

All City Council Meetings are recorded.

**CITY OF CUSTER CITY
COUNCIL AGENDA
May 15th, 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 – May 1st, 2017 Minutes
4. Declaration of Conflict of Interest
5. Public Presentations - Public Hearings
 - a. Harold Stickney – Donation of Picture to City
 - b. Public Hearing – Malt Beverage License Renewals
 - c. Public Hearing – Malt Beverage License (Renewals without SD Farm Wine) – Baker's Bakery
 - d. Public Hearing–Retail On-Off Sale Malt Beverage & Retail On-Off Sale Wine License–Swan Song LLC DBA Denial SD
 - e. Resolution #05-15-17A – Annexation – Lot 2 of Bauer-2 Tract of Saxton Subdivision
 - f. Public Hearing & First Reading – Ordinance #790– Zoning of Lot 2 of Bauer-2 Tract of Saxton Subdivision
 - g. Custer BID Board Presentation
 - h. Custer Chamber of Commerce Presentation
 - i. Housing Study – Housing Initiative Team – Gene Fennell
 - j. Second Reading – Ordinance No. 789 -Zoning (Procedures, Board of Adjustment, Variances. Conditional Uses)
 - k.
6. Old Business
 - a.
 - b.
7. New Business
 - a. Custer Community Center Child Care Wing Renovations Bid
 - b. 2018 Law Enforcement Contract
 - c. Pageant Hill Usage Request – Tim Wicks
 - d. Custer Volunteer Fire Department Annual Firefighter's Dance Requests
 - e. Fourth of July Fireworks Permit – Custer Volunteer Fire Department
 - f. Final Plat – Lots A & B of St. Germaine Subdivision
 - g. Final Plat – Lot A of Block 48
 - h. Sidewalk Project Engineering Proposal – KLJ
 - i. Vactor Sewer Cleaner Quote- Sanitation Products
 - j. Water System Improvement Bids
 - k. Freeholder Committee for Surplus Property or Property Exchange
 - l.
8. Presentation of Claims –
9. Department Head Discussion & Committee Reports –
10. Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2)
11. Personnel
 - a. Employee Step Increase
 - b. Temporary Public Works Department Working Foreman
12. Adjournment

REMINDERS

**Park & Recreation Committee Meeting – May 16th, 2017 5:30 P.M.
Public Works Committee Meeting – May 22nd, 2017 5:00 P.M.
Regular City Council Meeting – June 5th, 2017 5:30 P.M.
General Government Committee Meeting – June 12th, 2017 4:00 P.M.
Planning Commission Meeting – June 13th, 2017 7:00 P.M.
Regular City Council Meeting – June 19th, 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
May 1st, 2017**

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

AGENDA

Councilperson Maciejewski moved to approve the agenda with the addition of a Executive Proclamation for Day of Honor & Remembrance. Second by Councilperson Nielsen, the motion unanimously carried.

MINUTES

Councilperson Maciejewski moved, with a second by Councilperson Nielsen, to approve the minutes from the April 17th regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

PUBLIC HEARING – RETAIL ON-SALE RESTAURANT LIQUOR LICENSE – SAGACIOUS INC DBA BEGGING BURRO

Councilperson Maciejewski moved to approve the retail on-sale restaurant liquor license for Sagacious Inc dba Begging Burro. Seconded by Councilperson Blom, the motion unanimously carried.

PUBLIC HEARING – RETAIL ON-SALE RESTAURANT LIQUOR LICENSE – SAGACIOUS INC DBA BUGLIN BULL

Councilperson Fischer moved to approve the retail on-sale restaurant liquor license for Sagacious Inc dba Buglin Bull. Seconded by Councilperson Schleining, the motion unanimously carried.

PUBLIC HEARING – RETAIL ON-SALE LIQUOR LICENSE TRANSFER – SAGACIOUS INC DBA BUGLIN BULL TO SAGACIOUS INC DBA CUSTER CORRAL & MT RUSHMORE BREWING

Councilperson Nielsen moved to approve the retail on-sale liquor license transfer from Sagacious Inc dba Buglin Bull to Sagacious Inc dba Custer Corral & Mt Rushmore Brewing. Seconded by Councilperson Blom, the motion unanimously carried.

PUBLIC HEARING – CONDITIONAL USE PERMIT TO ALLOW OPERATION OF BUSINESS OFFICE IN HIGHWAY COMMERCIAL – BLOCK 34

Councilperson Fischer moved to approve the conditional use permit from SoDak OZ, LLC to allow a business office in the highway commercial zoning for the South 105 feet of Lot 6, Block 34. Seconded by Councilperson Schleining, the motion unanimously carried.

2016 AUDIT PRESENTATION

Traci Hanson with Ketel Thorstenson, LLP presented the 2016 audit. Councilperson Maciejewski moved accept the 2016 audit as presented. Seconded by Councilperson Blom, the motion unanimously carried.

CUSTER CITY PARKS MASTER PLAN

Mike Bender with KLJ presented the Custer City Parks Master Plan to Council. Councilperson Fischer moved to accept the Custer City Parks Master Plan. Seconded by Councilperson Blom, the motion unanimously carried.

EXECUTIVE PROCLAMATION – ARBOR DAY

Councilperson Fischer moved to approve the executive proclamation for Arbor Day. Seconded by Councilperson Schleining, the motion unanimously carried.

EXECUTIVE PROCLAMATION

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,
THEREFORE, BE IT RESOLVED that I, Jared Carson, Mayor of the City of Custer City, South Dakota, do hereby proclaim May 8th, 2017 to be

ARBOR DAY

in the City of Custer City, SD, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands. Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

CITY OF CUSTER CITY

S/Jared Carson, Mayor

Attest: Laurie Woodward, Finance Officer

FIRST READING – ORDINANCE #789 – ZONING

Councilperson Nielsen moved to approve the first reading of Ordinance #789, Zoning. Seconded by Councilperson Blom, the motion unanimously carried.

EXECUTIVE PROCLAMATION – DAY OF HONOR & REMEMBRANCE

Councilperson Maciejewski moved to approve the executive proclamation for Day of Honor & Remembrance. Seconded by Councilperson Fischer, the motion unanimously carried.

*Executive Proclamation
State of South Dakota
City of Custer City
Office of the Mayor*

WHEREAS, Fifty years ago our nation ended military involvement in the Republic of South Vietnam, thus ending military involvement in what was then the longest war in our country's history; and,

WHEREAS, By the end of the Vietnam War in April 1975, nearly three million American servicemen and women had been on the ground, in the air, on the rivers, and at sea within Vietnam's borders serving in some capacity during the conflict. It is important to honor the men and women who survived and at least 58,260 men and women who gave their lives; and,

WHEREAS, Though long and controversial in nature, this war in many ways defined an entire generation of Americans. Over 28,000 of South Dakota's sons and daughters served in the military during the Vietnam War. Let us never forget those that served, those that were killed in Action, those that were wounded in action, those that were held as prisoners of war, and those that are still unaccounted for; and,

WHEREAS, Three fallen Custer soldiers will be honored at a ceremony at 11:30 a.m. on May 7th, 2017, and will receive an Honor & Remember flag from the VFW Auxiliary Kenneth Kuper Post #3442

Now, Therefore, I, Jared Carson, Mayor of the City of Custer City, do hereby proclaim May 7th, 2017, as a

Day of Honor & Remembrance

in Custer City, South Dakota.

In witness whereof, I have hereunto set my hand and caused the Seal of the City of Custer City to be affixed this first day of May in the year of our Lord two thousand and seventeen.

CITY OF CUSTER CITY

S/Jared Carson, Mayor

Attest: Laurie Woodward, Finance Officer

ASSUMPTION AGREEMENT FOR SOLID WASTE COLLECTION CONTRACT – SANDER SANITATION & IRON OUTFITTER

Councilperson Schleining moved to approve the assignment and assumption agreement between Sander Sanitation Services, Inc and Iron Outfitter Waste Services, Inc dba Sander Sanitation Service for the solid waste collection contract. Seconded by Councilperson Fischer, the motion unanimously carried.

Council took a break from 6:10 – 6:13

CLAIMS

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

All Flags, LLC, Supplies, \$745.15

AFLAC, Insurance, \$660.28

AFSCME Council 65, Dues, \$106.61
Battle Mountain Humane Society, Animal Control Contract, \$800.00
Beesley Law Office, Professional Fees, \$2,347.50
Black Hills Doors, Repair & Maintenance, 1,221.00
Black Hills Energy, Utilities, \$2,899.49
Century Business Products, Supplies, \$125.21
Custer Do It Best, Supplies, \$110.39
Dakota Bank, TIF#2 Payment, \$7,019.20
Dakota Bank, TIF #4 Payment, \$6.85
Dakota Photographic LLC, Supplies, \$75.00
Delta Dental, Insurance, \$444.60
Edward Enterprises, Cemetery Caretaker Contract, \$4,166.66
EFTPS, Taxes \$20,608.79
Fastenal, Supplies, \$329.80
First Interstate, TIF #4 Payment, \$6.90
First Interstate, TIF #1 Payment, \$4,203.27
First Interstate, Supplies, Travel, Repair & Maintenance, \$1,404.97
First Interstate Bank, Supplies, \$58.45
Golden West Telecommunications, Utilities, \$609.02
Golden West Technologies, Professional Fees, \$504.00
Hawkins, Supplies, \$4,512.06
K2 Masonry & Concrete, Capital Improvements, \$12,142.88
Kone Inc, Repair & Maintenance, \$912.48
Mayer Plumbing, Repair & Maintenance, \$165.00
McMaster-Carr, Repair & Maintenance, \$833.96
Meter & Technology, Supplies, \$5,075.87
Midcontinent Testing Labs, Professional Fees, \$3,455.00
NBS Calibrations, Repair & Maintenance, \$186.00
Northwest Pipe Fittings, Supplies, \$32.32
Pace, Supplies, \$360.42
Paypal, Supplies, \$30.00
Petty Cash, Travel, Supplies, \$362.29
Pitney Bowes, Supplies, \$48.69
Quill, Supplies, \$62.99
Rock Solid Enterprises, LLC, Trees, \$6,559.85
Regional Health Network, Sales Tax Subsidy, \$28,066.14
SD Municipal League, Conference, \$150.00
State of SD, Sales Tax, \$1,037.67
SD Retirement System, \$5,983.70
Supplemental Retirement, \$375.00
The Hartford, Insurance, \$68.70
USA Bluebook, Repair & Maintenance, \$130.85
Verizon Wireless, Utilities, \$462.89
WEAVE, Subsidy, \$4,000.00
Wellmark, Insurance, \$8,375.81
Wood Fuller, Shultz, & Smith, Professional Fees, \$165.00
Captain's Table, Utility Deposit Refund, \$51.62
Mayor & Council, \$4,400.00
Finance Department, \$11,307.13
Public Buildings, \$2,637.12
Planning Department, \$5,513.71
Public Works Department, \$10,111.66
Street Department, \$6,830.45

Parks Department, \$3,440.80
Water Department, \$22,400.80
Wastewater Department, \$5,264.34
Total Claims, \$203,966.34

DEPARTMENT HEADS & COMMITTEE REPORTS

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

Attorney Beesley left the meeting at 6:24 pm.

EXECUTIVE SESSION

Councilperson Fischer moved to go into and out of executive session for personnel per SDCL 1-25-2(1-4) at 6:24 pm, with the Public Works Director and Finance Officer present. Seconded by Councilperson Maciejewski, the motion unanimously carried. Council came out of executive session at 6:35 pm, with no action taken.

PUBLIC WORKS DEPARTMENT POSITIONS

No action taken.

PLANNING ADMINISTRATOR POSITION

Councilperson Schleining moved to approve hiring Timothy Hartman as Planning Administrator at the starting wage of \$48,934.01 effective as soon as possible. Seconded by Councilperson Fischer, the motion unanimously carried.

ADJOURNMENT

With no further business, Councilperson Blom moved to adjourn the meeting at 6:36 p.m. Seconded by Councilperson Maciejewski, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Jared Carson
Mayor

ESTABLISHMENT	LICENSE	TAXES		AGREEMENT	INSURANCE	10% DUE TO CITY	VIDEO LOTTERY
		PAID					
AJ'S	RB-2429	YES		10/2018	03/2017		\$ 200.00
BANK COFFEE HOUSE	RB-21183			05/2019	05/2018		
BEGGING BURRO	RB-21628	YES		10/2018	6/2017		
BH BURGER AND BUN	RB-20219	YES		10/2018	10/2017		
BUGLIN BULL	RB-2044	YES		10/2018	06/2017		
CALAMITY JANE WINERY	RB-21213	YES		07/2018	03/2018		
COMMON CENTS	RB-2158	YES		04/2019	01/2018		\$ 500.00
CORNER PANTRY	RB-3616	YES		05/2019	11/2017		\$ 500.00
CUSTERWOLF, LLC	RB-20021	YES		10/2018	11/2017		
DAKOTA COWBOY	RB-2426			04/2019	11/2017		
FRESH START	RB-2178	YES		11/2018	11/2017		\$ 450.00
FRESH START - CASINO	RB-3816	YES		11/2018	11/2017		\$ 500.00
FRONTIER BAR	RB-18955	YES		10/2018	05/2017		\$ 350.00
PIZZA HUT	RB-2436	YES		04/2019	04/2018		
PIZZA MILL	RB-21140			04/2019	06/2017		
PIZZA WORKS	BW-20113	YES		04/2018	04/2018		
ROCKY KNOLLS GOLF COURSE	RB-2431	NA		10/2018	01/2018		
SAGACIOUS INC DBA CUSTER CORRAL	RB-22953	YES		05/2019	6/2017		
SAGE CREEK GRILLE	RB-2255	YES		10/2018	04/2018		
SHOPKO	PF-8150	YES		10/2018	11/2017		
SKOGEN KITCHEN	RB-23800	YES		02/2019	03/2018		

LICENSE CODES

PB ~ OFF SALE MALT BEVERAGE

PF ~ OFF SALE MALT BEVERAGE & SD FARM WINE

RB ~ ON - OFF SALE MALT BEVERAGE

BW ~ ON - OFF SALE MALT BEVERAGE & SD FARM WINE

RW ~ ON - OFF SALE WINE

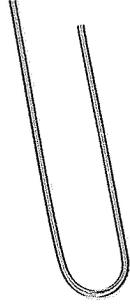
ESTABLISHMENT	LICENSE	TAXES PAID	AGREEMENT	INSURANCE	10% DUE TO CITY	VIDEO LOTTERY
BAKER'S BAKERY	NEW		04/2017	05/2017		

* Dropped SD Farm WML - Renewal
 * Will get updated agreement & insurance



ESTABLISHMENT	LICENSE	TAXES PAID	AGREEMENT	INSURANCE
ESTABLISHMENT	LICENSE	TAXES PAID	AGREEMENT	INSURANCE
SWAN SONG LLC DBA DENIAL SD	NEW MB	YES	04/2019	04/2018
SWAN SONG LLC DBA DENIAL SD	NEW WINE	YES	04/2019	04/2018

July 1, 2017 - June 30, 2018 license



Prepared by:
Beesley Law Office, PC
Chris Beesley, City Attorney
428 Mt Rushmore Rd
Custer, SD 57730
(605) 673-4181

RESOLUTION NO. 05-15-17A
RESOLUTION ANNEXING REAL PROPERTY

WHEREAS, Paradise Land Company, LLC has submitted a Petition for Annexation to the City Council pursuant to South Dakota Codified Law 9-4-1; and

WHEREAS, said petitioners constitute not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of such territory sought to be annexed to the City of Custer City; and

WHEREAS, said property is contiguous to the boundary of the City of Custer City; and

WHEREAS, by virtue of said petition for annexation, said owners are agreeing to be subject to all of the rules, regulations, and ordinances of the City of Custer City; and

WHEREAS, annexation of the hereinafter described real property is in the best interest of the City of Custer, now therefore

BE IT HEREBY RESOLVED that the following described real property:

LOT 2 OF BAUER-2 TRACT OF SAXTON SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 27,
T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Dated at Custer City, Custer County, South Dakota, this 15th day of May, 2017.

CITY OF CUSTER CITY

Jared Carson
Mayor

ATTEST:

Laurie Woodward
Finance Officer

(SEAL)

Request For Voluntary Annexation and Zoning

April 4, 2017

City of Custer
622 Crook Street
Custer, SD 57730

Dear Elmer Claycomb,

This letter serves as a request for voluntary annexation into the City of Custer for the following described property:

A portion of Bauer-2 Tract of Saxton Subdivision located in Section 27, T3S, R4E, BHM, Custer County, SD, more particularly described as follows:

Beginning at the southeast corner of Bauer-2 Tract of Saxton Subdivision, which is also the northeast corner of Revised Tract B2 of Saxton Subdivision; thence along the north line of Revised Tract B2 S89°40'01"W a distance of 374.37 feet to the northwest corner of Revised Tract B2; thence N25°21'39"E a distance of 86.64 feet; thence on a curve to the right with a cord bearing of N33°11'16"E and a radius of 80.00 feet, a distance of 21.86 feet; thence N41°00'53"E a distance of 133.60 feet; thence S87°04'25"E a distance of 237.70 feet more or less to a point on East line of Bauer-2 Tract; thence along the East line of Bauer-2 Tract S00°05'02"E a distance of 183.02 feet more or less to the point of beginning, containing 1.39 acres more or less.

This letter also serves as a request for zoning of the aforementioned property/lot to be: Highway Commercial.

Sincerely,



Jack Bondurant

*Council Acknowledged
4-17-17
JW*



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

Staff Report

Request: Zoning - LOT 2 OF BAUER-2 TRACT OF SAXTON SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 27, T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Applicant: Paradise Land Company, LLC

Location: North of intersection of HWY. 16 and Little Teton Road

Legal Desc.: LOT 2 OF BAUER-2 TRACT OF SAXTON SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 27, T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Prepared: May 11, 2017

City Council Meeting: May 15, 2017

Prepared by Elmer Claycomb, P.E., Interim Planning Director

GENERAL

The parcel is currently being annexed to the City. No zoning is established by the annexation. The applicant now wishes to have the property zoned as Highway Commercial. A Final Plat has been approved and recorded combining Lot 2 with Revised Tract B2 of Saxton Subdivision as a single Lot 2. The intended use of the Lot 2 is for about 7 resort cabins.

The action to be taken at the current meeting is to conduct the Public Hearing and first reading on the Ordinance rezoning the property. The Planning Commission held a public hearing regarding the requested zoning as a part of the Development Agreement related to the Saxton Subdivisions Plats at their meeting on April 11, 2017 and recommends approval of the zoning. The notice for the public meeting before the City Council has been published in the newspaper.

ACTION TO BE TAKEN BY COUNCIL

Conduct Public Hearing and first reading of Rezoning Ordinance 05-15-17A.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of Custer City, South Dakota shall hold a public hearing on the 15th day of May, 2017, at 5:30 p.m. at the regular meeting of the City Council to be held in the Council Chambers at City Hall on the following;

A request by owners to consider an application for rezoning of:

LOT 2 OF BAUER-2 TRACT OF SAXTON SUBDIVISION LOCATED IN THE
NE 1/4 OF SECTION 27, T3S, R4E, BHM, CUSTER COUNTY, SOUTH
DAKOTA

to Highway Commercial, all in Custer City, South Dakota.

If someone is unable to attend the Public Hearing, written comments will be taken. Please send your comments to Custer City, 622 Crook Street, Custer, SD 57730

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the City Finance Office no less than 24 hours prior to the meeting to make necessary arrangements.

Dated this 25th day of April, 2017.

/s/ Elmer Claycomb
Interim Planning Administrator

Please publish on May 3, 2017.

ORDINANCE NO. ⁷⁹⁰ ~~05-15-17A~~

AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING CUSTER CITY MUNICIPAL CODE, TITLE 17 ZONING BY REZONING CERTAIN PROPERTIES TO HIGHWAY COMMERCIAL ZONING DISTRICT."

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CUSTER CITY, SOUTH DAKOTA THAT Title 17 Chapter 17.20 Highway Commercial District of the Custer Municipal Code be amended by Rezoning the following property from Unzoned to Highway Commercial Zoning District, and the same shall be subject to the provision of Chapter 17.20:

LOT 2 OF BAUER-2 TRACT OF SAXTON SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 27, T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Dated this ___ day of ___ 2017, at the City of Custer City, South Dakota.

CITY OF CUSTER CITY

ATTEST:

Jared Carson, Mayor

Laurie Woodward
Finance Officer

(SEAL)

First Publication:
First Reading:
Second Reading:
Final Publication:

Vote:

SAXTON SUBDIVISION

PLAT OF LOTS 1 AND 2 OF BAUER-2 TRACT OF SAXTON SUBDIVISION
 LOCATED IN THE NE 1/4 OF SECTION 27, T3S, R4E, BHM
 CUSTER COUNTY, SOUTH DAKOTA

LEGEND

- ⊠ CORNER FOUND THIS SURVEY REAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4822
- ⊠ CORNER SET THIS SURVEY REAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4828
- ⊠ CORNER FOUND THIS SURVEY REAR WITH ALUMINUM CAP MARKED ANKERSDI 26/2
- ⊠ CORNER FOUND THIS SURVEY REAR WITH CAP MARKED BRYANT 2192
- ⊠ RECORDED CORNER POINTS

- IN — ON — CENTERLINE OF 20' WIDE POWER LINE EASEMENT
- IN — ON — CENTERLINE OF 20' WIDE SEWER LINE EASEMENT

NOTE

FIRM PANEL 46033 C 0113 F DATED JANUARY 6, 1912 INDICATES NO PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THIS PLAT

NOTE

U.S. HIGHWAY 16 IS A 102' DEDICATED PUBLIC RIGHT-OF-WAY.

NOTE

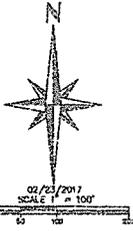
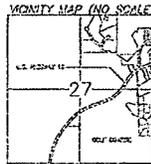
FRENCH ROAD IS A 40 FOOT PRIVATE DRIVEWAY THROUGH LOT 1 TO ALPHA TRACT

NOTE

BAUER-2 TRACT IS RECORDED IN PLAT BOOK 11 PAGE 601

WATER PROTECTION STATEMENT

PURSUANT TO SDCL 11-1-1 AND 11-1-1.2 THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE INCLUDING CONFINED WATER UNDERGROUND TO OR WITHIN EACH PLATTED AREA FROM POLLUTION FROM SEWERS FROM SEWER SUBSTATIONS AND SHALL IN ENFORCEMENT OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.



PREPARED BY
 JACK H. KNUST
 BUCKHORN SURVEYING INC
 2003 LETCHER LOOP
 CUSTER, SOUTH DAKOTA 57720
 (605) 673-3452

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	15°39'14"	21.86'	80.00'	S33°11'16"W	21.79'

NUM	BEARING	DISTANCE
L1	N65°35'28"W	71.26'

STATE OF SOUTH DAKOTA
 COUNTY OF CUSTER S.S.

I, WE DO HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO APPROVE AND DO HEREBY AFFIRM THE SURVEY AND BEING PLAT OF THE LAND. NO FURTHER CORRECTION OR REVISION OF THIS PLAT PANEL CONFORM TO ALL STATUTE APPLICABLE TO THE SURVEYING AND RECORDING ACTS, REGULATIONS.

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 KNOWLEDGED TO ME THAT THEY OCCUPIED THE SAME.

HISTORICAL RECORDS _____

MY COMMERCIAL EXPENSE _____

STATEMENT OF SURVEYOR
 FOR BUCKHORN SURVEYING INC

I, JACK H. KNUST, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I AM THE SURVEYOR OF THE ABOVE DESCRIBED LAND AND THAT I AM A MEMBER IN GOOD STANDING OF THE SOUTH DAKOTA SURVEYORS ASSOCIATION.

THIS _____ DAY OF _____, 20____

REGISTERED PROFESSIONAL
 REG. NO. 4899
 JACK H. KNUST

CERTIFICATE OF COUNTY TREASURER

I, _____, CLERK OF CUSTER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED LANDS ARE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE. DATED THIS _____ DAY OF _____, 20____

BY _____

CERTIFICATE OF HIGHWAY AUTHORITY:

THE LOCATION OF THE PROPOSED ACCESS ROAD ACROSS THE COUNTY OR STATE HIGHWAY ON THE CITY STREET AS SHOWN HEREON IS HEREBY APPROVED. ANY CHANGE IN THE LOCATION OF THE PROPOSED ACCESS SHALL REQUIRE A SEPARATE APPLICATION.

RESOLUTION APPROVED:

RESOLUTION OF GOVERNING BOARD
 STATE OF SOUTH DAKOTA
 CITY OF CUSTER S.S.

STATEMENT: THERE HAS BEEN PRESENTED TO THE CITY OF CUSTER, SOUTH DAKOTA, THE WITHIN PLAT OF THE ABOVE DESCRIBED PROPOSED ACCESS ROAD ACROSS THE COUNTY OR STATE HIGHWAY.

A. THE LOCATION OF THE PROPOSED ACCESS ROAD IS AS SHOWN ON THE WITHIN PLAT.

B. ALL PROVISIONS OF ANY SINGLE TITLE LAND SURVEYING REGULATIONS HAVE BEEN COMPLIED WITH.

C. ALL LAWS AND SPECIAL ORDINANCES WITHIN THE JURISDICTION HAVE BEEN FULLY PAID AND

D. THE PLAT AND SURVEY INSTRUMENTS HAVE BEEN DEPOSITED ACCORDING TO LAW AND

E. THE PLAT IS HEREBY APPROVED AS SHOWN HEREON IN ALL RESPECTS.

THIS _____ DAY OF _____, 20____

SUBJECT CITY RECORDS OFFICE:

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, _____, DIRECTOR OF EQUALIZATION OF CUSTER COUNTY DO HEREBY CERTIFY THAT I HAVE IN MY POSSESSION 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 _____

AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____

DEPOT OF CUSTER COUNTY RECORDS



Housing Needs Study Program

In support of Governor Dugaard's South Dakota Workforce Initiatives (SDWINS), the South Dakota Housing Development Authority (SDHDA) has created the Housing Needs Study Program (Program). This Program is a cost-sharing incentive program to help rural communities in South Dakota conduct a Housing Needs Study (Study) to aide community decision makers and the public in developing a meaningful sense of the housing market in their community as well as an understanding of key housing issues. Communities that have populations of 10,000 or less are eligible to participate in the Program.

The Study must provide a measured assessment of present and future unmet housing demand for the community, focusing on informing a deeper understanding of short-to-mid-term housing demand (2 year, 5 year, 10 year, and 15 year). The Study is intended to offer community leaders a basis for decisions regarding community-specific housing policy alternatives and intervention strategies.

SDHDA has chosen Community Partners Research, Inc. (hereafter as the Consultant) to complete the market studies funded under the Program. By utilizing one Consultant, SDHDA will be ensured information is gathered, reviewed, and reported in a consistent manner for each community. The Consultant will enter into a contract with each community for completion of the Study. During a three-year period, SDHDA anticipates that a minimum of 12 Studies will be completed under this Program. Community Partners Research, Inc. is located at 1011 Newhall Drive, Faribault, MN 55021, the phone number is 507-838-5992 and the email address is cpartners@charter.net. Contacts are Steven Griesert and Scott Knudson.

FUNDING

The Program has available funding of \$60,000. Each eligible community can receive grant funding for up to 50% of the cost of its Study, with a maximum grant of \$5,000. Each community will be required to pay the remaining cost of its Study from other funding sources which could be from donations, city funds or other sources.

Dependent on the timing of payments as outlined in the contract, SDHDA may provide the grant funds to a community as follows: (1) 25% of SDHDA's grant amount at the time an individual community contract is executed by the community and the Consultant, (2) an additional 50% of SDHDA's grant amount at the time of receiving a draft of the Study, and (3) the final 25% of SDHDA's grant amount upon receipt of the final Study. A copy of the executed contract along with any additional documentation requested by SDHDA must be submitted prior to any disbursements of funds.

The estimated cost for community Studies will vary based on community size –

Population of 1,000 or less (\$5,000)

Population 1,000 - 5,000 (\$7,500)

Population 5,000 - 10,000 (\$10,000)

Communities requesting services from the Consultant that are beyond the scope of work outlined within the Program, will be required to pay for the additional services, regardless of the match funds provided.

SCOPE OF WORK

Each Study will address the following -

1. What are the demographic and economic characteristics of households in the community? What is the current income level of households in the community and what is the anticipated income level in the future?
2. What are the expectations with respect to economic, employment, and population change in the community in the next 2 to 5 years, the next 10 years, and the next 15 years?
3. Based on market information, what is the nature and extent of the community's short-to-mid-term housing demand and long-term housing demand? What is the demand in various categories, including: new construction, rehab, senior housing, family housing, rental, and homeownership? What is the price range for demand in various categories?
4. What is different between this Studies' findings and that of prior market studies? If the results found and forecasts developed under this Study differ from previously published studies for the community, note reasons for the divergence.

Service Area

Available research information will vary based on the community. The Consultant will utilize, but is not limited to, demographic and community information from the U.S. Census, U.S. Department of Housing and Urban Development, USDA Rural Development, city officials, private employers and landlords.

If demographic data is not available at the community level, the Consultant may utilize information from another community that is in the logical service area. The Consultant will need to address how the community relates to other jurisdictions in the area in terms of core services, commuting patterns, and other characteristics.

Minimum Required Data Elements

The Consultant can develop specific methodology as deemed appropriate, but each Study must be consistent with other Studies completed. However, each Study must, at a minimum, quantify the following data elements:

1. Existing Housing Stock
 - By tenure – rent, own
 - By type – single, multi-family, manufactured
 - By value – property values, rents
 - By age and condition
 - Vacancy rates
2. Other Housing Information
 - Affordable housing – Low Income Housing Tax Credit, Public Housing, HUD, HOME, Section 8, USDA

- Senior/assisted living options
 - Housing market turnover/sales data
 - Building permit history (community's experience with new construction)
 - Infrastructure capacity/challenges (if applicable)
3. Demographics – now and future (2 year, 5 year, 10 year, and 15 year)
 - Population by age
 - Households by income, age, size
 - Migration patterns
 4. Economics
 - Economic base – by industry and key employer
 - Anticipated employment trends
 - Commuting patterns – employment and services (for example, education, retail, healthcare)
 5. Recommendations (based on analysis of data collected)

STUDY PROCESS AND TIMELINE

The Study will be overseen by the city for which the Study is being conducted. The city will name a primary contact who will serve as the liaison between the city and the Consultant.

Input and Community Relations

The Consultant will meet with city officials at least once during the Study process. The Consultant will hold a public community meeting prior to or during the Study process, allowing the public to ask questions and provide information for the Study. The Consultant may also conduct a resident survey, hold additional community meetings, and use other methods to gather additional input.

Timeline for the Program

First community selected	August 1, 2012
First community meeting	August 31, 2012
Presentation of Study to community	45 days after first community meeting
Final draft/all work products due	6 months from community selection

Work Product

The final Study for each community must be delivered to the community both as a PDF file and in hard copy, with five (5) bound copies, one of which will be submitted to SDHDA. The final Study must be delivered to a community within six (6) months of such community being selected under the Program. If the Consultant makes a final presentation to the community, an electronic copy of that presentation should be provided as well.

HOW TO APPLY

Communities interested in applying for the Program must complete and submit the Housing Needs Study Program Application Form. Applications will be accepted on a first come, first serve basis. However, due to demand or geographic location, the Study may be scheduled for a future date.

Eligible applications will be approved by SDHDA once a complete application has been received, including documentation of match availability. Once the application is approved by SDHDA, notice will be given to the community and the Consultant to initiate the Study.

A copy of the executed contract with the Consultant must be submitted to SDHDA upon execution.



HOUSING NEEDS STUDY PROGRAM
APPLICATION FORM

Organization Name: _____

Address: _____

Contract Person: _____ Title: _____

Phone: _____ Fax: _____ Email: _____

Type of Applicant: Nonprofit _____ City _____ Other _____

Sales Tax Exempt? _____

Community Requesting the Study: _____

Anticipated Cost of Study: \$ _____ Match Amount Requested: \$ _____

Source of Community Matching Funds: _____

Projected Survey Start Date: _____ Projected Survey Completion Date: _____

Attach the following to the application:

- Description of the area to be encompassed within the study.
- Copy of community governing body's resolution or minutes authorizing the study and requesting participation in the Housing Needs Study Program.
- Documentation evidencing availability of matching funds.
- Two letters of support from local lender, economic development, or other community based organization.

I certify that I am authorized to execute documents for the applying organization and that the information provided is true and correct.

Print Name and Title

Authorized Signature

SDHDA Use Only	
Grant Application Approved: Yes _____ No _____	Dollar Amount \$ _____
Approved by: _____	Date: _____

Applications must be mailed to:
South Dakota Housing Development Authority, Attn.: Lorraine Polak
PO Box 1237, 3060 East Elizabeth Street, Pierre, SD 57501

ORDINANCE NO. 789

AN ORDINANCE AMENDING TITLE 17 ZONING BY ADDING SECTION 17.04.12 ADOPTION PROCEDURE FOR PROPOSED ZONING ORDINANCE; ADDING SECTION 17.04.14 DEFINITION OF TERMS; ADDING SECTION 17.04.16 ADMINISTRATION AND ENFORCEMENT; REPEALING SECTION 17.04.070 PROVISIONS OF TITLE DECLARED TO BE MINIMUM REQUIREMENTS AND REPLACING WITH NEW SECTIONS 17.04.070 INTERPRETATION, ABROGATION AND SEVERABILITY AND 17.04.075 CONFLICTS WITH OTHER REGULATIONS AND ORDINANCES; REPEALING SECTION 17.08.040(E); REPEALING CHAPTER 17.44 ZONING BOARD OF ADJUSTMENT AND REPLACING WITH NEW CHAPTER 17.44 ZONING BOARD OF ADJUSTMENT; AND ADDING CHAPTERS 17.45 VARIANCES AND 17.46 CONDITIONAL USE.

17.04.012 Adoption Procedure for a Proposed Zoning Ordinance

- A. Pursuant to SDCL 11-4, Custer Municipal Code 17.08.040(E) is repealed and all zoning ordinances shall only be adopted or renewed by these procedures set under 17.04.012.
- B. City Council is the only governing body that can adopt or renew a zoning ordinance. A proposed zoning ordinance may also be adopted through a referendum pursuant to SDCL 9-20.
- C. Before adoption or renewal of a zoning ordinance by City Council, the Council shall hold at least one public hearing. Notice of the time and place of the hearing shall be given once at least ten (10) days in advance by publication in a legal newspaper of the municipality. Any interested person shall be given a full, fair, and complete opportunity to be heard at the hearing, and the governing body may refuse or adopt the ordinance, with or without amendment.
- D. Upon adopting a zoning ordinance, the ordinance is subject to the provisions of SDCL 9-19-7 as a comprehensive regulation unless the ordinance was adopted by referendum.
 - 1. SDCL 9-19-7 states the title of all ordinances shall be read twice with at least five days intervening between the first and second reading. The ordinance shall be signed by the mayor or acting mayor, filed with the Finance Officer, and published once except that an ordinance incorporating and adopting comprehensive regulations or a code promulgated, approved, and published by a recognized and established national organization prescribing building, electrical, plumbing, safety, fire, health, or milk regulations need not be published in a newspaper, but upon adoption of such an ordinance the Finance Officer shall publish a notice of the fact of adoption once a week for two successive weeks in the official newspaper, and twenty days after the completed publication of such notice, unless the referendum shall have been invoked, such ordinance shall become effective.
- E. Any protests to a proposed zoning ordinance shall follow the following guidelines:

1. Any written protests to a proposed ordinance must be filed with the Finance Officer and it must be signed by at least forty percent of the owners of equity in the lots included in any proposed district and the lands within two hundred fifty feet from any part of the proposed district. Any written protest must be filed before the date the ordinance becomes effective pursuant to SDCL 9-19-7.
2. For purposes of determining who is an owner of equity for a written protest, a corporation is construed to be a sole owner, and if parcels of land are in the name of more than one person, ownership representation is in proportion to the number of signers who join in the petition in relation to the number of owners.
3. If a written protest has been filed correctly, the ordinance does not become effective unless the ordinance is approved by two-thirds of the City Council.
4. The protest provisions of this section do not apply to any ordinance regulating or establishing flood plain areas.

17.04.014 Definition of Terms

The definitions set forth in SDCL 11-6-1 shall be applicable to Title 17 of the Custer City Municipal Code.

17.04.016 Administration and Enforcement

- A. Administrative Standards: whenever an administrative decision is made in the course of administering and enforcing a zoning ordinance, the decision shall be made so that the result will not be contrary to the requirements and purposes of Title 17 or injurious to the surrounding neighborhood.
- B. Powers and Duties of City Council:
 1. To hear and decide on all new proposed zoning ordinances and all requests for change of zoning.
 2. Council shall base all of their decisions in consideration of their own findings, the findings and recommendations of the Planning Commission, and any public input at the required public hearing.
 3. The Council shall act as and perform all the duties and exercise the powers of the Board of Adjustment.
- C. Powers and Duties of the Planning Commission:

1. The Planning Commission has all such powers necessary to enable it to fulfill and perform its functions and duties under Chapter 2.32, promote city planning and zoning, or carry out all the purposes of SDCL 11-4.

D. Powers and Duties of the Board of Adjustment:

1. The Board of Adjustment may hear appeals pursuant to SDCL 11-4-17(1), where it is alleged there is an error in any order, requirement, decision, or determination made in the enforcement of the zoning ordinance.
2. The Board of Adjustment may grant Variances pursuant to SDCL 11-4-17(2) and in accordance with Chapter 17.45.
3. Pursuant to SDCL 11-4-24, the mayor shall be chairman of the Board of Adjustment and the concurring vote of at least two-thirds of the members of Council shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the appellant on any matter upon which it is required to pass under any zoning ordinance, or to effect any variances to the Zoning Ordinance.
4. The Board of Adjustment may grant Conditional Uses pursuant to SDCL 11-4-17(3) and in accordance with Chapter 17.46.
5. Pursuant to SDCL 11-4-17(3), conditional uses shall be approved by a simple majority vote of the present and voting members of the Board of Adjustment.

17.04.070 Interpretation, Abrogation, and Severability

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of public safety, health, and general welfare. It is not the intent of this ordinance to repeal, abrogate, or impair any existing easement, covenant or deed restriction. Where these provisions conflict or overlap, whichever imposes the more stringent restrictions shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

17.04.075 Conflicts with Other Regulations and Ordinances

A. Whenever the regulations made under authority of Title 17 require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or less number of stories, or require a greater percentage of a lot to be left unoccupied, or impose other higher standards than are required in any other statute, local ordinance, or regulation, the provisions of the regulations made under authority of Title 17 shall govern.

B. Wherever the provisions of any other statute, local ordinance, or regulation require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or a less number of stories, or other higher standards than are required by the regulations made under authority of this chapter, the provisions of such statute or local ordinance or regulation shall govern.

Chapter 17.44

Zoning Board of Adjustment

Sections

17.44.010 Establishment, Membership, and Powers

17.44.020 Operational Procedure

17.44.030 Variance Powers and Procedures

17.44.040 Conditional Use Powers and Procedures

17.44.050 Appeal Powers

17.44.060 Appeals Application and Fees

17.44.070 Appeal Procedures

17.44.080 Stay of Proceedings

17.44.090 Appeals of a Decision of the Board of Adjustment

17.44.100 Invalidation of an Approved Appeal

17.44.010 Establishment, Membership, and Powers

- A. Establishment: The Board of Adjustment shall be the City Council. Council shall act as, perform all the duties, and exercise the powers of the Board of Adjustment pursuant to SDCL 11-4-24.
- B. Powers: The Board of Adjustment may, in appropriate cases, subject to appropriate conditions and safeguards of the Municipal Code, grant variances to the zoning ordinances, grant conditional use permits, and hear appeals where it is alleged there is an error in any order, requirement, decision, or determination made in the enforcement of the zoning ordinance.

17.44.020 Operational Procedure

- A. Meetings: The Board shall meet at the call of the chairman and at such other times as the Board may determine. All meetings of the Board shall be open to the public and all business coming before the Board shall be transacted at such meetings.

- B. Recordkeeping: The Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record. The Board may submit records to the State Record Destruction Board, pursuant to SDCL 1-27-19, which the Board determines to have no further administrative, legal, fiscal, research, or historical value.

17.44.030 Variance Powers and Procedures

The Board of Adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, grant variances pursuant to the procedures set out in Chapter 17-45.

17.44.040 Conditional Use Powers and Procedures

The Board of Adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, grant conditional use permits pursuant to the procedures set out in Chapter 17-46.

17.44.050 Appeal Powers

The Board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Planning Administration in the enforcement of the zoning ordinance.

17.44.060 Appeals Application and Fees

- A. Applications: Appeals to the Board of Adjustment concerning the interpretation or administration of the zoning ordinance may be taken by any person aggrieved by any decision of the Planning Administration with a written application, which shall be provided by the Planning Administration. The completed application must specify the grounds for granting an appeal.
- B. Fees: Upon filing any application for an appeal, the applicant shall pay Custer City the appropriate fee(s) as designated by City Council. Any fees collected shall be utilized to help defray the necessary administrative costs of processing the application

17.44.070 Appeal Procedures

The following shall be the procedures used after an application for an appeal and the required fees have been submitted to the Planning Administration:

- A. Applications must be submitted within a reasonable time from the date of the alleged error, not to exceed sixty (60) days;
- B. that the petitioner(s) shall file an appeal application with the Planning Administration and with the Board of Adjustment;

- C. that after receiving the appeal, the Planning Administrator shall provide the Board all documents, diagrams, and materials related to the appeal;
- D. that the Board of Adjustment shall fix a time for the hearing of appeal within forty-five (45) days after receiving the application; and
- E. that the Board shall decide to approve or deny the appeal within forty-five (45) days after the hearing.

17.44.080 Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the Planning Administrator gives a written report to the Board of Adjustment that a stay would, in their opinion, cause imminent peril to life and property. In such cases, proceedings shall not be stayed other than by a restraining order, which may be granted by the Board of Adjustment or by a court of record.

17.44.090 Appeals of a Decision of the Board of Adjustment

Appeals of a decision of the Board of Adjustment may be taken to the Custer County Circuit Court by any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment, or any taxpayer, or any officer, department, board or bureau of the City, aggrieved by any decision of the Board of Adjustment, in the manner and form provided by the statutes of the State of South Dakota, in such cases made and provided.

17.44.100 Invalidation of an Approved Appeal

Any order of the Board of Adjustment granting an appeal may be declared invalid by the Board of Adjustment unless substantially completed within two (2) years from the date of such order. The Planning Commission shall notify the property owner of record upon invalidation of an appeal.

Chapter 17.45

Variances

Sections

17.45.010 Purpose

17.45.020 Variance Application and Fees

17.45.030 Procedure for Review of an Application

17.45.040 Considerations for Approval or Denial

17.45.050 Appeals of a Decision of the Board of Adjustment

17.45.060 Invalidation of an Approved Variance

17.45.070 Reapplication after a Denial

17.45.010 Purpose

The purpose of a variance is to allow a deviation from the strict application of the Zoning Ordinance in relation to physical conditions whereby a literal enforcement of the provisions of the zoning ordinance would result in an unnecessary hardship for a property owner. The Board of Adjustment shall hear and review all variance requests, and after review and a public hearing thereon, the Board of Adjustment may grant a variance to the zoning ordinance based on its own findings and evidence presented by the property owner, if the granting of such variance will not be contrary to the public interest.

17.45.020 Variance Application and Fees

A. Applications: any person, firm, or corporation may apply for a variance with the Planning Administration with a written application, which shall be provided by the Planning Administration and the completed application must demonstrate:

1. That special conditions and circumstances exist, which are peculiar to the land, structure, or building involved and, which are not applicable to other lands, structures, or buildings in the same zoning district;
2. That a literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the zoning ordinance;
3. that the special conditions and circumstances do not result from the actions of the applicant;
4. that the granting of the variance requested will not confer on the applicant any special privilege that is denied by the zoning ordinance to other lands, structures, or buildings in the same district; and
5. that the grounds for the application is not based on nonconforming uses of neighboring lands, structures, or buildings in the same district.

B. Fees: Upon filing any application for a variance, the applicant shall pay Custer City the appropriate fee(s) as designated by City Council. Any fees collected shall be utilized to help defray the necessary administrative costs of processing the application.

17.45.030 Procedures for Review of an Application

The following shall be the procedures used after an application for a variance and the required fees have been submitted to the Planning Administration:

- A. The Planning Administrator shall review the completed variance application and determine if granting the variance would be contrary to the public interest. Additionally, any application not containing and/or addressing all the information required in 17.45.020(A), shall be rejected, and returned to the applicant, along with the fees and the reasons for rejection.
- B. If the Planning Administrator finds the application complies with the application requirements, the Planning Administrator shall present the application at the next regularly scheduled Planning Commission meeting along with a report indicating their opinion concerning the granting of the variance. At the meeting, any interested person shall be given full, fair, and complete opportunity to be heard.
- C. After the application is added to the Planning Commission agenda, notice of the application shall be given by sign, mail, and newspaper.
1. Sign: A sign will be furnished by the Planning Administration, and posted by the Planning Administration, at the applicant's expense. The sign must be posted in plain public view at the property where the variance is requested and must be posted no less than ten (10) days prior to the date of the Planning Commission meeting and must remain posted until final action by the Board of Adjustment is completed. The sign must include the dates of the Planning Commission meeting and the date of the Board of Adjustment hearing once set. The sign must be at least twenty-four (24) inches wide and eighteen (18) inches tall with bold lettering to inform the public about the application and hearing.
 2. Mail: Applicant shall notify all property owners of land contiguous to the property involved in the Variance application and all property contiguous to those properties, inclusive of right-of-way and within City Limits, by Certified Mail or hand-delivered with a receipt signed by the recipient. The list of landowners to be notified shall be determined by records of the Director of Equalization. The Planning Administration shall provide the applicant with a "Notice of Hearing" form for this purpose, and the notices are to be sent by the applicant to all parties on the aforementioned list no less than ten (10) days prior to the Planning Commission meeting. The applicant shall sign an affidavit certifying that the required mailing or delivery was completed and provide the signed affidavit to the Planning Administration at least five (5) working days prior to the public meeting.
 3. The Planning Administration will publish legal notice in the local newspaper at the applicant's expense at least ten (10) days prior to the Planning Commission's meeting.
- D. After receiving the application, the Planning Commission shall make recommendations to approve or deny the application and shall create a Staff Report with recommendations

to the Board of Adjustment for either approval, approval with conditions, or denial of the application. After receiving the Staff Report, the Board of Adjustment shall schedule a public hearing to consider the application. At the public hearing, any interested person shall be given a full, fair, and complete opportunity to be heard at the hearing.

- E. After scheduling the public hearing, notice shall be given by sign and newspaper.
 - 1. The Planning Administration shall post the date of the public hearing on the sign provided for in 17.45.030(C)(1) no less than ten (10) days prior to the date of the hearing.
 - 2. The Planning Administration shall publish legal notice in the local newspaper at the applicant's expense at least ten (10) days prior to the hearing. The notice shall state the date and time that the Board of Adjustment will review and consider the variance application.
 - 3. After the public hearing, the Board of Adjustment shall take action to approve or deny the variance application. If the action is to deny the application, the reasons for such action shall be stated in the minutes of the meeting and a specific reference shall be made to the requirements not met.

17.45.040 Considerations for Approval or Denial

Generally, the granting of any variance shall be in harmony with the general purposes and intent of the zoning ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or be in conflict with the comprehensive plan for development. The following are considerations the Board of Adjustment and Planning Commission may use in determining the approval or denial of a variance:

- A. If the particular physical surroundings, shape, or topographical conditions of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the ordinance were to be carried out;
- B. that granting the variance requested will not confer on the applicant any special privilege that is denied by the zoning ordinance to other lands, structures, or buildings in the same district;
- C. that a mere loss in value shall not justify a variance, there must be a deprivation of beneficial use of land if the strict letter of the regulations were to be carried out;
- D. that the conditions upon which the application for a variance is based would not be applicable generally to other property within the same zoning classification or other property substantially similar in use;

- E. that variances shall not be granted to allow conditional uses, nor uses otherwise excluded from the particular district in which requested;
- F. that the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located;
- G. that the proposed variance will not unreasonably impair an adequate supply of light and air to adjacent property, increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or diminish or impair property values within the area;
- H. that because of circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulations and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- I. that the variance, if authorized, will represent the minimum variance that will afford reasonable relief and will represent the least modification desirable of the zoning ordinances; and
- J. that the Board of Adjustment may impose reasonable conditions in granting a variance on the condition that the one accepting those conditions is bound by them.

17.45.050 Appeals of a Decision of the Board of Adjustment

Appeals of a decision of the Board of Adjustment may be taken to the Custer County Circuit Court by any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment, or any taxpayer, or any officer, department, board or bureau of the City, aggrieved by any decision of the Board of Adjustment, in the manner and form provided by the statutes of the State of South Dakota, in such cases made and provided.

17.45.060 Invalidation of an Approved Variance

Any order of the Board of Adjustment granting a variance may be declared invalid by the Board of Adjustment unless substantially completed within two (2) years from the date of such order. The Planning Commission shall notify the property owner of record upon invalidation of a variance.

17.45.070 Reapplication after a Denial

No applicant requesting a Variance whose application includes the same or substantially the same requirements for the same or substantially the same property as that which has been denied by the Board of Adjustment or the Circuit Court shall reapply again before the expiration date of one (1) year from the date of the final action concerning the application. The reapplication for a Variance shall be processed in the same manner as a new application for a Variance.

Conditional Uses

Sections

17.46.010 Purpose

17.46.020 Conditional Use Application and Fees

17.46.030 Procedure for Review of an Application

17.46.040 Considerations for Approval or Denial

17.46.050 Amendments to a Conditional Use Permit

17.46.060 Reapplication after a Denial

17.46.070 Expiration of a Conditional Use Permit

17.46.080 Preexisting Uses

17.46.090 Annual Review of Conditional Use Permits

17.46.100 Suspension or Revocation of Conditional Use Permits

17.46.010 Purpose

Within each zoning district, there are certain uses that are permitted as a conditional use. These listed conditional uses under each district are illustrative of those, which the Board of Adjustment may approve temporarily, or approve for a specific time interval. Additionally, other conditional uses may be allowed, which are not listed, provided they are not contrary to the overall intent of the comprehensive plan. Conditional uses, which clearly do not meet the intent of the comprehensive plan, may be specifically prohibited by the Board upon recommendation by the Planning Administration.

17.46.020 Conditional Use Application and Fees

A. Applications: any person, firm, or corporation may apply for a Conditional Use Permit with the Planning Administration with a written application, which shall be provided by the Planning Administration. The completed application, along with all supporting documentation shall be submitted to the Planning Administration for review at least thirty (30) days prior to a regularly scheduled Planning Commission meeting. The application shall include:

1. A written request pertaining to the proposed use;
2. a complete legal description of the property, maps identifying the property, any diagrams of the property; and

3. a site plan that shall include the following information:

- a. The proposed land uses and any specific services to be offered;
- b. all property lines and dimensions of the lot(s);
- c. all setbacks (distance in feet from the furthest most projection of a structure to all lot lines and or road right-of-ways);
- d. the adjacent land use;
- e. the existing and proposed structures, dimensions, design specifications, and location of all facilities (i.e. pump stations, gas tanks, etc.);
- f. the proposed and existing grading, drainage patterns, and landscaping;
- g. the proposed and existing improvements, including septic systems, drain fields, wells, cistern systems, parking and roads;
- h. the proposed and existing signs and their locations;
- i. the proposed time line of completion of plans; and
- j. the relationship of the proposed development to the surrounding area.

B. Fees: Upon filing any application for a Conditional Use Permit, the applicant shall pay Custer City the appropriate fee(s) as designated by City Council. Any fees collected shall be utilized to help defray the necessary administrative costs of processing the application.

17.46.030 Procedure for Review of an Application

The following shall be the procedures used after an application for a conditional use and the required fees have been submitted to the City:

- A. The Planning Administrator shall review the completed conditional use application and determine if granting the conditional use would be contrary to the public interest. Additionally, any application not containing and/or addressing all the information required in 17.46.020, shall be rejected, and returned to the applicant together with the reasons for rejection.
- B. If the Planning Administrator finds the application complies with the application requirements, the Planning Administrator shall present the application at the next regularly scheduled Planning Commission meeting along with a report indicating their opinion concerning the granting of the Conditional Use. At the meeting, any interested person shall be given a full, fair, and complete opportunity to be heard at the meeting.

- C. After the application is added to the Planning Commission agenda, notice of the application shall be given by sign, mail, and newspaper.
1. Sign: A sign will be furnished by the Planning Administration, and posted by the Planning Administration, at the applicant's expense. The sign must be posted in plain public view at the property where the conditional use is requested and must be posted no less than ten (10) days prior to the date of the Planning Commission meeting and must remain posted until final action by the Board of Adjustment is completed. The sign must include the dates of the Planning Commission meeting and the date of the Board of Adjustment hearing once set. The sign must be at least twenty-four (24) inches wide and eighteen (18) inches tall with bold lettering to inform the public about the application and hearing.
 2. Mail: Applicant shall notify all property owners of land contiguous to the property involved in the Conditional Use Permit application and all property contiguous to those properties, inclusive of right-of-way and within City Limits, by Certified Mail or hand-delivered with a receipt signed by the recipient. The list of landowners to be notified shall be determined by records of the Director of Equalization. The Planning Administration shall provide the applicant with a "Notice of Hearing" form for this purpose, and the notices are to be sent by the applicant to all parties on the aforementioned list no less than ten (10) days prior to the Planning Commission meeting. The applicant shall sign an affidavit certifying that the required mailing or delivery was completed and provide the signed affidavit to the Planning Administration at least five (5) working days prior to the public meeting.
 3. The Planning Administration will publish legal notice in the local newspaper at the applicant's expense at least ten (10) days prior to the Planning Commission's meeting.
- D. After receiving the application, the Planning Commission shall make recommendations to approve or deny the application and shall create a Staff Report with recommendations to the Board of Adjustment for either approval, approval with conditions, or denial of the application. After receiving the Staff Report, the Board of Adjustment shall schedule a public hearing to consider the application. At the public hearing, any interested person shall be given a full, fair, and complete opportunity to be heard at the hearing.
- E. After scheduling the public hearing, notice shall be given by sign and newspaper.
1. The Planning Administration shall post the date of the public hearing on the sign provided for in 17.46.030(C)(1) no less than ten (10) days prior to the date of the hearing.
 2. The Planning Administration will publish legal notice in the local newspaper at the applicant's expense at least ten (10) days prior to the hearing. The notice shall state

the date and time that the Board of Adjustment will review and consider the conditional use application.

3. After the public hearing, the Board of Adjustment shall take action to approve or deny the Conditional Use Permit. If the action is to deny the application, the reasons for such action shall be stated in the minutes of the meeting and a specific reference shall be made to the requirements not met.

17.46.040 Considerations for Approval or Denial

Generally, the granting of any Conditional Use shall be in harmony with the general purposes and intent of the zoning ordinance and will not be injurious to the neighborhood, detrimental to the public welfare, or be in conflict with the comprehensive plan for development. The following are considerations the Board of Adjustment may use in determining the approval or denial of a Conditional Use Permit, and supporting documentation may be requested:

- A. That the Conditional Use will not be injurious to the use and enjoyment of other properties within the immediate vicinity for the purposes already permitted;
- B. that the Conditional Use will not diminishes and impair property values within the immediate vicinity;
- C. that the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area;
- D. that adequate utilities, public safety, water supply, sewage disposal, surface drainage, flood control, soil conservation, access roads, drainage and other necessary facilities have been considered and/or are being provided;
- E. that the Conditional Use is consistent with the surrounding area in terms of character and density;
- F. that the Conditional Use conforms with and is a compatible use within the Comprehensive Plan;
- G. that the Board of Adjustment may impose reasonable conditions in granting a Conditional Use on the condition that the one accepting those conditions is bound by them; and that the Board may consider any public comments and comments from public officials.

17.46.050 Amendments to a Conditional Use Permit

Amendments to a Conditional Use Permit shall be processed in the same manner as required for a separate Conditional Use Permit.

17.46.060 Reapplication after a Denial

No applicant requesting a Conditional Use Permit whose application includes the same or substantially the same requirements for the same or substantially the same property as that which has been denied by the Board of Adjustment shall reapply again before the expiration date of six (6) months from the date of the final action on the petition. The reapplication for a Conditional Use Permit shall be processed in the same manner as a new application.

17.46.070 Expiration of a Conditional Use Permit

A Conditional Use Permit, which has been approved, shall expire by limitation and become null and void if the building, work, or use authorized by such permit is not commenced within one year from the date of the approval. Upon written request to the Planning Administrator and prior to the Conditional Use Permit's expiration date, a one-year time extension for the permit may be granted by the Planning Administrator, subject to the following conditions:

- A. There was no public objection presented during the public hearing process for the original permit; and
- B. the land uses for the surrounding properties have not significantly been altered since the original approval date for the permit.

17.46.080 Annual Review of Conditional Use Permits

The Board of Adjustment may, at their discretion, require the person requesting a Conditional Use Permit provide the Board a written annual report, onsite review, or that the person requesting the permit attend a Board of Adjustment meeting, or all of the above, on each anniversary date of the approval of the Conditional Use Permit. The annual report, onsite review, or attendee at a Board meeting shall update the Board on the permit holder's compliance with the terms, requirements, and conditions stipulated in the approval of the permit.

17.46.100 Suspension or Revocation of Conditional Use Permits

If the Planning Administrator finds that at any time that the terms, conditions, or requirements of the Conditional Use Permit have not been complied with, or that any phase thereof has not been completed within the time required under the permit or any amendment thereto, the Administrator shall report this fact to the permittee, landowner, and/or operator, and the Board of Adjustment. The Board of Adjustment may, after conducting a public hearing, of which the permittee, landowner, and/or operator shall be notified, revoke the permit for failure to comply with the terms, conditions, or requirements of the permit.

		Skull Construction	RCS Construction
Bid Bond		Yes	
Addenda #1, #2 & #3		Yes	
Base Bid		\$ 449,500.00	
Bid Item #1: Childcare restroom renovations		68,100.00	
Bid Item #2: Childcare new openings		9,900.00	
Alternate #1: City Side Plumbing Rough-in		39,200.00	
Alternate #2: City Side Plumbing Fixtures		11,100.00	
Alternate #3: City Side Restroom Finishes		25,000.00	
Alternate #4: City Side RR Partitions		4,700.00	
Total Bid		529,500.00	\$0.00



FENNELL DESIGN INC

Architecture | Interiors | Project Management
237 N 6th St
Custer, SD 57730

May 9, 2017

Bob Morrison
City of Custer
622 Crook St.
Custer, SD
57730

Re: Child Care Wing Renovation – Custer Community Center
Bid Recommendations

Bob;

Please find accompanying this letter the Opinion of Probable Cost I had produced in March for the Base Bid Project (including Bid Items #1 & #2) and the Bid Tab for the single bid we received.

Our Opinion of Probable Cost for the Childcare Wing Renovation (Base bid) was \$342,558 and the bid was \$449,500. Discussion with the bidding contractor indicates that the electrical bids were the biggest outlier but in general everything came in slightly higher than we anticipated.

Our Opinion of Probable Cost for the City Restrooms was \$73,047 vs the \$80,000 combined Alternate bids.

Our recommendation follows:

- Reject the single bid as being non-competitive and over estimates
- City Public Works acts as GC going forward
- FDI develop Bid Packages @ hourly rate:
 - Plumbing
 - Base Bid
 - Alternate Bid
 - (H)VAC
 - Electrical
 - Emergency Lighting
 - Alarm/notification
 - Misc. Power & Equipment connections
 - Doors/Jambs/Hardware
 - Acoustical Ceilings
 - Restroom Partitions¹
 - Countertops
 - Flooring
 - Tile
 - Carpet
 - VCT

¹ May choose to wait on these



FENNEL DESIGN INC

Architecture | Interiors | Project Management

237 N 6th St

Custer, SD 57730

We can assemble packages immediately upon your direction. We have the data & drawings; it is just a matter of doing drawing and specification packages pertinent to the task/scope.

Sincerely,
Fennell Design Inc.

Gene A Fennell
Architect

Enclosures:

OPC 3/24/17 – Childcare

OPC 3/24/17 – City Restrooms

Bid Tab

CC: Phil Nichols

Description	QTY	Units	Unit Cost	Total	
Masonry	40	SF	\$ 4.00	\$160.00	
CMU	160	SF	\$ 4.00	\$640.00	
Ceilings	4739	SF	\$ 1.00	\$4,739.00	
Partitions	20	LF	\$ 5.00	\$100.00	
Furr Walls	0	LF	\$ 3.50	\$0.00	
Doors	2	EA	\$ 50.00	\$100.00	
Windows	0	EA	\$ 75.00	\$0.00	
CIP Concrete	150	SF	\$ 5.00	\$750.00	
ELECTRICAL	1141	SF	\$ 3.00	\$3,423.00	
Flooring	400	SF	\$ 1.00	\$400.00	
Bathrooms	1	EA	\$ 500.00	\$500.00	
Casework	214	LF	\$ 10.00	\$2,140.00	
Fixtures	13	EA	\$ 25.00	\$325.00	
			Subtotal	\$13,277.00	\$13,277
Foundations	0	LF	\$ 125.00	\$0	
Bearing Pads	0	PC	\$ 250.00	\$0	
SOG	0	SF	\$ 5.00	\$0	
Grout	0	SF	\$ 3.00	\$0	
Replacement Slabs	150	SF	\$ 7.00	\$1,050	
			Subtotal	\$1,050	\$1,050
Columns	0	PC	\$ 300.00	\$0	
Beams	0	#'s	\$ 4.00	\$0	
Headers	7	PC	\$ 350.00	\$2,450	
Joists	0	PC	\$ 250.00	\$0	
Deck	0	SF	\$ 2.75	\$0	
Stair Railings (modify)	1	PKG	\$ 3,500.00	\$3,500.00	
			Subtotal	\$5,950	\$5,950
Interior					
Casework (Upper & Lower)	0	LF	\$ 350.00	\$0.00	
Solid Surface Top Counters	0	SF	\$ 125.00	\$0.00	
Counters - Plam	60	SF	\$ 30.00	\$1,800.00	
Solid Surface Sills	0	PC	\$ 125.00	\$0.00	
Relocated Casework	29	LF	\$ 30.00	\$870.00	
			Subtotal	\$2,670.00	\$2,670

6" interior partitions	18	LF	\$ 30.00	\$540.00	
4" nom. Partitions	80	LF	\$ 28.00	\$2,240.00	
8" CMU	50	SF	\$ 10.00	\$500.00	
Floors					
VCT	1735	SF	\$ 5.00	\$8,675.00	
Carpet Tile	0	SF	\$ 3.75	\$0.00	
Broadloom Carpet	765	SF	\$ 3.00	\$2,295.00	
Tile	60	SF	\$ 20.00	\$1,200.00	
Refinish wood floors	0	SF	\$ 6.75	\$0.00	
Tile Base	0	LF	\$ 8.00	\$0.00	
Rubber Base	240	LF	\$ 4.00	\$960.00	
Wood Base	0	LF	\$ 3.00	\$0.00	
Walls					
Tile	0	SF	\$ 10.00	\$0.00	
Accent Tile	0	SF	\$ 25.00	\$0.00	
Pt. Gyp	11520	SF	\$ 1.25	\$14,400.00	
FRP	375	SF	\$ 3.00	\$1,125.00	
Ceilings					
APC	3240	SF	\$ 2.75	\$8,910.00	
Pt. Gyp	0	SF	\$ 5.00	\$0.00	
Re-install APC	1500	SF	\$ 1.50	\$2,250.00	
			Sub-total	\$43,095.00	\$43,095
ENTRY & TRANSITION ITEMS TO CHILDCARE					
Entry Mat	0	EA	\$ 800.00	\$0.00	
Wall & Door Protection	4	EA	\$ 85.00	\$340.00	
Utility Room Accessories	1	PKG	\$ 350.00	\$350.00	
Bathroom Accessories	0	PKG	\$ 400.00	\$0.00	
Partitions	0	EA	\$ 500.00	\$0.00	
Signage (Regulatory)	1	PKG	\$ 300.00	\$300.00	
F.E.	4	EA	\$ 150.00	\$600.00	
			Sub-total	\$1,590.00	\$1,590

Plumbing	1	PKG	\$ 45,000	\$45,000	
H(V)AC	3000	SF	\$ 40	\$120,000	
HVAC Upgrades		SF	\$ 15	\$0	
Sprinkler	0	PKG	\$ 35,000	\$0	
			Subtotal	\$165,000	\$165,000

Lighting	1	PKG	\$ 32,000	\$22,000	
Power	1	PKG	\$ 14,000	\$1,000	
Communication	0	PKG	\$ 8,000	\$0	
Alarm/Monitoring	1	PKG	\$ 15,000	\$15,000	
			Subtotal	\$38,000	\$38,000

YMCA Childcare Raw Cost	\$ 278,020.00	\$291,297
15% P&OH	\$41,703.00	
5% Contingency	\$15,986.15	
2.04% Excise	\$6,848	
	\$342,558	
Volunteer Value - Noted @ line; NIC in Opinion Total	\$13,277	

Description	Quantity	Units	Unit Cost	Total	
Masonry		SF	\$ 4.00	\$0.00	
CMU	40	SF	\$ 4.00	\$160.00	
Ceilings	0	SF	\$ 1.00	\$0.00	
Partitions	0	LF	\$ 5.00	\$0.00	
Furr Walls	0	LF	\$ 3.50	\$0.00	
Doors	2	EA	\$ 50.00	\$100.00	
Windows	0	EA	\$ 75.00	\$0.00	
CIP Concrete	50	SF	\$ 5.00	\$250.00	
ELECTRICAL	0	SF	\$ 3.00	\$0.00	
Flooring	360	SF	\$ 3.00	\$1,080.00	
Bathrooms	3	EA	\$ 500.00	\$1,500.00	
Casework	0	LF	\$ 10.00	\$0.00	
Fixtures	11	EA	\$ 25.00	\$275.00	
			Subtotal	\$3,365.00	\$3,365
Foundations	0	LF	\$ 125.00	\$0	
Bearing Pads	0	PC	\$ 250.00	\$0	
SOG	0	SF	\$ 5.00	\$0	
Grout	0	SF	\$ 3.00	\$0	
Replacement Slabs	50	SF	\$ 10.00	\$500	
			Subtotal	\$500	\$500
Columns	0	PC	\$ 300.00	\$0	
Beams	0	#'s	\$ 4.00	\$0	
Headers	0	PC	\$ 350.00	\$0	
Joists	0	PC	\$ 250.00	\$0	
Deck	0	SF	\$ 2.75	\$0	
Stair Railings (modify)	0	PKG	\$ 3,500.00	\$0.00	
			Subtotal	\$0	\$0
Interior					
Casework (Upper & Lower)	0	LF	\$ 350.00	\$0.00	
Solid Surface Top Counters	0	SF	\$ 125.00	\$0.00	
Counters - Plam	0	SF	\$ 30.00	\$0.00	
Solid Surface Sills	0	PC	\$ 125.00	\$0.00	
Relocated Casework	0	LF	\$ 30.00	\$0.00	
			Subtotal	\$0.00	\$0
Exterior					
Roofing	0	SF	\$ 15.00	\$0.00	
Flashings & Trims	0	LF	\$ 30.00	\$0.00	
Rain Conduction	0	PC	\$ 400.00	\$0.00	

Sub-grade insulation	0	SF	\$ 3.00	\$0.00	
Bituminous Coating	0	SF	\$ 0.75	\$0.00	
Sealant & Backer Rod	0	LF	\$ 2.00	\$0.00	
Interior				\$0.00	
Insulation - Thermal	0	SF	\$ 1.00	\$0.00	
Insulation (accoustical)	0	SF	\$ 2.50	\$0.00	
Caulking	100	LF	\$ 1.00	\$100.00	
			Sub-total	\$100.00	\$100
Exterior					
New Windows	0	EA	\$ 900.00	\$0.00	
Aluminum Entry	0	SF	\$ 55.00	\$0.00	
Ext. Door Hardware	0	EA	\$ 500.00	\$0.00	
Power Door Operators	0	EA	\$ 1,000.00	\$0.00	
Interior					
Flush Wood Doors & HM Frames	2	EA	\$ 650.00	\$1,300.00	
Borrow Lites	0	EA	\$ 600.00	\$0.00	
Counter Coil Doors	0	EA	\$ 1,100.00	\$0.00	
Access Doors/Panels	0	EA	\$ 120.00	\$0.00	
Door Hardware	2	EA	\$ 150.00	\$300.00	
Relocate Door & Frame	0	EA	\$ 200.00	\$0.00	
			Sub-total	\$1,600.00	\$1,600
6" interior partitions		LF	\$ 30.00	\$0.00	
4" nom. Partitions	20	LF	\$ 28.00	\$560.00	
6" CMU	50	SF	\$ 20.00	\$1,000.00	
Floors					
VCT	0	SF	\$ 5.00	\$0.00	
Carpet Tile	0	SF	\$ 3.75	\$0.00	
Broadloom Carpet	0	SF	\$ 3.00	\$0.00	
Tile	360	SF	\$ 20.00	\$7,200.00	
Refinish wood floors	0	SF	\$ 6.75	\$0.00	
Tile Base	50	LF	\$ 8.00	\$400.00	
Rubber Base	0	LF	\$ 4.00	\$0.00	
Wood Base	0	LF	\$ 3.00	\$0.00	
Walls					
Tile	300	SF	\$ 12.00	\$3,600.00	
Accent Tile	0	SF	\$ 25.00	\$0.00	
Paint	1440	SF	\$ 1.25	\$1,800.00	
FRP	375	SF	\$ 3.00	\$1,125.00	
Ceilings					
APC	0	SF	\$ 2.75	\$0.00	
Paint	360	SF	\$ 5.00	\$1,800.00	
Re-install APC	0	SF	\$ 1.50	\$0.00	
			Sub-total	\$17,485.00	\$17,485

Entry Mat	0	EA	\$ 800.00	\$0.00	
Wall & Door Protection	0	EA	\$ 85.00	\$0.00	
Utility Room Accessories	1	PKG	\$ 350.00	\$350.00	
Bathroom Accessories	2	PKG	\$ 400.00	\$800.00	
Partitions	1	EA	\$ 8,000.00	\$8,000.00	
Signage (Regulatory)	1	PKG	\$ 300.00	\$300.00	
F.E.	1	EA	\$ 150.00	\$150.00	
			Sub-total	\$9,600.00	\$9,600

Plumbing	1	PKG	\$ 28,000	\$28,000	
H(V)AC		SF	\$ 40	\$0	
HVAC Upgrades		SF	\$ 15	\$0	
Sprinkler	0	PKG	\$ 35,000	\$0	
			Subtotal	\$28,000	\$28,000

Lighting	1	PKG	\$ 1,000	\$1,000	
Power		PKG	\$ 14,000	\$1,000	
Communication	0	PKG	\$ 8,000	\$0	
Alarm/Monitoring		PKG	\$ 15,000	\$0	
			Subtotal	\$2,000	\$2,000

YMCA Childcare Raw Cost			\$ 59,285.00	\$62,650
15%	P&OH		\$8,892.75	
5%	Contingency		\$3,408.89	
2.04%	Excise		\$1,460	
			\$ 73,047.00	
Volunteer Value				\$3,365

		Scull Construction	RCS Construction
Bid Bond		Yes	No Bid
Addenda #1, #2 & #3		Yes	
Base Bid		\$449,500	
Bid Item #1: Childcare restroom renovations (included in Base Bid)		\$68,100	
Bid Item #2: Childcare new openings (included in Base Bid)		\$9,900	
Alternate #1: City Side Plumbing Rough-in		\$39,200	
Alternate #2: City Side Plumbing Fixtures		\$11,100	
Alternate #3: City Side Restroom Finishes		\$25,000	
Alternate #4: City Side RR Partitions		\$4,700	
Total Bid		\$529,500.00	\$0.00

**CITY OF CUSTER CITY, SOUTH DAKOTA
COUNTY OF CUSTER, SOUTH DAKOTA
LAW ENFORCEMENT AGREEMENT**

This Agreement, made and entered into this 15th day of May 2017, by and between the City of Custer City, South Dakota, hereinafter referred to as "City", the County of Custer County, South Dakota, hereinafter referred to as "County", and the Sheriff of Custer County, South Dakota, hereinafter referred to as "Sheriff",

WITNESSETH:

WHEREAS, the City, County, and Sheriff are desirous of arranging the terms and conditions for the performance of law enforcement within the jurisdiction of the City by the Sheriff.

TERM

The effective date of this Agreement shall be from January 1, 2018 through December 31, 2018.

CONSIDERATION

The City shall pay to the County for those law enforcement services described herein the sum of Three Hundred Seventy-Five Thousand Dollars (\$375,000.00) for the year 2018. The City shall prepay, on a quarterly basis, beginning January 2018 and each consecutive and successive quarter for a term of one (1) year.

SCOPE OF SERVICE

In addition to the Sheriff Department's normal duties as prescribed by SDCL, the following services as contracted for will be regularly performed within the boundaries of the City, in addition to a strong visibility and presence, shall include but not be limited to traffic enforcement, foot patrols, enforcement of vehicle and traffic related City Ordinances, animal control, intersection traffic control. Said primary patrol and enforcement duties shall only be performed by regular Custer County Deputies. Further, the Sheriff shall provide such services twenty-four (24) hours each day, for the duration of this contract.

The above-referenced services shall specifically exclude as a contract service hereunder:

- 1) the D.A.R.E. program;
- 2) all non-emergency/essential responses to calls outside the Municipal limits of Custer City;
- 3) regular administrative duties not associated with occurrences within the Municipal limits of Custer City; and.

RECORDS AND REPORTS

The Sheriff shall provide an accurate written description tracking and accounting of all calls handled as well as the duty schedule, and actual time worked in the month prior reported and responded to within and without the municipal limits to the City Council before the second meeting of each month. Further, the Sheriff or his designee shall attend regular City Council meeting quarterly, and any other meeting upon request by the City Council, to provide in-depth and knowledgeable information and input regarding law enforcement matters within the City, along with the written report of the month's activities.

The Sheriff shall provide to the City Council an accurate written annual report of the number of felony arrests; the number of dispatch calls broken down per category and whether or not a deputy responded; and the description and number of prisoners charged to the City.

Correspondence reference, requests, complaints, meetings, and contracts shall be reduced to writing and copied to the Custer County Board of Commissioners.

FACILITIES

All equipment and maintenance required by the Sheriff shall be the responsibility of the County and the Sheriff.

INSURANCE

It is hereby agreed that the County shall provide, through its public liability pool, liability insurance for the Sheriff's Department against false arrest and other related law enforcement service claims.

INDEMNIFICATION

The County hereby agrees to indemnify and hold the City harmless should the City be sued as a result of any negligent act or omission by the Sheriff's Department with respect to the Scope of Service of this agreement.

The City hereby agrees to indemnify and hold the County harmless should the County be sued as a result of any negligent act or omission by the City with respect to law enforcement issues.

DEFAULT

Failure of any party to perform as promised under this Agreement shall cause this Agreement to become void upon thirty (30) days written notice, certified mail, to the party deemed to have created the default. In the event that the default is not cured within said 30 day period, all sums paid by the City during the year the default occurred shall be refunded to the City on a pro-rata basis.

TERMINATION

This Agreement shall terminate, without cause, upon the written notice of any party to the other two parties by certified mail. Said notice shall be mailed no less than one hundred twenty (120) days prior to the effective termination date.

For the purpose of this contract, cause is defined as the financial proven inability to provide the resources to fulfill the terms of this contract, and/or to provide the funding for the consideration under this contract.

IN WITNESS WHEREOF, the parties have placed their signatures, the City of Custer City, South Dakota, on this Agreement to be signed by its Mayor and attested by its Finance Officer, and the seal of said Council to be affixed thereto and the County of Custer, its Sheriff, and by order of its Board of County Commissioners, has caused these presents to be subscribed by the chairman of the Board and the seal of said Board to be affixed thereto and attested by the Auditor of said Board, all of the day and year written below.

CUSTER COUNTY BOARD OF COMMISSIONERS

Chairman

Date

Custer County Sheriff

Date

ATTEST:

Custer County Auditor

Date

(SEAL)

COMMON COUNCIL OF CITY OF CUSTER

Jared Carson, Mayor

Date

ATTEST:

Laurie Woodward, Finance Officer

Date

(SEAL)

REQUEST TO BE ON AGENDA
CUSTER CITY COUNCIL MEETING

NAME: Tim Wicks PHONE #: 605.673.1223

ADDRESS: 1304 Canal Street, Custer

RECEIVED

MEETING DATE: Friday, July 21, 2017

MAY 10 2017

CITY OF CUSTER

Council meets on the 1st and 3rd Monday of each month, however if such date follows on a holiday Council will meet the following day.

ACTION REQUESTED (Give a brief summary of the action you would like the Council to take):

I would like the council to allow me to reserve ~~Big Rock Park~~ ^{P. Puggant Hill} for the date stated above from Noon to dusk.

Thank you for your consideration.

REASONS FOR ACTION (Give a detailed account for the reasons you feel the Council should take the above action. Please state the history behind the request and as much information supporting your request as you can. Attach additional sheets if necessary.):

It is my 30 year class reunion this summer during ~~the~~ Gold Discovery Days weekend. I would like to have a gathering place to have a picnic and be able to socialize in a quiet setting that is not a bar and family members would be welcome.

Have you visited with any staff or committees regarding your request, please state who (General Government Committee, Public Works Committee, Planning Commission, Community Development Director, Public Works Director, Finance Officer):

Lisa Trava and Laurie Woodward

SIGNATURE



DATE

5/8/17

This form must be returned to the Finance Office by noon on the Wednesday preceding a regular scheduled meeting.

Custer Volunteer Fire Department

616 Crook Street
PO Box 823
Custer, South Dakota 57730-0823

(605) 673-4080
Fax (605) 673-4088
E-Mail: custervfd@goldenwest.net

www.custerfire.com

RECEIVED

MAY 09 2017

CITY OF CUSTER

May 9, 2017

City of Custer
622 Crook Street
Custer, SD 57730

Attn: Mayor Jared Carson

Re: Firefighter's Street Dance

Dear Mayor Carson,

The Custer Volunteer Fire Department is planning on holding our annual Firefighter's Dance during Gold Discovery Days. The dates of the dance are July 21st and 22nd. The dance will be held again this year as a street dance. Like previous years, we are asking permission to use 6th Street between Crook St. and the alley to the South.

The plan again is to have Friday night dance as a family night with no alcohol allowed.

The Saturday night dance, we are requesting a brown bag license for the purpose of the dance. We will not be selling refreshments, however people attending the dance will be allowed to carry in their own refreshments.

This is a time that Custer High School host class reunions and this gives the classes a place to gather and visit. There will be security to assure there are not problems.

If you have any questions, please feel free to contact me at (605) 673-1218.

Thank you for your consideration in this matter.

Sincerely,



Joel Behlings
Fire Chief

Custer Volunteer Fire Department

616 Crook Street
PO Box 823
Custer, South Dakota 57730-0823

(605) 673-4080
Fax (605) 673-4088
E-Mail: custervfd@goldenwest.net

www.custerfire.com

RECEIVED

MAY 09 2017

CITY OF CUSTER

May 9, 2017

City of Custer
622 Crook Street
Custer, SD 57730

Attn: Mayor Jared Carson

Re: Firefighter's Street Dance

Dear Mayor Carson,

The Custer Volunteer Fire Department is planning on holding our annual Firefighter's Street Dance During Gold Discovery Days. The dates of the dance are July 21st and 22nd.

As in the years past, we are requesting to reserve the Show Mobile for the purpose of the dance.

If you have any questions, please feel free to contact me at (605) 673-1218.

Thank you for your consideration in this matter.

Sincerely,



Joel Behlings
Fire Chief

CUSTER VOLUNTEER
FIRE DEPT

RECEIVED

MAY 09 2017

APPLICATION FOR OUTDOOR DISPLAY OF FIREWORKS/PYROTECHNIC SPECIAL EFFECTS

CITY OF CUSTER

Applicant instructions: This application must be completed and returned at least 15 days prior to date of display.

Name of applicant (Sponsoring Organization): City of Custer, South Dakota

Address of applicant: PO Box 823, 616 Crook Street, Custer, South Dakota 57730

Name of authorized agent of applicant: Pyrotechnic Display, Inc.

Address of agent: 9405 River Road SE, Clear Lake, MN 55319

Telephone number of agent: 320-743-6496 Ext. 1

Date of display: July 4, 2017 Time of display: about 9:45pm

Location of display: Pageant Hill Park, 8th & Canal Street, Custer, SD - please see attached site map

Manner and place of storage of fireworks/pyrotechnic special effects prior to display: _____

Delivery and storage in truck on day of display

Type & number of fireworks/pyrotechnic special effects to be discharged: _____

1.3G product - up to 5 inch aerial shells and Multi-Shot Box Items & Candles

This display be conducted under the direct supervision of a pyrotechnic operator.

Name of supervising operator: Jason Rausch

Required attachments. The following attachments must be included with this application:

1. Proof of a bond or certificate of insurance in amount of at least \$ 5,000,000.00
2. A diagram of the grounds at which the display will be held. This diagram (drawn to scale or with dimensions included) must show the point at which the fireworks/pyrotechnic special effects are to be discharged; the location of ground pieces; the location of all buildings, highways, streets, communication lines and other possible overhead obstructions; and the lines behind which the audience will be restrained
3. Names and ages of all assistants that will be participating in the display. Tom Fernholz, 38

The discharge of the listed fireworks on the date and at the location shown on this application is hereby approved, subject to the following conditions, if any: _____

I understand and agree to comply with all provisions of this application, MN Statute 624.20 through 624.25, MN State Fire Code, National Fire Protection Association Standard 1123 (2006 edition), applicable federal law(s) and the requirements of the issuing authority, and will ensure that the fireworks/pyrotechnic special effects are discharged in a manner that will not endanger persons or property or constitute a nuisance.

Signature of applicant (or agent): Becky Heermson

Date of application: May 2, 2017

Signature of Fire chief: [Signature]

Date: 5/9/17

Printed name of above official: _____ Phone: _____

Signature of issuing authority: _____ Date: _____

Printed name of above official: _____ Phone: _____

Pyrotechnic Display, Inc.
Site inspection Form

Customer Name: CUSTOMER, SD
Site address and name if applicable

PAGEANT HILL PARK
8th AND CANAL ST
CUSTOMER, SD

SEE PACKET FOR
CONTACT
INFORMATION

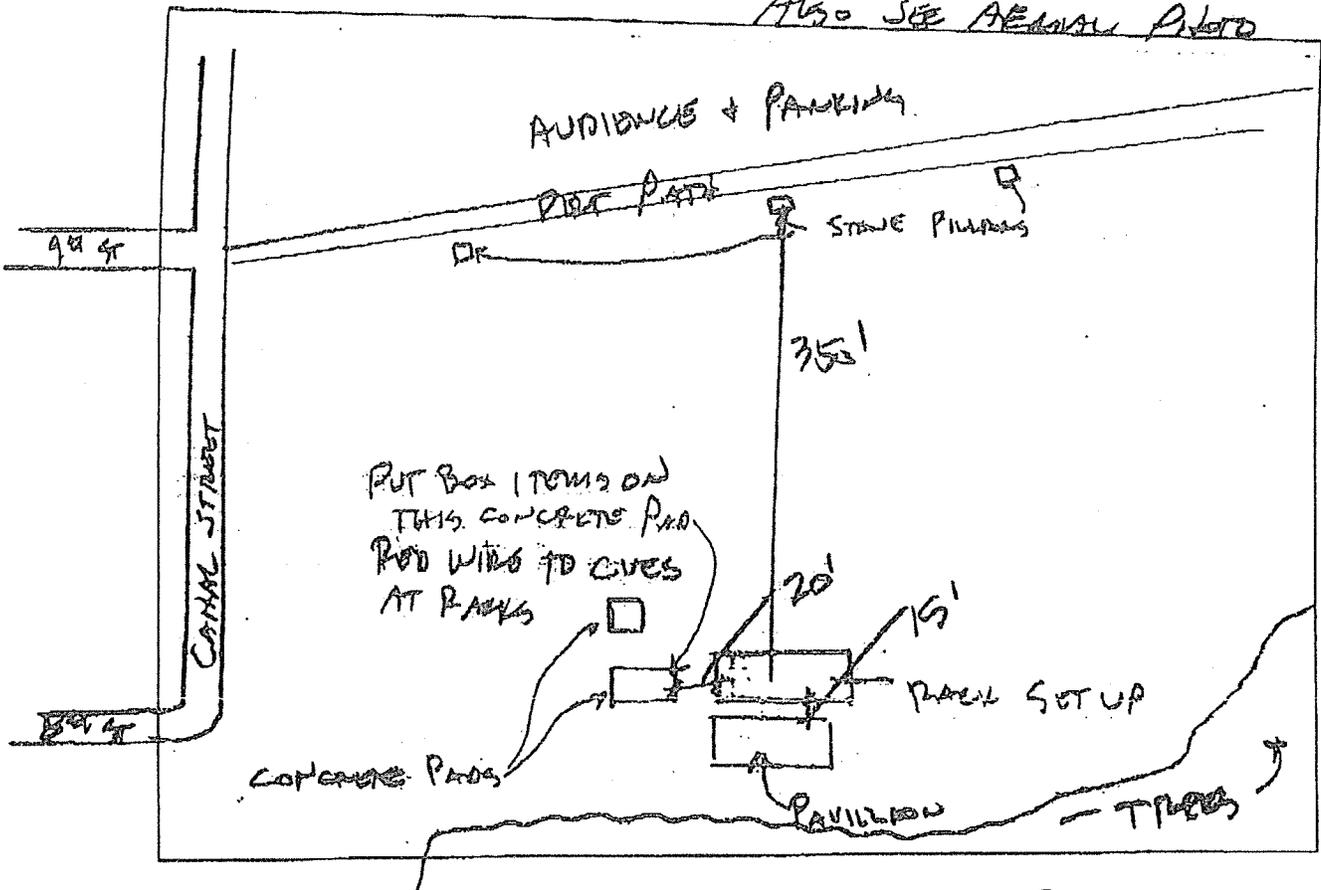
Site contact person (day of display) MAYOR GARY LIPP

Site Diagram: (See Example below). When diagramming the shooting location, mark area where low level products shall be placed. Make sure your measurements include the following distances:

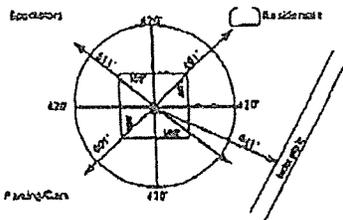
- A. Spectators
- B. Parking
- C. Residences
- D. Commercial Buildings

Maximum size shell based on measurements taken: 5'

ALSO SEE AERIAL PHOTO



Example

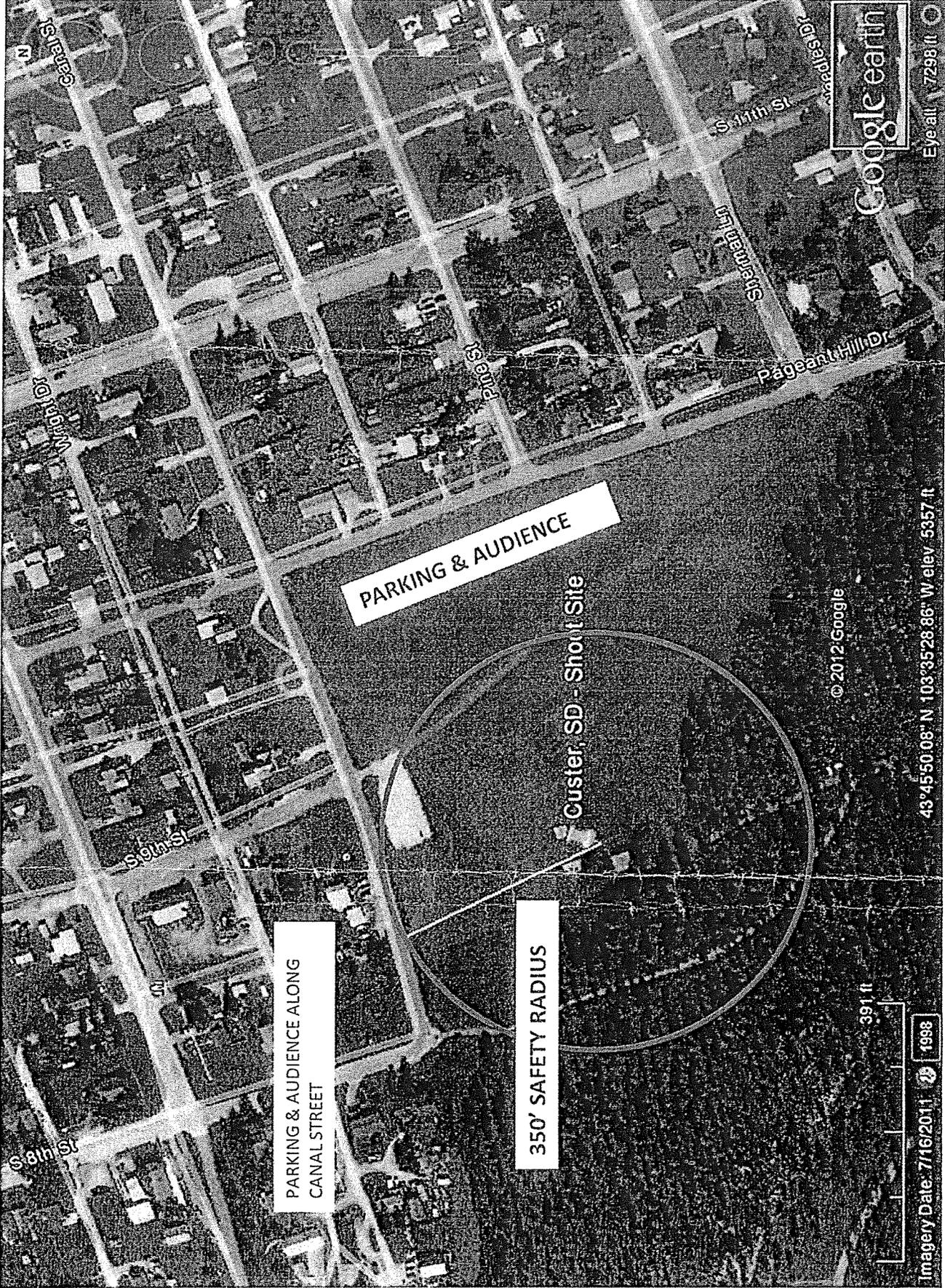


Directions to site: SEE SEPARATE
ROUTE SHEET.

Signature of person completing form:

Date: 5/20/12

D. NOWAK



PARKING & AUDIENCE ALONG CANAL STREET

PARKING & AUDIENCE

350' SAFETY RADIUS

Custer, SD - Shout Site



Imagery Date: 7/16/2011



1998

© 2012 Google

43°45'50.08" N 103°35'28.86" W elev 5357 ft

Google earth

Eye alt 7298 ft

SAXTON SUBDIVISION

PLAT OF LOTS 1 AND 2 OF BAUER--2 TRACT OF SAXTON SUBDIVISION
 LOCATED IN THE NE 1/4 OF SECTION 27, T3S, R4E, BHM
 CUSTER COUNTY, SOUTH DAKOTA

LEGEND

- ☐ CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4892
- ☐ CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4898
- ☐ CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED ANDERSEN 2642
- ☐ CORNER FOUND THIS SURVEY REBAR WITH CAP MARKED BRYANT 2169
- ☐ RECORDED CORNER POINTS

- — — — — CENTERLINE OF 20' WIDE POWER LINE EASEMENT
- — — — — CENTERLINE OF 20' WIDE SEWER LINE EASEMENT

NOTE
 U.S. HIGHWAY 10 IS A 100' DEDICATED PAVED RIGHT-OF-WAY.

NOTE
 BAUER--2 TRACT IS RECORDED IN PLAT BOOK 11 PAGE 601

WATER PROTECTION STATEMENT

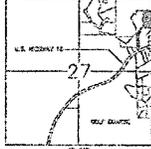
PURSUANT TO SDCL 11-3-1.1 AND 11-3-1.2 THE DEVELOPER OF THE PROPERTY DESCRIBED IN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE INCLUDING GROUNDWATER LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

NOTE

FIRM PANEL 46033 C 0113 F DATED JANUARY 5, 1912 INDICATES NO PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THIS PLAT

NOTE
 FRENCH ROAD IS A 40 FOOT PRIVATE DRIVEWAY THROUGH LOT 1 TO ALPHA TRACT

LOCALITY MAP (NO SCALE)



PREPARED BY
 JACK H. KNUST
 BUCKHORN SURVEYING INC
 2003 LEITCH LOOP
 CUSTER, SOUTH DAKOTA 57710
 (605) 673-5452

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	15°39'14"	21.86'	80.00'	S33°11'16"W	21.79'

NUM	BEARING	DISTANCE
L1	N68°35'28"W	71.26'

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 AUTHORIZE THE SURVEY AND THIS PLAT OF SAID LAND. WE FURTHER CERTIFY THAT REGISTRATION OF THIS PLAT SHALL CONFORM TO ALL DISTRICT APPLICABLE ZONING, SUBDIVISION, AND EASEMENT REGULATIONS.

WITNESSE MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____ 20____.

NOTED BY ME TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING CERTIFICATE AND NOTORIALIZED TO ME THAT THEY OBTAINED THE SAME.

NOTARY PUBLIC _____

BY COMMISSION EXPIRES _____

STATEMENT OF SURVEYOR
 FOR BUCKHORN SURVEYING INC

I, JACK H. KNUST, REGISTERED LAND SURVEYOR NO. 4896 OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT SAID SURVEY AND THIS PLAT OF SAID LAND SHOWN AND DESCRIBED HEREON WERE MADE AND RECORDED PURSUANT TO A COMMISSION OF SAID STATE, IN WHICH MYSELF, PLATE NO. 111, BEING THE SURVEYOR.

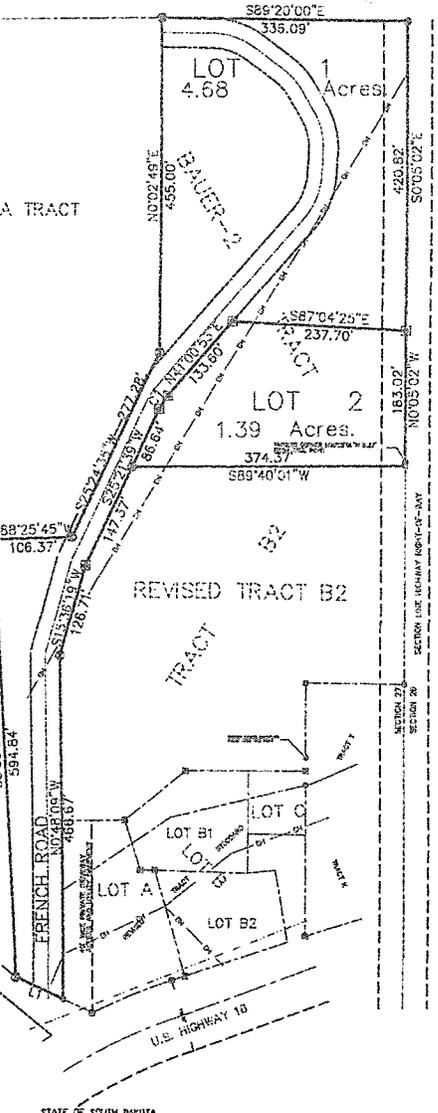
THIS _____ DAY OF _____ 20____



CERTIFICATE OF COUNTY TREASURER

I, DEPARTMENT OF COUNTY CLERKS, DO HEREBY CERTIFY THAT ALL TAXES AND CHARGES DUE UPON THE WITHIN DESCRIBED LANDS ARE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE. DATED THIS _____ DAY OF _____ 20____.

DEPARTMENT _____



CERTIFICATE OF HIGHWAY AUTHORITY:
 THE LOCATION OF THE PROPOSED DRIVEWAY THROUGH THE COUNTY OF CUSTER HIGHWAY NO. 10 CITY STREET AS SHOWN HEREON IS HEREBY APPROVED. ANY CHANGES TO THE LOCATION OF THE PROPOSED DRIVEWAY SHALL REQUIRE AGRICULTURAL APPROVAL.

RESOLUTION OF GOVERNING BOARD
 STATE OF SOUTH DAKOTA
 CITY OF CUSTER S.S.

RESOLVED THAT THE CITY OF CUSTER, SOUTH DAKOTA, THE WITHIN PLAT OF THE ABOVE DESCRIBED DRIVEWAY SHALL BE HEREBY APPROVED TO THE EXTENT OF THE CITY'S JURISDICTION TO THE EXTENT OF THE EXISTING PLAT OF THE DRIVEWAY.

ALL PROVISIONS OF ANY OTHER CITY SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.

ALL TAXES AND CHARGES DUE UPON THE SUBDIVISION HAVE BEEN FULLY PAID, AND

THE PLAT AND SURVEY INSTRUMENT HAVE BEEN DEPOSITED ACCORDING TO LAW.

NOW, WHEREAS IT IS RESOLVED THAT SAID PLAT IS HEREBY APPROVED BY ALL RESPECTS.

THIS _____ DAY OF _____ 20____

CITY CLERK OF THE CITY OF CUSTER, DO HEREBY CERTIFY THAT AN ORIGINAL RECORD HAS BEEN FILED IN THE OFFICE OF THE COUNTY CLERK OF CUSTER COUNTY, SOUTH DAKOTA.

BY _____ COUNTY CLERK OF CUSTER COUNTY.

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

HAS BEEN RECORDED THIS _____ DAY OF _____ 20____ AT _____ O'CLOCK _____ M.

AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____

REGISTER OF DEEDS, CUSTER COUNTY _____



Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411

Staff Report

Request: Final Plat of Lots A & B of St. Germaine Subdivision
Applicant: Albert St. Germaine
Location: 25171 Sidney Park Road
Legal Desc.: Tract E of Government Lot 5 less Lot H1
Prepared: May 4, 2017
Planning Commission Meeting: May 9, 2017
Prepared by Elmer Claycomb, P.E., Interim Planning Director

PREVIOUS ACTIONS

The Preliminary Plat for this Subdivision was recommended for approval by the Planning Commission on April 11, 2017 and approved by the City Council on April 13, 2017. The Planning Commission considered the Final Plat at their meeting on May 9, 2017.

GENERAL

This plat falls within the 3 mile extraterritorial limit. It is almost contiguous to the town. A portion of the ROW of the new alignment of Sidney Park Road was annex by the town in 2006. The south end of the annexation is slightly over 100 feet from the northeast corner of this plat. See the attached copy of page 305 of Plat Book 12 for more detail. The proposed subdivision will split an existing 5.06 acre parcel into two lots. Lot A will be 3.00 acres and Lot B will be 2.08 acres. The lots have frontage on Sidney Park Road which is a paved county highway.

COMPREHENSIVE PLAN

The subdivision is within the area projected as Suburban Residential on the Comprehensive Plan. The Comprehensive Plan recommends a density of 0.33 to 5 dwelling units per acre for Suburban Residential. This equates to 3 acres to 0.2 acres per dwelling unit. The proposed subdivision therefore conforms to the recommendation of the Comprehensive Plan.

CLASSIFICATION OF SUBDIVISION

Chapter 16.18 of the Subdivision Ordinance provides for "Rural Subdivisions". A Class B Rural Subdivision applies to lots that are 2 acres or more in size and not served by central sewer and/or central water. The St. Germaine Subdivision meets the criteria for a Class B Rural Subdivision.

IMPROVEMENTS REQUIRED FOR A CLASS B RURAL SUBDIVISION

Streets may have gravel surfacing. No curb and gutter is required. Sidney Park Road satisfies the requirements for streets within the subdivision.

CORRECTIONS MADE ON FINAL PLAT

The comments received on the routing sheets have been corrected on the Final Plat.

Staff Report
St. Germaine Subdivision
5/15/17
Page 2

The location of the well on the site has been added and the surveyor has verified that there are no wells within 200 feet of the subdivision boundary.

ACTION BY PLANNING COMMISSION

The Planning Commission recommend that the City Council approve the Final Plat of St. Germaine Subdivision.



Planning Department
622 Crook Street
Custer, SD. 57730

Phone: 673-4824

Fax: 673-2411

Staff Report

Request: Final Plat of Lot A of Block 48 original Town of Custer City
Applicant: Howe Land Surveying
Location: 905 Mt. Rushmore Road
Legal Desc.: Lots 1, 2, & 3 of Block 48, original Town of Custer City and vacated portions of adjacent streets and alleys
Prepared: May 11, 2017
City Council Meeting: May 15, 2017
Prepared by Elmer Claycomb, P.E., Interim Planning Director

PREVIOUS ACTIONS

The Preliminary Plat for this Subdivision was recommended for approval by the Planning Commission on April 11, 2017 and approved by the City Council on April 13, 2017. The Final Plat for the Subdivision was considered by the Planning Commission on May 9, 2017.

GENERAL

The parcel is currently occupied by the Westar Apartments. This subdivision will combine 3 lots, a 0.8' wide portion of Ninth Street, a 10.0' wide portion of the east/west alley and a 10.0' wide portion of the north/south alley into a single lot of 24,096 square feet. This is the site of the proposed Dollar General store. The property is currently zoned Highway Commercial. The intended use is a Permitted Principal use within the zone district. The site is served by City Water and Sewer with existing service lines extending into the site.

COMPREHENSIVE PLAN

The subdivision is within the area projected as Suburban Commercial on the Comprehensive Plan.

STREETS, CURBS, GUTTERS AND SIDEWALKS

The adjacent streets, being 9th Street and Mt. Rushmore Road, are paved with curb and gutter. The sidewalk ramps at the corner of 9th and Mt. Rushmore are 5' wide. The ramp necks down to an existing 4' wide sidewalk along Mt. Rushmore Road which is separated about 26 feet from the existing curb. There is no sidewalk along 9th Street.

The Streets, Sidewalks and Public Places Ordinance requires the following:

12.04.040.B – All sidewalks shall be curbside and shall be a minimum of five feet in width in commercial zones.

The Subdivision Ordinance requires the following:

16.24.020.E – Sidewalks 12' wide in Commercial Developments.

CONSTRUCTION OF IMPROVEMENTS

Subdivision Ordinance Section 16.24.50 requires public improvements to be installed prior to approval of a final plat or a performance security provided. The only improvements that appear to be necessary are sidewalks.

The Streets, Sidewalks and Public Places Ordinance (12.04.040.A.1) requires that sidewalks be constructed at the same time as the permitted structure.

EASEMENTS

The Street and Alley vacation documents contain the following statement:

"...subject to existent and future easements and right-of-way for public and private utilities..."

The applicant formally requested on March 9th that the City release the retained easements as the building will occupy portions of the vacated street and alleys. A procedure for doing this is underway at the current time.

ROUTING SHEETS

The routing sheet comments from the Preliminary Plat have been corrected on the Final Plat.

PLANNING STAFF RECOMMENDATIONS

Due to the inconsistency between the Subdivision Ordinance and the Streets, Sidewalks and Public Places Ordinance and since the plat is simply consolidating existing lots and vacations, the Public Works Department and the Planning Department recommend that the requirements set forth in the Streets, Sidewalks and Public Places Ordinance be applied to this site. Thus a 5' wide sidewalk installed at the time of construction of the building would be required. It does not appear appropriate to install the sidewalk adjacent to the curb along Mt. Rushmore Road, but rather to align it with the existing ramp. The sidewalk along 9th Street should be adjacent to the curb and extend the full length of the property.

ACTION BY PLANNING COMMISSION

Recommend that the City Council approve the Final Plat of Lot A of Block 48, Original Town of Custer City with the construction of 5' sidewalks as recommended by the Public Works Department and Planning Staff.

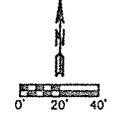
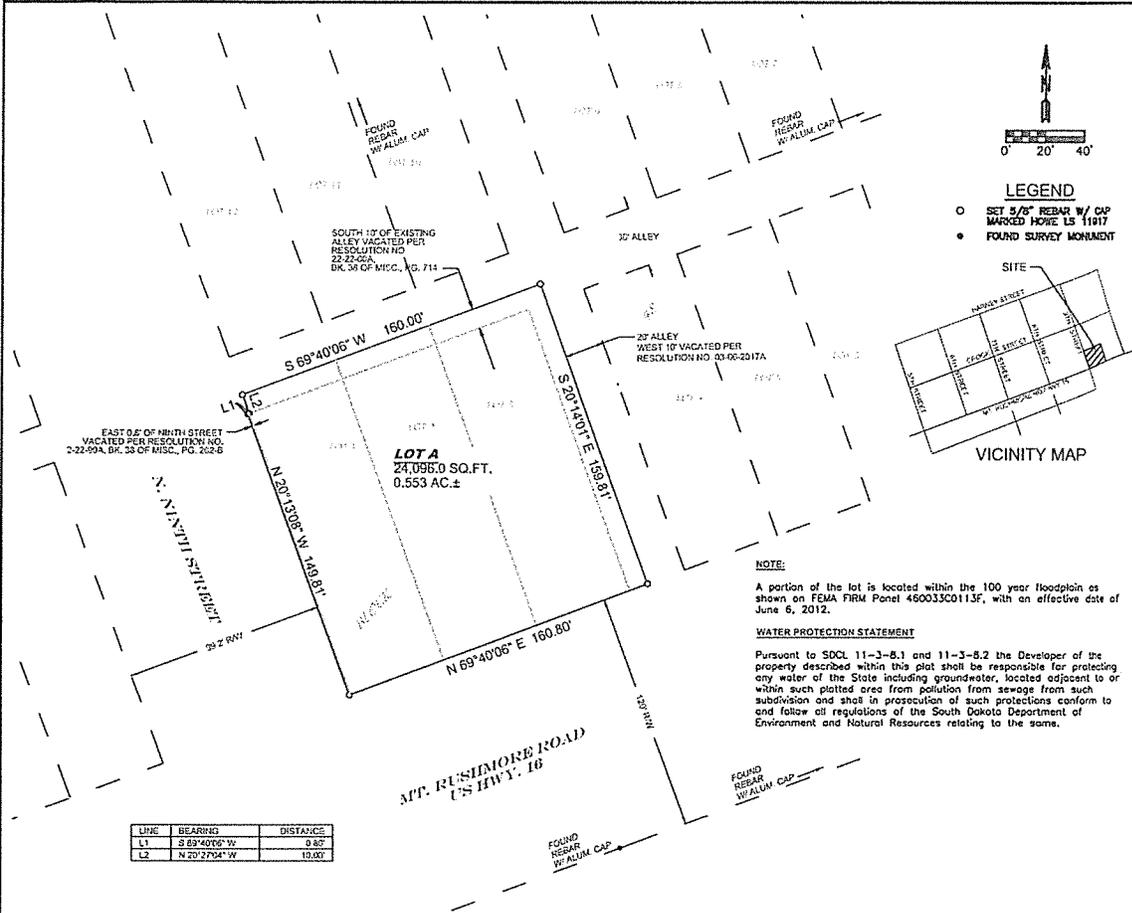
RECOMMENDED ACTION BY CITY COUNCIL

Approve the Final Plat of Lot A of Block 48, Original Town of Custer City with the construction of 5' sidewalks as recommended by the Public Works Department and Planning Staff.

PLAT OF LOT A
OF BLOCK 48 OF THE ORIGINAL TOWN OF CUSTER,
(FORMERLY LOTS 1, 2 & 3 OF BLOCK 48, ORIGINAL TOWN OF CUSTER)

Rec'd 5/9/17

LOCATED IN SECTION 24, T3S, R4E, BHM,
CITY OF CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA



LEGEND
○ SET 5/8\"/>



NOTE:
A portion of the lot is located within the 100 year floodplain as shown on FEMA FIRM Panel 460033C0113F, with an effective date of June 6, 2012.

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 water 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.

LINE	BEARING	DISTANCE
L1	S 69°40'06" W	150.00'
L2	N 20°27'04" W	10.00'

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

I, Jeffrey N. Howe, Registered Land Surveyor No. 11917 in the State of South Dakota, do hereby certify that at the request of the owners listed hereon, I have surveyed that 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 agreements that are not known to me are not shown hereon.

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



Jeffrey N. Howe - Registered Land Surveyor No. 11917

CERTIFICATE AND ACKNOWLEDGMENT OF OWNERSHIP

I, the undersigned do hereby certify that I am the owner of the land shown and described hereon; that the survey was done at my request for the purpose indicated hereon; that I do hereby approve the survey and within plot of said land; and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion control regulations.

Any land shown on the within plat 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 construed to be a donation of the fee of such land.

OWNER: Westar Apartments LLC - Robert Wetenkamp

State of South Dakota
County of _____ S.S.

On this _____ day of _____, 20____, before me, a Notary Public, personally appeared Robert Wetenkamp, known to me to be the person described in the foregoing instrument and acknowledged to me that such corporation executed the same.

Notary Public: _____
My Commission Expires: _____

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____.

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 any proposed subdivision road(s) or private access road(s) with the 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 conform to the system of streets of the existing plats of the plats of said City.
- b. All taxes and special assessments upon the subdivision have been fully paid.
- c. 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.

Dated 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 Custer 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 in my office a copy of the within described plat.

Dated this day of _____, 20____.

Director of Equalization of Custer County _____

CERTIFICATE OF THE REGISTER OF DEEDS

Filed for record this _____ day of _____, 20____,
at _____ o'clock _____ M. in Book _____ of Plats on Page _____

Register of Deeds of Custer County _____

PREPARED BY:



1830 Handland Court
Rapid City, SD 57702
(605)939-4833



◇ May 8, 2017

Bob Morrison
City of Custer
Public Works Director
622 Crook Street
Custer, SD 57730

Re: Custer Sidewalk Project - Engineering Proposal

Dear Bob:

Thank you for considering KLJ to provide Engineering services for the Custer Sidewalk Project. Our experience working with the SDDOT and recent Transportation Alternative Projects provides valuable experience to make the Custer Sidewalk Project a success.

Attached with this proposal are the following:

- Project scope of services (previously submitted with funding application to SDDOT).
- Project cost estimate.
- Project map.

Please note our contract will be with SDDOT and the City of Custer using our audited wage rates determined by SDDOT for 2017-2018.

Engineering fee (submitted as part of funding application) = \$67,875

Thank you and we look forward to working with you on this project.

Sincerely,

KLJ

A handwritten signature in black ink, appearing to read 'Dana Foreman'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dana Foreman
Project Manager



SCOPE OF SERVICES

1. **Project Understanding.** The City of Custer proposes to undertake a Transportation Alternative Program facilities improvement project installing a shared use path connecting educational/community facilities in order to improve safety. The proposed project is located in the eastern portion of the city, extending along 11th St. to Bluebell Ln. The planned path improvements will be 10' wide, 6" thick concrete for approximately 2,650 LF and 14' x 40' pedestrian bridge across French Creek. The project area is designed to provide connectivity to the city center and majority of Custer homes as well as to existing shared use paths (Mickelson Trail and Custer State Park Spur), elementary school, high school, and other community facilities (i.e. playing fields, gym).
2. **Project Team.** Prime Designer - Dana Foreman, Project Manager - KLJ, 330 Knollwood Drive, Rapid City, SD, 57701 Ph. 605-721-5553 email: dana.foreman@kljeng.com, Materials Testing: American Engineering Testing, Rapid City, SD
3. **Project Management.** Project management activities will include monitoring project budget, reviewing/preparing invoices to issue for payment, coordination of design staff and sub consultants, coordination of project files, correspondence with SDDOT and Owner to update project's progress.
4. **Public Involvement.** Conduct one (1) public meeting with affected property owners to review project.
5. **Sponsor Coordination.** Define coordination with the project sponsor. Some items that may be included:
 - **Conduct one scoping meeting with City of Custer and SDDOT staff.** This meeting will be held at the project site to define the scope of work and serve as the design kick-off meeting for the project.
 - **Periodic coordination meetings.** Conduct coordination meetings with Owner/SDDOT during the project (2 meetings). Conduct internal design team meetings during design to coordinate between design team members (4 meetings).
 - **Presentations to City Council.** Provide a presentation to City Council at end of preliminary design phase (1 meeting) and at end of final design phase (1 meeting).
6. **Coordination on behalf of the Sponsor.** Project coordination will be provided by consultant on behalf of the Sponsor. These items include:
 - **Obtain Environmental Clearances.** Obtain all necessary project related environmental clearances from US Fish & Wildlife, South Dakota Department of Environment and Natural Resources, South Dakota Game Fish and Parks and others. Complete Records Search and Archeological Survey, if needed for Section 106 process. Submit documentation to the SDDOT verifying Project approval has



been obtained from the required agencies prior to submitting sixty percent (60%) plans for the project. Perform desktop wetland delineation of project corridor, check environmental commitments in plans, 404 application and technical memo of environmental impacts due to bridge construction.

- **ROW and Utility Certification.** Assist the City in preparing certification that all right-of-way and utility adjustments or agreements are in place prior to the State's advertisement and letting. This includes contacting the utility companies early in the design process to determine impacts to the utilities, documenting which utilities occur in the corridor, identifying the contacts for the utilities and identifying the impacts to the utilities. In addition to the Utility Certification form being completed, KLJ will send a certification letter to the SDDOT (with the information identified in the previous sentence), to include the utility information in the plans and to send letters to the utility companies located in the corridor once the bid letting date is sent.
- **ROW or Easement Acquisition.** Assist City in three (3) property owner meetings. Complete right-of-way documentation and exhibits, and assist City in acquire easements and agreements for the project according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended in 1987. The City will use unaltered State forms in obtaining right-of-way. Perform legal survey, obtain plats or property information as required to establish easements and generate right-of-way plats (if necessary) for use by the City.
- **Private Utility Coordination.** Contact utilities via telephone and email within the project area that may be affected by construction activities. Provide project information, drawings, etc. to convey project intent, construction activities and how their facilities may be impacted.

7. Design Survey.

- Identify and obtain State approval of the project limits and scoping details as established during the scoping meeting.
- Perform field survey as necessary to establish beginning and ending stations, horizontal and vertical control points, and horizontal alignment data.
- Complete topographic survey required to complete the final design documents. Topographic survey will be completed from the centerline of the street, alley or right of way to 20 feet outside the right-of-way receiving the shared us path.
- Additional survey will be completed at the intersections for design of the pedestrian ramps.
- Topographic features, profiles and cross sections will be incorporated into the base map and plans for the project.
- One-call locates will be completed for the topographic areas and various utility companies will be contacted to collect available information on underground utility locations. Locations will be incorporated into the base mapping for the project. Utilities to include electric, gas, sanitary sewer, storm sewer, telephone, fiber optic and cable.



- City and County records will be researched to establish approximate locations of property lines, right-of-way lines and property ownership for the properties affected by the project and the data will be incorporated into the base map of the project.
 - Survey notes will be retained on file with the Consultant for subsequent use in the preparation of construction plans and will be available to the City and SDDOT upon request.
8. **Encroachment Survey.** Prepare and submit an encroachment survey to the Office of Project Development once all permanent ROW boundaries have been established. The encroachment survey will be submitted to this office no later than September 19, 2017. Encroachment survey will provide encroachments into right-of-way such as parking pads, fences, mailboxes, etc.
 9. **Drainage Analysis.** A drainage analysis will be performed according to the SDDOT Drainage Manual to determine effectively locate the proposed pedestrian bridge in relation to the French Creek FEMA floodplain and analyze scour at the proposed bridge. A hydraulic report will be provided as part of the pedestrian bridge design.
 10. **Engineer's Estimate of Probable Construction Costs.** An estimate of probable cost will be prepared and submitted with the preliminary plan submittal and again when final plans and specifications are submitted.
 11. **Bridge Design.** A premanufactured or equal pedestrian bridge will be specified and detailed as part of the project. KLJ will provide structural design, plans and details of bridge abutments.
 12. **Preliminary plans.** Plans, specifications, and cost estimates will be prepared for the Project. Plans will be prepared according to State guidelines and will utilize State Specifications. The Engineering/Design Services section of the State website is a reference for plan preparation <http://www.sddot.com/business/design/Default.aspx>. Specifications will follow the Standard Specification for Roads and Bridges 2015 edition South Dakota Department of Transportation (SDDOT) Local Roads Plan, MUTCD, and ADA standards, and must be compliant with AASHTO, MUTCD, and ADA standards. The SDDOT utilizes PROW AG as the appropriate ADA guidelines. SDDOT Bid Items, Standard Plates and plan notes will be used in development of 11" x 17" Non Section Method plan sheets. Plan and specification requirements should be coordinated with the State TAP Coordinator. Preliminary Plans will be submitted electronically at 60%, with an estimated submittal of September 19, 2017, and will include plan and profile, right-of-way impacts, and a preliminary engineer's estimate.
 13. **Final Plans.** Final plans will be submitted at 100% completion, with an estimated submittal date of, and will be ready for bid letting. Final plans will be submitted in PDF format and will be distributed for SDDOT and local government review. Necessary revisions will be provided in electronic SDDOT review comments. Final plans will include a vicinity map, design designation, estimate of quantities, rates of materials,



plan notes, traffic control notes, typical sections, summary of items, standard plates and specifications. A copy of the engineer's estimate will accompany the plans. Final plans will be submitted to the Office of Project Development no later than November 14, 2017 and shall be placed on the State's FTP site. The State's TAP Coordinator will be notified when the plans have been uploaded.

14. **Bid Letting Plans.** Bid Letting plans will be prepared for an estimated January 16, 2018 letting. Bid Letting plans will incorporate plan changes requested in SDDOT electronic plan review comments. An electronic PDF file of the engineer stamped set of plans will be submitted. Bid Letting plans will be submitted within three weeks of receipt of the electronic plan review comments. An updated copy of the engineer's estimate will accompany the plans.
15. **Construction Miscellaneous. (Maximum of 20 hours not to exceed a Total Estimated Cost of \$5,000)** It may be necessary for the designer to review and address general construction engineering issues that may occur during the construction of pathway project. Services, as requested by the State, will be on an as needed basis requiring the designer to respond in a timely manner based on the urgency of the request. This item does not include revision of plan sheets and redesign.

If no design issues arise, the funds for this scope item, and corresponding fixed fee, will not be paid to the consultant.

A notice to proceed will be required for this item, as documented by an email chain which shall include the specific request, the date of the request and the name of the requestor (i.e. SDDOT staff member.) The notice to proceed needs to be dated prior to or the day of the work being done. It will be the responsibility of the consultant to supply the email chain, along with the billing information, in order to receive reimbursement.

Costs for this section shall be shown separately on the cost proposal and shall not be included in with the Total Estimated Cost for the rest of the scope of services.

16. **Overall Completion Date.** The overall completion date of this work order will be XXXX, 2017.
17. **Supplemental Services Not Included in this Contract: (Examples)**
 - Supplemental engineering work required to meet the requirements of regulatory or funding agencies that become effective subsequent to the date of this agreement.
 - Additional property owner meetings, exhibits, letters, and/or correspondence not described with this Scope of Services.
 - Establishing legal boundaries or setting pins are not included in this agreement
 - Landscaping plans or improvements beyond surface restoration by seeding and/or sodding.
 - Permanent signing plans other than speed limit, school zone, and crosswalk signs.

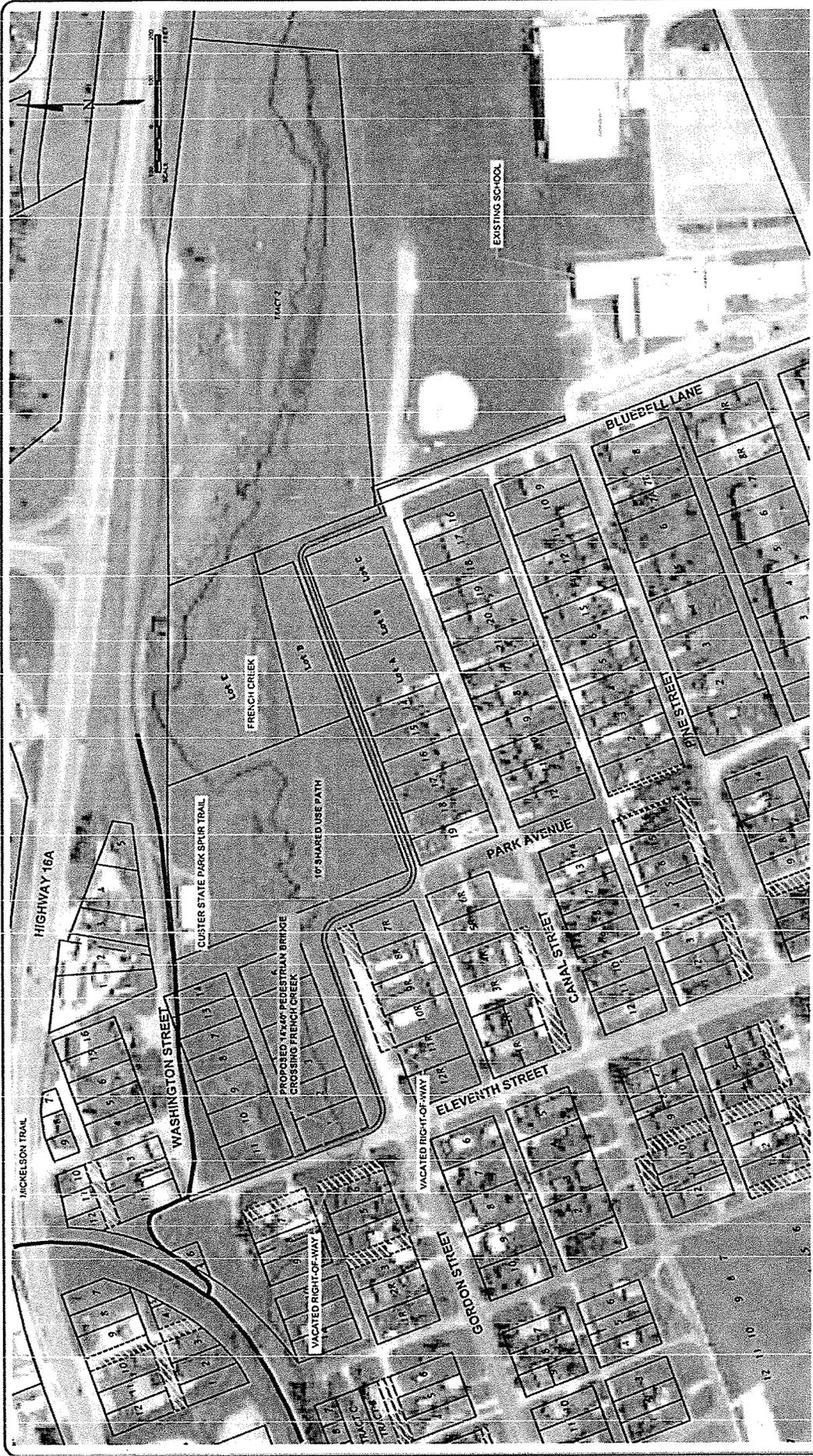


- Design and layout of structural retaining walls.
- Adjustments of utilities including water and sanitary sewer that may be present in the construction area.
- Construction materials testing
- Any permitting or archeological and historical studies.
- Establishing an assessment schedule for the proposed sidewalk improvements.
- Educational, Encouragement, Observation, Staking, and Record Drawings are not included in this agreement.
- NEPA documentation
- Biological survey
- Construction Administration
- Resident Engineering
- Record Drawings



CONCEPTUAL OPINION OF CONSTRUCTION COSTS
SAFE ROUTES TO SCHOOL PROJECT
CITY OF CUSTER, SOUTH DAKOTA
 6/13/2016

BID ITEM	ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Mobilization, Insurance, Bonding	1	LS	\$40,000.00	\$40,000.00
2	Clearing	1	LS	\$5,500.00	\$5,500.00
3	Unclassified Excavation	2,000	CY	\$6.00	\$12,000.00
4	Removal of Existing Concrete	300	SY	\$10.00	\$3,000.00
5	Remove and Reset Sign	3	EA	\$100.00	\$300.00
6	2" Thick Gravel Cushion	370	Ton	\$35.00	\$12,950.00
7	6" Thick, 10' Wide Reinforced Concrete Sidewalk	25,580	SF	\$9.00	\$230,220.00
8	6" Thick, Reinforced Concrete Driveway	67	SY	\$75.00	\$5,000.00
9	ADA Truncated Domes	120	SF	\$58.00	\$6,960.00
10	Storm Drain Pipe	100	LF	\$60.00	\$6,000.00
11	Storm Drain Flared End Section	2	EA	\$650.00	\$1,300.00
12	14' x 40' Pedestrian Bridge	1	EA	\$53,500.00	\$53,500.00
13	Bridge Abutments & Scour Protection	1	LS	\$50,000.00	\$50,000.00
14	Pavement Marking Paint (24" Wide)	150	LF	\$15.00	\$2,250.00
15	Seeding, Erosion Control & Fine Grading	1	LS	\$10,000.00	\$10,000.00
16	Traffic Control	1	LS	\$3,500.00	\$3,500.00
17	Construction Staking	1	LS	\$10,000.00	\$10,000.00
	CONSTRUCTION COSTS				\$452,480.00
	Contigency (10%)	1	LS	\$45,248.00	\$45,248.00
	Engineering & Surveying (15%)	1	LS	\$67,872.00	\$67,872.00
	Construction Administration (15%)	1	LS	\$67,872.00	\$67,872.00
	Total				\$633,472.00



City of Custer
Attn. Bob
622 Crook ST
Custer SD 57730-1608

5-3-2017

Bob,

I have prepared the quote you requested for the Vactor 2100 Plus Sewer Cleaner tis quote is based upon NJPA Pricing Contract # 022014-FSC

Vactor 2100 Plus single engine, 16" PD blower, 5 yard debris body
1000 gallons of water
80 GPM 2500 PSI water pump
Aluminum Fenders
Mud flaps
Electric over hydraulic four way boom
Color coded sealed electrical system
Remote pendant control with 35' cord
Vansco electronic package
Double acting debris body lift cylinder
2-2" Y strainers with 25' fill hose
Hand gun assembly with 35' 1/2" hose and quick disconnect
EX-Ten steel debris tank
Flexible hose guide
3 nozzles with carbide inserts
4 pipe suction tube storage
1" nozzle pipe storage
Flat door with hydraulic locks
Dual stainless steel float shutoff system
SS Micro strainer prior to blower
Debris body vacuum relief system
Debris deflector plate
48" dump Height
Additional water tank site gauge
Liquid float level indicator
3" Y Strainer at water pump with 3" drain Valve
1" water relief valve
Midship Handgun coupling
Side mounted water pump
Hose footage counter front side of hose reel (Mechanical)
Hose reel manual extend and retract

Hose reel chain cover
Hydraulic extending 15", rotating hose reel 1" x 800' capacity
Hydraulic tank shut off valves
Tachometer/chassis engine w hour-meter
Water pump hour meter
PTO Hour meter
Circuit breakers
LED lights Clearance, back-up, stop, tail, turn
Tow hooks front and rear
Electronic back up alarm
Rear Camera
8" vacuum pipe package
Emergency flare kit
Fire extinguisher 5 LB
Debris Body Washout
Debris body load limit alarm functionally tied to debris body vacuum relief
6" rear door Knife valve with cam-lock, air actuated, 3:00 position
Additional Water, debris and water tanks joined
Centrifugal separators
Folding pipe rack curb side
Folding pipe rack street side
Rear door splash shield
Lube manifold with plastic lube chart
Body up alarm
Stainless steel water barrel on rodder pump
Air purge system
Digital water pressure gauge
180 degree 10' telescopic boom
Front joy stick boom control
Boom Hose storage post
Belly pack wireless controls, including hose reel controls
Rotatable boom inlet hose
Cold weather recirculator, PTO driven, 25 GPM
Jet rodder water system accumulator
600' Piranha hose 2500 PSI
Automatic hose wind guide with indexing
Digital hose footage counter
Rear directional control, Signal master LED Arrow stick 8 lights
Strobe light LED cab guard, amber
DOT 3 Lighting package 6 Federal Signal strobe lights
2 LED work lights on telescoping boom
Safety cone storage rack, drop in type

Hand Light with bumper plug
Front bumper mounted tool box, 16 x 12 x 18 with 2 LED side marker lights
Long handle tool storage
Behind cab tool storage 16 x 30 x 96
Tool box driver side sub frame 36w x 20 h x 12d
DuPont Imron Elite
1) 8"x3' Aluminum Vacuum Tube
2) 8"x 5' Aluminum Vacuum Tube
2) 8"x7'6" Aluminum Vacuum Tube
1) 8' x6'6" Catch Basin nozzle
6) 8" quick clamps
1", 80 GPM @2500 PSI 15 degree sand nozzle
1", 80 GPM @ 2500 PSI 15 degree penetrator
1", 80 GPM @ 2500 PSI 30 degree sanitary nozzle
1) 15' Leader hose
1) Flexible hose guide
1 hydrant wrench
Vactor standard manual and USB version
Western Star Chassis meeting all Vactor Specifications
Freight
Delivery and training

Total Price for sewer cleaner \$280,602.00

Eddies supplied chassis, single axle
2017 Western Star 4700 \$ 96,710.00

Total Price for this equipment will be \$377,312.00

Please contact me at 800-669-0487 if you have any questions.

Sincerely
Sanitation Products Inc.

Randy Schmidt

Water System Improvements
 City of Custer, South Dakota
 AE2S Project No. P05594-2016-002
 Bid Opening 2:00 PM, Thursday, May 11, 2017

Contractor	Acknowledge Addendum 1	Acknowledge Addendum 2	Acknowledge Addendum 3	Acknowledge Addendum 4	Bid Bond	Bid Form	Contract No. 1 General Construction	Bid Alternate A	Contract No. 1 Plus Bid Alternate A
1 JRC Civil, LLC	X	X	X	X	X	X	583,407.17	166,612.85	750,020.02
2 RCS Construction	X	X	X	X	X	X	585,000.00	90,000.00	625,000.00
3 Industrial Process, Inc.	X	X	X	X	X	X	536,801.00	95,882.00	632,683.00
4 ATB Contracting, LLC	X	X	X	X	X	X	599,000.00	90,000.00	689,000.00
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Advanced Engineering and Environmental Services, Inc.
 1560 Concourse Drive
 Rapid City, SD 57703
 Tel: 605-341-7800
 Fax: 605-341-7864