

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
July 20th, 2020**

Mayor Corbin Herman called to order the second meeting of the Common Council for the month of July 2020 at 5:30 p.m. Present at roll call were Councilpersons Ryan, Pechota, Fischer and Nielsen. Present at roll call by phone was Councilperson Whittaker. City Attorney Beesley was also present.

AGENDA

Councilperson Ryan moved, with a second by Councilperson Fischer, to approve the agenda. The motion carried with Councilperson Whittaker, Ryan, Pechota, Fischer and Nielsen voting yes.

MINUTES

Councilperson Nielsen moved, with a second by Councilperson Ryan, to approve the minutes from the July 6th Council Meeting. The motion carried with Councilperson Ryan, Pechota, Fischer, Nielsen and Whittaker voting yes.

OATH OF OFFICE

Councilperson Dixie Whittaker took her Oath of Office for a two-year term.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

BIG ROCK BIKE PARK – CUSTER AREA TRAILS

Charley Umbarger and other Custer Area Trails Volunteer Group Members presented their concept for a bike park in Big Rock Park. Councilperson Fischer moved to give the Custer Area Trails Group permission to flag, measure and assess their proposed area in Big Rock Park with a public presentation/proposal being presented at a public hearing in September. Seconded by Councilperson Nielsen, the motion carried with Councilperson Pechota, Fischer, Nielsen, Whittaker and Ryan voting yes.

RESOLUTION #07-20-20A – AUTHORIZING EXECUTION OF COVID REIMBURSEMENT CONTRACTUAL DOCUMENTS WITH STATE

Councilperson Ryan moved to adopt Resolution #07-20-20A, Authorizing Execution of COVID Reimbursement Contractual Documents with State. Seconded by Councilperson Pechota, the motion carried with Councilperson Fischer, Nielsen, Whittaker, Ryan and Pechota voting yes.

RESOLUTION #07-20-20A

**A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE
STATE OF SOUTH DAKOTA FOR THE RECEIPT OF CARES ACT FUNDS TO ADDRESS THE
COVID-19 PUBLIC HEALTH CRISIS**

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the "CARES Act"), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, the City of Custer acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, the City of Custer acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, the City of Custer seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, the City of Custer acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for the City of Custer most recently approved as of March 27, 2020; and

WHEREAS, the City of Custer acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Custer that the Mayor of Custer may execute any and all documents as required by the State in order to receive CARES Act funds.

IT IS FURTHER RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to

COVID-19; (2) Were not accounted for in the City budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. IT IS FURTHER RESOLVED that the City will not request reimbursement from the State under the CARES Act for costs for which the City previously received reimbursement, or for which the City has a reimbursement request pending before another source.

Approved and adopted this 20th day of July, 2020.

City of Custer

S/Corbin Herman, Mayor

ATTEST: Laurie Woodward, Finance Officer

PUBLIC COMMENTS

Matt Fridell stated the Custer Arts Council is looking forward to maintaining a council liaison position. Gene Fennell mentioned that he would like to revisit the Custer Community Center project.

STREET CLOSURE REQUEST – STUDEBAKER CAR SHOW – CUSTER CHAMBER

Councilperson Fischer moved to approve the street closure request from the Custer Chamber for South Sixth Street from Mt Rushmore Road to Washington Street on September 6th for the Studebaker Car Show. Seconded by Councilperson Pechota, the motion carried with Councilperson Nielsen, Whittaker, Ryan, Pechota and Fischer voting yes.

SDML WORKERS' COMPENSATION FUND TRENCHING SAFETY EQUIPMENT GRANT APPLICATION

Councilperson Nielsen moved to approve the submittal of the 2020 SDML Workers' Compensation Fund Trenching and Confined Space Entry Safety Equipment Grant Application for \$1,000 assistance in purchasing of a trench box for \$4,505. Seconded by Councilperson Pechota, the motion carried with Councilperson Whittaker, Ryan, Pechota, Fischer and Nielsen voting yes.

MINOR PLAT – A PLAT OF GAULKE TRACT NORTH AND GAULKE TRACT SOUTH

Councilperson Fischer moved to approve the minor plat for A Plat of Gaulke Tract North and Gaulke Tract South. Seconded by Ryan, the motion carried with Councilperson Ryan, Pechota, Fischer, Nielsen and Whittaker voting yes.

EMPLOYEE RESIGNATION

Councilperson Nielsen moved to accept the resignation of Joshua Hewett effective July 13, 2020. Seconded by Fischer, the motion carried with Councilperson Pechota, Fischer, Nielsen, Whittaker and Ryan voting yes.

CLAIMS

Councilperson Nielsen moved, with a second by Councilperson Ryan, to approve the following claims. The motion carried with Councilperson Fischer, Nielsen, Whittaker, Ryan and Pechota voting yes.

Advanced Drug Testing, Safety, \$26.00

Black Hills Urgent Care & Occupational Medicine, Safety, \$190.00

Black Hills Chemical, Supplies, \$865.69

Black Hills Gravel, Supplies, \$375.88

Culligan, Repairs & Maintenance, \$18.50

Chamber of Commerce, Sales Tax Subsidy, \$12,248.84

Custer County Treasurer, Law Enforcement Contract, \$96,250.00

Custer Ace, Supplies, Repairs & Maintenance, \$1,252.98

Discovery Benefits, Supplies, \$27.00

East Custer Sewer District, Sewer District Contract, \$2,600.00

Fastenal, Supplies, \$501.15

First National Bank, Loan Payment, \$15,477.11

Floyd's Truck Center, Repairs & Maintenance, \$395.08

First Interstate Bank, Supplies, \$51.70

French Creek Supply, Supplies, Repairs & Maintenance, \$165.62

Jenny's Floral, Supplies, \$69.99

Lab Corp, Safety, \$139.50

Liberty – Rapid City, Vehicle, \$23,906.09

Lynn's Dakotamart, Supplies, \$118.03

McDonnell, Chantel, BID Board Advertising, \$500.00

Pace, Supplies, \$493.55

Petty Cash, Supplies, \$130.76

Raber, Brian, Reimbursement, \$175.00
Rapid Delivery, Professional Fees, \$93.76
Regional Health Network, Sales Tax Subsidy, \$46,338.28
Servall, Supplies, \$134.53
State of SD, Sales Tax Payable, Licensing, \$1,343.90
SD One Call, Supplies, \$197.40
Unemployment Insurance Division, \$83.51
WEAVE, Subsidy, \$5,000.00
Kinnamon, Timothy/ Kellie, Utility Refund, \$13.86
Total Claims \$ 209,183.71

DEPARTMENT HEADS & COMMITTEE REPORTS

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

EXECUTIVE SESSION

Councilperson Fischer moved to go into and out of executive session for personnel and proposed/pending litigation per SDCL 1-25-2(1, 3 & 4) at 7:08 pm, with the Attorney, Public Works Director, Planning Administrator and Finance Officer present. Seconded by Councilperson Ryan, the motion carried with Councilperson Nielsen, Whittaker, Ryan, Pechota and Fischer voting yes. Council came out of executive session at 7:28 pm, with no action taken.

NEW HIRE – CUSTODIAL MAINTENANCE WORKER

Councilperson Fischer moved to approve hiring Randy McNamara as Custodial Maintenance Worker at \$15.77 per hour effective July 27th, 2020 pending successful competition of all pre-employment screenings. Seconded by Councilperson Ryan, the motion carried with Councilperson Nielsen, Whittaker, Ryan, Pechota and Fischer voting yes.

ADJOURNMENT

With no further business, Councilperson Nielsen moved to adjourn the meeting at 7:31 pm. Seconded by Councilperson Pechota, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor