer moved to adopt Ordinance #824, Removing Section 17.45 and 17.46. Seconded by Councilperson Nielsen, the motion carried with Councilperson Blom, Whittaker, Nielsen, Fischer and Moore voting yes.

**RECYCLING – JILL HOHN**

Jill Hohn addressed the Council with her concerns regarding recycling and the limited opportunities for recycling in Custer.

**PUBLIC COMMENTS**

No public comments were received.

**5K RUN REQUEST – GIRL SCOUTS TROOP 71110**

Councilperson Fischer moved to approve the Girl Scouts Troop 71110 5K Run request for August 24<sup>th</sup> which included using Harbach Park and stopping traffic on Eight Street at the Mickelson Trail Crossing. Seconded by Councilperson Moore, the motion unanimously carried.

**MINOR PLAT – A PLAT OF J AND J TRACT WELLINGTON AND A PRIVATE ACCESS EASEMENT**

Councilperson Blom moved to approve the minor plat for A Plat of J and J Tract Wellington Tract and a Private Access Easement. Seconded by Councilperson Whittaker, the motion unanimously carried.

**AMERICAN LEGION FLAGS (PROCLAMATION FOR AMERICAN LEGION POST CENTENNIAL YEAR) – CUSTER POST #46**

Councilperson Fischer moved to approve the American Legion's request to have 8 American Legion flags flown in July as part of the American Legion Centennial Year Proclamation. Seconded by Councilperson Nielsen, the motion unanimously carried.

**FUTURE RESERVE WATER PERMIT 14-07-2 - RENEWAL**

Councilperson Fischer moved to approve the letter addressed to South Dakota Department of Environment & Natural Resources regarding renewal of future reserve water permit 14-07-2 and authorize the mayor to sign the letter. Seconded by Councilperson Blom, the motion unanimously carried.

**PROPANE QUOTES**

Councilperson Nielsen moved to accept the propane quote from McGas for 30,000 gallons of propane at \$1.04 per gallon for a total of \$31,200.00. Seconded by Councilperson Whittaker, the motion carried with Councilperson Whittaker, Nielsen, Fischer, Moore and Blom voting yes.

**CLAIMS**

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

A & B Electric, Repair & Maintenance, \$383.88

Aflac, Insurance, \$691.33

Amazon, Supplies, \$150.86

Beesley Law Office, Professional Fees, \$3,277.50

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

Birmingham Receipt Book Co, Supplies, \$455.00

Black Hills Energy, Utilities, \$2,495.53

California State Disbursement, Deductions, \$92.30  
Century Business Products, Supplies, \$283.24  
Christie, John, Reimbursement, \$117.60  
Custer Ambulance Service, TIF #1 Payment, \$242.50  
Chronicle, Publishing, \$1,477.09  
Custer County Treasurer, TIF #1 Payment, Reimbursement, \$3,601.29  
Custer Do It Best, Supplies, \$10.12  
Custer Fire Department, 2019 Subsidy, \$30,500.00  
Custer School District, TIF #1 Payment, \$8,000.84  
Dacotah Bank, TIF #2 Payment, \$14,759.10  
Dacotah Bank, TIF #4 Payment, \$22,178.25  
DGR Engineering, Professional Fees, \$15,160.11  
Delta Dental, Insurance, \$169.80  
Discovery Benefits, Supplies, \$1,476.92  
EFTPS, Taxes, \$12,276.76  
Environmental Equipment & Service LLC, Repairs & Maintenance, \$1,001.04  
Fastenal, Supplies, \$253.40  
First Interstate Bank, TIF #4 Payment, \$22,178.25  
Floyd's Truck Center, Repairs & Maintenance, \$14.95  
Golden West Telecommunications, Utilities, \$486.93  
Golden West Technologies, Supplies, Professional Fees, \$3,761.00  
Go Daddy, Supplies, \$2,661.44  
Hawkins, Supplies, \$5,249.49  
In The Swim.com, Repairs & Maintenance, \$3,994.34  
J & M Lawncare, Cemetery Caretaker Contract, \$5,000.00  
Kriby Built Products, Supplies, \$3,884.43  
Midcontinent Testing Labs, Professional Fees, \$1,716.40  
Petty Cash, Supplies, \$310.52  
Pitney Bowes, Supplies, \$48.69  
Pizza Hut, Supplies, \$53.76  
Quill, Supplies, \$119.95  
Sanders Sanitation, Clean Up Days, \$9,461.46  
SD Governmental Finance Officers' Association, Travel and Conference, \$75.00  
Servall, Supplies, \$165.42  
SD Retirement System, \$6,230.48  
Supplemental Retirement, \$620.00  
USDA Forest Service, Supplies, \$147.83  
Verizon Wireless, Utilities, \$416.23  
Vista Print, Supplies, \$48.45  
Walker, Gaile, Reimbursement, \$500.00  
Wright Express, Supplies, \$1,122.91  
YMCA, Membership, Contributions, 2019 Subsidy, \$43,542.00  
Mayor & Council, \$4,532.00  
Finance Department, \$4,802.87  
Planning Department, \$7,621.99  
Public Works Department, \$3,105.44  
Street Department, \$9,545.19  
Cruisin Department, \$76.81  
Parks Department, \$4,138.71  
Water Department, \$11,886.53  
Wastewater Department, \$11,748.54  
Total Claims \$289,322.47

**DEPARTMENT HEADS & COMMITTEE REPORTS**

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

**ADJOURNMENT**

With no further business, Councilperson Moore moved to adjourn the meeting at 5:59 p.m. Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Corbin Herman  
Mayor

**CITY OF CUSTER CITY  
BOARD OF ADJUSTMENT MEETING  
June 3<sup>rd</sup>, 2019**

Chairman Corbin Herman called to order the Board of Adjustment Meeting at 6:00 p.m. Present at roll call were Board Member Blom, Whittaker, Nielsen, Fischer and Moore. City Attorney Chris Beesley was present.

**AGENDA**

Board Member Fischer moved, with a second by Board Member Whittaker, to approve the agenda with public comments agenda item being moved to follow conflict of interest. The motion unanimously carried.

**CONFLICTS OF INTEREST**

Board Member Moore stated that she had a conflict of interest and excused herself from the meeting at 6:02. No other conflicts of interest were stated.

**PUBLIC COMMENTS**

Public comments were received from Judy Lacey, Pam Storm and Bob Jorgensen, all in regards to the Board of Adjustment Meeting agenda item.

**APPEAL OF DENIED CONDITIONAL USE PERMIT REQUEST, 257 DESPERADO LANE – SHORT TERM RENTAL**

Joe Uhrich, Planning Commission Representative, addressed the Board regarding the Planning Commissions April 23<sup>rd</sup>, 2019 action. Carol Jorgenson, Appellant, addressed the Board regarding her conditional use permit request.

Board Member Fischer moved to go into and out of executive session for proposed litigation per SDCL 1-25-2(1-4) at 6:40 pm, with the Attorney, Planning Administrator and Finance Officer present. Seconded by Board Member Blom, the motion unanimously carried. The Board came out of executive session at 7:17 pm, with no action taken.

Board Member Nielsen moved, that after having reviewed the conditional use permit criteria, to overrule the April 23<sup>rd</sup>, 2019 decision made by the Custer City Planning Commission and approve the short-term rental conditional use permit request for the property located at 257 Desperado Lane. Seconded by Board Member Blom, the motion carried with Board Member Fischer, Blom, Whittaker, Nielsen and Herman voting yes.

**ADJOURNMENT**

With no further business, Board Member Fischer moved to adjourn the meeting at 7:18 p.m. Seconded by Board Member Whittaker, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Corbin Herman  
Chairman