

All City Council Meetings are recorded.

CITY OF CUSTER CITY
COUNCIL AGENDA
May 6th, 2019 – City Hall Council Chambers
5:30 P.M.

1. Call to Order - Roll Call - Pledge of Allegiance
2. Approval of Agenda
3. Approval of Minutes – April 15th, 2019 Regular Meeting
4. Declaration of Conflict of Interest
5. Public Hearings - Public Presentations
 - a. Public Hearing – Malt Beverage & SD Farm Wine License and Wine & Cider License – Family Dollar #27144
 - b. 2018 Audit Presentation
 - c. Custer Area Chamber of Commerce Presentation
 - d. Custer BID Board Presentation
 - e. Second Reading – Ordinance #822 – Meetings, Assemblies and Parades
 - f. Second Reading – Ordinance #823 – Taxis (Removal)
 - g. Resolution #05-06-2019A – Dog Park
 - h. Resolution #05-06-2019B – Personnel Manual – Custodial Maintenance Worker
 - i. Executive Proclamation – Arbor Day
 - j. Executive Proclamation – Firefighter
 - k.
6. Public Comments (3-minute max. per person, with total public comment period not to exceed 15 minutes)
7. Old Business
 - a.
 - b.
8. New Business
 - a. Minor Plat – Block 82 Subdivision
 - b. Minor Plat – Henderson Subdivision
 - c. BID Marketing Contract – Lawrence & Schiller
 - d. BID Social Media Contract – Chantel McDonnell
 - e. Employee Step Increases
9. Presentation of Claims –
10. Department Head Discussion & Committee Reports –
11. Possible Executive Session – Personnel, Proposed Litigation, & Contract Negotiations (SDCL 1-25-2(1-4))
12. Adjournment

REMINDERS

- General Government Committee Meeting – May 13th, 2019 4:30 P.M.**
Planning Commission Meeting – May 14th, 2019 5:00 P.M.
Regular City Council Meeting – May 20th, 2019 5:30 P.M.
Park & Recreation Committee Meeting – May 21st, 2019 5:30 P.M.
Public Works Committee Meeting – June 3rd, 2019 4:30 P.M.
Regular City Council Meeting – June 3rd, 2019 5:30 P.M.

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

CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- REGULAR SESSION
April 15th, 2019

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

AGENDA

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

MINUTES

Councilperson Fischer moved, with a second by Councilperson Arseneault, to approve the minutes from the April 1st regular council meeting. The motion unanimously carried.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

PUBLIC HEARING – LICENSE TRANSFERS (RESTAURANT LICENSE, RETAIL ON-OFF SALE WINE & CIDER LICENSE, RETAIL ON-OFF SALE MALT BEVERAGE & SD FARM WINE LICENSE) – WR HOSPITALITY LLC

Councilperson Blom moved to approve the restaurant license, retail on-off sale wine & cider license and retail on-off sale malt beverage & SD farm wine license transfers for WR Hospitality LLC contingent upon proof of insurance being provided. Seconded by Councilperson Whittaker, the motion unanimously carried.

FIRST READING – ORDINANCE #822 – MEETINGS, ASSEMBLIES AND PARADES

Councilperson Blom moved to approve Ordinance #822, Meetings, Assemblies and Parades. Seconded by Councilperson Moore, the motion unanimously carried.

FIRST READING – ORDINANCE #823 – TAXIS (REMOVAL)

Councilperson Fischer moved to approve Ordinance #823, Removing Taxis Regulations. Seconded by Councilperson Whittaker, the motion unanimously carried.

RESOLUTION #04-15-2019A – FEE SCHEDULE

Councilperson Whittaker moved to adopt Resolution #04-15-2019A, Fee Schedule. Seconded by Councilperson Fischer, the motion unanimously carried.

RESOLUTION NO. 04-15-2019A

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 April 2019.

CITY OF CUSTER CITY

S/ Nina Nielsen, Council President

ATTEST: Laurie Woodward, Finance Officer

RESOLUTION #04-15-2019B – PERSONNEL MANUAL – VEHICLE SAFETY

Councilperson Blom moved to adopt Resolution #04-15-2019B, Personnel Manual Vehicle Safety. Seconded by Councilperson Whittaker, the motion unanimously carried.

RESOLUTION # 4-15-2019B

WHEREAS, the City of Custer City has previously adopted an Employee Manual; and

WHEREAS, updating and amending of said Employee Personnel Manual was provided for in Resolution 01-07-19A; and

WHEREAS, the Common Council of the City of Custer City has determined that Employee Personnel Manual Policy be modified regarding Policy #2 General Policies, 2.23 Vehicle Safety, with the following and it shall read as follows:

2.23 Vehicle Safety

City Owned Vehicles

1. Only authorized persons are to be passengers in a City vehicle and such vehicle shall only be operated for City business. Authorized passengers include contractors, vendors, fellow

employees, Mayor and Council. Immediate family members may only be allowed to be passengers upon prior written approval from a department head or the Mayor. All authorized non-employee passengers must sign a waiver prior to riding in a City owned vehicle.

2. City owned vehicles are provided for business related travel only, and personal use is not permitted. City owned vehicles are not to be used for employee transportation to or from employee personal residence.

3. All employees shall advise their department head prior to intended travel plans by way of an itinerary or other equivalent method, including a means of contact during an emergency.

4. Employees who are assigned City vehicles are responsible for keeping the interior clean, reporting any vehicle problems or defects, and maintaining the vehicle according to the City policy. Employees not assigned City vehicles must return the vehicle in the same conditions, reporting any problems to the assigned driver or department head.

5. A copy of each driver's Motor Vehicle Report (MVR) will be obtained annually or more frequently if the driver is under disciplinary probation or suspension. The following MVR evaluation guidelines will be used for review in employment offers and annually reviewed for continued employment. If any of the following apply, disciplinary action may be taken.

- a. Three or more convictions for moving traffic violations within any 12-month period.
- b. Conviction of any traffic violation that is defined as a class 1 misdemeanor by SDCL.
- c. No DUI convictions in the last 5 years.

6. Any change in driver's license status must be reported immediately to the employee's supervisor, which may result in disciplinary actions.

7. Drivers are responsible for promptly paying any and all tickets received while driving any city vehicle.

8. Employees shall complete a defensive driving course at least every two years. These classes help reduce the likelihood of being involved in a motor vehicle crash. Employees may be required by the Council to attend an additional DDC course whenever they deem the training to be necessary. This can be required even though the guidelines have not been exceeded.

Private Vehicle Usage - In addition to the above rules, employees driving their personal vehicle on City business are subject to the following:

1. All employees using their personal vehicle for City business will provide a Certificate of Insurance or photocopy of an insurance statement to show proof of insurance.

2. As required by state law, proof of insurance or financial responsibility must be carried in the vehicle at all times. (Resolution #5-19-14C, Resolution #2-22-11A)

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended and superseded as adopted.

Dated this 15th day of April, 2019

City of Custer City

S/Nina Nielsen, Council President

Attest: Laurie Woodward, Finance Officer

RESOLUTION #04-15-2019C – DAKOTA RESOURCES FINANCING

Councilperson Arsenault moved to adopt Resolution #04-15-2019C, Dakota Resources Financing. Seconded by Councilperson Moore, the motion unanimously carried.

RESOLUTION 4-15-2019C

RESOLUTION OF GOVERNING BODY

WHEREAS, the United States Department of Agriculture Rural Development and Dakota Resources have partner;

WHEREAS, USDA has named Dakota Resources as a "re-lender" of \$10 million in federal funds to help spur economic development opportunities in South Dakota communities;

NOW THEREFORE BE IT RESOLVED that the Mayor is hereby authorized to sign an application on behalf of the City of Custer City with the Dakota Resources;

IT IS FURTHER RESOLVED the Finance Officer is hereby authorized and directed to furnish all needed information the above-mentioned agencies may reasonably request in connection with the above authorized application, and to work with the Black Hills Council of Local Government on the submittal of such application.

Dated this 15th day of April, 2019.

City of Custer City
S/Nina Nielsen, Council President
ATTEST: Laurie Woodward, Finance Officer

GRACE OF THE PINES – BARB ALMICH

Barb Almich gave a presentation regarding the services provided by Grace of the Pines Hospice which serves the Southern Black Hills.

PUBLIC COMMENTS

No public comments were received.

CONSTRUCTION MANAGER AT RISK CONTRACT – AINSWORTH BENNING CONSTRUCTION (JOURNEY GROUP)

Councilperson Fischer moved to approve the construction manager at risk contract with Journey Group Companies dba Ainsworth Benning Construction at the cost of \$15,200 for preconstruction fee and 4.25% cost of work as presented at the time of RFP presentation. Seconded by Councilperson Arsenault, the motion carried with Councilperson Blom, Whittaker, Fischer, Moore and Arsenault voting yes.

APPROVAL OF ELECTION WORKERS

Councilperson Blom moved to approve Betty Schmaltz (superintendent), Judith Lacey and Ronnie Lacey as election workers for the June 4th election for Ward III Councilperson. Seconded by Councilperson Whittaker, the motion unanimously carried.

ANNUAL REPORT

Councilperson Whittaker moved to acknowledge the 2018 annual report. Seconded by Councilperson Blom, the motion unanimously carried.

CLAIMS

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

A & B Welding, Supplies, \$110.55
American Legal, Professional Fees, \$1,193.00
ASFPM, Training, \$50.00
Black Hills Energy, Utilities, \$5,505.60
Butler Machinery, Supplies, \$338.98
California State Disbursement, Deductions, \$53.19
Certified Laboratories, Supplies, \$577.93
Christie, John, Reimbursement, \$121.40
Culligan, Repair & Maintenance, \$18.50
Custer Car Wash, Repair & Maintenance, \$26.50
Custer Ace Hardware, Supplies, Repairs & Maintenance, \$374.76
Chamber of Commerce, Sales Tax Subsidy, \$4,861.17
Chronicle, Publishing, \$676.39
Custer County Treasurer, 2nd Quarter Law Enforcement Contract, \$93,750.00
Discovery Benefits, Supplies, \$27.00
Fastenal, Supplies, \$559.63
First National Bank, SRF Loan Payment, \$15,477.11
French Creek Supply, Supplies, \$549.34
Golden West Telecommunications, Utilities, \$586.63
Golden West Technologies, Professional Fees, \$748.50
Green Owl Media, Professional Fees, \$156.00
Hawkins, Supplies, \$5,546.47
Jenner Equipment, Repairs & Maintenance, \$750.08
Kone, Repairs & Maintenance, \$995.28
Kimball Midwest, Supplies, \$68.44
Leo's Auto Repair, Repairs, \$20.00
Lexis Nexis, Supplies, \$55.44
Lynn's Dakotamart, \$12.79
Metering & Technology Solutions, \$797.92
Midcontinent Testing Labs, Professional Fees, \$115.00
Mayer Plumbing, Repairs & Maintenance, \$420.00
Pitney Bowes, Supplies, \$48.69

Rapid Delivery, Professional Fees, \$39.69
Regional Health Network, Sales Tax Subsidy, \$29,897.78
S & B Motors, Supplies, \$14.99
Servall, Supplies, \$165.42
SD Department of Revenue, License, \$150.00
SD Secretary of State, Annual Report, \$60.00
Bit Finance/State Long Distance, \$37.13
The Hartford, Insurance, \$63.62
Unemployment Insurance Division of SD, \$687.48
USDA Loan Payments, \$8,910.00
Verizon Wireless, Utilities, \$417.01
Vista Print, Supplies, \$321.42
Total Claims \$175,356.83

DEPARTMENT HEADS & COMMITTEE REPORTS

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

ADJOURNMENT

With no further business, Councilperson Whittaker moved to adjourn the meeting at 6:10 p.m.
Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Nina Nielsen
Council President

ESTABLISHMENT	LICENSE	TAXES			INSURANCE	CITY	VIDEO
		PAID	AGREEMENT	DUE TO LOTTERY			
FAMILY DOLLAR #27144	NEW - WINE AND CIDER	✓	✓	PENDING	✗	✗	
FAMILY DOLLAR #27144	NEW - MALT BEV/ SD FARM WINE	✓	✓	PENDING	✗	✗	

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

Notice is hereby given that the City Council of the City of Custer City, Custer County, South Dakota will hear and consider the following for the sale of malt beverage at a meeting of the City Council to be held on the 6th day of May 2019, in the Council Chambers of City Hall in said City at 5:30 p.m. of said day. Application to be considered for renewal pursuant to SDCL 35-4 is as follows:

Family Dollar - Retail (On - Off Sale) Wine & Cider
Family Dollar - Retail (On - Off Sale) Malt Beverage & SD Farm Wine

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

Dated this 15th day of April 2019.

/s/Sydney Gramkow
Deputy Finance Officer

Custer County Chronicle - Please Publish April 24th, 2019

sent 4/15

ORDINANCE NO. 822

AN ORDINANCE ENTITLED AN ORDINANCE AMENDING TITLE 12 STREETS, SIDEWALKS AND PUBLIC PLACES, CHAPTER 12.24 MEETINGS, ASSEMBLIES AND PARADES OF THE CITY OF CUSTER CITY MUNICIPAL CODE AND AMENDING AND SUPERSEDING SAID SECTIONS AS FOLLOWS, TO WIT:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CUSTER CITY THAT CHAPTER 8.08 BE AMENDED AS FOLLOWS:

Chapter 12.24

MEETINGS, ASSEMBLIES AND PARADES

Sections:

- 12.24.010 Definitions.**
- 12.24.020 Permit required.**
- 12.24.030 Exceptions.**
- 12.24.040 Application.**
- 12.24.050 Findings required.**
- 12.24.060 Conditions to permit.**
- 12.24.070 Prior application.**
- 12.24.080 Notice of issuance or denial.**

- 12.24.100 Contents of permit.**
- 12.24.110 Duty of permittee.**
- 12.24.120 Revocation of permit.**
- 12.24.130 Public conduct during a meeting, assembly or parade.**
- 12.24.140 Hold Harmless and Insurance.**

12.24.010 Definitions.

As used in this chapter:

"Activity" means a parade or public meeting or assembly.

"Funeral procession" means a single movement from a mortuary or church to the place of burial of a human body, under direction of an authorized funeral director.

"Parade" means a march or procession of any kind.

"Public meeting or assembly" means a planned or organized gathering of a group of persons, or any ceremony, show, exhibition or pageant which may reasonably be expected to result in the gathering of a group of persons, upon any public street, park or other public grounds.

"Special Event" means a community activity or activities that involve the use of public facilities, buildings, streets, sidewalks or property.

"Use" means to construct, erect or maintain in, on, over or under any street, right-of-way, park or other public place, any building, structure, sign, equipment or scaffolding, to paint, spray or write on the surface of a public right-of-way thereof, or to otherwise occupy in such a manner as to obstruct the normal public use of any public street, right-of-way, park or other public property within the city, including any use related to parade or special event.

12.24.020 Permit required.

It is unlawful for any person to hold, manage, conduct, aid, participate in, form, start or carry on any parade or public meeting or assembly, as defined in this chapter, in or upon any public street, park or other public grounds in the city unless and until a permit to conduct such meeting, assembly or parade has been obtained in compliance with the provisions of this chapter, except as herein provided.

12.24.030 Exceptions.

This chapter shall not apply to any of the following:

- A. Funeral processions;
- B. A governmental agency within the scope of its functions;
- C. Students going to and from school classes or participating in educational activities, providing such activity is authorized by the school district and is under the immediate direction and supervision of the school authorities authorized by the school district to approve and supervise such activity.

12.24.040 Application.

A. Application for permits under this ordinance must be filed with the finance office not less than thirty (30) days in advance of the proposed activity. Late applications may be accepted if filed sufficiently in advance of the date of the proposed activity to enable the City Council adequate time to determine that the activity will meet the requirements set forth in Section 12.24.050 of this chapter.

B. This application shall be in writing and shall give the following information:

- 1. The name, address and telephone number of the person requesting the permit. If the activity is proposed to be conducted for, on behalf of, or by any organization, the name, address and telephone number of the headquarters of the organization and the authorized head of such organization shall be stated;
- 2. The name, address and telephone number of the person who will be directly in charge of and responsible for the activity;
- 3. The purpose of the activity;
- 4. The date, time and location or route of the proposed activity;
- 5. The approximate number of persons who will participate in the activity and the number and kind of vehicles, equipment and animals which will be used;
- 6. Plans for the assembly and dispersal of the parade, including times and locations thereof;
- 7. A statement as to whether the parade will occupy all or only a portion of the streets proposed to be traversed;
- 8. A statement as to whether a permit has been requested or obtained from any other city within which said activity shall commence, terminate or occur in part;
- 9. Any additional information which the city may find reasonably necessary to a determination of the findings required by Section 12.24.050 of this chapter.

12.24.050 Findings required.

The City Council shall approve of such permit as provided for hereunder when from a consideration of the application and from such other information as may otherwise be obtained:

- A. The conduct of such activity will not substantially interrupt the safe and orderly movement of other traffic;

B. The concentration of persons, animals and vehicles will not unduly interfere with proper fire and police protection of, or ambulance service to, areas where the activity will take place or areas contiguous to such area;

C. The conduct of such activity will not unduly interfere with the movement of firefighting equipment en route to a fire, or the movement of other emergency equipment;

D. The conduct of such activity is not reasonably likely to cause injury to persons or property; and

E. Such activity is not to be held for the sole purpose of advertising the goods, wares or merchandise of a particular business establishment or vendor.

12.24.060 Conditions to permit.

The City Council shall have the authority to impose such conditions as are necessary to insure that all the findings mentioned in Section 12.24.050 of this chapter shall exist during the continuation of the activity.

12.24.070 Prior application.

If a prior permit application shall have been made for an activity proposed to be held at the same time or place, City Council may refuse approval of the later application. In case of such refusal, the applicant shall be provided a written notice that they may apply for an alternate time and place.

12.24.080 Notice of issuance or denial.

The City Council shall act upon the permit application at its next meeting following receipt of the notice contingent upon meeting the filing requirements in section 12.24.040 of this chapter. If the permit is denied, the Finance Officer shall mail to the applicant within three days of the Council's decision, a notice of the denial and the reasoning.

12.24.100 Contents of permit.

Conditions to the issuance of any permit shall be set forth in the permit.

12.24.110 Duty of permittee.

A. A permittee hereunder shall comply with all terms and conditions of said permit and with all applicable laws and ordinances.

B.

12.24.120 Revocation of permit.

The City or a law enforcement officer under the direction of the Mayor and City Council, may revoke any permit issued hereunder upon the failure of the permittee to comply with the terms and conditions of said permit or if the activity, because of the manner in which it is being conducted, or for any other reason, is jeopardizing those elements of the public safety or welfare set forth in Section 12.24.050 of this chapter.

12.24.130 Public conduct during a meeting, assembly or parade.

A. It is unlawful for any person to unreasonably obstruct, impede or interfere with any parade or public meeting or assembly or with any person, vehicle or animal participating in such a

parade, meeting or assembly for which a permit has been granted in accordance with the provisions of this chapter.

B. A law enforcement officer shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting part of the route of a parade.

12.24.140 Hold Harmless and Insurance.

Any permittee shall, with their application, acknowledge a hold harmless clause where the permittee using the public property agrees to hold the city harmless from loss. Any activity in this section where alcohol is permitted to be consumed, sold and/or served shall also show proof of general liability insurance in the amount of not less than one million dollars.

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

Dated this 6th day of May, 2019

City of Custer City

Corbin Herman, Mayor

Attest _____
Laurie Woodward, Finance Officer

(SEAL)

First Reading: April 15, 2019

Seconding Reading: May 6, 2019

Publication: May 15, 2019

Vote:

Moore: Arseneault:

Blom: Nielsen:

Whittaker: Fischer:

ORDINANCE NO. 823

AN ORDINANCE ENTITLED AN ORDINANCE REMOVING TITLE 5 BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.60 TAXIS OF THE CITY OF CUSTER CITY MUNICIPAL.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CUSTER CITY THAT THE CUSTER MUNICIPAL CODE BE AMENDED BY REPEALING THE ENTIRETY OF CUSTER MUNICIPAL CODE CHAPTER 5.60 TAXIS.

Dated this 6th day of May, 2019

City of Custer City of Custer City

Corbin Herman, Mayor

Attest _____

Laurie Woodward, Finance Officer

(SEAL)

First Reading: April 15, 2019

Seconding Reading: May 6, 2019

Publication: May 15, 2019

Vote:

Moore:

Nielsen:

Fischer:

Arseneault:

Whittaker:

Blom:

Resolution #5-6-2019A

WHEREAS, in the fall of 2017 Mr. Lane Arthur presented ideas to construct a Dog Park within the City in conjunction with his Custer High School Senior project; and

WHEREAS, Custer City Parks, Recreation and Forestry Board and Custer City Council decided that the area of property currently under the ownership of Custer City located at the South East corner of Washington Street and 11th Street would be an appropriate location for such park; and

WHEREAS, the "Bark Park" committee has completed a design and layout of such park, and conducted fundraising to fund the construction of said park; and

WHEREAS, the "Bark Park" committee will complete construction of such park with assistance from volunteers and City Staff; and

WHEREAS, park space within Custer City is a benefit to citizens and visitors of the area for the public recreation opportunities provided, and park space is an appropriate use of a Flood Hazard Zone.

NOW THEREFORE BE IT RESOLVED that, pursuant to SDCL 9-45-1, that area of Lots 10, 9, 8, 7, 13, 14 and a portion of Lot 11, all in Block 84 plus a portion of Washington Street adjacent to said Lots shall hereby be dedicated as the Custer Bark Park. Such area shall be used for dog park use, including fenced dog areas, parking area, shelters, watering station and additional green space.

NOW THEREFORE BE IT FURTHER RESOLVED upon completion of such park the City of Custer shall incorporate the park within its park system and assume ownership and responsibility for maintenance and upkeep of such park.

NOW THEREFORE BE IT FURTHER RESOLVED the conceptual design as presented by Black Hills Blue Pine Design Inc. is hereby approved and City staff is directed to assist in the physical layout of such design in conjunction with municipal guidelines, property lines, safe routes to school project, location of public utilities and special flood hazard requirements.

Dated this 6th day of May, 2019.

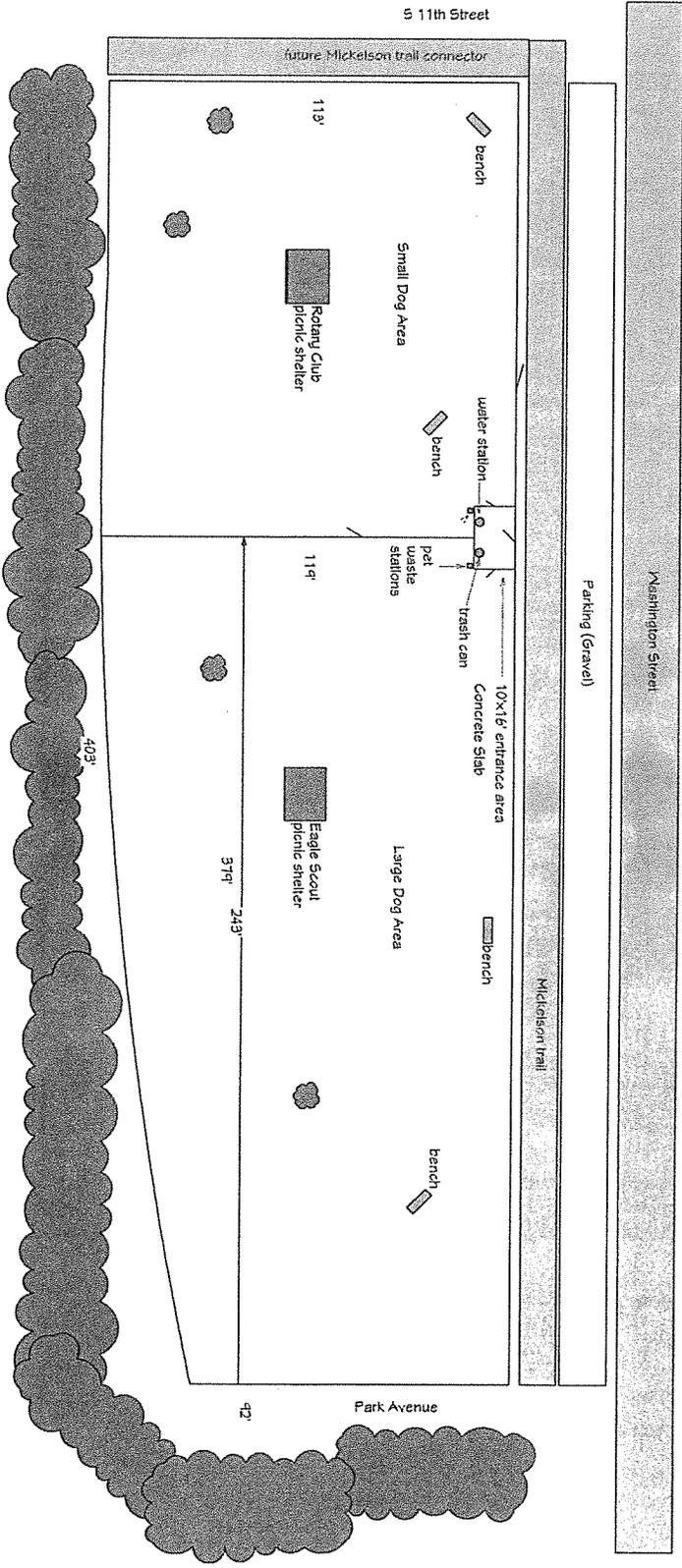
ATTEST:

CITY OF CUSTER

Laurie Woodward, Finance Officer

Corbin Herman, Mayor

Scale: 1/4" = 6'



Working Plan View

PROJECT DESCRIPTION:
Custer Bark Park

Drawings done by
Black Hills Blue Pine Designs, Inc.

DATE:

3/12/2019

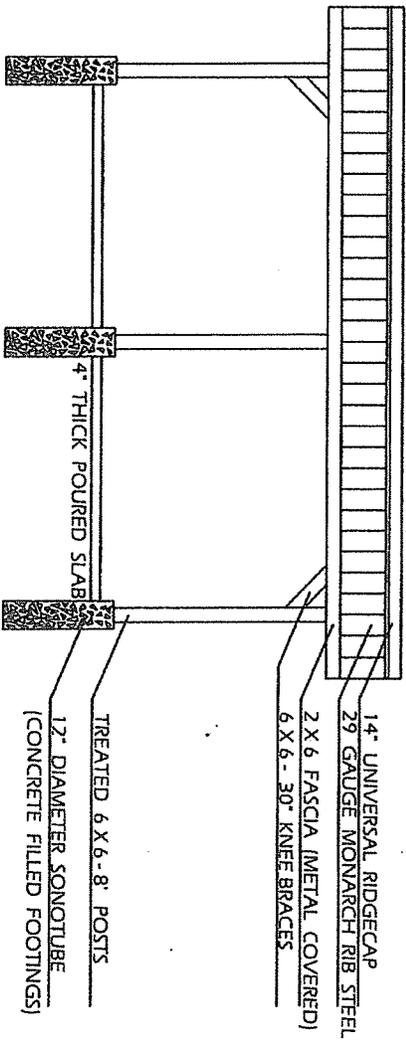
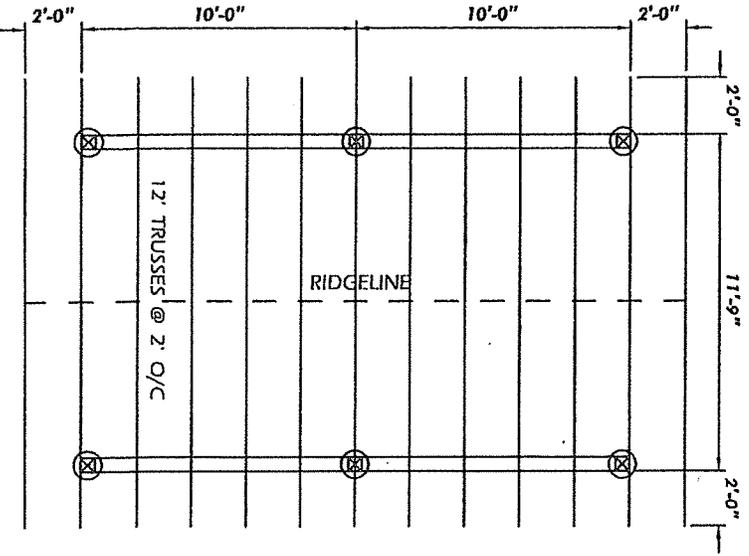
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1/4"=6'

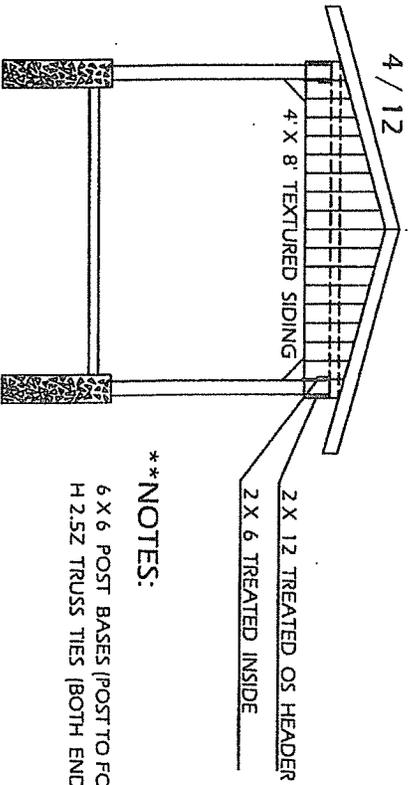
CUSTER DOG PARK

CUSTER, SD

12' X 20' PICNIC SHELTER



SIDE VIEW DETAIL



END VIEW DETAIL

****NOTES:**

- 6 X 6 POST BASES (POST TO FOOTING)
- H 2.5Z TRUSS TIES (BOTH ENDS- ALL TRUSSES)

RESOLUTION # 05-06-19B

WHEREAS, the City of Custer City has previously adopted an Employee Manual; and

WHEREAS, updating and amending of said Employee Personnel Manual was provided for in Resolution 1-07-19A; and

WHEREAS, the Common Council of the City of Custer City has determined that the Custodial Maintenance Worker position description is necessary and updated.

NOW THEREFORE BE IT RESOLVED that the Employee Personnel Manual is amended to include the attached exhibit "A", Custodial Maintenance Worker Position Description, as though set forth in full herein.

Dated this 6th day of May, 2019

City of Custer City
Corbin Herman, Mayor

Attest: _____
Laurie Woodward
Finance Officer

(Seal)

CITY OF CUSTER

POSITION DESCRIPTION

POSITION TITLE: Custodial Maintenance Worker

REPORTS TO: Public Works Supervisor

A. POSITION PURPOSE

To provide a safe, attractive, comfortable, clean and efficient environment for our citizens, visitors and employees of any city owned buildings and property.

B. DESCRIPTION

1. Essential Duties and Responsibilities:

*Performs building custodial duties including sweeping, mopping, cleaning restrooms, washing walls, cleaning windows, vacuuming carpets, trash collection and removal, buffing and waxing floors by hand or operating power equipment.

*Performs building maintenance duties including repair of plumbing, cooling and heating fixtures, electrical fixtures and controls, doors, windows and building roofs; and assists in the construction, alteration, painting and repairing of structures.

*Performs ground maintenance functions, lawn mowing, trimming, picking up trash, emptying trash receptacles; weed control; snow removal from walkways and parking areas using snow shovel, blower, skid steer loader and vehicle with snow plow; spreads ice melting material or sand by hand or vehicle; required to operate push and self propelled mowers, blowers and power tools to cut and prune shrubs and trees; fall, limb and deck trees; edge sidewalks; maintain flower beds and operate and repair ground irrigation/sprinkler system; and operate and repair all types of power equipment.

*Responsible for working with the staff on the operation of the heating and cooling system to ensure appropriate temperatures are maintained and to ensure economical utility efficiency. Assists in the inspection, repair, or replacement of the heating and cooling systems.

*Maintains an inventory of supplies, equipment and heating oil, propane and coal to ensure that delivery is made at appropriate times.

*Ensures the timely and appropriate storage and disposal of all refuse.

* Conducts periodic safety inspections and works with the risk management/safety person to insure safety of all public buildings and grounds.

*Operates city vehicle to travel local and regional area for site work or training.

*Performs other tasks as may be assigned by the Supervisor.

C. MINIMUM QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Must be organized, enthusiastic, punctual, responsible and have a good working knowledge of positive public relations. Must be able to work without supervision. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. Education and/or Experience:

High school diploma or general education degree (GED) and two years related experience and demonstrated skills and knowledge of the principles and practices of custodial/maintenance as represented in essential duties and responsibilities.

2. Communication and Mathematical Skills:

Basic computer skills. Ability to read and interpret documents such as safety rules, operating and maintenance instructions and procedure manuals. Ability to write routine reports and correspondence. Ability to follow written and oral instructions.

Ability to add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions and decimals. Ability to compute rate, ratio and percent and to draw and interpret bar graphs.

3. Certificates, Licenses, Registrations:

~~Must possess a valid South Dakota driver's license~~ Must possess a valid Class B Commercial Driver License with tanker endorsement or must obtain within 6 months of hire. Must be willing and able to obtain any additional certification/training needed.

4. Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is regularly required to stand, walk, sit, bend and stoop; use hands and fingers to handle, or feel; reach with hands and arms and climb or balance. The employee must regularly lift and /or move up to 10 pounds, frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision and depth perception.

5. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is frequently exposed to wet and/or humid conditions; moving mechanical parts; high, precarious places and vibration. The employee will be exposed to outside weather conditions; extreme cold; extreme heat and risk of electrical shock. The noise level in the work environment is usually very loud. May be required to work hours outside of normal work schedule or on religious holidays.

*City of Custer City
From the Desk of the Mayor*

EXECUTIVE PROCLAMATION

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

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

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

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

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

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

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

THEREFORE, BE IT RESOLVED that I, Corbin Herman, Mayor of the City of Custer City, South Dakota, do hereby proclaim May 13th, 2019 to be

ARBOR DAY

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

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward, Finance Officer

Corbin Herman

(SEAL)

City of Custer City
From the Desk of the Mayor

EXECUTIVE PROCLAMATION

WHEREAS, on behalf of the City of Custer, we wish to extend our sincere condolences over the passing of Bill Bell on March 18th, 2019; and

WHEREAS, Bill gave so much devotion to our community and our community has sustained a great loss in his passing; and

WHEREAS, Bill served 31 years with the Custer Volunteer Fire Department; and

WHEREAS, in addition to serving on the Custer Volunteer Fire Department, Bill served in various leadership roles including First Assistant Chief and spent hours mentoring new firefighters; and

WHEREAS, Bill spent hundreds of hours training firefighters across the state as a state certified instructor; and

WHEREAS, Bill made a positive impact on everyone with whom he came into contact with and was a truly a remarkable and memorable firefighter and community member that will greatly be missed by all.

THEREFORE, BE IT RESOLVED that I, Corbin Herman, Mayor of the City of Custer City, South Dakota, along with the members of the City Council, in recognition of Bill Bell's many contributions to the Custer Community and its citizens, hereby express our deep appreciation for his dedication and extend to his family and friends our sincere sympathy upon his passing.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward, Finance Officer

Corbin Herman, Mayor

(SEAL)



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

Staff Report

Request: Minor Plat, Block 82 Subdivision
Applicant: Jason and Machel Williams
Location: Intersection of Canal Street and Park Avenue
Legal Desc.: A Plat of Tract 14 of Block 82 - See Plat for full legal
Fee Paid: \$125.00
Date Prepared: April 29, 2019
City Council Meeting: May 6, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a non-subdivision intended to incorporate the adjacent Park Avenue street vacation into the total lot area of the existing Lot 14 of Block 82. This incorporation will be another step in resolving a structure setback issue.

This property is within Custer City and is zoned Residential. The manufactured home on the proposed Tract 14 is connected to municipal services.

Access to the parcel is directly from Canal Street to the North.

VACATION RESOLUTION

Resolution #02-04-2019A and on file with the Custer County Register of Deeds formally vacated the West 10' of Park Avenue contiguous to Lot 14 Block 82. All existing and future utility easement within such area is retained.

ROUTING SHEET RESPONSES

BHE – Existing line running N/S would need to stay in place if possible.
CC Highway – No concerns
CC ROD – Redline items
SDDOT – No concerns
USFS – No concerns, within City

COMPREHENSIVE PLAN

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

PREVIOUS ACTION BY PLANNING COMMISSION

Planning Commission reviewed the plat at their April 9th, 2019 meeting. A motion made recommending was made recommending approval of the minor plat by the Council. Such motion unanimously carried.

SUMMARY AND STAFF RECCOMENDATION

This plat is presented as a non-subdivision plat intended to incorporate the adjacent street vacation. Staff supports a recommendation to Council for approval.

HENDERSON SUBDIVISION

PLAT OF TRACT HOLLAND REVISED AND LOT JK47 OF HENDERSON SUBDIVISION
(FORMERLY TRACTS HOLLAND, JK47, ALL A PORTION OF HES 198)
LOCATED IN SECTIONS 9, 10, AND 15, T4S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA

C
4/2/19

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.

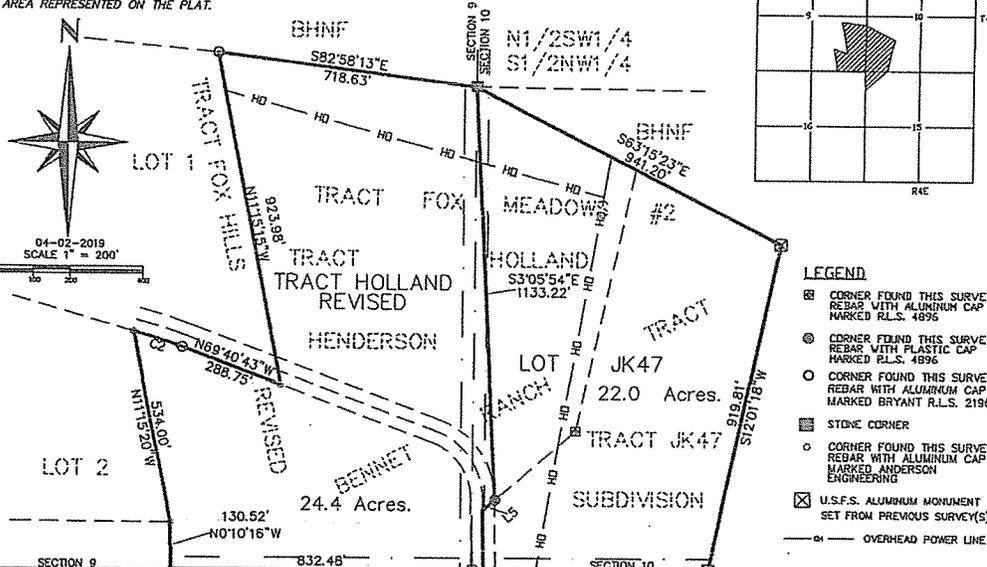
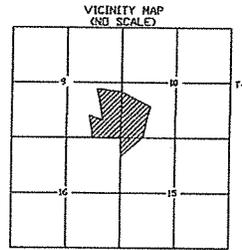
NOTE
FIRM PANEL 46033C 0400 F DATED JANUARY 05, 2012 INDICATES NO PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THE PLAT.

NOTE
FOX RIDGE ROAD IS A 66' PUBLIC ACCESS AND UTILITY EASEMENT

NOTE
VACATION OF SECTION LINES ARE RECORDED IN BOOK 46 MISC PAGE 195

NOTE
A 20' WIDE UTILITY EASEMENT SHALL EXIST CENTERED ON ALL SUBDIVISION LOT LINES NOT ADJACENT TO PUBLIC RIGHTS-OF-WAY OR UNPLATTED LAND AND ON THE INTERIOR SIDE OF LOT LINES THAT BORDER LAND THAT HAS NOT BEEN SUBDIVIDED, UNLESS OTHER SUITABLE UTILITY EASEMENTS HAVE BEEN SHOWN.

NOTE
TRACT HOLLAND AND TRACT JK 47 OF HENDERSON SUBDIVISION ARE RECORDED IN PLAT BOOK 12 PAGE 731. BENNETT RANCH TRACT OF HENDERSON SUBDIVISION IS RECORDED IN PLAT BOOK 12 PAGE 11. HES 198 IS RECORDED AT BLM OFFICE IN BILLINGS, MONTANA. TRACT FOX MEADOWS #2 OF HENDERSON SUBDIVISION IS RECORDED IN PLAT BOOK 12 PAGE 5. TRACT FOX HILLS REVISED OF HENDERSON SUBDIVISION IS RECORDED IN PLAT BOOK 11 PAGE 12. TRACT FOX MEADOWS OF HENDERSON SUBDIVISION IS RECORDED IN PLAT BOOK 10 PAGE 347. HES 198 IS RECORDED AT BLM OFFICE IN BILLINGS, MONTANA.



NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	33°54'42"	59.49'	100.52'	S33°25'02"E	58.63'
C2	5°43'20"	139.76'	1399.39'	N72°27'33"W	139.70'

NUM	BEARING	DISTANCE
L1	N50°43'02"E	33.14'
L2	N50°43'02"E	112.61'
L3	N34°06'14"W	35.01'
L4	N0°41'15"W	545.19'
L5	N49°14'32"E	43.12'

STATE OF SOUTH DAKOTA
COUNTY OF CUSTER S.S.

I, WE _____ DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND WEIR PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND SEWERAGE CONTROL REGULATIONS.

OWNERS:
ON THE _____ DAY OF _____ 20____, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED
KNOWN BY ME TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.
NOTARY PUBLIC:
BY COMMISSION EXPIRES _____

CERTIFICATE OF HIGHWAY AUTHORITY:
IT APPEARS THAT EVERY LOT HAS AN ACCEPTABLE APPROACH LOCATION ONTO A PUBLIC ROAD AND THE LOCATION OF THE INTERSECTIONS OF ANY PROPOSED SUBDIVISION ROADS (OR PRIVATE ACCESS ROADS) WITH THE EXISTING PUBLIC ROAD IS HEREBY APPROVED.

RESOLUTION OF GOVERNING BOARD
STATE OF SOUTH DAKOTA
CITY OF CUSTER S.S.
WHEREAS THIS HAS BEEN PRESENTED TO THE CITY OF CUSTER, SOUTH DAKOTA, THE WEIR PLAT OF THE ABOVE DESCRIBED DESCRIBED LINES AND IT APPEARING TO THE BOARD, WIT:
1. THE SYSTEM OF STREETS SET FORTH HEREIN CONFORM TO THE SYSTEM OF STREETS OF THE EXISTING PLATS OF THE MUNICIPALITY.
2. ALL PROVISIONS OF ANY THESE LATE CITY SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH.
3. ALL TAXES AND SPECIAL ASSESSMENTS UPON THE SUBDIVISION HAVE BEEN FULLY PAID AND
4. THE PLAT AND BOUNDARY RECORDS HAVE BEEN DEPOSITED ACCORDING TO LAW.
NOW THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS.
THIS _____ DAY OF _____ 20____

CERTIFICATE OF COUNTY TREASURER
I, TREASURER OF CUSTER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE DUE UPON THE WITHIN DESCRIBED LANDS HAVE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE, DATED THIS _____ DAY OF _____ 20____.
TREASURER: _____

CERTIFICATE OF DIRECTOR OF EQUALIZATION
I, DIRECTOR OF EQUALIZATION OF CUSTER COUNTY DO HEREBY CERTIFY THAT I HAVE ON RECORD A COPY OF THE WITHIN DESCRIBED PLAT, DATED THIS _____ DAY OF _____ 20____.
DIRECTOR OF EQUALIZATION: _____

STATEMENT OF SURVEYOR
FOR BUCKHORN SURVEYING INC
I, JACK H. KHUST, REGISTERED LAND SURVEYOR, BEING A MEMBER OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I AM THE SURVEYOR OF THE STATE OF SOUTH DAKOTA, AND THAT I AM THE SURVEYOR OF THE LAND SHOWN AND DESCRIBED HEREON. I HAVE BEEN LICENSED BY THE BOARD OF SURVEYORS AND REGISTERED PROFESSIONAL LAND SURVEYORS AND I AM THE SURVEYOR OF THE WITHIN DESCRIBED PLAT. I HAVE BEEN LICENSED BY THE BOARD OF SURVEYORS AND REGISTERED PROFESSIONAL LAND SURVEYORS AND I AM THE SURVEYOR OF THE WITHIN DESCRIBED PLAT.
THIS _____ DAY OF _____ 20____
BY JACK H. KHUST, REGISTERED LAND SURVEYOR



CERTIFICATE OF REGISTER OF DEEDS
FILED FOR RECORD THIS _____ DAY OF _____ 20____, AT _____ O'CLOCK _____ P.M.
AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____
REGISTER OF DEEDS, CUSTER COUNTY:



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

Staff Report

Request: Minor Plat, Henderson Subdivision
Applicant: Tim & Dawn Holland
Location: Approximately 2.8 miles S S/W of Custer. Fox Ridge Road
Legal Desc.: Henderson Subdivision - Plat of Lot Holland and Lot JK47 - See Plat for full legal
Fee Paid: \$125.00
Date Prepared: April 29, 2019
City Council Meeting: May 6, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This proposal is for a plat that is not within the City of Custer but is subject to review by the City under the City's extraterritorial jurisdiction. The proposed plat will perform a lot line adjustment between the recently subdivided existing Tract Holland (31.4 acres) and Tract JK47(15.0 Acres), creating the proposed Tract Holland Revised (24.4 acres) and Lot JK 47 (22.0 acres).

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

COMPREHENSIVE PLAN

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

ROUTING SHEET RESPONSES

CC Highway – No concerns

CC ROD – Redline items and section line verification.

CC Planning – Redline items

USFS – No concerns, legal access through Custer County FRTA

SDDOT – No concerns

ACCESS

Existing access to the area is provided from US Hwy 385, Carroll Creek Rd, and Fox Ridge Road.

Carroll Creek Road is a public road serving numerous properties between the Custer and Pringle area.

Fox Ridge road is a 66' Public Access and Utility Easement. Fox Ridge road currently crosses Bennet Ranch Tract. The two proposed Lots will share the 66' public access (33' on each) on the south end and the easement will then turn (to follow the location of the existing road) and be located within Lot Holland as it continues through the property.

N/S EW SECTION LINE VACATIONS

The section line rights of way that run north and south and east and west within the boundaries of Henderson Subdivision have been vacated per Amended Resolution 2016-8 recorded in Book 46 Misc. 195. (vacations noted on plat)

PREVIOUS PLAT IN THE AREA

City staff, Planning Commission and Council recently reviewed a subdivision plat (filed Oct 2018) involving the property currently under review. Such plat being a subdivision plat of the existing Tract Holland and Tract JK 47. This plat will conduct a lot line adjustment of the property line added with the October plat.



CUSTER BID BOARD

letter of agreement

Marketing & Advertising Services // 04.01.2019

letter of agreement

The following document constitutes an agreement between the Custer Business Improvement District Board "Custer BID", 615 Washington Street, Custer, SD 57730 and Lawrence & Schiller "L&S", 3932 S. Willow Ave., Sioux Falls, SD 57105. The intent of this agreement is to outline the nature of the relationship between the two organizations.

EMPLOYMENT OF L&S

Custer BID retains and employs L&S to act for and represent it in all matters involved in the performance of the Services, subject to the terms, conditions and stipulations as hereinafter stated.

TERM OF AGREEMENT

The term of this agreement shall commence on January 1, 2019. The original term shall extend and continue for a period of approximately one (1) year from and after the commencement date, expiring on December 31, 2019, subject to cancellation and termination as described herein.

SCOPE OF SERVICES

Lawrence & Schiller will provide services including, but not limited to Strategic Planning, Creative Development and Production Services, Media and Market Strategy, Planning and Buying, Web Production, and Overall Reporting. The value of the contracted services shall not exceed \$114,000. In partnering at a strategic level with Custer BID, Lawrence & Schiller will be recognized as the Agency of Record (AOR).

CONFIDENTIALITY

From time to time, both parties may divulge confidential information regarding personnel, business strategies, business data and finances. Such information shall be distributed to staff members on a need to know basis. This information will be held confidential and will not be distributed without the written consent of the disclosing party.

COMPENSATION

The primary sources of revenue for Lawrence & Schiller come from providing intangible services, ideas, consultative advice, and the application of specific disciplines (such as communications, marketing, research, graphic design, and photography) in the development of comprehensive programs, which in most cases are directed at selling other goods and services for our clients. In using the services of Lawrence & Schiller, our clients benefit from the knowledge, skills and expertise of our staff. Lawrence & Schiller employs a diverse group of talented personnel in order to provide the most competitive and competent marketing/communications services in the region.

Because our resources and services are utilized in different ways by each of our clients, we divide our compensation into three categories. The three categories are as follows:

1. Strategic Marketing Consultation and Creative Development
2. Production of Services Outside L&S
3. Media Placement

The following pages outline the details of each category based on our current understanding of the scope of work.

1. STRATEGIC MARKETING CONSULTATION & CREATIVE DEVELOPMENT

Strategic Marketing Consultation

Lawrence & Schiller agrees to provide consultative services to Custer BID. Such services shall include, but are not limited to, advice and project management of projects related to marketing of the city on a local, regional and national basis and the development of a Strategic Marketing Plan.

- Lawrence & Schiller will be available to Custer BID on an ongoing basis for discussion, meetings, and planning sessions providing counsel, presentation content and facilitation as needed.
- Lawrence & Schiller will hold meetings in-person or via conference call with the Custer BID board, providing counsel, direction and coordination details on the multiple marketing initiatives active at any given time.

Production of Specific Goods and Services

In taking assignments from inception to completion, L&S is able to provide seamless delivery that is in line with Custer BID's organizational needs, the target audience, market activity and goals. The flow of ideas and information in planning is directly connected to the process of creating and producing the most successful end product and result.

Estimates will be provided for production of all specific goods and services, including development of campaign concepts, copywriting, graphic design, technical pre-production, field production & post-production, always taking into consideration the original production budget range determined by Custer BID.

- Lawrence & Schiller will recommend annual marketing planning standards and best practices, and processes to implement the plans including coordination and shipping of produced material and sizing as needed.

2. PRODUCTION OF SERVICES OUTSIDE L&S

The depth of our talent base allows us to provide most services related to the production of the services outlined in the Marketing & Creative Strategy component. However, some projects require the services of outside suppliers at some point. As is common in our industry, Lawrence & Schiller will assume the responsibility for contracting the services of outside suppliers and coordinate the completion of projects through those firms to ensure that agreed upon deadlines are met and high quality standards are maintained.

Printing & Mailing Expenses

Printing and mailing projects will be marked up 20% to accommodate for coordination and negotiation. Lawrence & Schiller will provide Custer BID with estimates for printing and mailing services utilizing print vendors both in and outside of South Dakota with the intention of providing the best price and quality for the outlined project. All data shared with print vendors will be marked confidential and many of our preferred print vendors are SOC 2 compliant.

Email Hard Costs

Lawrence & Schiller's preferred email software provider is Campaign Monitor. Using the customized email software system, potential Custer BID emails will be deployed and managed within this software. Monthly email deployment costs will be based on Lawrence & Schiller's overall agency volume rate and an annual contract will be developed once database lists are acquired. There is an annual software fee that will be passed through plus the deployment costs that are based on a cost-per-thousand basis.

Television & Video Production

While overall campaign strategy and long-term planning is driven by Lawrence & Schiller, we enlist the help of many broadcast specialists who provide unparalleled expertise ranging from voice over talent and on-screen talent to grip operators and broadcast producers. The subcontractors range in associated costs, and will be used on a project-by-project basis and will be approved by Custer BID.

Professional Photography

Lawrence & Schiller has professional photographers on staff. However, sometimes specialty photography is needed for aerial shots, food photography, etc. Professional photographers will be used on a project-by-project basis and will be approved by Custer BID.

3. MEDIA PLACEMENT

There are several fundamental activities, as noted below, that Lawrence & Schiller provides as a part of our message delivery model. In exchange for these services, Lawrence & Schiller will receive a media commission of 15% for all traditional media and 15% for all digital media including Search Engine Marketing. This commission is applicable on all paid media that is placed by L&S on behalf of Custer BID such as television, radio, magazine, newspaper and online paid advertising including search engine marketing (SEM). If Lawrence & Schiller develops a campaign strategy or media recommendation, L&S will be responsible for placing that strategy, and media commission rates will apply.

Cancellation

If Custer BID cancels any scheduled media placement, 45 days notice must be given to Lawrence & Schiller. If less than adequate notice is given, Custer BID is responsible for paying a 5% cancellation fee & any cancellation fees from the media partners.

Performance Planning

Based upon knowledge of Custer BID, their market situation, target audience, industry and budget, the agency will provide a documented plan to accomplish set campaign goals. Lawrence & Schiller anticipates that after an initial review period, key performance metrics will be able to be utilized to measure and optimize campaign performance in a real-time manner. Budgets will be determined based upon these measured goals and the agency expects media investments to be continually adjusted to ensure campaign success.

Media Buying & Delivery

Meeting with various 3rd party media representatives, negotiating, creating and contracting the buys and trafficking creative to media.

Client Service

Keeping up-to-date on market and audience trends, recommending schedules or promotions that fit with Custer BID's brand and goals, and fielding all media calls and questions on behalf of the client.

Post Buy Analysis

Auditing all electronic, print and web invoices for proof of performance. Analyzing the delivery on all invoices to ensure projected media goals delivered as planned. Negotiating make-goods if necessary.

Real-Time Dashboard Tracking

A central resource for all Custer BID's media placed through Lawrence & Schiller including the ability to track spending and impressions by time period, property level and medium.

Campaign Performance Reports

Post-campaign reports highlighting the effectiveness of the media buy and its return on investment. As a part of the performance commission, the agency will review campaign performance and key optimizations, and recommendations with Custer BID on a monthly basis to ensure goals are pacing to expectations.

YOUR L&S TEAM

Lawrence & Schiller will assign a Tourism Group Director, Account Executive, and a qualified and experienced coordination, creative, media, digital and production team to work with Custer BID. Meetings will be held to plan strategies at the discretion of Custer BID. See Appendix A for a full list of your core L&S team.

TRAVEL EXPENSES

Our team is committed to reasonable travel, and is excited about the opportunity to spend more time in Custer BID. L&S charges 50% of the billable rate for travel hours.

PROPOSALS & ESTIMATES

Proposals and estimates developed by Lawrence & Schiller are based on our understanding of a given project. Typically, our estimates are accurate to +/- 10% of final project costs. The estimates we provide are valid for thirty (30) days from the date they are submitted.

PROJECT CHANGES

Should the guidelines of a project change once work has been initiated by Lawrence & Schiller it may be necessary to modify project budgets accordingly. While we make every effort to estimate accurate costs for the jobs we undertake, we cannot account for events which may cause the cancellation of projects or major revisions to work in progress. It is our policy to bill a fair and reasonable amount for the actual costs incurred by us to complete assigned work. In cases where projects are agreed upon, started and canceled, Lawrence & Schiller will bill based on the number of hours and any out-of-pocket expenses associated with the canceled project.

INTELLECTUAL PROPERTY PROTECTION

Any ideas, content, design, names or programs created by Lawrence & Schiller are not intended to infringe upon the intellectual property rights of others. However, Lawrence & Schiller cannot guarantee that its clients will be protected from claims of others, no matter how inadvertent the cause, due to the complexity of such rights. As is customary in our profession, Lawrence & Schiller does not obtain clearance or registration of intellectual property rights on behalf of clients, and does not undertake a search or examination to determine the intellectual property rights of others. We recommend that Custer BID's legal counsel be used to determine the intellectual property rights of others and the availability and potential registration opportunities of executions developed for Custer BID. Furthermore, Custer BID agrees to hold harmless and indemnify Lawrence & Schiller, its officers and employees from and against any and all actions, suits, damages, liability or other proceedings regarding the intellectual property rights of others which may arise as a result of the negligence, misconduct, error or omission of any officer, agent, consultant or employee of Custer BID.

SCHEDULE

Lawrence & Schiller shall perform the Scope of Services within the timeframe of January 1, 2019 - December 31, 2019.

PAYMENT TERMS

Lawrence & Schiller mails billing statements on or before the twelfth business day of each month for all elements which have been completed during the previous month including consultation, production & media. In the event that billable projects are extended over a period of more than 60 days, projects will be billed in-progress. Payment will be received from Custer BID for efforts executed and ran from March through July in August. A final payment will be received in November for August through December marketing efforts.

In addition to billing statements, Lawrence & Schiller will provide Custer BID with detailed documentation of media placement and reimbursable expenses. Lawrence & Schiller will also provide copies of all tear sheets generated by media companies, as soon as they become available, detailing fulfillment of all media placement.

CHANGES AND EXTRA SERVICES

Custer BID may make changes within the general scope of this Agreement. If L&S is of the opinion that any proposed change causes an increase or decrease in the cost/and or the time required for performance of this Agreement, L&S shall notify Custer BID of that fact. An agreed-upon change will be outlined in writing and signed by the parties hereto and will modify this Agreement accordingly.

Custer BID may request L&S to perform extra services not covered by the Scope of Services as set forth in this Agreement, and L&S shall perform such extra services and will be compensated for such extra services when they are reduced to writing mutually agreed to and signed by the parties hereto amending this Agreement accordingly.

TERMINATION

This Agreement may be terminated by either party hereto upon thirty (30) days' written notice in the event of failure by the other party to perform in accordance with the terms of this Agreement through no fault of the terminating party. Upon receipt of termination, Lawrence & Schiller shall not commence any new work, but shall complete and place all advertisements previously approved by Custer BID unless otherwise instructed. All other rights and duties of the parties shall continue during such notice period, and Custer BID shall be responsible to Lawrence & Schiller for payment of contract obligation incurred with third parties during this period. If either Custer BID or Lawrence & Schiller desires to terminate all work in progress commenced before the receipt of notice of termination, both party's mutual consent is required. The parties shall mutually determine and agree upon the amount of compensation to be received by Lawrence & Schiller for partially completed work.

Upon termination of this agreement, Lawrence & Schiller shall assign Custer BID all of its rights and contracts, agreements and arrangements, or other transactions made with third parties, effective on the termination date or on other such date as agreed upon by both parties. Custer BID shall assume all obligations and indemnify and hold Lawrence & Schiller harmless from all liability. If any contract is non-assignable and consent to assignment is refused, or Lawrence & Schiller cannot obtain a release from its obligations, then, as to the unassigned or unreleased contracts only, Lawrence & Schiller shall continue performance and Custer BID shall meet its obligations to Lawrence & Schiller as though this agreement had not been terminated.

Upon termination of this agreement, Lawrence & Schiller shall bill Custer BID all amounts not previously billed.

DESIGN RIGHTS

Lawrence & Schiller reserves the rights to use creative work developed in the course of our relationship, which are not selected for final use or approved by Custer BID, as we deem appropriate.

OWNERSHIP OF MATERIALS

Upon full payment, all work products prepared by L&S and its subcontractors pursuant to this Agreement shall be and remain the property of Custer BID and shall be made available and/or delivered to Custer BID at any time at Custer's request. A set of each document shall be provided to Custer BID for its files. L&S will retain pertinent records relating to the Scope of Services performed in connection with the Project for a period of three (3) years following completion of the Project, during which three (3) year period said records would be made available to Custer BID at reasonable times.

However, neither Lawrence & Schiller nor Custer BID own or have rights to certain elements (such as photography, voice talent, music, etc.) outside of specific usages, time periods and geographies for which they were secured. Lawrence & Schiller retains ownership of the raw files and materials used to create the final product.

At Custer BID's request, Lawrence & Schiller will provide a copy of raw or working files and materials generated on their behalf for reproduction purposes. This will ensure brand standards and graphic treatments are used consistently throughout all messaging not done by Lawrence & Schiller.

agreement

On behalf of Custer BID:

_____ Date: _____
(Signature)

(Print Name and Title)

On behalf of Lawrence & Schiller:

_____ Date: _____
(Signature)

Erin Weinzettel - Travel & Tourism Group Director/Account Service
(Print Name and Title)

appendix a

Your core Lawrence & Schiller team.

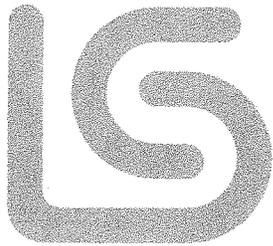
ACCOUNT EXECUTIVE			MEDIA			
						
ERIN WEINZETTEL SENIOR DIRECTOR	PAIGE SCHWITTERS ACCOUNT EXECUTIVE	OLIVIA LARSON ACCOUNT MANAGER	CHELSEA REDINGER EDITORIAL STRATEGIST	KATIE UECKER MEDIA SPECIALIST	KYRIE BUSSLER MEDIA SPECIALIST	ALEX VAN VOORHIS MULTIMEDIA SPECIALIST

creative						
						
TARA LOCKE CREATIVE DIRECTOR	BRETT SUMMERS AVOID CREATIVITY SPECIALIST	MATT SEBERT COPYWRITER	KEVIN VANWESTEN DIRECTOR OF PRODUCTION SERVICES	LUKE MCELRATH SENIOR MULTIMEDIA SPECIALIST	DAN DISMOUNTS ART DIRECTOR	CASEY GOODMUND SENIOR DESIGNER

digital					MULTIMEDIA SERVICES	
						
LAURA MITCHELL VP DIGITAL	TREVOR PATCH TECHNOLOGY SPECIALIST	MIKI MILLER SENIOR DIGITAL MARKETING ANALYST	ALISON KERKYLIE DIGITAL STRATEGIST	MARIAH LARSON DIGITAL COORDINATOR	MATT HAMMER CONSUMER EXPERIENCE STRATEGIST	AARON BAUER BUSINESS SPECIALIST

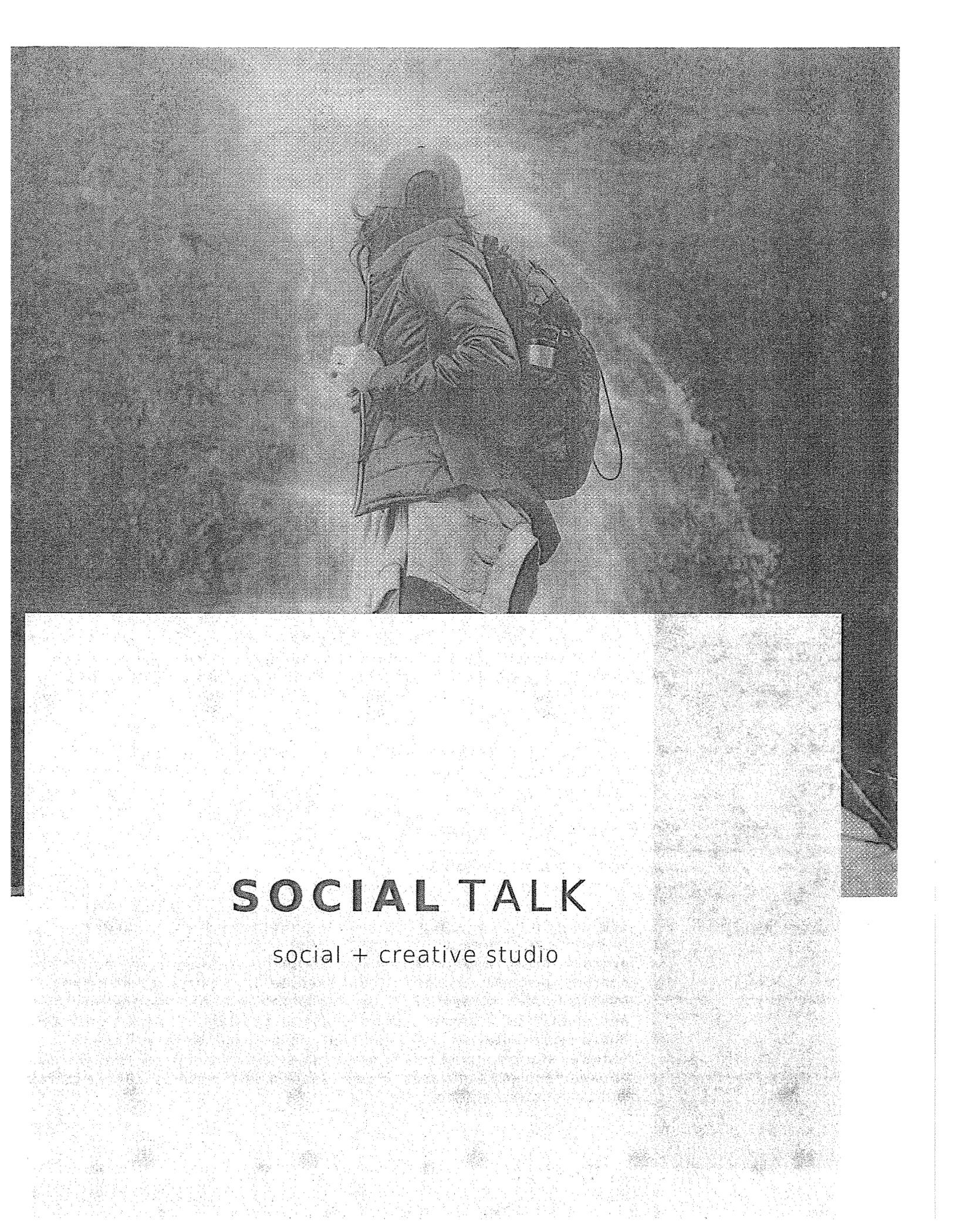
 SYNERGY TEAM SYNERGY

MEMBER OF SYNERGY



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SOCIAL TALK

social + creative studio

SOCIAL TALK

social media

CONTENT. CURATION. MANAGEMENT.

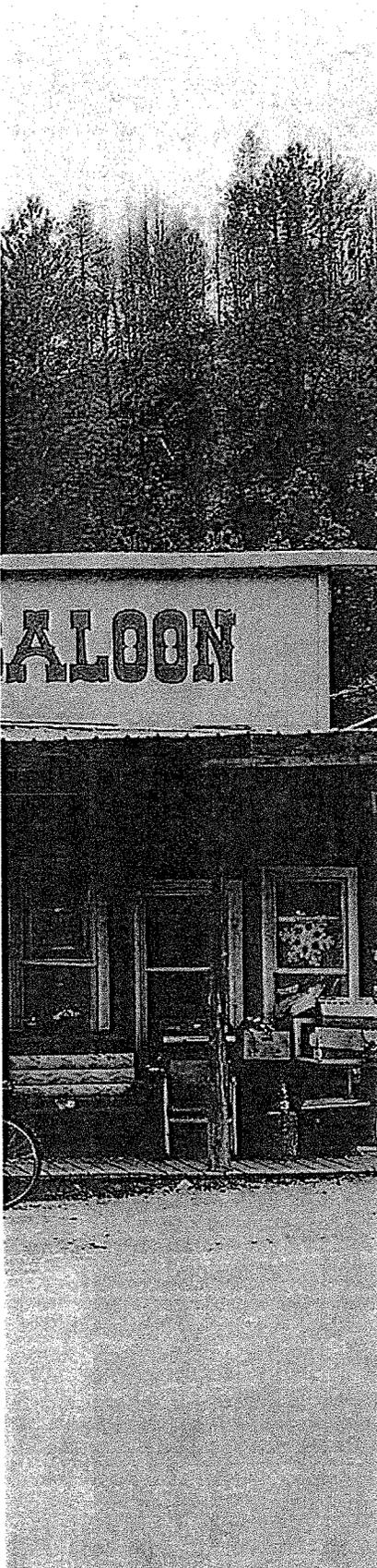
Social media content is no doubt directly impacting all industries, determining and influencing consumers' attitudes, motivations and behaviors. It used to be the case that having a website and a Facebook account was enough to make it in the digital market. Well, not anymore. Now you need to have a solid social strategy, and when it comes to social media, I'm your talented professional at the wheel. I know how to create the content, make it consistent and branded across all platforms, reach your customers, and deliver analytics as results.

Marketing is more than good copy. It's also compelling visuals that find their audience at the right time. Keeping up with social media marketing is exhausting and ever-changing. Managing social media is a big job if done right and that takes time. The time you likely don't have when you're a business owner. Let us put a strategy in place for you so you can get back to doing what it is you do best

Consider me your social media maven. I will help you like, repost, comment and follow your way into better market presence, stronger brand awareness and enhance your web presence. How are we going to do that? Below is my recommended approach.

POSTING & MANAGEMENT

Social Talk will create content pieces and assets for up to 22 Facebook, and Instagram organic posts with one boosted post a month and 15 stories with five branded design elements in the stories. Posting frequency by month will vary depending on current organizational happenings and will be further defined in the editorial content calendar. Social Talk will execute all creative development (copy and still images) all posts. Social Talk will manage posting all approved organic content on Facebook and Instagram. As a Custer BID Board representative, I will comment back to followers, engage in follower stories, liking their posts, share relevant content that will drive engagement and build trust in long-lasting relationships. Best practices will be followed accordingly



blogging

Do you want to take the next step with your marketing, build engagement with your readers and keep your website and social media up to date? Many businesses have created websites and social media platforms but we want to help you take the next step on reader engagement - that next step is blogging.

Depending on the company, blogging is a storytelling format about your business, product or passion. This is a way for you to build trust and rapport with your current and future clients along with building your expertise and credibility. Just like social media, blogging can influence consumer's attitudes, motivations and behaviors and that is why a strong strategy will give you the results that you are looking for.

Are you hosting an historic event for your community? Blog about it! Did you just have a great team building meeting with your staff and want to share it for others to try? Blog about it. Did you just create the most beautiful wedding venue that turned into a modern-day fairy tale wedding? Blog about it!

Blogging is an investment of time but when you have passion in your business and want to see it grow with others - it will be easy to form a story to tell. Whether you are building a new building, passionate about parenting or selling a product it is important to share that information with the consumer because it allows engagement which will lead into trust and the reader wanting more.

Some amazing perks of blogging is that you can link it from your website to your social media accounts driving more traffic to your website. Not only does this provide more traffic from your social media accounts but search engines love new content. Blogging is an easy way to keep your clients up to date on what is going on - the more the customer visits your blog, the more likely they are to spend money.

Additional things to consider - blogging takes a great deal of time but that is why we are here to help you. If you do not update your blog frequently the return rate and engagement in readers may not be effective. The only way that readers will return to your blog is if there is new information to read. Always remember, it takes time to build up a readership and momentum so don't lose hope if you do not see a result in your first or second post.

Nervous or overwhelmed? Social Talk is here for you! We will help you build an amazing marketing and blogging strategy to help you build your brand awareness along with web and social media presence.

budget overview

DITIGAL. CREATIVE. STRATEGY.

Below are Social Talk's proposed budgets* for the Custer BID Board, derived from our hourly rates, the primary source of revenue for Social Talk comes from providing intangible services, ideas, consultation advice and the application of specific disciplines (such as communications, marketing, research, and graphic design) in development of comprehensive strategy. I look forward to discussing further and providing a more detailed budget as well as an exact timeline based on expectations and recommendations.

SOCIAL MEDIA INVESTMENT: \$2,700

Editorial Calendar

5 Month Facebook/ Instagram Content & Posting - \$2,500 // \$500 per month

Boosted Organic Facebook/ Instagram Posts - \$100 // one \$20 post per month (intergrated)

Facebook/ Instagram Generation Ads - \$100 // one \$20 post per month (intergrated)

22 Facebook and Instagram organic posts with one boosted posts a month and 15 stories with five branded design elements in the stories. Additional stories and engagement will come into play with events or community happenings.

BLOGGING INVESTMENT: \$2,000

One Blog Post Bi-Weekly - \$2,000 // \$100 per blog post

20 Blog posts sent directly to the editorial Calendar

*All budgets contingent upon further discovery to meet your unique marketing needs

TOTAL: \$4,700



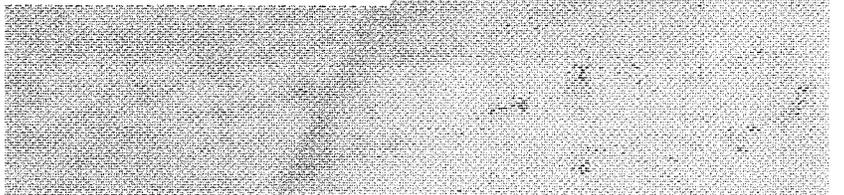
about

SOCIAL TALK

Social Talk is a Rapid City based content marketing studio. We empower small brands through creative storytelling by crafting messages targeted at motivating audiences to take action. We believe that strategic growth and results begin when big strategy meets social execution. We are raising the social bar ^.



CHANTEL MCDONNELL
FOUNDER



SOCIAL TALK

605-261-9077

cevans9077@gmail.com

Rapid City, SD 57701



Aflac, Insurance, \$766.73
Amazon.com, Supplies, \$17.02
Arbor Day Foundation, Supplies, \$200.00
ASFPM, Supplies, \$80.00
Beesley Law Office, Professional Fees, \$1,391.50
Battle Mountain Humane Society, Animal Control Contract, \$1,000.00
Black Hills Energy, Utilities, \$10,322.90
Boot Hill LLC, TIF #1 Payment, \$8,545.04
California State Disbursement, Deductions, \$184.60
Century Business Products, Supplies, \$542.21
Code Works, Professional Fees, \$696.90
Custer Do It Best, Supplies, \$103.12
Chronicle, Publishing, \$1,135.04
Custer Chamber, Conference, \$80.00
Dacotah Bank, TIF #2 Payment, \$1,062.51
Dacotah Bank, TIF #4 Payment, \$4,862.44
Delta Dental, Insurance, \$254.20
Discovery Benefits, Supplies, \$2,065.38
Eddies Truck Center, Supplies, \$38.24
EFTPS, Taxes, \$18,142.80
Fastenal, Supplies, \$607.82
First Interstate Bank, TIF #4 Payment, \$4,862.44
First Interstate Bank, Supplies, \$60.35
Golden West Telecommunications, Utilities, \$587.19
Golden West Technologies, Supplies, Professional Fees, \$762.50
Hawkins, Supplies, \$7,929.52
J & M Lawncare, Cemetery Caretaker Contract, \$5,000.00
Inyopool.com, Repairs and Maintenance, \$809.97
International Code Council, Annual Dues 2019, \$135.00
Ketel Thorstenson, 2019 Audit, \$12,774.50
KLJ, Professional Fees, \$3,264.00
Midcontinent Testing Labs, Professional Fees, \$1,731.40
Nelson's Oil & Gas, Supplies, \$1,222.91
Pace, Supplies, \$370.65
Petty Cash, Supplies, \$568.29
Pitney Bowes, Supplies, \$97.38
Quill, Supplies, \$240.36
Riverside Pumps, Supplies, \$343.42
Simons Materials, Repairs & Maintenance, \$3,619.63
Sanders Sanitation, Garbage Collection Contract, \$13,816.99
SD Department of Revenue, Supplies, \$75.00
State of SD, Sales Tax, \$1,080.33
SD DCI, Professional Fees, \$26.75
SD Public Assurance Alliance, 2019 Renewal, \$44,206.14
SD Retirement System, \$9,454.12
SD One Call, Locates, \$19.95
Supplemental Retirement, \$930.00
Verizon Wireless, Utilities, \$417.01
Wright Express, Supplies, \$1,001.12
Wellmark, Insurance, \$14,028.20
Wesdak Welding, Repairs & Maintenance, \$857.50
WEAVE, 2019 Subsidy, \$5,000.00

YMCA, Membership, Contributions \$240.00
Mayor & Council, \$4,532.00
Finance Department, \$7,170.51
Public Buildings, \$3,713.92
Planning Department, \$10,907.02
Public Works Department, \$4,649.87
Street Department, \$12,191.94
Cruisin Department, \$111.72
Parks Department, \$5,397.18
Water Department, \$17,826.31
Wastewater Department, \$17,364.42
Total Claims, \$271,495.96