

All City Council Meetings are recorded.

**CITY OF CUSTER CITY  
COUNCIL AGENDA**

**April 1<sup>st</sup>, 2019 – City Hall Council Chambers  
5:30 P.M.**

1. Call to Order - Roll Call - Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes – March 18<sup>th</sup>, 2019 Regular Meeting and March 18<sup>th</sup>, 2019 Board of Equalization Meeting
4. Declaration of Conflict of Interest
5. Public Hearings - Public Presentations
  - a. Public Hearing – Convention Center On Sale License & Retail On-Off Sale Malt Beverage & SD Farm Wine License – Bavarian Inn
  - b. Second Reading – Ordinance #819 - – Allowing Chickens in City Limits
  - c.
  - d.
6. Public Comments (3-minute max. per person, with total public comment period not to exceed 15 minutes)
7. Old Business
  - a.
  - b.
8. New Business
  - a. Minor Plat – French Creek Subdivision
  - b. Minor Plat – Calvird Tract of Block 89
  - c. Benches Along Mickelson Trail – Park, Recreation & Forestry Board
  - d. Downtown Hanging Baskets – Chamber of Commerce
  - e. Carnival Street Closure Request – Chamber of Commerce
  - f. Farmer's Market Request – Chamber of Commerce
  - g. Old Time Country Fourth Request – 1881 Courthouse Museum
  - h. Ameri Corps NCCC North Central Region Project
  - i. Use Agreement for Community Center Gym - YMCA
  - j. Election Worker Pay
  - k.
9. Presentation of Claims –
10. Department Head Discussion & Committee Reports –
11. Possible Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2(1-4))
12. Adjournment

**REMINDERS**

- General Government Committee Meeting – April 8<sup>th</sup>, 2019 4:30 P.M.**  
**Planning Commission Meeting – April 9<sup>th</sup>, 2019 5:00 P.M.**  
**Regular City Council Meeting – April 15<sup>th</sup>, 2019 5:30 P.M.**  
**Park & Recreation Committee Meeting – April 16<sup>th</sup>, 2019 5:30 P.M.**  
**Public Works Committee Meeting – May 6<sup>th</sup>, 2019 4:30 P.M.**  
**Regular City Council Meeting – May 6<sup>th</sup>, 2019 5:30 P.M.**

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



**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
March 18<sup>th</sup>, 2019**

Mayor Corbin Herman called to order the second meeting of the Common Council for the month of March 2019 at 5:30 p.m. Present at roll call were Councilpersons Blom, Whittaker, Nielsen, Fischer, Moore and Arseneault. The Pledge of Allegiance was stated.

**AGENDA**

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

**MINUTES**

Councilperson Arseneault moved, with a second by Councilperson Nielsen, to approve the minutes from the March 4<sup>th</sup> regular council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

No conflicts of interest were stated.

**EXECUTIVE PROCLAMATION – DUCK UNLIMITED DAY**

Councilperson Fischer moved to approve the Executive Proclamation for Duck Unlimited Day. Seconded by Councilperson Arseneault, the motion unanimously carried.

City of Custer City  
From the Desk of the Mayor  
Executive Proclamation

WHEREAS, established in 1937, the mission of Ducks Unlimited is to conserve, restore, and manage wetlands and associated habitats for North Americas waterfowl. Such habitats also benefit other wildlife and people; and

WHEREAS, the area around Custer City and throughout the state of South Dakota has many shallow lakes and wetlands which provide an important migration habitat for thousands of waterfowl that depend on these habitats to ensure they arrive on breeding grounds in good health and prepared to nest; and

WHEREAS, Custer City has many shallow lakes in the area such as, Stockade, Bismark, West Dam, and countless other wetlands which are important for their role in preserving the outdoor heritage of the state by providing traditional waterfowl hunting areas; and

WHEREAS, wetlands are also valued for their role in water quality protection, flood control, survival of wetland-dependent wildlife, and the state's overall environmental health; and

WHEREAS, South Dakotas thousands of passionate Ducks Unlimited members and volunteers are determined to continue this great work well into the future; and

WHEREAS, Custer City has recognized the potential of a solid partnership with Ducks Unlimited in the planning and completion of the West Dam reconstruction project; and

WHEREAS, Ducks Unlimited hosts an annual banquet each year to assist in the raising of funds used to protect, enhance and restore wetlands and grasslands across North America, and such annual banquet has been scheduled for the year 2019 to be held on the 13th day of April.

WHEREAS, the City of Custer City shall honor Ducks Unlimited by displaying 12 flags presenting their logo along the Mount Rushmore road corridor for a time beginning on April 5th, 2019 and to end on April 15th, 2019.

THEREFORE, BE IT RESOLVED that I, Corbin Herman, Mayor of the City of Custer City, South Dakota, do hereby proclaim April 13th, as Ducks Unlimited Day

In witness thereof, I have hereunto set my hand and caused the Seal of the City of Custer City to be affixed this eighteenth day of March in the year of our Lord Two Thousand and Nineteen.

Dated this 18<sup>th</sup> day of March 2019, at Custer, South Dakota.

City of Custer

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

**PUBLIC COMMENTS**

No public comments were received.

**FIRST READING – ORDINANCE #819 – ALLOWING CHICKENS IN CITY LIMITS**

The Mayor opened the meeting for public comments regarding Ordinance #819. After public comments were taken and Council discussion, Councilperson Fischer moved to approve the first reading of Ordinance #819, Allowing Chickens in City Limits. Seconded by Councilperson Arseneault, the motion was a tie vote with

Councilperson Whittaker, Fischer and Arseneault voting yes while Councilperson Blom, Nielsen and Moore voting no. The Mayor broke the tie by voting yes, Ordinance #819 will proceed to second reading.

**BRIDGE INSPECTION ENGINEER**

Councilperson Blom moved to approve the Resolution #3-18-2019A, Bridge Reinspection Program with the consulting engineering firm of KLJ. Seconded by Councilperson Moore, the motion unanimously carried.

RESOLUTION #03-18-19A

BRIDGE REINSPECTION

PROGRAM RESOLUTION

FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, Title 23, Section 151, *United States Code* and Title 23, Part 650, Subpart C, *Code of Federal Regulations*, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, the City of Custer is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City requests SDDOT to hire KLJ – Rapid City, SD (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the City for 20% of the cost. The City will be responsible for the required 20% matching funds.

Dated this 18<sup>th</sup> day of March 2019, at Custer, South Dakota.

CITY OF CUSTER

S/Corbin Herman, Mayor

ATTEST: Sydney Gramkow, Deputy Finance Officer

**POOL MANAGEMENT AGREEMENT - CUSTER YMCA**

Councilperson Nielsen moved to approve the 2019 pool management contract with the Custer YMCA for \$16,000. Seconded by Councilperson Whittaker, the motion carried with Councilperson Whittaker, Nielsen, Fischer, Moore, Arseneault and Blom voting yes.

**CONSTRUCTION MANAGER AT RISK**

Councilperson Fischer moved to approve the hire of Ainsworth-Benning Construction/Journey as construction manager at risk for the Community Center Project, contingent upon negotiation of a contract. Seconded by Councilperson Nielsen, the motion unanimously carried

**CLAIMS**

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

A & B Welding, Supplies, \$84.77

Black Hills Energy, Utilities, \$5,258.64

Black Hills Resource Conservation & Development, Supplies, \$100.00

California State Disbursement, Deductions, \$53.19

Culligan, Repairs and Maintenance, \$18.50

Chamber of Commerce, Sales Tax Subsidy, \$4,697.14

Custer Ace Hardware, Supplies, Repairs and Maintenance, \$451.41

Dakota Supply Group, Supplies, \$4,000.00

Discovery Benefits, Supplies, \$27.00

Fastenal, Supplies, \$96.11

Fennell Design, Professional Fees, \$28,645.00

First Interstate Bank, Supplies, \$122.50

French Creek Supply, Supplies, Repairs and Maintenance, \$596.49

Golden West Technologies, Supplies, \$4,038.84

Green Owl Media, Professional Fees, \$156.00

Jenner Equipment, Repairs and Maintenance, \$114.17

Lynn's Dakotamart, Supplies, \$14.48

Nelson's Oil & Gas, Supplies, \$1,022.28

Northwest Pipe Fittings, Supplies, \$67.43

Rapid Delivery, Professional Fees, \$52.92

Regional Health Network, Sales Tax Subsidy, \$31,211.24  
Servall, Supplies, \$165.42  
State of SD, Sales Tax, \$1,316.60  
Bit Finance/ State Long Distance, Utilities, \$47.97  
Stansbury, Lance, Reimbursement, \$244.69  
Top Pin Archery, Professional Fees, \$3,500.00  
USDA Loan Payment, \$8,910.00  
WesDak Welding & Diesel, Repairs and Maintenance, \$1,986.49  
Young, Susan, Utility Refund, \$41.60  
Total Claims \$ 97,040.88

**DEPARTMENT HEADS & COMMITTEE REPORTS**

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

**ADJOURNMENT**

With no further business, Councilperson Whittaker moved to adjourn the meeting at 6:15 p.m.  
Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Sydney Gramkow  
Deputy Finance Officer

Corbin Herman  
Mayor



**CITY OF CUSTER CITY  
BOARD OF EQUALIZATION  
MARCH 18<sup>th</sup>, 2019**

Mayor Corbin Herman called to order the Board of Equalization meeting at 4:00 p.m. Present were Councilpersons Whittaker, Nielsen, Fischer, Moore, Arseneault, School Board Representative Jeff Barns and Director of Equalization Patty Caster along with appraisers Amanda Pierce, Laura Rosane, and Jill McNulty, from the Director of Equalization Office (DOE).

**DECLARATION OF CONFLICT OF INTEREST**

No conflicts of interest were stated.

**APPEAL APPLICATIONS**

- 1.) David Buszkohl ~ DOE# 8503. Councilperson Fischer moved to approve the DOE's recommendation for property #8503 to be valued at \$23,865 for NA-D. The motion was seconded by Councilperson Moore and carried unanimously.
- 2.) David Buszkohl ~ DOE# 13982. Councilperson Nielsen moved to approve the DOE's recommendation for property #013982 NA-D to be valued at \$13,152 and the NA-D1 to be valued at \$6,499. The motion was seconded by Councilperson Fischer and carried unanimously.
- 3.) Tennyson Investments, LLC ~ DOE# 13387. Councilperson Nielsen moved to approve the DOE's recommendation for property #13387 NA-DC to be valued at \$16,268 and NA-DC2 to be valued at \$276,482. The motion was seconded by Councilperson Fischer and carried unanimously.
- 4.) Cushie, LLC ~ DOE# 8913. Councilperson Nielsen moved to approve a value for property #8913 NA-DC and NA-DC of a total of \$3,415,055. The motion was seconded by Councilperson Whittaker. The motion failed. School Board Representative Barns moved to approve a value of \$101,916 for NA-DC and \$3,513,739 for NA-DC2. The motion was seconded by Councilperson Nielsen and carried unanimously.
- 5.) Councilperson Moore moved to acknowledge Custer County Housing has no interest in Boot Hill, LLC ~ DOE #11912. Seconded by Councilperson Whittaker, the motion carried unanimously.

Boot Hill LLC ~ DOE# 11912. Councilperson Fischer moved to approve no change and send to Custer County Board of Equalization for further discussion. Seconded by Councilperson Moore, the motion carried unanimously.

- 6.) Boot Hill LLC ~ DOE# 15358 and 15359. Councilperson Moore moved to approve no change and send to Custer County Board of Equalization for further discussion. Seconded by Councilperson Whittaker, the motion carried unanimously.
- 7.) Trail View LIM ~ DOE# 8988 and 8989. Councilperson Fischer moved to approve no change and send to Custer County Board of Equalization for further discussion. Seconded by Councilperson Nielsen, the motion carried unanimously.
- 8.) Councilperson Arseneault moved to approve no change and to send the appeal to the Custer County Board of Equalization for Property Main Street Marketplace LLC, BOE# 8027 and 12025, Sagacious Inc, DOE# 8024, Boyer Brian Joseph & Janet Mary Living Trust, DOE #8278, and Shopko Stores, DOE# 13791 for further discussion. Seconded by Councilperson Moore, the motion carried unanimously.

**STIPULATIONS APPROVAL**

Councilperson Fischer moved to approve the stipulations listed below. Seconded by Councilperson Nielsen, the motion carried unanimously.

RECORD #	DEEDHOLDER	ABSTRACT	VALUE	VALUE
11341	HATFIELD	NA-D-S	\$578	\$578
		NA-DM1-S	\$60,632	\$52,409

12295	JOHNSON	NA-DM1-S	\$51,680	\$44,591
8915	SUPER FLUMP & LUMP, LLC	NA-DC	\$80,725	\$80,725
		NA-DC2	\$1,277,177	\$1,192,693
8691	SUN-MARK, INC	NA-DC	\$91,211	\$91,211
		NA-DC2	\$893,051	\$730,759
8909	CUSTER HOPSITALITY, LLC	NA-DC	\$311,971	\$311,971
		NA-DC2	\$311,971	\$247,693
8910	CUSTER HOPSITALITY, LLC	NA-DC	\$313,691	\$312,414
		NA-DC2	\$889,134	\$889,134
13386	SONTOS, LLC	NA-DC	\$20,831	\$20,831
		NA-DC2	\$210,386	\$204,435
14183	FRANCIS	DA-DM1-S	\$104,048	\$92,725
14187	MOUNTAIN PARK, LLC	NA-DC	\$16,165	\$16,165
		NA-DC2	\$389,665	\$339,594
8109	SMITH	NA-DC	\$18,242	\$18,242
		NA-DC2	\$398,918	\$271,958
9008	PEKARNA	NA-D-S	\$66,080	\$66,080
		NA-D1-S	\$284,686	\$284,207
8504	BUSSKOHL	NA-D2	\$66,139	\$66,139
		NA-DC2	\$86,468	\$55,334
8350	LAMPHERE	NA-DC	\$145,938	\$145,938
		NA-DC2	\$179,752	\$65,731
		NA-D1	\$55,971	\$48,331
8035	KOESTER	NA-DC	\$7,019	\$7,019
		NA-DC2	\$81,324	\$42,168

**ACKNOWLEDGEMENT OF REAL PROPERTY ASSESSMENT LIST**

Councilperson Nielsen moved to acknowledge the real property assessment list provided by the DOE with the above changes made. Seconded by Councilperson Whittaker, the motion carried unanimously.

**ADJOURNMENT**

Councilperson Whittaker moved to adjourn the meeting at 5:15 PM. Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Sydney Gramkow  
Deputy Finance Officer

Corbin Herman  
Mayor

ESTABLISHMENT	LICENSE	TAXES		INSURANCE	10% VIDEO	
		PAID	AGREEMENT		DUE TO CITY	LOTTER Y
THE ROCK ROOM & GARDEN	NEW - CONVENTION CENTER	✓	✓	PENDING	✓	✓
THE ROCK ROOM & GARDEN	NEW - MALT BEV / SD FARM WINE	✓	✓	PENDING	✓	✓

*Contingent upon proof of insurance and background checks being provided.*

NOTICE OF PUBLIC HEARING UPON APPLICATION FOR THE SALE OF ALCOHOLIC BEVERAGES

Notice is hereby given that the City Council of the City of Custer City, Custer County, South Dakota will hear and consider the following for the sale of malt beverage at a meeting of the City Council to be held on the 1st day of April 2019, in the Council Chambers of City Hall in said City at 5:30 p.m. of said day. Application to be considered for renewal pursuant to SDCL 35-4 is as follows:

Bavarian Inn - Convention Center (On Sale) Liquor - 2019 License  
Bavarian Inn - Retail (On-Off Sale) Malt Beverage & SD Farm Wine- 2019 License

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

Dated this 12<sup>th</sup> day of March 2019.

/s/Sydney Gramkow  
Deputy Finance Officer

Custer County Chronicle - Please Publish March 20<sup>th</sup>, 2019

ORDINANCE NO. 819

AN ORDINANCE ENTITLED AN ORDINANCE AMENDING TITLE 6 ANIMALS, CHAPTER 6.04 ANIMAL CONTROL, SECTION 6.04.045 LIVESTOCK PROHIBITED OF THE CITY OF CUSTER CITY MUNICIPAL CODE AND AMENDING AND SUPERSEDING SAID SECTIONS AS FOLLOWS, TO WIT:

6.04.045 Livestock Prohibited

No person shall keep, maintain, harbor, have in custody or under control, or permit upon property owned or occupied by such person, any livestock within the city limits except for special events which must have the prior approval of the City Council, except as provided below:

1. Chickens may be kept within the city as an accessory use for the purpose of having private laying hens provided there are not more than a total of six (6) such chickens per lot or tract, and a proper chicken coop and fenced chicken yard is provided for proper containment, and provided that the following provisions are complied with:
  - a. Any owner or keeper of chickens within the City shall register said chickens with the Finance Office on a form provided by the City within ten (10) days of obtaining such chickens, and
  - b. Said chickens, and the number thereof, shall be re-registered with the Finance Office every two (2) years, and
  - c. The registration of such chickens shall include the registration fee of twenty dollars (\$20.00). Registration shall not be considered complete until the registration fee is paid, and the receipt issued to the registrant.
  - d. The keeping of chickens shall not create a nuisance or disturbance of the peace. Substantiated complaints from the neighborhood shall constitute a violation of 9.04.090 and shall be subject to citation and fines.
  - e. Upon any three violations where a citation has been issued, the accessory use shall be terminated upon written notice by the Planning Administrator.
  - f. In no case shall a rooster be permitted to be kept within the corporate limits of the city.
  - g. Coop provisions:
    - i. The coop and fenced chicken yard shall be detached from all other structures and any part of such coop and chicken yard shall not be allowed within three (3) feet of any other structure.
    - ii. The aggregate roof area of such coop shall not exceed one hundred twenty (120) square feet.
    - iii. The coop and fenced chicken yard shall be setback a minimum of twenty-five (25) feet from the front property line. The coop shall be setback a minimum of six (6) feet from any other adjacent property line.

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

Dated this 4<sup>th</sup> day of March, 2019

City of Custer City

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

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

(SEAL)

First Reading: March 4, 2019

Vote:

Seconding Reading: March 18, 2019

Moore:

Arseneault:

Publication: March 27, 2019

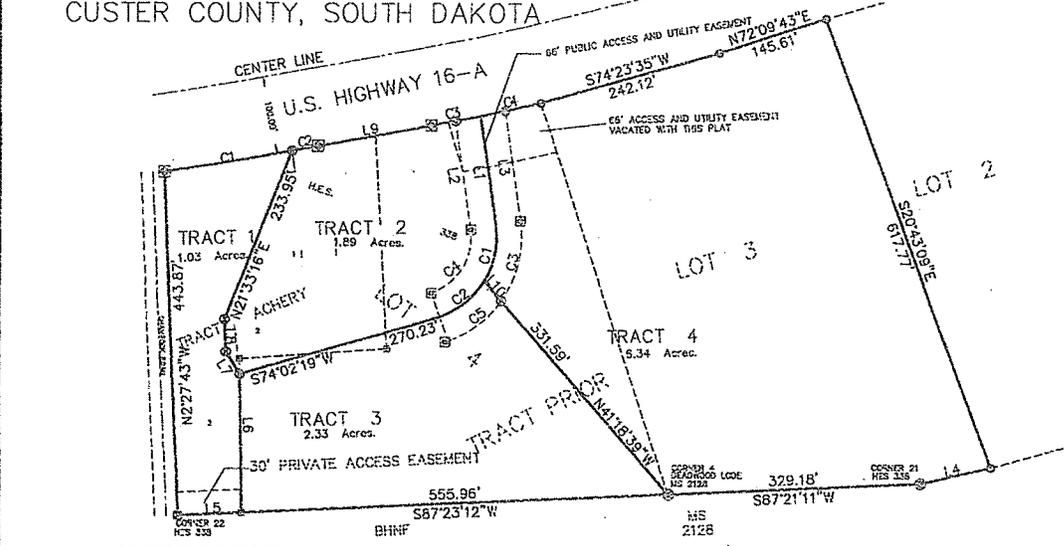
Blom:

Nielsen:

Whittaker:

Fischer:

**FRENCH CREEK SUBDIVISION**  
 PLAT OF TRACTS 1,2,3,AND 4 FORMERLY TRACT ARCHERY AND  
 TRACT PRIOR OF LOT 4 OF FRENCH CREEK SUBDIVISION AND  
 LOT 3 OF FRENCH CREEK SUBDIVISION OF TRACT STOCKADE  
 OF HES 338 LOCATED IN SW1/4 OF SECTION 20, T3S, R5E, BHM  
 CUSTER COUNTY, SOUTH DAKOTA



**HIGHWAY 16A RIGHT OF WAY CURVES**

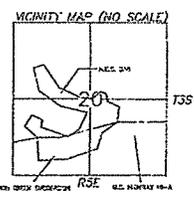
NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	149.46°	167.64'	5729.55'	N87°31'42"E	107.64'
C2	0°20'20"	33.88'	5729.55'	N79°31'00"E	33.60'
C3	116°25'	65.35'	2854.79'	N79°05'44"E	65.34'
C4	136°31'	80.43'	2854.79'	N77°56'17"E	80.43'

**60' PUBLIC ACCESS AND UTILITY EASEMENT CURVES**

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	391°7'37"	75.23'	109.69'	N111°25'58"E	73.78'
C2	337°7'57"	75.24'	109.69'	N20°30'45"E	73.77'
C3	43°30'28"	108.25'	142.60'	N17°15'20"E	105.20'
C4	78°35'35"	109.62'	77.00'	S30°15'52"W	87.62'
C5	391°7'02"	97.81'	142.60'	N80°30'45"E	83.81'

**NEIGHBORING MAP (NO SCALE)**

NUM	BEARING	DISTANCE
L1	S 8°25'52"E	141.44'
L2	S 8°25'52"E	139.23'
L3	S 8°25'52"E	143.42'
L4	S 77°11'01"W	54.27'
L5	S 87°22'52"W	69.72'
L6	N 0°31'37"W	178.89'
L7	N 32°08'25"W	34.64'
L8	N 2°15'18"W	41.52'
L9	N 78°42'04"E	149.38'
L10	N 41°17'13"W	34.17'



PREPARED BY  
 JACK H. KNUST  
 BUCKHORN SURVEYING INC  
 25063 LEYSAN LOOP  
 CUSTER, SOUTH DAKOTA 57730  
 (605) 673-5452

**NOTE**  
 LOTS 3 & 4 ARE RECORDED IN PLAT BOOK 10  
 PAGE 83.  
 TRACT ARCHERY AND PRIOR ARE RECORDED IN  
 PLAT BOOK 12 PAGE 385.

**WATER PROTECTION STATEMENT**  
 PURSUANT TO SECT 11-5-B1 AND 11-3-3-2  
 THE DEVELOPER OF THE PROPERTY DESCRIBED  
 WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR  
 PROTECTING ANY WATERS OF THE STATE  
 INCLUDING GROUNDWATER, LOCATED ADJACENT TO  
 OR WITHIN SUCH PLATTED AREA FROM POLLUTION  
 FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL  
 IN PROSECUTION OF SUCH PROTECTIONS CONFORM  
 TO AND FOLLOW ALL REGULATIONS OF THE SOUTH  
 DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL  
 RESOURCES RELATING TO THE SAME.

- LEGEND**
- CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4898
  - CORNER SET THIS SURVEY REBAR WITH PLASTIC CAP MARKED BUCKHORN SURVEYING R.L.S. 4898
  - ⊠ CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4898
  - CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BRYANT 2198
  - ⊠ U.S.F.S. ALUMINUM MONUMENT SET FROM PREVIOUS SURVEY(S) LS #2198
  - ⊠ CORNER FOUND THIS SURVEY B.L.M./G.L.O. STONE MONUMENT

**NOTE**  
 ACCORDING TO FIRE PANEL  
 48033 0018 D DATED JANUARY  
 06, 2012 THERE IS AN AREA OF  
 SPECIAL FLOOD HAZARD PRESENT  
 IN TRACT 4 OF THIS PLAT

**NOTE**  
 U.S. HIGHWAY 16-A IS A 20' DEDICATED  
 PUBLIC RIGHT-OF-WAY.  
 STATE HIGHWAY 16-A IS A 30' DEDICATED  
 PUBLIC RIGHT-OF-WAY.

**NOTE**  
 A 30' WIDE UTILITY EASEMENT SHALL  
 BE SET ON ALL SUBDIVISION LOT  
 LINES ADJACENT TO PUBLIC  
 RIGHTS-OF-WAY OR UNPLATTED LAND  
 AND ON THE INTERIOR OF LOT LINES  
 THAT BORDER LAND THAT HAS NOT BEEN  
 SURVEYED UNLESS OTHER SUITABLE  
 UTILITY EASEMENTS HAVE BEEN SHOWN.

STATE OF SOUTH DAKOTA  
 COUNTY OF CUSTER S.S.

DO HEREBY CERTIFY THAT I AM THE OWNER OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO APPROVE AND DO HEREBY APPROVE THE SURVEY AND MAP OF SAID LAND. THE PUBLIC COUNTY THAT BOUNDARY OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND EASEMENT ORDINANCES, REGULATIONS.

WITNESSED BY ME TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY SIGNED THE SAME.

NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_

**STATEMENT OF SURVEYOR**  
 FOR BUCKHORN SURVEYING INC

I, JACK H. KNUST, REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT SAID SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT OF 1905, AS AMENDED, AND THAT THE PLAT IS A REPRESENTATION OF SAID SURVEY. IT IS HEREBY CERTIFIED THAT SAID SURVEY WAS MADE BY ME AND SAID

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

REGISTERED LAND SURVEYOR  
 BY JACK H. KNUST, REGISTERED LAND SURVEYOR



**CERTIFICATE OF COUNTY TREASURER**

I, TREASURER OF CUSTER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES DUE ON THIS LAND HAVE BEEN PAID TO THE COUNTY TREASURER.

AND FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE. DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

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

**CERTIFICATE OF HIGHWAY AUTHORITY**

THE LOCATION OF THE PROPOSED ACCESS AND EASEMENTS WITHIN THE RIGHT-OF-WAY OF U.S. HIGHWAY 16-A AND STATE HIGHWAY 16-A IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION. ANY CHANGE IN THE LOCATION OF THE PROPOSED ACCESS SHALL REQUIRE APPROVAL, APPROVAL.

FORWARD APPROPRIATE TO SDOT \_\_\_\_\_

**RESOLUTION OF GOVERNING BOARD**

STATE OF SOUTH DAKOTA  
 CITY OF CUSTER S.S.

BEFORE ME, CLERK OF THE CITY OF CUSTER, SOUTH DAKOTA, THE ABOVE PLAT OF THE ABOVE DESCRIBED EASEMENTS AND ACCESS TO PUBLIC RIGHTS-OF-WAY HAS BEEN PRESENTED TO THE CITY COUNCIL OF THE CITY OF CUSTER, SOUTH DAKOTA, AND THE CITY COUNCIL HAS RESOLVED TO APPROVE THE PLAT AND THE EASEMENTS AND ACCESS TO PUBLIC RIGHTS-OF-WAY SHOWN THEREON, AND THE CITY CLERK HAS BEEN DULY AUTHORIZED TO SIGN AND FILE THE PLAT AND EASEMENTS WITH THE REGISTERED LAND SURVEYOR AND TO TAKE SUCH OTHER ACTION AS MAY BE NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

CLERK OF CITY OF CUSTER

PLAT OF CITY OF CUSTER  
 I, PLATTEE 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 DO APPROVE THE PLAT AS SHOWN HEREON.

CLERK OF CITY OF CUSTER \_\_\_\_\_

**CERTIFICATE OF DIRECTOR OF EQUALIZATION**

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

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

**CERTIFICATE OF REGISTER OF DEEDS**

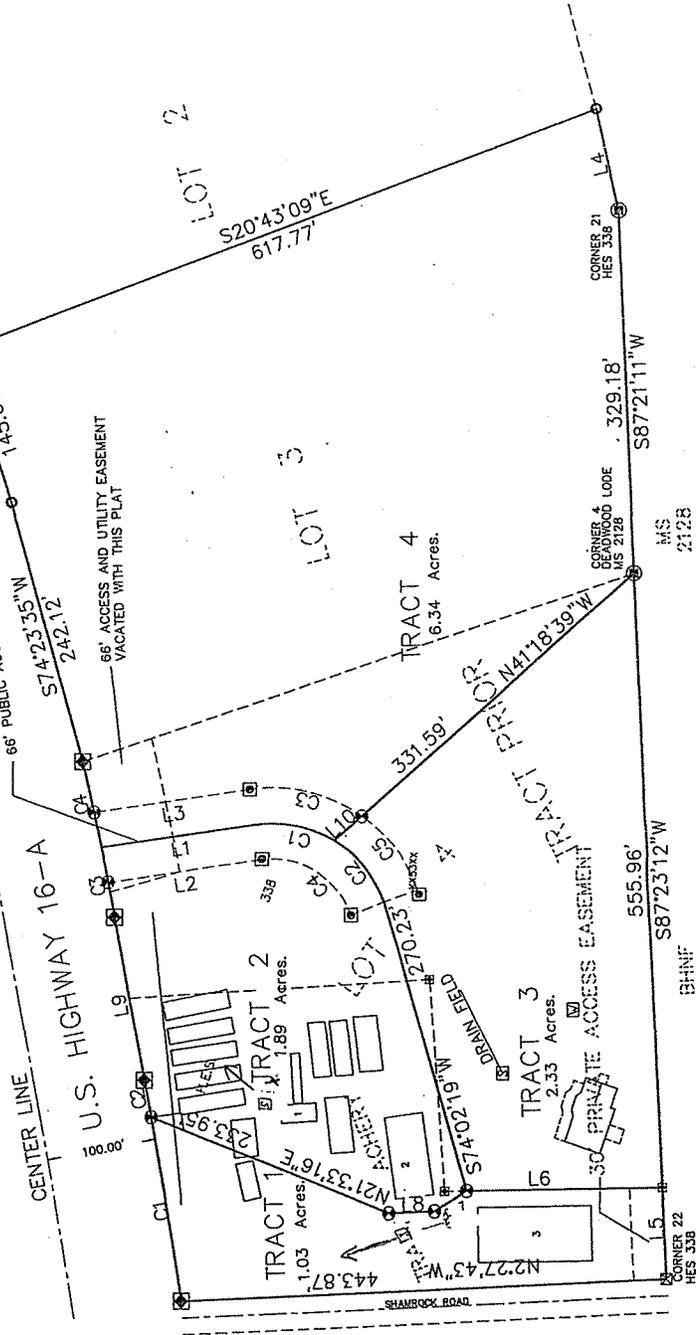
FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ A.M.

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

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

# FRENCH CREEK SUBDIVISION

PLAT OF TRACTS 1, 2, 3, AND 4 FORMERLY TRACT ARCHERY TRACT PRIOR OF LOT 4 OF FRENCH CREEK SUBDIVISION AND LOT 3 OF FRENCH CREEK SUBDIVISION OF TRACT STOCKADE OF HES 338 LOCATED IN SE1/4 OF SECTION 20, T3S, R5E, BHM CUSTER COUNTY, SOUTH DAKOTA



- LEGEND**
- ⊙ CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
  - ⊠ CORNER SET THIS SURVEY REBAR WITH PLASTIC CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
  - ⊡ CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
  - CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BRYANT 2196
  - ⊞ U.S.F.S. ALUMINUM MONUMENT SET FROM PREVIOUS SURVEY(S) LS #2196
  - ⊕ CORNER FOUND THIS SURVEY B.L.M./G.L.O. STONE MONUMENT
  - ⊞ SEPTIC TANK
  - ⊞ WELL LOCATION



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

### Staff Report

Request: Minor Plat, French Creek Subdivision  
Applicant: Prior and May  
Location: Approximately 1.0-mile East of Custer. Near the int of 16A & Shamrock Road  
Legal Desc.: French Creek Subdivision - Plat of Tracts 1,2,3 - See Plat for full legal  
Fee Paid: \$500.00  
Date Prepared: March 28, 2019  
City Council Meeting: April 1, 2019  
Prepared by Tim Hartmann, Planning Administrator

### **GENERAL**

This plat is for a subdivision plat that is not within the City of Custer but is subject to review by the City under the City's extraterritorial jurisdiction. The proposed plat will divide and shift lot lines involving the existing Tract Archery (2.06 acres), Tract Prior (4.20 acres) and Lot 3 (5.29 Acres). The proposed plat will create Tract 1 (1.03 acres), Tract 2 (1.88 acres), Tract 3 (2.35 acres), and Tract 4 (6.31 acres). A shared well and individual septic's (3) currently provide services to the facilities on the proposed Tract 1, 2 and 3.

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

#### Discussion notes

- Access
  - From highway
  - Into parcels, new easement, Shamrock, 30' Easement
  - Easement vacation
- Structure setbacks
  - The metal frames
- Septic setbacks
- Well

### **COMPREHENSIVE PLAN**

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

### **ROUTING SHEET RESPONSES**

CC Equalization – Structure setback concerns

CC Highway – no concerns

CC Planning – redline corrections and structure and waste services setback concerns

CC ROD – redline corrections

SDDOT – Access discussion

### **ACCESS**

Access to the area is provided by Hwy 16A on the North and Shamrock Road to the west. The existing access to Hwy 16A approximately 400' to the east of Shamrock Road may also be utilized. Per access discussions with the SDDOT, no additional access points shall be granted, and all access must be planned from the two existing points, Shamrock and the central location. Interior easements will be reviewed with this plat.

## **SERVICES**

The proposed Tracts 1, 2, and 3 currently have water services provided by a shared well located on proposed Tract 3. Having reviewed the proposed Tracts, staff feels they are proposed to remain of adequate size to accommodate private water services if needed. Staff strongly suggests the property owners assure any agreements between property owners that may be desired for the shared water are addressed prior to filing of the plat.

Tracts 1, 2, and 3 currently have individual septic and drain fields. After gathering additional information from the property owner and survey, such septic and drain fields will remain adequate distance from proposed lot lines. Proposed Tract 4 currently has no water or waste water services but will remain of adequate size to accommodate such.

## **REGULATORY FLOODPLAIN**

A portion of the proposed Tract 4 has regulatory floodplain present. The presence of the flood hazard has been noted on the plat.

## **PREVIOUS ACTION BY PLANNING COMMISSION**

The Planning Commission reviewed this plat at their March 12, 2019 meeting. Discussion was held mainly focused around access points from Hwy 16A, access into the parcels, well and septic systems and setbacks of existing structures and well and waste water systems. After the discussion, a motion was made to recommend approval of the minor plat by the Council.

## **SUMMARY AND STAFF RECCOMENDATION**

Having reviewed the property and prosed plat and discussed with SDDOT and multiple Custer County representatives' staff supports for approval of the minor plat by the Council. Access appears to be adequate, existing structures have been addressed from a setback standpoint, and no property line concerns exist with the existing wells and septic systems.

## **REFERENCES**

CC Ordinance #2  
CC Lot Setback Requirements "cheat sheet"  
CMC Chapter 16  
16.20  
16.20.020 (A)

A PLAT OF  
**CALVIRD TRACT OF BLOCK 89, CUSTER CITY, CUSTER COUNTY,  
 SOUTH DAKOTA**

FORMERLY LOT 1, BLOCK 89, THE VACATED N 25' OF PINE STREET, THE E 25' OF 10TH ST.  
 CONTIGUOUS TO LOT 1, AND THE VACATED INTERSECTION OF 10TH STREET AND PINE STREET  
 ADJACENT TO PREVIOUSLY VACATED 10TH STREET AND PINE STREET

NOTE: See Book 10 of  
 Plats on Page 550 for a  
 Map of Custer City

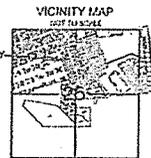
NOTE: FOR THE  
 RESOLUTION VACATING  
 PORTIONS OF 10TH ST.  
 AND PINE ST. SEE MISC.  
 BOOK 344 ON PAGE 517.

NOTE: FOR THE  
 RESOLUTION VACATING  
 PORTIONS OF 10TH ST.  
 AND PINE ST. SEE MISC.  
 BOOK 455 ON PAGE 575.



DATE SURVEYED  
 7 Nov. 2018

BASIS OF BEARING - GPS OBSERVATION  
 taken at 22°49'23"W 3215.73' from the NAV  
 center of Calvird Tract.  
 OPUS STATIC SOLUTION HAD33(2011)  
 LAT: 43°45'32.0283"  
 LONG: -103°00'09.50318"

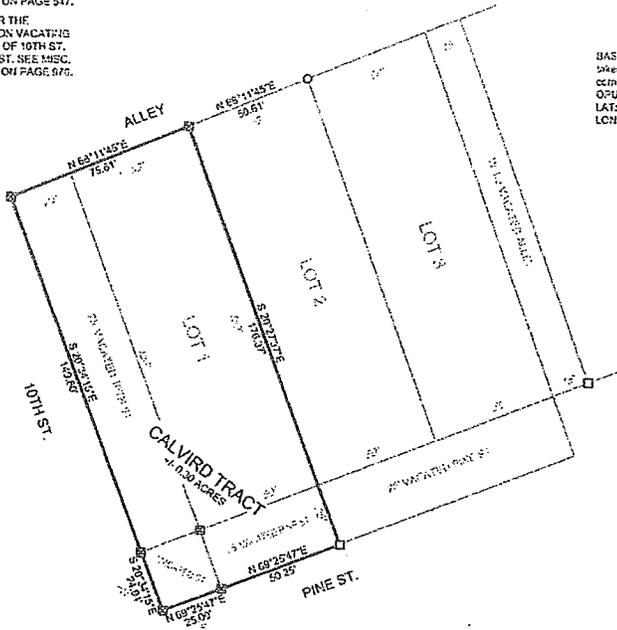


PROPERTY

VICINITY MAP

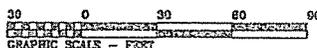
2017 04/24/18

R1E



**LEGEND**

- ☐ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 6906"
- ☐ Found rebar w/aluminum cap marked "BRYANT PLS 2106"
- Found iron pipe
- Slant lettering denotes record calls



No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Parcel No. 46633C0114F, effective date: Jan. 6, 2012. The placement of all new construction, substantial improvements, or another development within the 100-year flood plain as depicted by the County's Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, shall be in conformity with Custer City's Flood Ordinance.

**WATER PROTECTION STATEMENT**

Pursuant to SDCL 11-3-8.1 and 11-3-4.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protocols, conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

**CERTIFICATE OF SURVEYOR**

I, John D. McBride Registered Land Surveyor No. 5303 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.  
 IN WITNESS WHEREOF, I hereunto set my hand and official seal,  
 Dated this \_\_\_ day of \_\_\_, 2019.

John D. McBride SORLS No. 5303

**CERTIFICATE OF HIGHWAY AUTHORITY**

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Highway Authority \_\_\_\_\_ Date: \_\_\_\_\_

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

I, Ronal Calvird, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of the land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.  
 Dated this \_\_\_ day of \_\_\_, 2019.

Ronal Calvird

**RESOLUTION OF THE CITY COUNCIL**

Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conform to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all laws and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been endorsed according to law, now therefore,  
**BE IT RESOLVED**, that said plat is hereby approved in all respects.  
 Dated at Custer, South Dakota this \_\_\_ day of \_\_\_, 2019.

Mayor \_\_\_\_\_

**ACKNOWLEDGMENT OF OWNERSHIP**

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 On this \_\_\_ day of \_\_\_, 2019, before me, a Notary Public, personally appeared Ronal Calvird, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.  
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public \_\_\_\_\_

My commission expires \_\_\_\_\_

**CERTIFICATE OF CITY FINANCE OFFICER**

I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the \_\_\_ day of \_\_\_, 2019.

Custer City Finance Officer \_\_\_\_\_

**CERTIFICATE OF COUNTY TREASURER**

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.  
 Dated this \_\_\_ day of \_\_\_, 2019.

Custer County Treasurer \_\_\_\_\_

**OFFICE OF THE REGISTER OF DEEDS**

Filed for record this \_\_\_ day of \_\_\_, 2019, at \_\_\_ o'clock \_\_\_ M, and recorded in Book \_\_\_ of Plats on page \_\_\_

Custer County Register of Deeds \_\_\_\_\_

**ANDERSEN ENGINEERS**  
*Land Surveyors, Registered Engineers, & Environmental Scientists*

Drawn by DR	Date 3/13/2019	P.O. Box 446 Edgemont, SD 57735 (605)-672-6500
Approved by McB	Date 3/13/2019	andersonengineers@jvnc.net
Scale 1"=30'	Sheet 1 of 1	File Name: L1_889_CUSTER



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

#### Staff Report

Request: Minor Plat, Calvird Tract of Block 89  
Applicant: Ronni Calvird  
Location: Intersection of 10<sup>th</sup> Street and Pine Street  
Legal Desc.: A Plat of Calvird Tract of Block 89 - See Plat for full legal  
Fee Paid: \$125.00  
Date Prepared: March 28, 2019  
City Council Meeting: April 1, 2019  
Prepared by Tim Hartmann, Planning Administrator

#### **GENERAL**

This plat is for a non-subdivision plat intended to incorporate adjacent street vacations into the total lot area of the existing Lot 1 Block 89. This incorporation will allow the vacations to be used in setbacks and open the building envelope for a proposed new home. Proposed Calvird Tract will contain all of Lot 1, 25' x 150' of vacated 10<sup>th</sup> Street and 25' x 50' of vacated Pine Street plus the recently vacated 25' x 25' portion of the intersection of 10<sup>th</sup> and Pine.

This property is within Custer City and is zoned Residential. The property is currently connected to City water and sewer services.

#### **ADJACENT RIGHT OF WAY VACATION**

RESOLUTION DATED AUGUST 20<sup>TH</sup>, 1990

Resolution dated August 20<sup>th</sup>, 1990 and on file with the Custer County Register of Deeds formally vacated the North 25' of Pine Street located contiguous to lots 1,2,3,4,5 and 6 of Block 89 and the East 25' of 10<sup>th</sup> Street located contiguous to Lot 1 of Block 89. Such vacations are subject to existent future easements and rights of way for private and public utilities. This resolution has been noted on the plat.

RESOLUTION #03-04-2019A

The Council recently approved Resolution #03-04-2019A vacating the 25' x 25' portion of Pine and 10<sup>th</sup> Street intersection possibly left behind in 1990. Such resolution has been addressed on the plat.

#### **COMPREHENSIVE PLAN**

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

#### **ROUTING SHEET RESPONSES**

CC ROD – Minor redline changes  
SDDOT – No comments

#### **PREVIOUS ACTION BY PLANNING COMMISSION**

The Planning Commission discussed this plat at their December 12<sup>th</sup>, 2018 meeting with discussion being centered around street vacations in the area, specifically the remaining 25' x 25' Right of Way contiguous the previous vacations adjacent to the property. At that meeting, a recommendation was made to discuss vacating the above mentioned remaining Right of Way contiguous to the S/W corner of the property.

Planning Commission again discussed such plat at their February 12<sup>th</sup>, 2019 meeting. A recommendation was made recommending approval of the plat contingent upon the street vacation of that portion of 10<sup>th</sup> and Pine street being approved and incorporated within. Such has been completed.

#### **SUMMARY AND STAFF RECCOMENDATION**

Staff supports approval of the minor plat by the Council.

**03/29/2019**

**To: Custer City Council**

**From: Park, Recreation & Forestry Board**

**Subject: Benches Along The Mickelson Trail**

**Last year, the Board decided to take on a much needed project with that being the placement of benches along the Mickelson Trail within the city limits of Custer. These benches were identified as a nice addition for the folks that use the trail. Four potential locations for benches have been identified and a bench design has been approved by members of the board. The next step is to receive approval from the Council to proceed. The board would like to set up the placement of these benches as being a memorial with all costs being borne by the individual or group. A plaque would be placed on the bench with the name of who is being honored. Each bench would be permanently mounted on a cement slab. They are made of recycled plastic with a 6' bench costing \$848.45, shipping for 4 is \$441.46 coming out of Illinois.**

**Upon approval from Council our Board would need to work the City Attorney to draw up an agreement so that those purchasing a bench would know just what is entailed.**

**Attached a schematic of the bench and a map showing the potential location for each bench.**

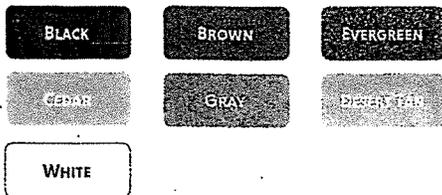
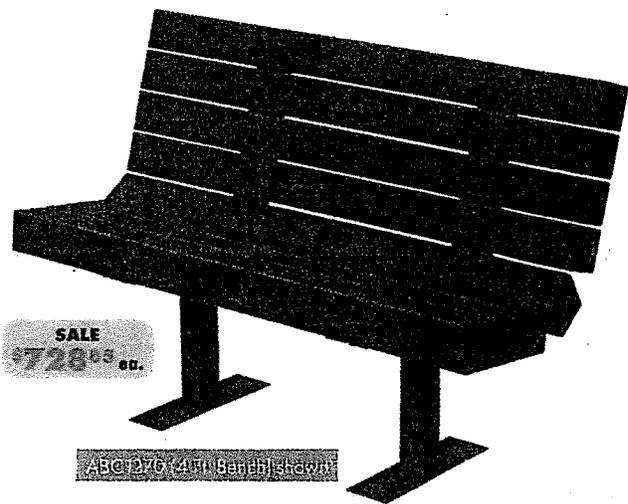
**Steve Pischke  
Chairperson**

**Attachments:  
Bench Schematics  
Location Map**



# Champion Heavyweight Benches

- Built to last for decades
- Zero-maintenance, 4 x 4 recycled plastic boards and stainless steel hardware
- Heavy-duty, Black powder-coated steel frames
- Some assembly required



MODEL #	DESCRIPTION	DIMENSIONS	WEIGHT	PRICE	SALE PRICE
ABC1270	4' surface mount bench	48" l x 21" w x 31.5" h, 13.75" w x 17" h seat	171 lbs.	\$-636.00 ea.	\$ 728.85 ea.
ABC1275	4' inground bench*	48" l x 21" w x 31.5" h, 13.75" w x 17" h seat	175 lbs.	\$-976.00 ea.	\$ 848.85 ea.
ABC1310	6' surface mount bench*	72" l x 21" w x 31.5" h, 13.75" w x 17" h seat	216 lbs.	\$-976.00 ea.	\$ 848.85 ea.
ABC1315	6' inground bench*	72" l x 21" w x 31.5" h, 13.75" w x 17" h seat	218 lbs.	\$1,517.00 ea.	\$ 1,318.85 ea.
ABC1340	8' surface mount bench	96" l x 21.5" w x 31.5" h, 13.75" w x 17" h seat	302 lbs.	\$1,517.00 ea.	\$ 1,318.85 ea.
ABC1345	8' inground bench*	96" l x 21.5" w x 31.5" h, 13.75" w x 17" h seat	308 lbs.	\$1,517.00 ea.	\$ 1,318.85 ea.

\*set shown

+ shipping

+ shipping

**LOCATION KEY**

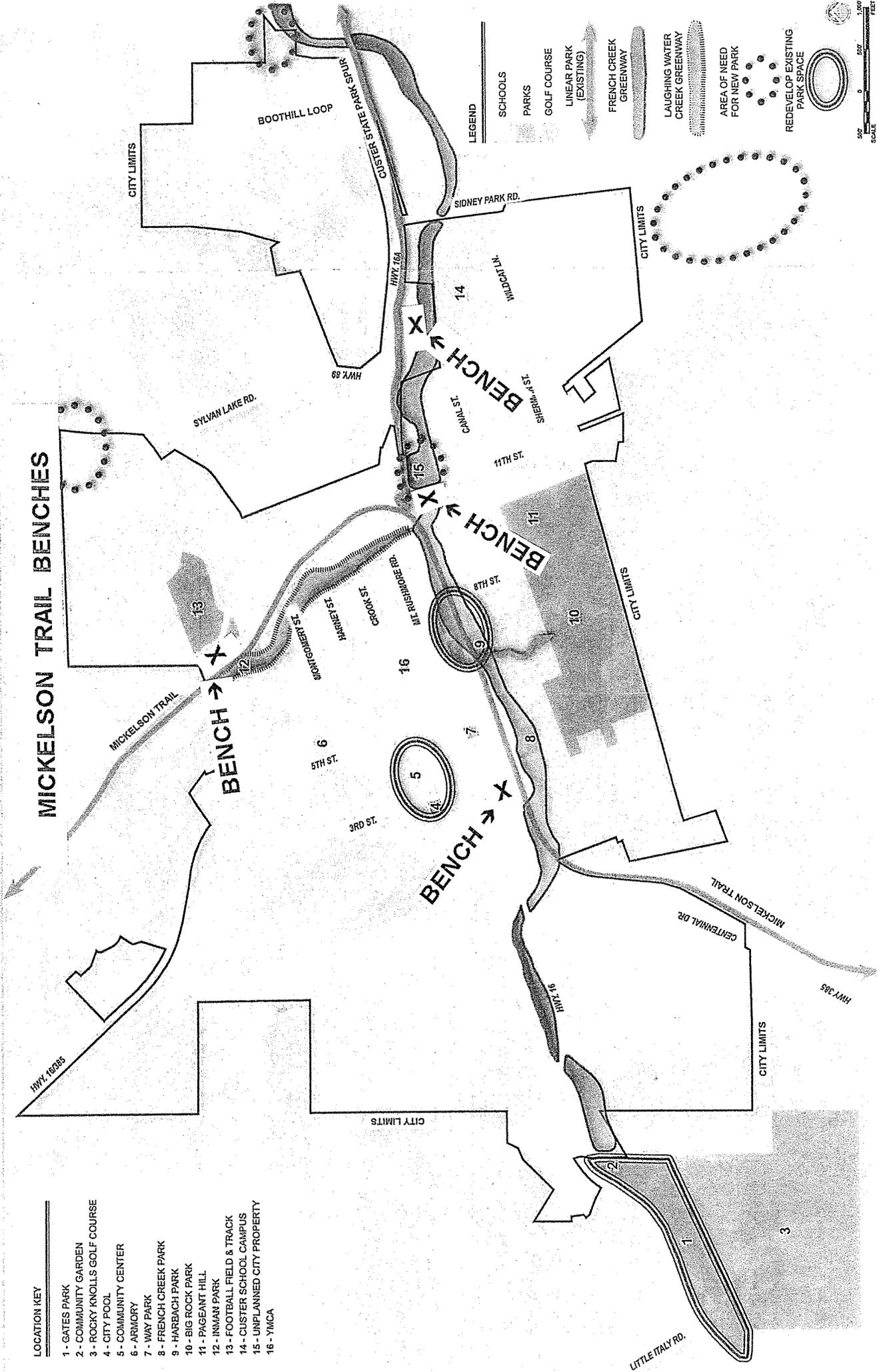
- 1 - GATES PARK
- 2 - COMMUNITY GARDEN
- 3 - ROCKY KNOLLS GOLF COURSE
- 4 - CITY POOL
- 5 - COMMUNITY CENTER
- 6 - ARMORY
- 7 - WAY PARK
- 8 - FRENCH CREEK PARK
- 9 - HARBACH PARK
- 10 - BIG ROCK PARK
- 11 - PAGEANT HILL
- 12 - INMAN PARK
- 13 - FOOTBALL FIELD & TRACK
- 14 - CUSTER SCHOOL CAMPUS
- 15 - UNPLANNED CITY PROPERTY
- 16 - YMCA

**LEGEND**

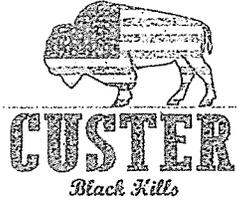
- SCHOOLS
- PARKS
- GOLF COURSE
- LINEAR PARK (EXISTING)
- FRENCH CREEK GREENWAY
- LAUGHING WATER CREEK GREENWAY
- AREA OF NEED FOR NEW PARK
- REDEVELOP EXISTING PARK SPACE



**MICKELSON TRAIL BENCHES**







March 26, 2019

Mayor and Council Members,

We wanted to let you know that Dakota Greens-Custer Greenhouses & Nursery will once again be hanging potted plants throughout town this spring. The Custer Area Chamber of Commerce pays to have the plants watered throughout the summer, but each business is responsible for purchasing their own plants. Each business also determines where the plants are hung at their building.

For further information on when the plants will be delivered please contact Dakota Greens at 605-673-2510. If there are issues with placement of plants at a particular business, please contact them directly.

If you have any other questions please feel free to contact the Custer Area Chamber of Commerce.

Respectfully,

Dolsee Davenport  
Executive Director  
Custer Area Chamber of Commerce  
[ddavenport@custersd.com](mailto:ddavenport@custersd.com)  
605-673-2244

CUSTER AREA CHAMBER OF COMMERCE  
PO Box 5018 | Custer, South Dakota 57730 | (605) 673-2244 | 800-992-9818  
[www.custersd.com](http://www.custersd.com) | [info@custersd.com](mailto:info@custersd.com) | Fax: (605) 673-3726

This institution is an equal opportunity provider and employer. 



RECEIVED

MAR 27 2019

March 27, 2019

City Council

CITY OF CUSTER

We have been notified that the carnival would like to run Thursday, July 18<sup>th</sup> from 5 p.m. To 10 p.m. The cost to the Chamber is the same whether they run Thursday night or not. We are requesting that Washington Street be closed at 9:00 a.m on the morning of the July 18<sup>th</sup> only from 8<sup>th</sup> to 6<sup>th</sup> and then closing the remainder of the street at 5:00 p.m as earlier requested.

Thank you for your time and attention to this.

Amy L Bailey  
Chamber Board Member  
Gold Discovery Days Committee





March 26, 2019

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

Dear Custer City Council Members:

The Custer Area Chamber of Commerce would like to request the use of Way Park for the Custer Farmer's Market on Saturdays 8 am to 1 pm June through October.

This is an event where our local farmers and crafters can bring their homegrown and homemade products to display and sell to the community. They will have their own booths to set up and take down, so there will be no set up required by the City.

The Custer Area Chamber of Commerce does insure this event every year and will have insurance on it again this year. Please let me know if there is any other information needed to get your approval, thank you.

Dolsee Davenport  
Executive Director  
Custer Area Chamber of Commerce  
[ddavenport@custersd.com](mailto:ddavenport@custersd.com)  
605-673-2244

CUSTER AREA CHAMBER OF COMMERCE  
PO Box 5018 | 615 WASHINGTON STREET, CUSTER, SD 57730 | (605) 673-2244  
[WWW.CUSTERSD.COM](http://WWW.CUSTERSD.COM) | [INFO@CUSTERSD.COM](mailto:INFO@CUSTERSD.COM) | FAX: (605) 673-3726





1881  
Courthouse Museum  
Custer County Historical Society  
P.O. Box 826  
Custer, SD 57730  
Phone 605-673-2443  
e-mail:  
1881courthousemuseum@gwtc.net

March 12, 2019

Mayor and Members of  
Custer City Council  
622 Crook Street  
Custer, S.D. 577390

Dear Mayor and Members:

In preparation for the events for 2019, the 1881 Courthouse Museum would like to request permission from the City of Custer for the following activities.

Permit for vendors displaying their wares on the grounds of the Courthouse Museum.  
for the period of Thursday July 4, (set-up and sales/service)  
Friday July 5, (sales/service)  
Saturday July 6 (sales/service)  
Sunday July 7 (sales/service-tear down)

The vendors occupy Museum ground space except for food vendors who utilize the Fourth Street between Mt. Rushmore Road and Crook Street.

We are requesting that this one-half block between Mt. Rushmore Road and Crook Street be closed to traffic to the alley (north).

The closure is requested beginning Wednesday July 3 and ending Sunday July 7, 2019.

Permit for Children's Patriotic Parade on Thursday July 4 and permission to utilize The Ska-8 playground area on 8<sup>th</sup> Street across from Lynn's DakotaMart beginning at 9:00 am as assembly area for approximately 100 children who participate in the parade. (Adult supervision by Museum staff and volunteers).

If you have any questions please feel free to contact me.

Sincerely,

Gary Enright, Director



USE AGREEMENT  
BETWEEN  
CITY OF CUSTER CITY AND THE  
YMCA OF RAPID CITY

BY THIS AGREEMENT made and entered into this 18<sup>th</sup> day of March, 2019, by and between the City of Custer City of 622 Crook Street, Custer, South Dakota, hereinafter referred to as "Owner" and the YMCA of Rapid City, 815 Kansas City Street, Rapid City, South Dakota, hereinafter referred to as "User". The Owner allows the User to use the gym at the Custer Community Center Building for a term of one (1) year, to commence April 1<sup>st</sup>, 2019 and to end on April 1<sup>st</sup>, 2020.

The User will be conducting and operating public service activities for the mutual benefit of the community. The Owner and User agree and understand that the purpose of this use agreement is to enable the User to use the gym at the Custer Community Center building for recreational, public benefit, historical, community service and educational purposes for the benefit of the residents of Custer County, South Dakota. The parties agree that the structure shall be used for no other purpose, without the express written consent of the Owner. Further, both parties agree that there will be no usage of the gym while construction of the Custer Community Center building is in progress.

The parties agree that the maintenance of the gym and adjacent restrooms located within the building shall be the sole responsibility of the User, and the Owner shall bear no cost for the same. Further, the User agrees to maintain the structure in a good and safe condition that is at least equal to the condition at which it is found at the time of execution of this agreement with normal wear and tear alone excepted.

The parties agree that the User shall only have access to the east and north doors leading to the gym of the Custer Community Center building with no access to the kitchen or other parts of the building once inside the gym. Further, the Owner will distribute a set number of keys to the User. The User will have a sign out sheet for keys disbursed and the Owner shall be the sole party to make copies of keys.

The parties agree that snow and ice removal on the sidewalks outside of the Custer Community Center building used for accessing the gym and all other appurtenant areas except for the parking lot shall be the sole responsibility of the User, and the Owner shall bear no cost for the same.

The parties agree that snow and ice removal in the parking lot of the Custer Community Center shall be the sole responsibility of the Owner and the User shall bear no cost for the same.

The User shall make no alteration to the structure or make any improvements on the premises without the prior written consent of the Owner.

The parties agree and understand that all utilities, specifically including; water, sewer, heating, lighting and telephone shall be the sole responsibility of the Owner, as this is a temporary agreement.

The parties agree that the heat controls in the Custer Community Center building will be controlled solely by the Owner.



Aflac, Insurance, \$766.73  
Battle Mountain Humane Society, Animal Control Contract, \$1,000.00  
Beesley Law Office, Professional Fees, \$2,652.50  
Black Hills Energy, Utilities, \$9,979.15  
California State Disbursement, Deductions, \$53.19  
Custer Do It Best, Supplies, \$79.76  
Custer Heating & Air Conditioning, Repairs & Maintenance, \$71.43  
Dacotah Bank, TIF # 2 Payment, \$1,545.66  
Delta Dental, Insurance, \$254.20  
Discovery Benefits, Supplies, \$1,376.92  
EFTPS, Taxes, \$13,083.68  
Express Collections, Professional Fees, \$17.70  
G & R Controls, Repairs & Maintenance, \$3,510.33  
Golden West Technologies, Supplies, Professional Fees, \$1853.00  
Hach, Repairs & Maintenance, \$234.19  
Itron, Repairs & Maintenance, \$855.53  
J & M Lawncare LLC, Caretake Contract, \$5,000.00  
Nelson's Oil & Gas, Supplies, \$1,967.75  
Petty Cash, Supplies, \$476.05  
Sanders Sanitation, Garbage Collection Contract, \$13,816.99  
SD DCI, Safety, \$53.50  
SDML, Travel and Conference, \$126.00  
SD Retirement System, \$6,649.72  
Supplemental Retirement, \$520.00  
Wellmark, Insurance, \$14,028.20  
WesDak Welding & Diesel LLC, Repairs & Maintenance, \$999.50  
Wright Express, Supplies, \$1,148.31  
YMCA, Membership, \$47.00  
Wallin, Doug/Bridget, Utility Refund, \$.96  
Mayor & Council, \$4,634.00  
Finance Department, \$4,976.23  
Public Buildings, \$2,867.20  
Planning Department, \$7,415.16  
Public Works Department, \$3,087.63  
Street Department, \$10,245.55  
Cruisin Department, \$72.39  
Parks Department, \$3,746.61  
Water Department, \$11,825.16  
Wastewater Department, \$11,677.76  
Total Claims, \$142,715.64

