

All City Council Meetings are recorded.

CITY OF CUSTER CITY
COUNCIL AGENDA
June 15th, 2020 – 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 – June 1st, 2020 Council Meeting and June 4th, 2020 Special Council Meeting
4. Declaration of Conflict of Interest
5. COVID-19 Ordinance & Resolutions Review, Business Request for Compliance Modification and General COVID-19 Update
 - *McMonagle Enterprises (Chief Motel) Pool
 - *Custer City Clean-Up Day
 - *Custer County EOC COVID-19 Pre-Plan and Recommendation MATRIX
6. Public Hearings - Public Presentations
 - a. First Reading – Ordinance #839 – Extending Provisions of COVID Ordinance #836 & Resolutions until September 1st
 - b. First Reading – Ordinance #838 – Bond Schedule
 - c. Antidegradation Alternative Analysis for Wastewater Treatment Facility Improvements – DGR Engineering
 - d. Resolution #06-15-2020A – Establishing Custer City Archery Deer Permit Program
 - e. Resolution #06-15-2020B – Write-Off's
 - f. Resolution #06-15-2020C – Fee Schedule
 - g. Executive Proclamation – Janet Pettit Reindl Day
 - h.
7. Public Comments (3-minute max. per person, with total public comment period not to exceed 15 minutes)
8. Old Business
 - a. Gold Discovery Days Request
 - b.
9. New Business
 - a. Application for Fourth of July Fireworks – Custer Volunteer Fire Department
 - b. Final Plat – Wheeler Tract North and Wheeler Tract South
 - c. Bollard Repair and South Ninth Street Draining Repairs Quote
 - d. Planning Commission Re-Appointment
 - e.
10. Election Recount Canvass – Draw Lot for Council Position – Declare Ward III Councilperson
11. Presentation of Claims -
12. Department Head Discussion & Committee Reports –
13. Possible Executive Session – Personnel (1&4), Proposed/Pending Litigation (3), & Contract Negotiations (3) (SDCL 1-25-2(1,2,3,4,5,6))
14. Adjournment

REMINDERS

Special City Council Meeting – June 22nd, 2020 5:30 P.M.
Public Works Committee Meeting – July 6th, 2020 4:30 P.M.
Regular City Council Meeting – July 6th, 2020 5:30 P.M.
General Government Committee Meeting – July 13th, 2020 4:00 P.M.
Planning Commission Meeting – July 14th, 2020 5:00 P.M.
Regular City Council Meeting – July 20th, 2020 5:30 P.M.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/259902421>

You can also dial in using your phone.

United States (Toll Free): 1 866 899 4679

United States: +1 (646) 749-3117

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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
June 1st, 2020

Mayor Corbin Herman called to order the first meeting of the Common Council for the month of May 2020 at 5:30 p.m. Present at roll call by phone were Councilperson Ryan, Whittaker, Moore, Fischer and Blom. Attorney Beesley was also present. The Pledge of Allegiance was stated.

AGENDA

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

MINUTES

Councilperson Moore moved, with a second by Councilperson Ryan, to approve the minutes from the May 18th Council Meeting. The motion carried with Councilperson Whittaker, Moore, Fischer, Blom and Ryan voting yes.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

COVID-19 ORDINANCE & RESOLUTION REVIEW, BUSINESS REQUEST FOR COMPLIANCE MODIFICATION AND GENERAL COVID-19 UPDATE

Councilperson Fischer moved to approve the following business request for compliance modification to Ordinance #836, Resolution #04-28-20A, Resolution #05-04-20A and Resolution #05-18-2020A. Seconded by Councilperson Moore, the motion carried with Councilperson Moore, Fischer, Blom, Ryan and Whittaker voting yes

*The Custer Wolf, maximum of 25 people inside and 15 people for the outdoor patio area while maintaining the 6 feet separation.

*Maria's Mexican (607 Mt Rushmore Road), maximum of 40 people while maintaining the 6 feet separation.

*Buglin Bull (WR Hospitality), maximum of 38 people on the upper deck while maintaining the 6 feet separation.

*Rocky Knolls Golf Course, maximum of 86 people inside and 64 people on the outdoor deck while maintaining the 6 feet separation.

*The Custer Beacon, host ticketed entertainment per the details within their request while maintaining maximum occupancy per the resolution, 6 feet separation and cleaning protocol.

Councilperson Moore moved to approve the following request for compliance modification to Ordinance #836, Resolution #04-28-20A, Resolution #05-04-20A and Resolution #05-18-2020A. Seconded by Councilperson Ryan, the motion carried with Councilperson Fischer, Blom, Ryan, Whittaker and Moore voting yes.

*Custer Community Center Gym (YMCA), maximum of 15 people in the Gym and proper cleaning.

*Custer Pool Opening Plan (YMCA), maximum of 45 people, no furniture, proper cleaning and additional changes mentioned within the request. Potential opening date of June 29th.

Heather Grace, Custer School Board President, presented the High School Graduation Plan. Councilperson Fischer moved to approve the following request for compliance modification to Ordinance #836, Resolution #04-28-20A, Resolution #05-04-20A and Resolution #05-18-2020A. Seconded by Councilperson Moore, the motion carried with Councilperson Blom, Ryan, Whittaker, Moore and Fischer voting yes.

*Custer High School Graduation Commencement, Plan A at Football Stadium and Plan B at the Armory. Request on file in the Finance Office has the details for each plan.

Councilperson Ryan moved to approve opening the City's Public Restrooms and Skateboard Park on June 15th. Seconded by Councilperson Moore, the motion carried with Councilperson Ryan, Whittaker, Moore, Fischer and Blom voting yes.

General discussion took place regarding the Custer Volunteers Fire Department's Fourth of July Fireworks, which a request for will be coming before the Council at the next meeting.

RESOLUTION #06-01-2020A – PREVIOUSLY VACATED PORTION OF SUNSET LANE

Councilperson Fischer moved to adopt Resolution #06-01-2020A, Previously Vacated Portion of Sunset Lane. Seconded by Councilperson Blom, the motion carried with Councilperson Moore, Fischer, Blom, Ryan and Whittaker voting yes.

Resolution #06-01-2020A

WHEREAS, an application was received by Mark Hartmann and Joan L. Finch on January 3rd, 2012 with request to vacate a portion of the hereinafter described certain Public Access and Utility Easement in Custer County, South Dakota, praying that said portion of said easement be vacated, and

WHEREAS, the City Council of the City of Custer, Custer County, South Dakota, reviewed such request at their regularly scheduled meetings on the 6th day of February 2012, the 21st day of February 2012 and the 5th day of March 2012, and

WHEREAS, the City Council of the City of Custer, Custer County, South Dakota, approved such request at their regularly scheduled meeting on the 5th day of March 2012, and

WHEREAS, the County Commission of Custer County, South Dakota, reviewed and approved such request at their regularly scheduled meeting on the 12th day of October 2017.

WHEREAS, the certain portion of the originally platted Public Access and Utility Easement within Custer County, South Dakota as shown on the plats filed at the office of the Custer County Register of Deeds in Book 12 of plats page 345, Book 12 of plats page 625, Book 12 of plats page 702 and described as follows:

the area of Sunset Lane lying to the South of the East/West property lines and within the existing Lot B of Tract Ramsey of HES #177, Lot 3 of Lot A of Tract Ramsey of Ramsey Subdivision and Tracts 1 and 2 of Lot A of Tract Ramsey of Ramsey Subdivision Phase II, all located in the North ½ of Section 2, T4S, R4E, BHM Custer County, South Dakota. Such area having a width of 31' and a length of approximately 2359'.

Be, and the same was, vacated by previous action of the Custer City Council and Custer County Commission, and

WHEREAS, the vacation of such portion of said easement shall be made public record by the filing of this document at the office of the Custer County Register of Deeds.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Custer, Custer County, South Dakota, acknowledges their previous action and the vacation of the previously described portion of Public Access and Utility Easement.

IT IS FURTHER RESOLVED that the County Commission of Custer County, South Dakota, also acknowledges their previous action and the vacation of the previously described portion of Public Access and Utility Easement.

Dated at Custer, Custer County, South Dakota, this 1st day of June 2020.

CITY OF CUSTER

S/Corbin Herman, Mayor

Attest: Laurie Woodward, Finance Officer

PUBLIC COMMENTS

Kwinn Neff introduced himself to the Council. No public other comments were received.

ENGEN BENCH LOCATION AND VETERAN'S MEMORIAL BIKE RACK LOCATION

Councilperson Moore moved to approve the location for the previously accepted donated Engen Bench to be placed by the Mickelson Trail on the west property boundary of the Veteran's Memorial; and approved the location of the northeast corner of Veteran's Memorial for placement of bike racks. Seconded by Councilperson Blom, the motion carried with Councilperson Moore, Fischer, Blom, Ryan and Whittaker voting yes.

Councilperson Whittaker left the meeting at 6:13 pm.

TAP PROJECT (TRAIL) CHANGE

Councilperson Fischer moved to approve the Transportation Alternative Project (Trail from South Eleventh Street to School) change for contractor furnished borrow installation and Mirafi 660X installation for a total of \$17,612.62, which per agreement the City will cover 36.86 percent. Seconded by Councilperson Blom, the motion carried with Councilperson Fischer, Blom, Ryan and Moore voting yes.

PROPANE QUOTES

Councilperson Fischer moved to approve the propane quote from McGas for 30,000 gallons of propane at \$1.149 per gallon for a total of \$34,470.00. Seconded by Councilperson Moore, the motion carried with Councilperson Blom, Ryan, Moore and Fischer voting yes.

NEW HIRES – SEASONAL EMPLOYEES

Councilperson Moore moved to approve hiring Larry Stalder and Ryan Jorgensen as Part Time Seasonal Park Laborers at \$12.55 per hour effective upon successful completion of pre-employment drug

screening. Seconded by Councilperson Blom, the motion carried with Councilperson Ryan, Moore, Fischer and Blom voting yes.

CLAIMS

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

AFLAC, Insurance, \$718.98
American Legal Publishing, Professional Fees, \$79.80
Battle Mountain Humane Society, Animal Control Contract, \$1,000.00
Beesley Law Office, Professional Fees, \$3,610.00
Black Hills Energy, Utilities, \$2,248.92
Century Business Products, Supplies, \$216.97
Custer Outdoor Shop, Refund, \$300.00
Custer Do It Best, Supplies, Repairs & Maintenance, \$24.27
Custer Fire Department, Subsidy, \$30,500.00
Dacotah Bank, TIF #2 Payment, \$10,824.23
Dacotah Bank, TIF #4 Payment, Water Bond Payment, \$15,747.72
Delta Dental, Insurance, \$212.00
Discovery Benefits, Supplies, \$1,273.06
EFTPS, Taxes, \$11,522.13
Fastenal, Supplies, \$469.93
First Interstate Bank, TIF # 4 Payment, Supplies, \$2,574.47
Green Owl Media, Professional Fees, \$234.00
Hawkins, Supplies, \$4,246.19
Jenner Equipment, Repairs & Maintenance, \$85.74
J & M Lawn Care, Cemetery Caretaker, \$5,250.00
Ketel Thorstenson, Professional Fees, \$2,002.40
Kimball Midwest, Supplies, \$403.20
Lone Elk Gallery, Refund, \$650.00
Nelson's Oil & Gas, Supplies, \$890.50
Newman Traffic Signs, Supplies, \$983.11
Pace, Supplies, \$770.90
Petty Cash, Supplies, \$383.73
Sanders Sanitation, Garbage Collection Contract, \$13,253.23
SD DENR, Fees, \$600.00
SD Department of Revenue, Supplies, \$4,350.00
SD Retirement System, \$5,834.90
Supplemental Retirement, \$670.00
USA Bluebook, Repair & Maintenance, \$3,397.57
Wellmark, Insurance, \$11,295.31
Wright Express, Supplies, \$483.18
YMCA, Membership, Subsidy, \$29,043.00
Adams, Georgia, Utility Refund, \$20.22
Mayor & Council, \$4,665.00
Finance Department, \$4,414.78
Public Building Department, \$1,009.28
Planning Department, \$7,284.67
Public Works Department, \$2,521.44
Street Department, \$6,096.84
Cruisin Department, \$153.44
Parks Department, \$4,631.89
Water Department, \$11,803.03
Wastewater Department, \$12,873.10
Total Claims \$221,623.13

DEPARTMENT HEADS & COMMITTEE REPORTS

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

ADJOURNMENT

With no further business, Councilperson Moore moved to adjourn the meeting at 6:19 p.m. Seconded by Councilperson Ryan, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- SPECIAL MEETING
June 4th, 2020

Mayor Corbin Herman called to order a special meeting of the Common Council at 4:00 p.m. Present at roll call were Councilpersons Blom, Whittaker, Fischer and Ryan. The Pledge of Allegiance was stated.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

ELECTION CANVASS

Council reviewed the election poll books and election board recap report. Councilperson Fischer moved to approve the official canvass which stated the votes for Ward III Councilperson were Carrie Moore with 124 and Todd Pechota with 124. Seconded by Councilperson Ryan, the motion unanimously carried.

ADJOURNMENT

With no further business, Councilperson Ryan moved to adjourn the meeting at 4:29 p.m. Seconded by Councilperson Whittaker, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

RECEIVED

JUN 05 2020

CITY OF CUSTER

6/4/20

To: City of Custer

Subject: Regarding motion to forgive ordinance of swimming pool closure

From: McMonagle Enterprises, Inc. dba Chief Motel

To Whom it may concern,

As requested, please see information below regarding opening our swimming pool and hot tub located at the Chief Motel.

According to the CDC as posted in an article on 5/10/20, found at [CDC.gov/healthywater/swimming/index.html](https://www.cdc.gov/healthywater/swimming/index.html),

“There is ZERO evidence that COVID-19 can spread to people through the water used in pools, hot tubs, or water playgrounds. Proper operation and disinfection of pools, hot tubs, and water playgrounds should kill the virus that causes COVID-19”

The recommendation asks facilities to ensure chlorine levels in pools and spas are kept between 1-3mg/1 with the pH between 6.8-7.4. Spa pools that use bromine need to maintain their water at 4-6mg/1 bromine or 3-5mg/1 chlorine. Routine tests for microbiological quality should also be undertaken in line with national guidelines.

Chief Motel sends water samples weekly to Mid Continent Testing labs for our pool and hot tub. In addition we are required by state regulations to monitor chemical levels twice daily to ensure they are maintained at the required levels. This log is found hanging in our pool pump room.

Chief Motel will maintain diligent hygiene standards in changing areas, toilets, and showers. We will ensure pool water and hot tub standards are at their best by regular water testing and taking recommended actions if they are not acceptable,

Thank You for your consideration.

Sincerely,



Bruce McMonagle Owner

Chief Motel

120 Mt. Rushmore Road,

Custer, SD 57730

605-673-2318

6/4/20

To whom it may concern,

I am writing to inquire about the possibility of opening our pool facility.

It is important to McMonagle Enterprises, Inc. to do our part in protecting the safety of our guests, staff and community during these uncertain times.

We would request you consider allowing our facility to open under specific strict guidelines that we will follow to ensure we are offering the best practices for the lowest risk of exposure to COVID-19

Requested allowance would be for our pool facilities located at the Chief Motel, 120 Mt. Rushmore Road in Custer, in a separate large building on the premises. Our pool is 20'x47'

Procedures we are fully committed and prepared to follow are listed below:

Air exchange is accomplished by leaving the doors to the pool facility open or use of an exhaust fan or both.

A limited number of guests would be allowed in the pool building at one time.

The pool would have a limited occupancy of 12 people.

Most furniture will be removed from the pool building except for a small number of chairs for the use of parents overseeing the safety of their children in the pool.

Extra efforts to maintain proper cleaning procedures will be enforced.

We appreciate your time and consideration and look forward to hearing from you soon.

Sincerely,



Bruce McMonagle Owner
Chief Motel
120 Mt. Rushmore Road
Custer, SD 57730
605-673-2318

CUSTER COUNTY EOC COVID-19 PRE-PLAN AND RECOMMENDATION MATRIX

	Case Threshold (Trigger #)	Recommendations	Confirmed Case	Negative Cases	Hospital	Deaths	Recovered	Comments
	2	A-I, K, L, M						
Hospital (staff)								
Nursing home (Institutional)	1	A-I, K, L, M						
Privately owned Assisted Living	1	A-H, K, M						
Sr. Independent Living w/ Assistance (Wedgewood)	1	A-H, K, L, M						
Law Enforcement/Communications	1	A-F, K, M						
First Responders	1	A-F, M						
Ambulance Services	1	A-F, M						
Retail	2	A-I, K, L, M						
Hospitality (Food and Lodging)	3	A-I, K, L, M						
Hospital (Patients)	2	A-I, M						Patients generally transported to RC
Custer State Park (Staff and Resort Employees)	10	A-I, K						
US Forest Service	2	A-H, N, M						
County Government	2	A-I, K, M						
Municipal Government	2	A-I, L, M						
A Daily monitoring								
B PPE use								
C Self-quarantine (exposed but not tested positive)								
D Clinical testing								
E Surveillance and contact testing								
F 1st Responder testing								
G Quarantine/hospitalization								
H Shelter in place (groups)								
I Public Facility Closure								
J Forced shut-down (non-essential business closure)								
K County Commissioner Action								
L City Council or Town Board Action								

COMMUNITY MODEL

UNIVERSAL RECOMMENDATION

NS	M	Medical Director Recommendation
	N	Federal Government internal protocols

CUSTER COUNTY EOC COVID-19 PRE-PLAN AND RECOMMENDATION MATRIX									
	Case Threshold (Trigger #)	Recommendations	Confirmed Case	Negative Cases	Hospital	Deaths	Recovered	Comments	
COMMUNITY MODEL	Custer Area	A-I, L, M							
	Hermosa Area	A-I, L, M							
	Pringle Area	A-I, L, M							
	Argyle Area	A-H, K, M							
	Highlands Area	A-H, K, M							
	Fairburn Area	A-I, L, M							
	Buffalo Gap Area	A-I, L, M							
	Dewey Area	A-H, K, M							
	SPECIAL EVENTS								
UNIVERSAL RECOMMENDATIONS	A	Daily monitoring							
	B	PPE use							
	C	Self-quarantine (exposed but not tested positive)							
	D	Clinical testing							
	E	Surveillance and contact testing							
	F	1st Responder testing							
	G	Quarantine/hospitalization							
	H	Shelter in place (groups)							
	I	Public Facility Closure							
	J	Forced shut-down (non-essential business closure)							
	K	County Commissioner Action							
	L	City Council or Town Board Action							
	M	Medical Director Recommendation							
	N	Federal Government internal protocols							

ORDINANCE NO. 839

AN ORDINANCE OF THE CITY OF CUSTER, SOUTH DAKOTA EXTENDING THE PROVISIONS OF ORDINANCE #836 DECLARING A PUBLIC HEALTH EMERGENCY AND LIMITING PUBLIC GATHERINGS WITHIN THE CITY LIMITS AND EXTENDING ALL RESOLUTION MODIFYING ORDINANCE #836.

WHEREAS, the City of Custer has the authority pursuant to SDCL 9-29-1 and 9-32-1 to pass ordinances for the purpose of promoting the health, safety, morals and general welfare of the community, and to do what may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of the virus causing the COVID-19 disease; and

WHEREAS, cases of infection from the virus causing the COVID-19 disease have been confirmed in the State of South Dakota, and cases of community transmission are reasonably suspected to exist; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of the virus causing the COVID-19 disease; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of the virus in order to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to the COVID-19 disease; and

WHEREAS, due to the fact that this is an emergency ordinance for public health purposes, and not intended as a permanent ordinance, the Common Council of the City of Custer shall place on each regular and special council meeting agenda as a discussion item for purposes of reviewing, amending, extending, or terminating this ordinance.

WHEREAS, the City of Custer adopted Resolution #04-28-2020A, Resolution #05-04-2020A and Resolution #05-18-2020A, modifying Ordinance #836.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Custer, South Dakota that Ordinance #836, Resolution #04-28-2020A, Resolution #05-04-2020A and Resolution #05-18-2020A are hereby extended until September 1st, 2020, in their entirety, unless amended by Resolution.

BE IT FURTHER ORDAINED that, pursuant to SDCL 9-19-13, this ordinance is necessary due to a public health emergency, the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon publication; and

BE IT FURTHER ORDAINED that this ordinance shall remain in effect until September 1st, 2020, or such time as it earlier is amended, suspended, reinstated, extended or repealed by Resolution of the Custer City Council.

BE IT FURTHER ORDAINED that this ordinance, and enforcement thereof shall automatically terminate on September 1, 2020 unless earlier extended or terminated by resolution of the Common Council of the City of Custer.

City of Custer

Corbin Herman, Mayor

Attest:

Laurie Woodward, Finance Officer

First Reading: June 15, 2020
Second Reading: June 22, 2020
Publication: July 1, 2020
Effective: July 1, 2020 12:00 am MST

Vote: Fischer: Whittaker:
Nielsen: Blom:
Ryan: Moore:

ORDINANCE NO. #838

AN ORDINANCE AMENDING THE BOND SCHEDULE FOR CITY ORDINANCE VIOLATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CUSTER CITY, SOUTH DAKOTA THAT THE FOLLOWING BOND SCHEDULE, attached hereto as Exhibit "A" and incorporated herein by this reference as though set forth in full, shall be utilized by all law enforcement or judicial officers as bond guidelines for alleged violations of City Ordinances.

BE IT FURTHER ORDAINED that all municipal code violations without a stated bond amount listed on Exhibit "A" shall be written in accordance with the fine and bond schedule then in use and adopted by the State of South Dakota.

Dated this 6th day of July 2020, at the City of Custer City, South Dakota.

Corbin Herman, Mayor

ATTEST: _____
Laurie Woodward
Finance Officer

(SEAL)

First Reading: June 15, 2020
Second Reading: July 6, 2020
Publication: July 15, 2020

Vote: Fischer:
Nielsen:
Ryan:

Whittaker:
Blom:
Moore:

2020 BOND SCHEDULE FOR CUSTER MUNICIPAL ORDINANCES

Municipal Code	Offence	Bond
9.04.060	Open Container	
9.04.090	Disturbing the Peace	
9.04.070	Drinking Alcohol outside Licensed Premises	\$132.50
9.04.080	Fireworks	\$132.50
9.08.030	Maintaining a Nuisance	\$132.50
9.08.040	Trespass	\$132.50
10.08.010	Failure to Obey Traffic Control Devices (Traffic Lights, Stop Sign, etc.)	
10.08.050	Improper Use of Signals	
10.08.070	Illegal U-Turn	\$132.50
10.08.120	Speeding on Roadways <div style="text-align: center;"> 1-5 MPH Over Limit 6-10 MPH Over Limit 11-15 MPH Over Limit 16-20 MPH Over Limit 21-25 MPH Over Limit 26 and up MPH Over Limit </div>	
10.08.180	Operating Vehicles without Headlights	
10.08.190	Failure to Dim Headlights	
10.08.300	Careless Driving	
10.08.250	Riding outside of Motor Vehicle	\$132.50
10.08.320	Violation of Pedestrian's Right-of-Way	\$132.50
10.08.350	Use of Streets for Sale or Storage of Vehicles	\$132.50
10.16.010	Parking Violation	\$32.50
10.16.090	Blocking Fire Hydrant Access	\$132.50
10.16.140	Parking During a Snow Removal Alert	\$132.50
10.16.100	Parked Blocking Driveway or Alley	\$132.50
10.24.180	Operating a Bicycle/Skateboard on Sidewalk in Business District	\$32.50
10.16.160	Handicapped Parking	
12.18.010	Camping Prohibited on City Property	\$132.50

Date this _____ day of _____, 2020

BY: _____

Circuit Court Judge

Antidegradation
Alternative Analysis

for

Wastewater Treatment
Facility Improvements

City of Custer
Custer, South Dakota

June 2020

DGR Project No. 669021

RESOLUTION 6-15-2020A

A RESOLUTION ESTABLISHING THE CITY OF CUSTER CITY ARCHERY DEER PERMIT PROGRAM

WHEREAS, the deer population throughout the City of Custer results in a number of conflicts between deer and people, including collisions between automobiles and deer that can result in extensive property damage, bodily injury, and in some cases even death; and

WHEREAS, the deer population can also cause property damage to home gardens, landscaping, and natural environments that are habitats for other species; and

WHEREAS, whitetail deer are a primary host to Black Legged (deer) ticks, the carrier of several human diseases, including Lyme Disease; and

WHEREAS, Chronic Wasting Disease, an always fatal neurological disease of cervids, has been found in the city limits of Custer and reducing deer densities has been indicated as one method that may limit the spread of the disease; and

WHEREAS, the Common Council recognizes that deer in urban areas, for the most part, lack predators to control deer populations and, that, deer in large numbers can cause significant habitat damage; and

WHEREAS, the City of Custer wishes to manage the deer population within the city limits of Custer; and

WHEREAS, the City of Custer adopted a deer management plan entitled Deer Management Plan, City of Custer City, South Dakota in an effort to address related public complaints, public safety concerns and foster healthy deer populations; and

WHEREAS, sportsmen and women across the nation contribute the majority of the monies used to manage and conserve wildlife; and

WHEREAS, the City of Custer has an ordinance that generally prohibits archery deer hunting within City limits except for hunting by those individuals who obtain a municipal license pursuant to the City of Custer City Archery Deer Permit Program;

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the City establishes the following City of Custer City Archery Deer Permit Program in order to provide hunter opportunities for sportsmen and women and help manage the deer population within the city limits of Custer City.

Dated this 15th day of June 2020.

City of Custer City
Corbin Herman, Mayor

Attest:

Laurie Woodward, Finance Officer

Vote:

Fischer: ## Whittaker: ##
Nielsen: ## Blom: ##
Moore: ## Ryan: ##

City of Custer City Archery Deer Permit Program

Permit Administration

A limited public archery hunt has been set up to provide hunter opportunities for sportsmen and women and help manage the deer population within the city limits of Custer. This antlerless deer hunting opportunity, called the Custer Archery Deer Permit Program, will be administered by South Dakota Game, Fish and Parks (SDGFP) and the City in conjunction with the Custer County Sheriff's Office (CITY).

SDGFP will accept online applications for municipal licenses from hunters. SDGFP will administer a draw for municipal licenses through its online license system. Hunters will apply through a lottery-based application for a specific access zone and a specific hunting period within such zone. Each applicant may select a first and second choice. Applications will be accepted June 1st through July 1st. Successful applicants will be notified by July 15th. Such notification will inform the applicant if they are successful or unsuccessful for the municipal license and will also inform successful applicants of their awarded zone and hunting period. Any remaining licenses will be available on a first come, first served basis. Costs associated with the municipal licenses are the same as single antlerless licenses and additional licenses may be available and used, as explained further below.

Archery Hunting Licenses

Only those individuals successful in drawing a municipal license may hunt within their access zone and hunting period under any valid and applicable archery hunting license(s) from SDGFP. Any combination of archery license may be used including, West River Archery licenses, Statewide archery licenses, antlerless white-tailed deer licenses and the municipal license valid within the city limits of Custer.

Rules and Regulations

All big game regulations, as well as the following rules, would apply to anyone hunting within the city limits of Custer City after successfully drawing a municipal license:

- A hunter must be a resident of South Dakota.
- A hunter must be 18 years of age to hunt alone. A hunter under the age of 18 must be accompanied (within arm's reach) by a qualified adult supervisor.
- A hunter's municipal license must be filled first. Upon fulfillment of such municipal license a hunter may then utilize any valid and applicable archery license(s) from the SDGFP within their access zone and hunting period.
- A hunter must possess a hunter safety education certificate.
- An individual successful in the municipal license draw will be required to pass a proficiency test, administered, and approved by the SDGFP, prior to being allowed to acquire a municipal license. The proficiency test will require a hunter to place 3 of 4 arrows in an 8" diameter circle at 30 yards with a broadhead tipped arrow and the archery equipment to be used while hunting within the City of Custer.
- A hunter must attend a mandatory briefing and training. The location of the proficiency test and briefing and training will be specified in the hunter's notification noted in the "Permit Administration" section of this program.
- A hunter must mark his or her arrows with his or her SD archery license number that is printed on his or her municipal archery license or their printed first and last name. The license number typically starts with the 2-digit year followed by 8 digits (ex. 19-0000000).
- A hunter must obtain and display a Parking Permit distributed by SDGFP in his or her vehicle while the hunter is hunting pursuant to the terms of the City of Custer City Archery Deer Permit Program.

Either SDGFP or CITY may cancel a hunter's participation for: failure to comply with the rules above and all big game regulations; the violation by a permittee of any provision of the Custer City Municipal Code, state law, or federal law; or other good cause. A written order of revocation shall be hand-delivered, sent by first class mail to the permittee's last known address, or sent by email to permittee's last known email address. A written order of revocation is effective on the date that it is signed by either SDGFP or CITY. A person whose participation has been revoked may appeal the revocation decision to the Common Council by submitting a written letter of appeal to the City Finance Officer or his or her designee within 14 calendar days of the effective date of the order of revocation. If, upon consideration, a majority of the Council votes to overturn the order of revocation, then the license shall be reinstated.

Hunting Locations and Periods

Hunters will be required to stay within the boundaries of their Access Zone at all times. Harvesting of deer can only occur within the Access Zone. Maps will be distributed to hunters via paper and georeferenced pdfs. Access Zones be marked and identifiable while afield via flagging or painted fence posts.

Temporary hunting blinds or trees stands will be allowed, but blinds may not be placed prior to a particular hunter's access period and must be removed by the end of the last day of their 14-day hunting period. Temporary tree stands may be used but the use of nails, screws, bolts or anything that will cause lasting damage to the tree is prohibited.

Hunting periods will be for 14 days starting on a Sunday and ending on a Saturday. Hunting periods for 2020 will be as follows:

Oct 18-Oct 31

Nov 1-Nov 14

Nov 15-Nov 28

Nov 29-Dec 12

Dec 13-Dec 26

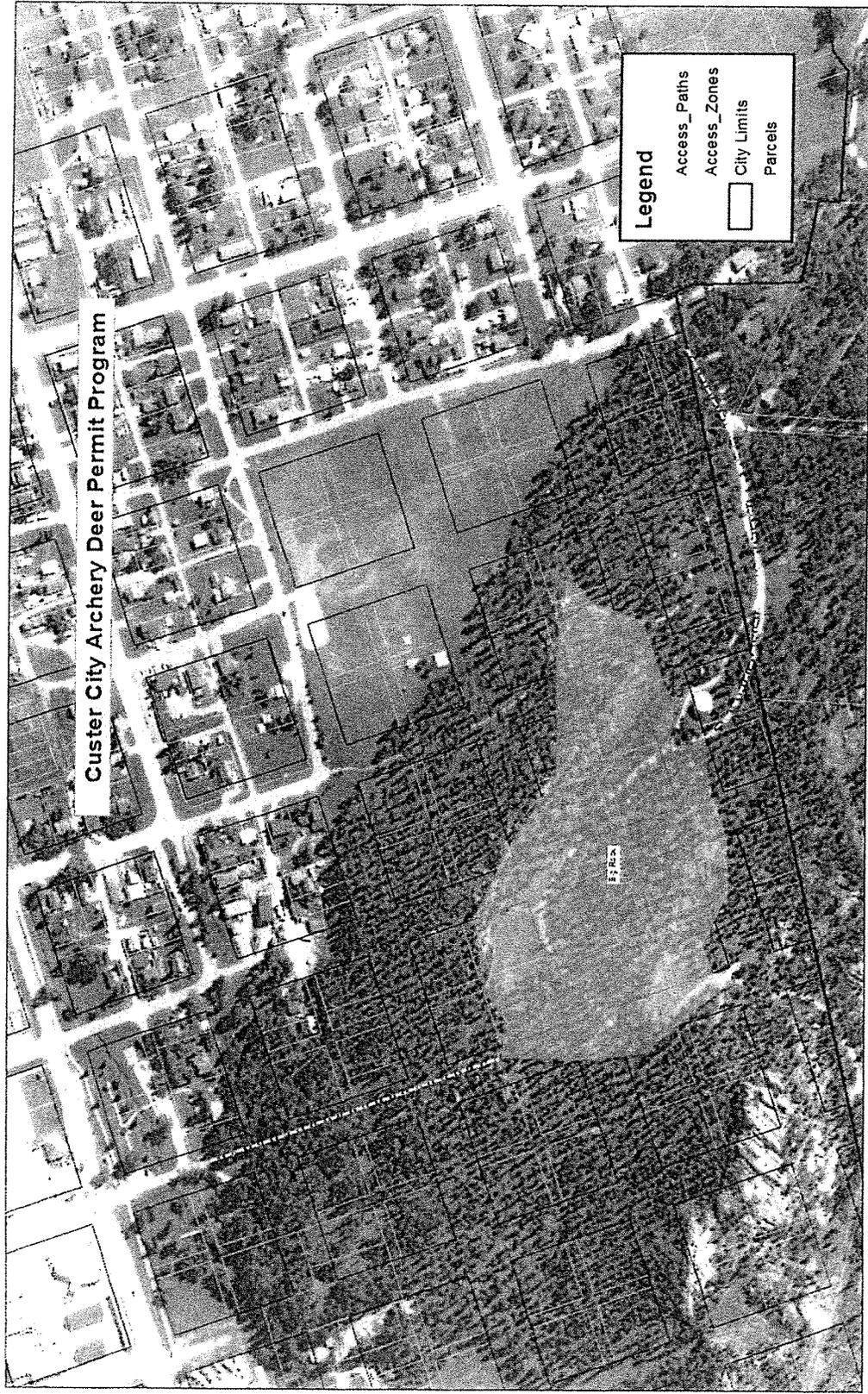
Using the five hunting periods above, and the four access zones outlined below, there would be a maximum of 20 hunters licensed for this program during the fall and winter of 2020.

Access Zones (depicted in blue) and recommended access paths to such zones are pictured below.

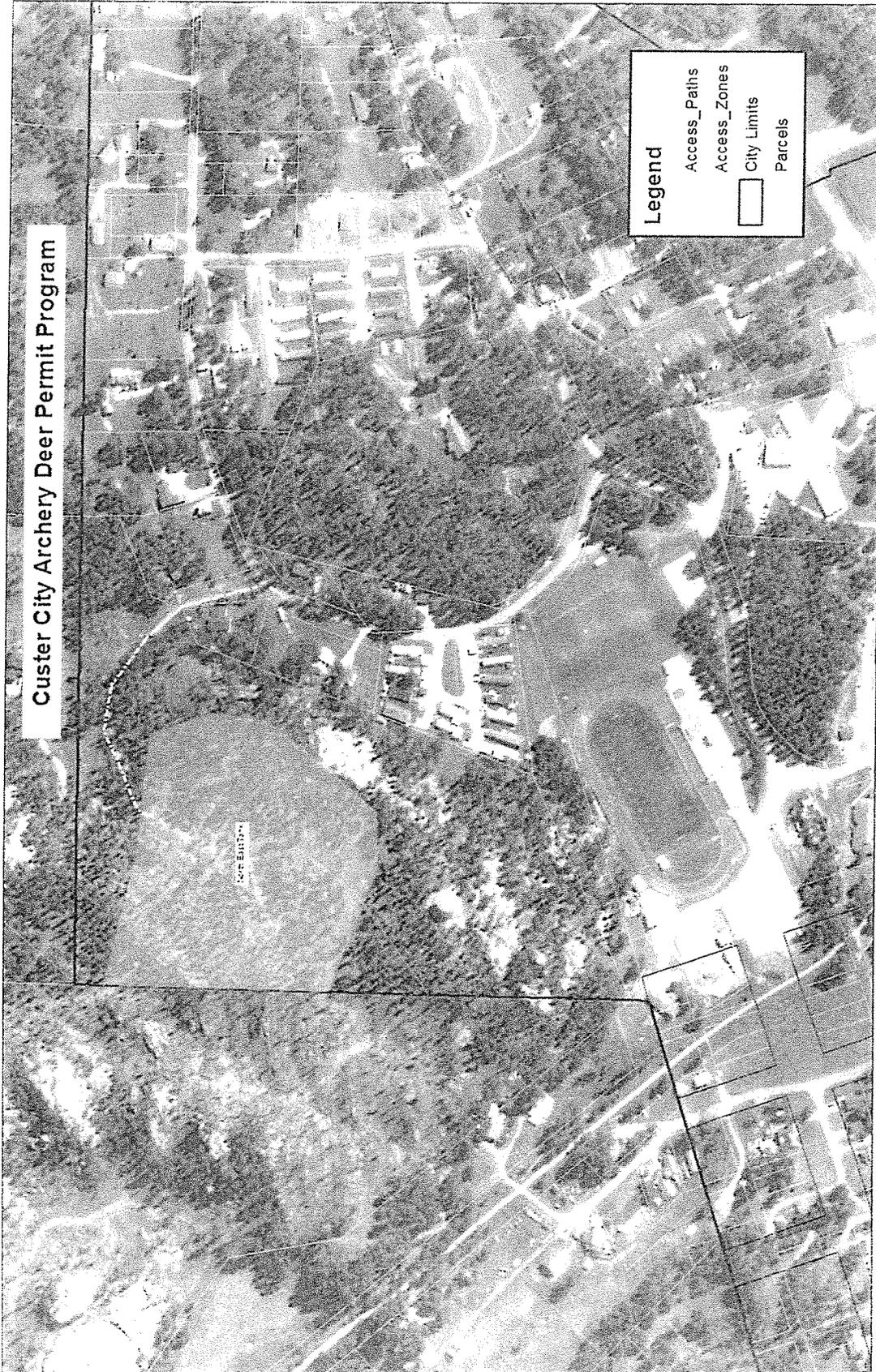
Golf Course Access Zones West and East



Big Rock Park Access Zone



North East Tank Access Zone



RESOLUTION NO. 6/15/20 3

WHEREAS, Chapter 9-22-4 of the South Dakota Codified Law states "every municipality may assign for collection any or all delinquent accounts receivable. After reasonable collection efforts, the governing body may determine that an account is non-collectible, and by formal action direct that the non-collectible amount be removed from the records and disclosed on that year's financial report. Evidence of the debt removed from the records by the formal action of the governing body shall be retained by the municipality to support possible subsequent collection of that debt."

WHEREAS, efforts have been made to collect these past due accounts receivable, and

WHEREAS, adequate time has elapsed to consider these accounts receivable delinquent and past due,

NOW THEREFORE BE IT RESOLVED that the following accounts be deemed non-collectible and removed from the records and disclosed on the 2020 Financial Report.

NAME:	ACCOUNT #:	AMOUNT:
Anna Kewley	300660-02	\$57.45
	TOTAL	<u>\$57.45</u>

Signed this 15th day of June, 2020.

ATTEST:

CITY OF CUSTER

LAURIE WOODWARD
FINANCE OFFICER
(SEAL)

CORBIN HERMAN
MAYOR

RESOLUTION NO. 06-15-2020C

WHEREAS, the Common Council of the City of Custer City, Custer County, South Dakota, determined that a Fee Schedule be established to set forth fees for the City of Custer;

WHEREAS, Custer City staff and Common Council have jointly established guidelines for said fees.

IT IS NOW THEREFORE RESOLVED, that the City of Custer City Fee Schedule consisting of 13 pages, (attached hereto and incorporated herein) is hereby adopted;

IT IS FURTHER RESOLVED, that said Schedule shall be subject to modification as requested by staff or required by circumstances; it is further resolved that schedule shall be reviewed by the Common Council annually and may be modified to insure appropriate fees.

Dated this 15th day of June 2020.

CITY OF CUSTER CITY

ATTEST:

Corbin Herman, Mayor

Laurie Woodward
Finance Officer
(SEAL)



Fee Schedule

Adopted April 15, 2019

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Photocopies (includes sales tax)	
Photocopies - Black & White - all sizes	\$0.15 per page
Photocopies - Color - all sizes	Single: \$0.25 Double-sided: \$0.40

Faxes	
Faxes - Send and Receive	First Page: \$1.00 Additional Pages: \$0.15

Research (includes sales tax)	
Time involved by City Employee to research information (when time exceeds 15 minutes)	\$30.00 per hour

Electronic Media Duplication	
CD-ROM, DVD	\$7.00 per CD-ROM, DVD

Register of Deeds Filing	
Filing Fee - Deeds, Easements, Contracts, Resolutions	\$30.00 for the first 50 pages

Non Sufficient Funds Fee	
Non Sufficient Funds Fees	\$20.00 per item

Peddling & Transient Merchants Permit	
0-3 Days	\$25.00
4-12 Days	\$100.00

Liquor Licenses	
Off-Sale Liquor License (January 1st - December 31st)	\$1,500 per year
On-Sale Liquor License (January 1st - December 31st)	\$1,200 per year
On-Sale Convention Facility License	\$1,200 per year
Full-Service On-Sale Restaurant License	\$25,000 Initial Fee, \$1,200 yearly renewal
On-Off Sale Wine and Cider License (January 1st - December 31st)	\$500 per year
On-Off Sale Malt Beverage & SD Farm Wine License (July 1st - June 30th)	\$300 per year
Transfer Fee	\$150.00
Special Malt Beverage Retailer's License & Retail On-Sale Wine Retailer's License to Organizations	\$50 for first day, \$5 per day thereafter
Special Malt Beverage License by Current Licensee	Per SDCL 35-4-2(16)
Special Permit for Alcohol on Public Property (Brown Bag)	\$5.00
Video Lottery License Fee	\$50 per video lottery machine

Tattooing & Body Piercing Registration	
Tattooing Establishment Registration	\$75.00
Body Piercing Establishment Registration	\$100.00
Tattooing & Body Piercing Establishment Registration	\$175.00

Pawnbrokers License	
Pawnbrokers License Fee	\$100 annually

Showmobile Use	
Setup Fee	\$200 per setup
Damage Deposit (refundable) - insurance also required	\$500.00

Background Checks	
Background Checks	\$26.75 per person

Maps		
8x10	-with topography	\$1.00
8x10	-without topography	No Charge
8x10	-special request	\$2.00
11x17	-with topography	\$2.00
11x17	-without topography	\$1.00
11x17	-special request	\$3.00
12x18 thru 36x24	-with topography	\$15.00
12x18 thru 36x24	-without topography	\$10.00
12x18 thru 36x24	-special request	\$20.00
37x25 thru 60x42	-with topography	\$25.00
37x25 thru 60x42	-with topography	\$20.00
37x25 thru 60x42	-with topography	\$30.00

Research (includes sales tax)	
Time involved by City Employee to research information (when time exceeds 15 minutes)	\$30.00 per hour

Register of Deeds Filing	
Filing Fee - Deeds, Easements, Contracts, Resolutions	\$30.00 for the first 50 pages
Filing Fee - Plats	\$60.00 per plat

Contractor License Fee		
Contractor License Fee	New	Yearly Renewal
Class A - Commercial & Residential	\$200.00	\$25.00
Class B - Residential	\$100.00	\$25.00
Class C - Others	\$50.00	\$25.00

Commercial Refuse Collection Fee	
Commercial Refuse Collections Fee (per vehicle)	\$25.00 annually

Subdivision Fee (fee paid prior to Planning Commission review however no fees for sketch plans)	
Subdivision Fee - within City	\$400 plus \$125 per lot
Subdivision Fee - within 3 mile limit	\$400 plus \$25 per lot
Approval of Non-Subdivision Plats	\$150
Refund Policy - If a written request for no further action is received for a subdivision plat between the Planning Commission meeting & Council meeting then \$200 plus the per lot fee will be refunded.	
Subdivision Fee - Variance	\$100

Easement, Encroachment and Street/Alley Vacation (paid prior to Planning Commission review)	
Easement, Encroachment or Vacation Fee	\$400
Refund Policy - If a written request for no further action is received for the submitted document between the Planning Commission meeting & Council meeting then \$200 will be refunded.	

Variance Fee (paid prior to Planning Commission review)	
Fee for each variance request to any zoning, building or other Planning Department regulation of the City	\$250
Refund Policy - If a written request for no further action is received for the submitted document between the Planning Commission meeting & BOA meeting then \$125 will be refunded.	

Permitted Conditional Use Fee (paid prior to Planning Commission review)	
Fee for each permitted conditional use	\$200
Refund Policy - If a written request for no further action is received prior to the Planning Commission meeting but after public notification has commenced, \$75 will be refunded.	

Zoning Map Change or Zoning Text Change	
Fee for each zoning map change or zoning text change	\$400

Demolition Permit Fee	
Demolish any structure or facility	\$50

Flood Plain Development Permit Fee	
All work in a designated flood area within the city	\$125

Sign Permit	
For each new sign erected	\$75

Building Permits	
\$0.00 to \$5,000.00 Total Valuation	\$50
\$5,000.01 to \$10,000.00 Total Valuation	\$150
\$10,000.01 and up	\$150.00 for first \$10,000 valuation plus \$8.50 per additional \$1,000 valuation
Permit Extension - 180 days (1 time only)	\$25
Residential Roofing Fee	\$25
Commercial Roofing Fee	\$50
Patching under 100 sq feet doesn't require a roofing permit.	
Carport Permit Fee	\$25

Inspection Fees	
Inspections outside of the normal business hours (minimum charge - two hours)	\$75.00 per hour
Reinspection Fees	\$75.00 per hour
Inspections for which no fee is specifically indicated (minimum charge - one hour)	\$75.00 per hour
Additional plan review required by changes, addition or revisions to approved plans (minimum charge-one hr)	\$75.00 per hour

Request for Special Planning Commission Meeting	
Request for Special Planning Commission Meeting	\$250 per meeting

Mobile Home or Manufactured Housing Park Fees	
Construction Fees	\$250 for the first 6 spaces plus \$25 for each additional spaces
Certificate of Occupancy	\$25
Moving Permit	\$25

Nuisance Violation Fees	
Lawn Maintenance Violation (includes tax)	\$100
Lawn Maintenance Administrative Fee*	\$50
Snow Removal Violation (includes tax)	\$100
Snow Removal Administrative Fee*	\$50
*(other charges also apply)	
Other Nuisance Violation (includes tax)	\$100
Other Nuisance Administrative Fee*	\$50
*(towing cost and other charges also apply)	
Storage of Vehicle or Personal Property	\$10 per day
Camping on Public Streets or Right-of-Ways	\$25 per occurrence
These fees are charged if property goes through the abatement process	

Wireless Communications	
Wireless Communications Tower Permit Fee (Res. 9-19-16A)	\$5,000

Utility Account Fees	
New Account Setup Fee	\$10.00
Residential Owner Deposit	\$50.00
Rental Account Deposit	\$100.00
Commercial Account Deposit	\$100.00
Delinquent Account Deposit	\$100.00
Delinquent Account Charge	\$10 for water service \$5 for sewer service
No Reading Charge	\$15.00
Hand Delivery Charge	\$10.00
Turn On Fee - Monday - Friday between 8 am and 4 pm	\$25.00
Turn On Fee - After Hours	\$75.00

Water Meter Testing (includes sales tax)	
Water Meter Testing Fee (13.04.190)	\$25

Water Tap Fees (Paid with Building Permit)	
1 Inch	\$500.00
1 1/2 Inch	\$1,000.00
2 Inch	\$2,000.00
Over 2 Inch	Determined by Public Works Director

Sewer Tap Fees (Cost based on water tap size) (Paid with Building Permit)	
1 Inch Water Tap	\$300
1 1/2 Inch Water Tap	\$600
2 Inch Water Tap	\$1,200
Over 2 Inch Water Tap	Determined by Public Works Director

Water Meters & ERT Radio Module (plus sales tax)	
3/4 Inch	\$450.00
1 Inch	\$645.00
Over 1 Inch	Determined by Public Works Director
ERT Radio Module	\$235
Meter Freeze Plate - 3/4 Inch	\$20
Meter Freeze Plate - 1 Inch	\$25
Check Valve - 1 Inch	\$85

Lawn Watering Meters without ERT	
Rent (1 summer)	\$25
Purchase	\$100 (plus sales tax)

Diseased Tree Abatement (per hour) - 1 hour minimum (includes sales tax)	
Diseased Tree Abatement	\$100 (per tree)
(includes saw, fall tree, chunk and delimb only no cleanup)	

**Equipment (per hour, operator included) when available (includes sales tax)	
Skid Steer/Tool Cat with Bucket	\$170.00
Skid Steer Attachment	\$40.00
Large Patrol	\$300.00
Back Hoe	\$220.00
Loader	\$300.00
Dump Truck (Large)	\$200.00
Dump Truck (Small)	\$160.00
Plow Truck	\$180.00
Sander	\$160.00
Sweeper	\$240.00
Cherry Picker	\$160.00
Jet Machine	\$300.00
Saw (Cutoff, Chain, Concrete)	\$150.00
Water Truck (Plus Cost for Water)	\$160.00
Vacuum Trailer	\$160.00
Mower / Weed Eater	\$160.00
Pickup Truck	\$120.00

**Equipment (per hour, operator NOT included) when available (includes sales tax)	
Chipper	\$160.00
Compressor	\$100.00
Soil Tamper	\$100.00
Trash Pump	\$50.00
Pump - 6"	\$100.00

**** The Public Works Director is to be contacted at least 24 hours prior to any projected use of equipment. The minimum rate charged will be at a one-hour rate fee and the Director will approve the area of use. Usage of any equipment other than between the hours of 7 am and 4 pm on Monday through Friday will be at the rate of time and a half (1.5). Equipment is available only upon the condition that no other rentals are available privately & that an emergency exists.**

Labor Cost (per person) (includes sales tax)	
Labor Cost - 1 hour minimum during working hours	\$35

Water Hookup Bond	
For Excavating of Alley or Street (12.08.070)	\$100

Fine for Damage to Asphalt (including any holes placed in asphalt)	
Fine per damage hole	\$100

Water (treated) used for Fire purposes-Custer Volunteer Fire Department exempt (covered under other contract)	
Per Gallon Charge	\$0.01

Grave Space	
Single	\$200.00 per space
Double (only noted spaces are available for double)	\$350.00 per space
Cremation (only noted spaces where rocks or trees interfere)	\$100.00 per space

Perpetual Care	
Perpetual Care	\$200.00 per space (plus sales tax)

Monument Permit	
Monument Permit	\$25.00 per monument

*Veteran's Markers placed by Veteran's Service Organization - Fee is waived however paperwork must still be completed

Register of Deeds Filing	
Filing Fee - Deeds	\$30.00 per deed

Animal Licenses	
Spayed or Neutered Animal	\$7.00 per animal
Non-Spayed or Non-Neutered Animal	\$25.00 per animal
Animal that has been Micro-Chipped	\$2.00 per animal

Animal Control Citation Schedule (first offense listed below, second offense is double, third offense is triple and so on per licensing year)	
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Use of any license for any animal other than the animal for which it is issued	\$25.00
Failure to License	\$25.00
Female Animal in Heat Not Contained	\$25.00
Licensed Animal at Large	\$25.00
Renewal of Vaccination	\$25.00
Failure to Vaccinate	\$25.00
Failure to Vaccinate After Release	\$25.00
Unlicensed Animal at Large	\$30.00
Barking Dogs	\$30.00
Public Nuisance Violation (as defined in chapter 6.04)	\$30.00
Teasing, Molesting, Bothering Animals	\$30.00
Vehicle Accident involving Animal	\$50.00
Feeding of Wild Animals	\$50.00
Excreta Removal	\$50.00
Vicious Animal - Mandatory Appearance Bond	\$75.00
Attacking Animal - Mandatory Appearance Bond	\$75.00
Chasing, Wounding, Worring Livestock - Mandatory Appearance Bond	\$125.00
Killing of Livestock - Mandatory Appearance Bond	\$125.00
Cruelty to Animals - Mandatory Appearance Bond	\$125.00
Any Other Violation of Ordinance Book Chapter 6.04	\$30.00
Shelter Fees	Set by Animal Control Officer/Law Enforcement Officer

City of Custer City
From the Desk of the Mayor

EXECUTIVE PROCLAMATION

WHEREAS, Janet Pattit Reindl graduated from Custer High School in 1968 after beginning her education in Montana; and

WHEREAS, Janet and her husband Darryl raised four children Staci, Travis, Tamera and Sara in Custer; and

WHEREAS, Janet is a proud and available grandmother for eight grandchildren spread across the state; and

WHEREAS, Janet worked for a variety of employers in Custer including as a teacher in the Custer School System, a health care aide providing in home and nursing home care, Tennyson Pharmacy and Star Academy; and

WHEREAS, Janet has been a valued community member being active in her church and with a multitude of community events and faithfully attending her class reunions; and

WHEREAS, Janet is a shining example to all with her kindness, compassion and sense of fairness to friends and family alike; and

WHEREAS, Janet is celebrating her 70th birthday on June 14th 2020.

NOW, THEREFORE, I, Corbin Herman, Mayor of Custer City, of the State of South Dakota, do hereby proclaim June 14th, 2020 as

Janet Pettit Reindl Day

in Custer City, and encourage all citizens to join me in recognizing Janet for her commitment to the Custer Community.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward, Finance Officer

Corbin Herman, Mayor

(SEAL)

March 10, 2020

To the City of Custer:

We are respectfully requesting some changes to the open container and other changes for Gold Discovery Days.

1. Can we use the skate park as set up for Carnival rides or trailers? If the space is not being used it would provide more space for rides and/or parking for the carnival people.

2. We also are requesting open container again for GDD and if approved, we would request open container be allowed from the North/South sidewalks of Mt Rushmore Road to Washington Street between 2nd and 8th Street. We understand there is a codified law, however, it may not be applicable. We need clarification as to the interpretation of it. Otherwise, we will need to look at Plan B.

Plan B would include the alleys South to Washington Street between 2nd and 8th.

3. Times for open container Thursday, July 16 from 5 p.m. to 10 p.m.

Friday 12:00 p.m. to 12 a.m.

Saturday 10 a.m. to 12 a.m. None on Sunday

Cups again this year would have to be used to make it obvious for law enforcement.

Amy Bailey spoke to 3 different deputies, including the Sheriff during GDD in 2019 and all deputies felt that it was going well and they were not experiencing issues due to the open container. Amy spoke to some Friday night as well as Saturday during the day

Amy also spoke to Sheriff Marty Mechaley on February 21, 2020 and got his opinion on the above option. He did not have a problem with it and would speak to the Mayor as well.

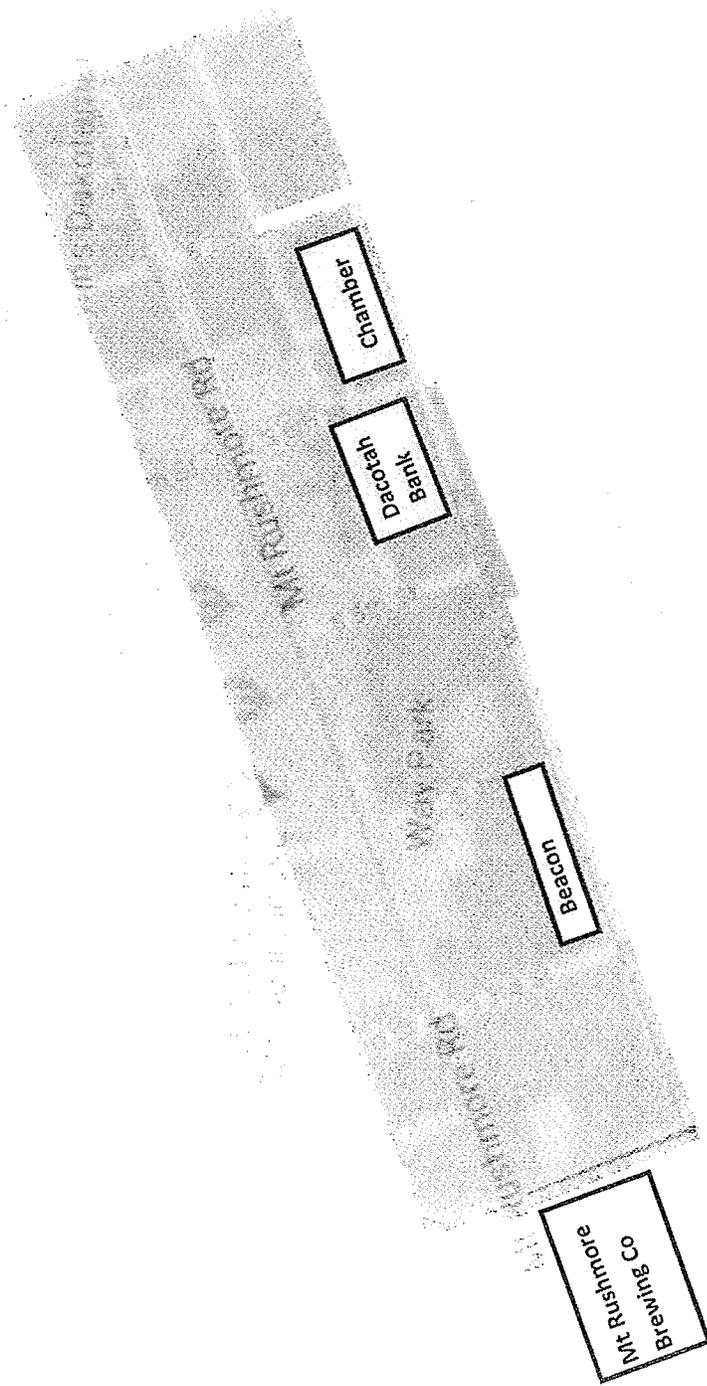
The DOT did not have an issue with open container either. Their only issue as far as the State Highway was concerned was ONLY if we were blocking the State Highway, which we are not. This information was obtained by Rich Zacher.

We will also leave 6th Street and 7th Street and Washington from 2nd to 8th to be closed. Dacotah Bank is good with the single lane of traffic from his drive-thru driveway.

Thank you for your time and consideration.

Activity Room
Bathroom

Food Booth
Vendors



Carnival

Arts & Crafts Vendors

Open Container area

APPLICATION FOR OUTDOOR DISPLAY OF FIREWORKS/PYROTECHNIC SPECIAL EFFECTS

RECEIVED

Applicant instructions: This application must be completed and returned at least 15 days prior to date of display. JUN 11 2020

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

CITY OF CUSTER

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, 2020 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. Josh Flavin, 29

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 Hanson

Date of application: April 20, 2020

Signature of Fire chief: [Signature]

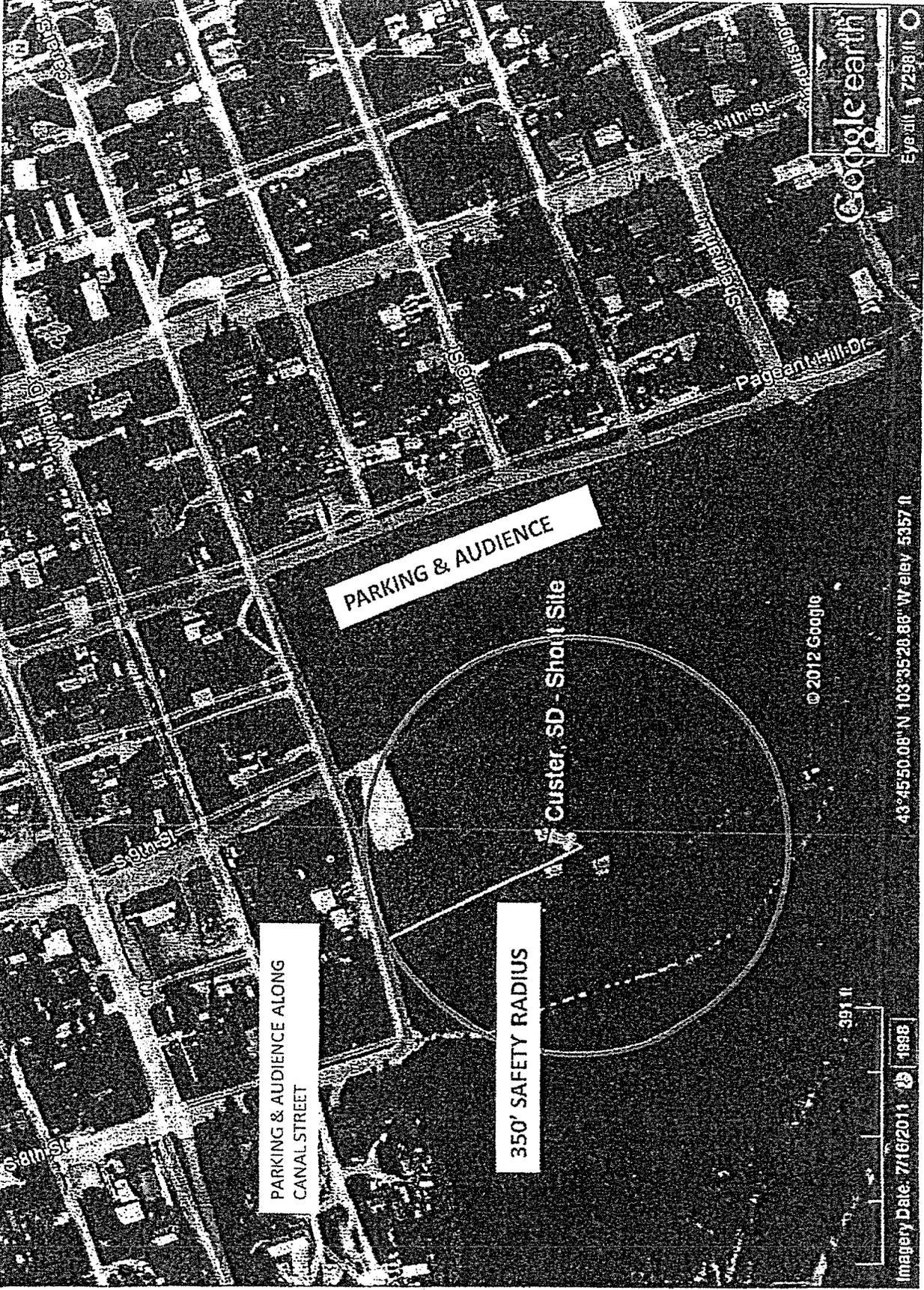
Date: 6-1-2020

Printed name of above official: Timothy PARSONS

Phone: 605-517-0159

Signature of issuing authority: _____ Date: _____

Printed name of above official: _____ Phone: _____



PARKING & AUDIENCE ALONG
CANAL STREET

PARKING & AUDIENCE

350' SAFETY RADIUS

Custer, SD - Short Site

391 ft

Imagery Date: 7/16/2011 4:59B

© 2012 Google

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

Google earth

Eye Alt: 7299 ft

Pyrotechnic Display, Inc.
Site inspection Form

SEE PACKET FOR
CONTACT
INFORMATION

Customer Name: CUSTER, SD
Site address and name if applicable: PAGEANT HILL PARK

8th AND CANAL ST
Site contact person (day of display): CUSTER, SD

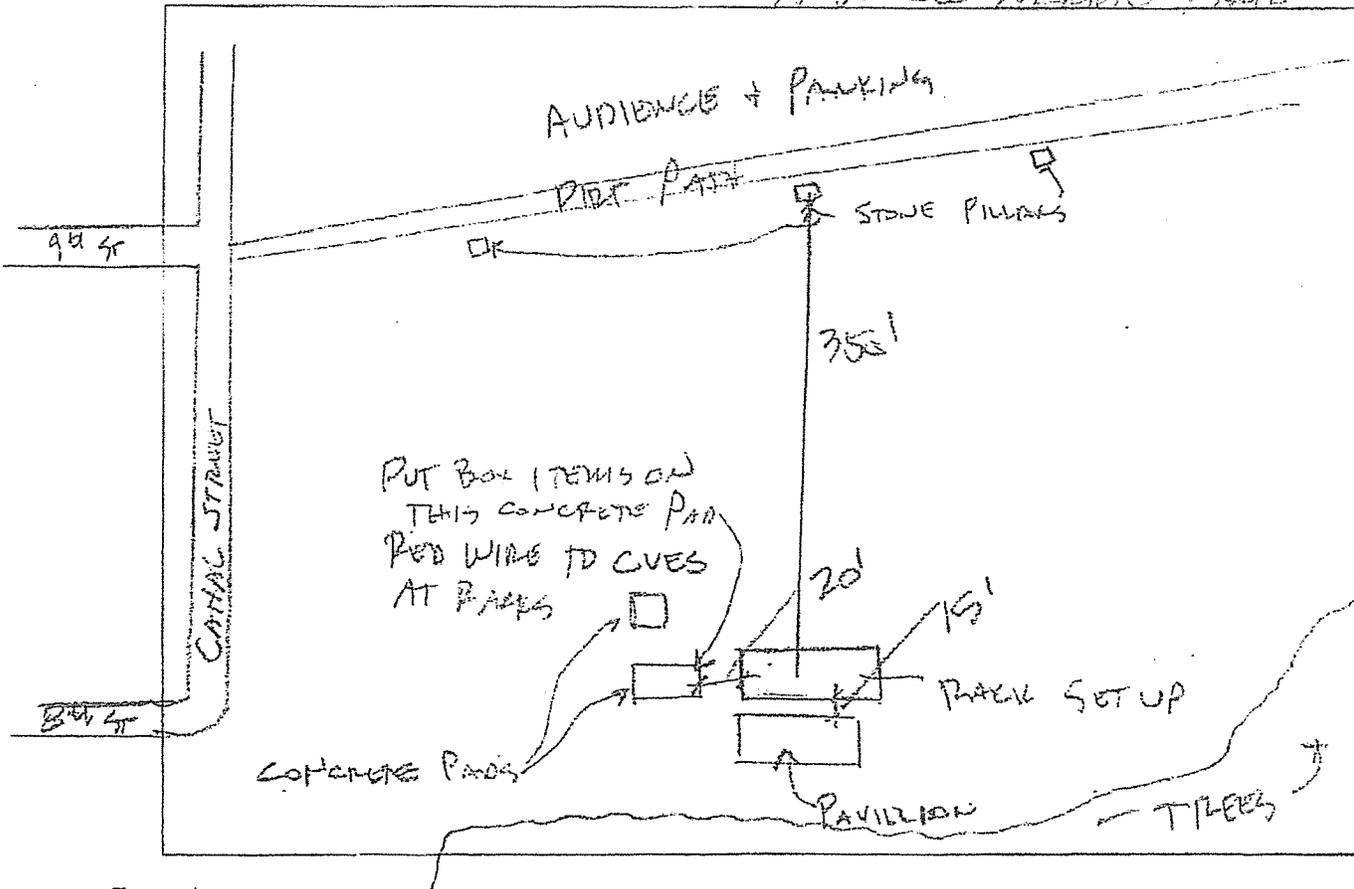
MAYOR GARY LIAP

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:

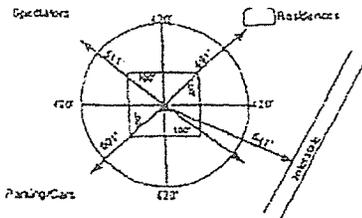
- A. Spectators
- B. Parking
- C. Residences
- D. Commercial Buildings

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: _____

D. Nowak



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/20/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100		FAX (A/C, No):
	E-MAIL ADDRESS:		
INSURED Pyrotechnic Display Inc. 8450 W. St. Francis Road Frankfort IL 60423		INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A : Axis Surplus Ins Company	
		INSURER B : Everest Indemnity Insurance Co	
		INSURER C : Everest Denali Insurance Company	16044
		INSURER D : MN WC Assigned Risk Plan	
		INSURER E :	
		INSURER F :	

COVERAGES

CERTIFICATE NUMBER: 350926736

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			S18ML00006-191	9/30/2019	9/30/2020	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
C	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			S18CA00006-191	9/30/2019	9/30/2020	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input checked="" type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			P-001-000209498-01	9/30/2019	9/30/2020	EACH OCCURRENCE	\$ 4,000,000
							AGGREGATE	\$ 4,000,000
								\$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	102529.801 (MN)	9/30/2019	9/30/2020	WC STATUTORY LIMITS	OTH-FR
							E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 DISPLAY DATE: July 4, 2020
 LOCATION: Custer, South Dakota
 ADDITIONAL INSURED: City of Custer, South Dakota; Custer Volunteer Fire Department, Incorporated

CERTIFICATE HOLDER**CANCELLATION**

City of Custer Attn: Mr. Joel Behlings PO Box 823, 616 Crook Street Custer SD 57730	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411
e-mail: timh@cityofcuster.com

Staff Report

Request: Final Plat - Wheeler Tract North and Wheeler Tract South
Applicant: Rick Wheeler
Legal Desc.: Wheeler Tract North and Wheeler Tract South, of Buszkohl Sub - See Plat for full legal
Fee Paid: \$650.00
Date Prepared: April 20, 2020
City Council Meetings: May 18th and June 15th, 2020
Prepared by Tim Hartmann, CFM Planning Administrator

GENERAL

This plat is for a subdivision of land within Custer City located near the intersection of Mouth Rushmore Road and Highway 385. The proposed plat will divide the existing Tract 1 into the proposed 2 Tracts, Wheeler Tract North (0.63 acres) and Wheeler Tract South (1.36 acres).

The proposed Wheeler Tract North has City sewer and water services available.

ZONING

Per the City zoning map the property affected by this plat is currently zoned Highway Commercial and Industrial.

ROUTING SHEET RESPONSES

SDDOT – No Comments

ACCESS AND PUBLIC SERVICES

Access to the area is provided by Highway 385 to the West.

A proposed private access easement is shown on the plat to serve Wheeler Tract South.

As referenced on the plat, this property does also contain existing sewer, water, and power line easements. The sewer easement (30' wide) currently serves existing sewer infrastructure through the property and the water easement (20' wide) currently serves existing public water infrastructure. To staff's knowledge these easements are adequate for those existing services.

Access & Variance

Staff has reviewed and discussed the access point to the Proposed Wheeler Tract South. The access falls short of full compliance with from two sections of the City subdivision standards. Per standards, a private street shall not be platted in the City, and the 25' easement is lesser than minimum Right of Way standards with the smallest allowed being an alley at 30' in width, and probably more appropriately a minor road standard requiring a 50' right of way (or easement). This parcel is restricted from additional access(width) at this time due to the "bottleneck" where the two proposed parcels meet. For this reason, staff supports the variance as requested and presented and feels that the easement is adequate for this parcel. However, would like to note that if approved, proposed Tract Wheeler S would be restricted for additional subdivision unless additional access was attained. CMC 16.20.020. B & K

REGULATORY FLOODPLAIN

Per flood insurance rate map panel 46033C0113F it may be noticed a large portion of the property is affected by regulatory floodplain and within such, also a portion of Floodway. The presence of the flood hazard has been noted and shown on the plat, and any building or qualifying development within will be subject to local and FEMA Flood Damage Prevention regulations administered by the local floodplain administrator. Staff would also like to note that with the LOMR currently in process with FEMA most of the regulatory floodplain will be eliminated. Such LOMR expected to go into effect fall of 2020.

PREVIOUS ACTION BY THE PLANNING COMMISSION

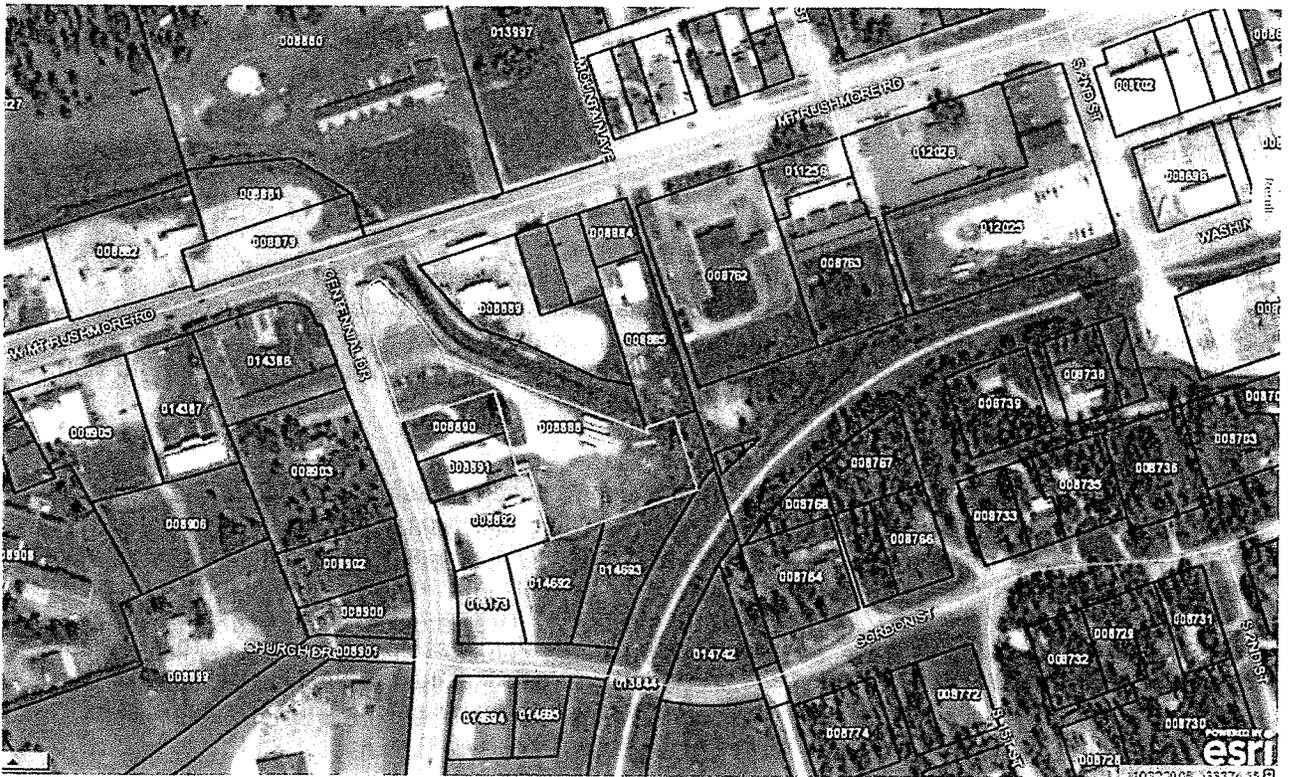
Planning Commission discussed this plat and subdivision variance at their April 28th meeting. Some discussion was held primarily concerning the "bottle neck" area in the plat and any additional access possibilities to Wheeler Tr South. Planning Commission then recommended approval of the variance and preliminary plat. PC also recommended imposing a stipulation that Wheeler Tract South cannot be further subdivided without additional access first being granted.

STAFF RECCOMENDATION

Staff supports approval of the variance and preliminary plat by the Council. The final plat will return to the PC and Council for final approval. Staff and legal continue to discuss and address the most feasible option to impose a stipulation as noted above in Planning Commission notes.

UPDATE FOR JUNE 15TH CC MEETING - FINAL PLAT

Planning Commission reviewed the final plat at their June 9th meeting. The Commission noted the added note as recommended by the Council. After some brief discussion and an update on this plat, the Commission unanimously voted to recommend approval of the final plat. Staff also supports approval of the final plat.

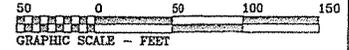
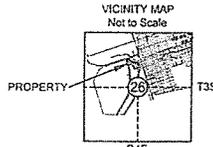


A PLAT OF WHEELER TRACT NORTH AND WHEELER TRACT SOUTH, OF BUSSKOHL SUBDIVISION, CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA

FOR A PLAT OF TRACT 1 OF BUSSKOHL SUBDIVISION SEE BOOK 11 OF PLATS ON PAGE 78.

Formerly Tract 1

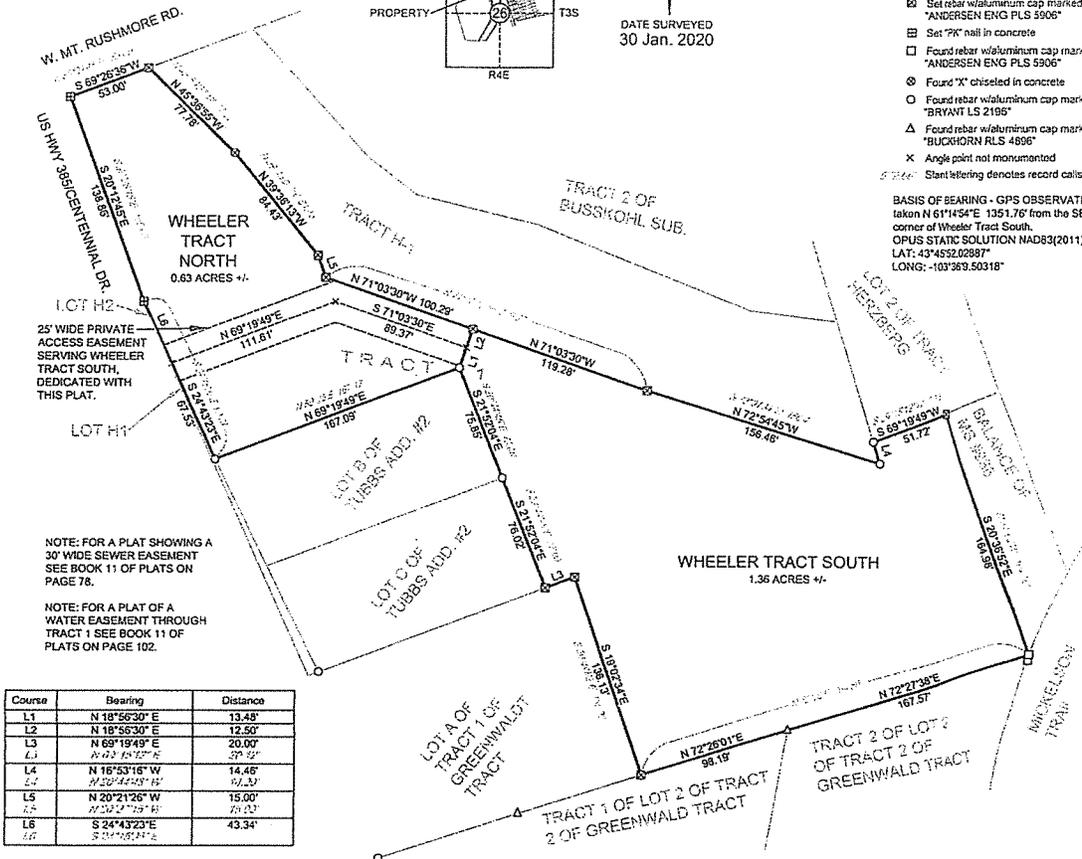
NOTE: FUTURE SUBDIVISION OF WHEELER TRACT SOUTH IS RESTRICTED, CONDITIONED UPON PROVIDING ADDITIONAL ACCESS IN ACCORDANCE WITH THE CITY OF CUSTER'S SUBDIVISION ORDINANCES.



LEGEND

- ☑ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- ☑ Set "PK" nail in concrete
- ☐ Found rebar w/aluminum cap marked "ANDERSEN ENG PLS 5906"
- ⊙ Found "X" chiseled in concrete
- Found rebar w/aluminum cap marked "BRYANT LS 2195"
- △ Found rebar w/aluminum cap marked "BUCKHORN RLS 4896"
- × Angle point not monumented
- 5/2020 Start lettering denotes record calls

BASIS OF BEARING - GPS OBSERVATION taken N 61°14'54"E 1261.76' from the SE corner of Wheeler Tract South. OPUS STATIC SOLUTION NAD83(2011) LAT: 43°45'52.02887" LONG: -103°36'59.5318"



NOTE: FOR A PLAT SHOWING A 30' WIDE SEWER EASEMENT SEE BOOK 11 OF PLATS ON PAGE 78.

NOTE: FOR A PLAT OF A WATER EASEMENT THROUGH TRACT 1 SEE BOOK 11 OF PLATS ON PAGE 102.

Course	Bearing	Distance
L1	N 18°56'30" E	13.48'
L2	N 18°56'30" E	12.50'
L3	N 69°19'49" E	20.00'
L4	N 15°53'16" W	14.46'
L5	N 20°21'26" W	15.00'
L6	S 24°43'23" E	43.34'

CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5906 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 ___, 2020.

John D. McBride SDRLS No. 5906

An area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0113F, effective date: Jan. 6, 2012. The placement of lot, any new construction, substantial improvements, or another development within the 100-year flood plain as designated by the County's Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, shall be in conformity with Custer County's Flood Ordinance.

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF BOTH SIDES OF THE LOT LINES ARE NOT CONTROLLED BY THIS PLAT THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

STATE OF _____ COUNTY OF _____

We, Rick D. Wheeler and Wanda K. Wheeler, do hereby certify that we are the owners of the within described lands and that the within plat was made at our direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2020.

Rick D. Wheeler

Wanda K. Wheeler

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____ COUNTY OF _____
On this ___ day of ___, 2020, before me, a Notary Public, personally appeared Rick D. Wheeler and Wanda K. Wheeler, 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

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 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.

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

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 laws of said City, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed 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 ___, 2020.

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 ___, 2020.

Mayer

Custer City Finance Officer

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
Dated this ___ day of ___, 2020.

Director of Equalization of Custer County

OFFICE OF THE REGISTER OF DEEDS

Filed for record this ___ day of ___, 2020, at ___ o'clock ___ M., and recorded in Book ___ of Plats on page ___.

Custer County Register of Deeds

Prepared by
ANDERSEN ENGINEERS
Land Surveyors, Professional Engineering & Environmental Consultants

Drawn by RW	Date 3/11/2020	P.O. Box 446 Edgemont, SD 57735
Approved by McB	Date 3/11/2020	(605)-682-5500 andersenengineers@qvc.net
Scale 1"=50'	Sheet 1 of 1	File Name: BUSSKOHL_SUB

Complete

CONCRETE, INC
dba Complete Contracting Solutions

7201 S HWY 16, Suite 100 * Rapid City, SD 57702 * ph (605) 388-0111 * f (605) 388-6139

To: Mr. Tim Hartman
Planning Administrator, City of Custer
622 Crook Street
Custer, SD 57730

Date: 6-9-2020

Re: Misc street repairs
Custer, SD

Please consider this our proposal for labor and materials replace two concrete street corner bollards and a 16' section of 32" curb and gutter. This proposal includes; labor, materials and taxes.

L&M 2 ea bollards @ \$1,750.00 ea	\$ 3,500.00
L&M 16lf 32" C&G	<u>\$ 1,200.00</u>
Total	\$ 4,700.00

We exclude and costs associated with repair of utilities of disturbed when removing the old bollards.

Respectfully



Richard Quinn
(605) 341-6620
6/9/2020

Rich Quinn, Project Manager
Cell (605) 341-6620
Complete Contracting Solutions

Amazon.com, Supplies, \$157.99
American Legal Publishing, Professional Fees, \$450.00
B & H Photo Video, Supplies, \$110.37
Black Hills Energy, Utilities, \$14,487.52
Carrot Top Industries, Supplies, \$620.95
Culligan, Repair & Maintenance, \$18.50
Chamber of Commerce, Sales Tax Subsidy, \$4,267.76
Chronicle, Publishing, \$607.61
Custer Ace Hardware, Supplies, Repairs & Maintenance, \$206.13
Discovery Benefits, Supplies, \$27.00
Display Sales, Supplies, \$331.00
Fastenal, Supplies, \$4.64
French Creek Supply, Supplies, \$112.11
Go Daddy, Professional Fees, \$170.38
Golden West Telecommunications, Utilities, \$517.84
Golden West Technologies, Professional Fees, \$2,255.50
Hach, Repairs & Maintenance, \$173.73
Hawkins, Supplies, \$1,266.42
Helpline Center, 2020 Subsidy, \$1,500.00
Honeywell, Repairs & Maintenance, \$7,720.00
Johnson, Kathryn, Recount Board, \$25.00
Ketel Thorstenson, Professional Fees, \$1,797.60
Log Men Go To Meeting, Supplies, \$51.77
Lynn's Dakotamart, Supplies, \$48.62
McDonnell, Chantel, BID Board Advertising, \$1,300.00
Metering & Technology Solutions, Supplies, \$6,503.92
Midcontinent Testing Labs, Professional Fee, \$939.00
Newman Signs, Supplies, \$191.53
Northwest Pipe Fittings, Supplies, \$250.50
Petty Cash, Supplies, \$50.85
Pitney Bowes, Supplies, \$147.57
Power House, Supplies, \$522.42
Quill, Supplies, \$184.56
Rain Bird, Supplies, \$35.75
Rapid Delivery, Supplies, \$92.61
Regional Health Network, Sales Tax Subsidy, \$35,772.31
Satellite Industries, Repairs & Maintenance, \$18.12
Schwartz, Margaret, Recount Board, \$25.00
Servall, Supplies, \$67.03
SD DCI, Professional Fees, \$53.50
Stahl, Johnathan, Recount Board, \$25.00
The Hartford, \$54.96
YMCA, Pool Agreement, \$6,000.00
Gould, Shane, Utility Refund, \$50.63
Ramirez, Chase, Utility Refund, \$27.46
Verizon Wireless, Utilities, \$437.01
Total Claims \$ 89,678.17

