

**CITY OF CUSTER CITY  
COUNCIL PROCEEDINGS- REGULAR SESSION  
January 22<sup>nd</sup>, 2019**

Mayor Corbin Herman called to order the second meeting of the Common Council for the month of January 2019 at 5:34 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 Fischer, to approve the agenda. The motion unanimously carried.

**MINUTES**

Councilperson Nielsen moved, with a second by Councilperson Arseneault, to approve the minutes from the January 7<sup>th</sup> regular council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

Councilperson Moore stated that she would abstain from voting on the Gold Discovery Days Request. No other conflicts of interest were stated.

**SECOND READING – ORDINANCE #817 – WATER CONSERVATION CREDIT**

Councilperson Fischer moved to adopt Ordinance #817, Water Conservation Credit. Seconded by Councilperson Nielsen, the motion carried with Councilperson Blom, Whittaker, Nielsen, Fischer, Moore and Arseneault voting yes.

**SECOND READING – ORDINANCE #818 – FIRE SAFETY REGULATIONS**

Councilperson Blom moved to adopt Ordinance #818, Fire Safety Regulations. Seconded by Councilperson Nielsen, the motion carried with Councilperson Whittaker, Nielsen, Fischer, Moore, Arseneault and Blom voting yes.

**RESOLUTION #01-22-19A – TOBACCO-FREE PARK POLICY**

Councilperson Nielsen moved to adopt Resolution #01-22-19A, Tobacco-Free Park Policy. Seconded by Councilperson Blom, the motion unanimously carried.

RESOLUTION 1-22-19A

WHEREAS, the Custer City Council is committed to the quality of life for all residents; and  
WHEREAS, tobacco products are unhealthy and detrimental to the health of others; and  
NOW THEREFORE BE IT RESOLVED, that the Custer City Council adopts the attached one-page Tobacco-Free Park Policy.

Dated this 22<sup>nd</sup> day of January, 2019.

CITY OF CUSTER CITY

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

**PUBLIC COMMENTS**

No public comments were received.

**GOLD DISCOVERY DAYS REQUEST – CHAMBER OF COMMERCE**

Councilperson Fischer moved to approve the Chamber of Commerce request for Gold Discovery Days 2019 which included the following:

\*Washington Street closure from 8<sup>th</sup> Street to 2<sup>nd</sup> Street, with a single lane between Dacotah Bank and 5<sup>th</sup> Street (right turn out of drive thru only with access to 5<sup>th</sup> Street) and South 4<sup>th</sup> Street being left open for traffic; from Thursday, July 18<sup>th</sup> at 5:00 pm through Sunday, July 21<sup>st</sup>.

\*Carnival to be placed on Washington Street between 8<sup>th</sup> Street and 6<sup>th</sup> Street and carnival campers/trailers parking on South 7<sup>th</sup> Street. With no open containers allowed in this area.

\*Open container from Friday, July 19<sup>th</sup> from 12:00 pm through midnight and Saturday, July 20<sup>th</sup> from 10:00 am to 7 pm on Washington Street from 2<sup>nd</sup> Street to 5<sup>th</sup> Street. With beer and wine only being allowed in the plastic event cups. Beer vendor on Washington Street will have to obtain a special malt beverage license by current licensee from the City.

\*Parade - line up on Pageant Hill then proceed out of Pageant Hill onto 9<sup>th</sup> Street to Gordon Street, onto 8<sup>th</sup> Street to Mt Rushmore Road then proceeding west on Mt Rushmore Road until 4<sup>th</sup> Street, exiting onto North 4<sup>th</sup> Street. Parade will be Saturday, July 20<sup>th</sup> at 10:00 am.

Seconded by Councilperson Whittaker, the motion carried with Councilperson Blom, Whittaker, Nielsen, Fischer and Arseneault voting yes while Councilperson Moore abstained.

**STREET VACATION REDUCED FEE – RONNI CALVIRD**

Councilperson Fischer moved to approve a reduced fee of \$100 for Ronni Calvird for street vacation to correct a previous vacation. Seconded by Councilperson Moore, the motion carried with Councilperson Nielsen, Fischer, Moore, Arseneault, Blom and Whittaker voting yes.

**DUCKS UNLIMITED FLAGS – DUCKS UNLIMITED COMMITTEE**

Councilperson Nielsen moved to approve allowing Duck Unlimited flags to be displayed downtown in conjunction with the Ducks Unlimited Executive Proclamation, which will be brought forward in March. Seconded by Councilperson Whittaker, the motion unanimously carried

**CLAIMS**

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

**2018 Claims**

Black Hills Energy, Utilities, \$13,265.05  
Chamber of Commerce, Sales Tax Subsidy, \$4,956.05  
Discovery Benefits, Supplies, \$27.00  
Hawkins, Supplies, \$20.00  
Home Slice Media Group, Bid Board, \$319.50  
State of SD, Sales Tax, \$1,598.54  
SD One Call, Supplies, \$159.43  
Unemployment Insurance Division of SD, \$27.65  
Total 2018 Claims \$20,373.22

**2019 Claims**

1881 Courthouse Museum, Subsidy, \$7,500.00  
Butler Machinery, Supplies, \$1,950.24  
California State Disbursement, Deductions, \$53.19  
Custer Ministerial Alliance, Subsidy, \$1,000.00  
Code Works, Professional Fees, \$684.50  
Custer Area Arts Council, Subsidy, \$2,000.00  
Custer YMCA, Training, \$280.00  
Clark, Jeff, Reimbursement, \$101.26  
Dakota Pump, Supplies, \$588.50  
Metering & Technology Solutions, Supplies, \$3,669.94  
Midcontinent Testing Labs, Professional Fees, \$549.40  
Morrison, Bob, Reimbursement, \$122.48  
Nelson's Oil & Gas, Supplies, \$1,999.75  
Northwest Pipe Fittings, Inc, Supplies, \$354.54  
Pace, Supplies, \$571.66  
Petty Cash, Supplies, \$444.40  
Pitney Bowes, Supplies, \$500.00  
Rapid City Journal, Supplies, \$406.50  
SRF Loan Payments, \$15,477.11  
SD DENR, Conference, \$30.00  
Stansbury, Lance, Reimbursement, \$33.98  
USDA Loan Payment, \$8910.00  
Vector Print and Design, Supplies, \$99.98  
Walker, Gaile, Reimbursement, \$319.95  
Wendell, Mark/ Elena, Utility Refund, \$30.93  
Total 2019 Claims \$47,678.31

**DEPARTMENT HEADS & COMMITTEE REPORTS**

Various committee reports were given in addition to department heads giving an update. Council took a break from 6:10 pm-6:30 pm. Councilperson Fischer left the meeting at 6:30 pm.

**CUSTER COMMUNITY CENTER FINANCING – TOBY MORRIS, DOUGHERTY & COMPANY**

Toby Morris, Dougherty & Company, visited with Council about the Custer Community Center project and financing.

**LETTER OF INTENT – DOUGHERTY & COMPANY**

Councilperson Arseneault moved to approve and authorize the Mayor to sign the letter of intent with Dougherty & Company LLC to engage them for underwriting services for financing. Seconded by Councilperson Nielsen, the motion unanimously carried.

**RESOLUTION #01-22-19B – REIMBURSEMENT RESOLUTION**

Councilperson Arseneault moved to adopt Resolution #01-22-19B, Reimbursement Resolution. Seconded by Councilperson Moore, the motion carried with Councilperson Moore, Arseneault, Blom, Whittaker, Nielsen and Fischer voting yes.

RESOLUTION NO #01-22-19B  
RESOLUTION DECLARING INTENT TO REIMBURSE  
EXPENDITURES WITH PROCEEDS OF BONDS

WHEREAS, United States Treasury Regulations §1.150-2 (the “Reimbursement Regulations”) prescribe conditions under which proceeds of tax-exempt obligations may be used to reimburse advances made for capital expenditures (“Original Expenditures”) paid 60 days or more before the issuance of such tax-exempt obligations so that they will be deemed to be expended (or properly allocated to expenditures) for purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended (the “Code”), upon such reimbursement so that the proceeds so used will no longer be subject to requirements or restrictions under those sections of the Code; and

WHEREAS, the City Council finds it necessary to purchase, construct and renovate the City Hall (Custer City Hall Improvement Project).

WHEREAS, this City Council wishes to take steps to comply with the Reimbursement Regulations;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

- 1) The City expects to make capital expenditures after the date of this Resolution in connection with the Custer City Hall Improvement Project (the “Project”), and the City intends to reimburse itself for such expenditures with the proceeds of bonds.
- 2) The maximum principal amount of bonds expected to be issued, in one or more series, for the Project is \$4,500,000.
- 3) This resolution shall take effect and be in force immediately upon its adoption, as it is necessary for the support of the municipal government and its existing public institutions.

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

Adopted: January 22<sup>nd</sup>, 2019

**ADJOURNMENT**

With no further business, Councilperson Whittaker moved to adjourn the meeting at 7:00 p.m. Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Corbin Herman  
Mayor