

CITY OF CUSTER CITY  
**COUNCIL PROCEEDINGS- REGULAR SESSION**  
**November 16<sup>th</sup>, 2015**

Mayor Jared Carson called to order the second meeting of the Common Council for the month of November, 2015 at 5:30 p.m. Present at roll call were Councilpersons Maciejewski, Heinrich, Nielsen, Fischer, Herman and Schleining. The Pledge of Allegiance was stated.

**AGENDA**

Councilperson Fischer moved to approve the agenda. Second by Councilperson Maciejewski, the motion unanimously carried.

**MINUTES**

Councilperson Nielsen moved, with a second by Councilperson Fischer, to approve the minutes from the November 2<sup>nd</sup> regular council meeting. The motion unanimously carried.

**CONFLICTS OF INTEREST**

Councilperson Maciejewski stated that he has a conflict with the liquor license renewals as the VFW is on the list. Mayor Carson said he would have a conflict with the Bourassa Addition Sewer Force Main. No other conflicts of interest were stated.

**DEPARTMENT HEAD DISCUSSION**

Bob Morrison, Public Works Director, gave Council an update on the Custer Community Center and other projects he has been working on.

Scott Simianer, Planning Administrator, gave Council an update on the West Dam Task Force meetings and mentioned that year to date there have been 64 building permits issued with the total valuation of 1.4 million.

Laurie Woodward, Finance Officer, mentioned that October sales tax is up 11.86% over last years, Sander Sanitation Solid Waste Permit Renewal Handbook is available for review if anyone wishes to look at it and the End of the Year Council Meeting was set for December 30<sup>th</sup> at 12:00 pm.

Councilperson Maciejewski left the room due to a conflict of interest.

**PUBLIC HEARING – LIQUOR & WINE LICENSE RENEWALS**

Councilperson Heinrich moved to approve the twenty-one liquor and wine licenses for renewal for 2016 contingent upon receiving proof of insurance, current operating agreements being signed and all financial obligations with the City being paid current. Seconded by Councilperson Nielsen, the motion unanimously carried. Councilperson Maciejewski rejoined the meeting.

**UTILITY ACCOUNT DISCONNECTION REQUEST – MARCIA MILLER**

No action was taken on this matter. Council stated they felt that the City Ordinances should be followed.

**COMMERCIAL/INDUSTRIAL DISCRETIONARY TAX FORMULA – CUSTER ECONOMIC DEVELOPMENT**

Custer Economic Development Corporation members Terry Reetz and Phil Abernathy presented Council with information regarding property tax discretionary formula. Council referred this item to the December General Government Committee Meeting.

Mayor Carson turned the meeting over to Council President Herman and left the room.

**BOURASSA ADDITION SEWER FORCE MAIN – MIKE DRUYVESTEIN**

After some discussion with Mike & Linda Druyvestein and Sheila Green, Councilperson Fischer moved to not accept responsibility, maintenance and costs of operation of the 2+force main that carried effluent from the Bourassa Subdivision to City's gravity sewer main on Needles Drive. Seconded by Councilperson Heinrich, the motion carried with Councilperson Maciejewski, Heinrich, Nielsen, Fischer, Herman and Schleining voting yes.

Mayor Carson returned to the meeting.

**FIRST READING – ORDINANCE #770 – SIDEWALK SNOW & ICE REMOVAL (PREVIOUSLY TABLED)**

Councilperson Herman moved to table Ordinance #770, Sidewalk Snow & Ice Removal indefinitely. Seconded by Councilperson Nielsen, the motion unanimously carried.

**FIRST READING – ORDINANCE #771 – 2015 SUPPLEMENTAL BUDGET**

The Councilman Nielsen moved to approve Ordinance #771, 2015 Supplemental Budget. Seconded by Councilperson Herman, the motion unanimously carried.

**RESOLUTION #11-16-15A – WRITE-OFFS**

Councilperson Heinrich moved to approve Resolution #11-16-15A, Write-Off's. Seconded by Councilperson Nielsen, the motion unanimously carried.

RESOLUTION NO. 11/16/15A

WHEREAS, Book 3, Supplemental, 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 2015 Financial Report.

NAME:	ACCOUNT #:	AMOUNT:
Crystal Brown	600570-13	\$ 45.58
Aaron Lines	300445-02	\$ 111.30
Leigha Meier	401910-10	\$ 115.31
Sam Munns	200850-02	\$ 54.12
Robert Sokol	600190-00	\$ 44.89
Robert Sokol	600200-01	\$ 49.44
TOTAL		\$ 420.64

Signed this 16<sup>th</sup> day of November, 2015.

CITY OF CUSTER

S/Jared Carson, Mayor

ATTEST: Laurie Woodward, Finance Officer

**CONDITIONAL USE PERMIT – TALLGRASS LANDSCAPE ARCHITECTURE**

Councilperson Herman moved to approve the conditional use permit for Tallgrass Landscape Architecture to be place their office at 413 North 4<sup>th</sup> Street. Seconded by Councilperson Schleining, the motion unanimously carried.

**PAGEANT HILL USE REQUEST – BARK BEETLE BLUES COMMITTEE**

Councilperson Herman moved to approve the Bark Beetle Blues Committee, Custer Volunteer Fire Department and YMCA's joint request to use Pageant Hill on January 16, 2016 for the Burning of the Beetle Event, to have fireworks at the event on Pageant Hill and to have a fire ring at the YMCA building to roast snopores. Seconded by Councilperson Fischer, the motion unanimously carried.

**COMMITTEE APPOINTMENT**

Councilperson Herman moved to approve the appointment for Jerry Stites to the Planning Commission for a 5 year term. Seconded by Councilperson Nielsen, the motion unanimously carried.

**CLAIMS**

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

Battle Mountain Humane Society, Animal Control Contract, \$800.00  
 Black Hills Power & Light, Utilities, \$7306.31  
 Banner Associates, Capital Improvements, \$9770.24  
 Culligan, Repair & Maintenance, \$18.50  
 Custer Car Wash, Repair & Maintenance, \$24.75  
 Chamber of Commerce, Sales Tax Subsidy, \$11801.97  
 Custer County Market, Capital Improvements, \$70.00  
 Custer True Value, Repairs & Maintenance, Capital Improvements, \$1348.76  
 Custer Veterans Memorial, Donation, \$500.00  
 Eddie's Truck Center, Repair & Maintenance, \$507.36  
 French Creek Supply, Supplies, \$769.12  
 Golden West Technologies, Professional Fees, \$1169.00  
 Gunderson, Palmer, Nelson & Ashmore, Professional Fees, \$75.00  
 Hawkins, Supplies, \$5540.14  
 Honeywell, Repair & Maintenance, \$5418.69  
 JP Cooke Co, Supplies, \$61.27  
 Jenner Equipment, Repair & Maintenance, \$641.12  
 Kellogg, Scott, Safety Equipment, \$100.00  
 LaMonte's Auto Center, Repair & Maintenance, \$575.61  
 Lynn's Dakotamart, Supplies, \$54.98  
 McClellan, Bill, Safety Equipment, \$100.00  
 Midcontinent Testing Lab, Professional Fees, \$214.00  
 Northwest Pipe Fitting, Capital Improvements, \$2851.35  
 Pitney Bowes, Supplies, \$500.00

Rapid Delivery, Professional Fees, \$60.40  
Rebel Enterprises, Advertising, \$300.00  
SRF Loan Payment, \$4639.68  
Sander Sanitation, Garbage Collection Contract, \$13136.63  
Sander Sanitation, Capital Improvements, \$1098.61  
SECO Construction, Capital Improvements, \$17859.00  
Servall, Repair & Maintenance, \$233.73  
SDML, Conference, \$25.00  
SD Executive Management Finance Office, Utilities, \$13.73  
Shanklin, Safety Equipment, \$435.00  
The Storehouse, Subsidy, \$3000.00  
Tall Grass Landscape, Professional Fees, \$180.00  
USDA Loan Payment, \$8910.00  
USA Bluebook, Capital Improvements, Safety Equipment, \$561.57  
Wright Express, Supplies, \$1148.20  
Woodward, Laurie, Reimbursement, \$178.18  
Miller, Cody, Utility Deposit Refund, \$44.71  
Parsons, Timothy, Utility Deposit Refund, \$37.67  
Total Claims, \$102,080.28

**COMMITTEE REPORTS**

Various committee reports were given.

**ADJOURNMENT**

With no further business, Councilperson Nielsen moved to adjourn the meeting at 7:09 p.m.  
Seconded by Councilperson Heinrich, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward  
Finance Officer

Jared Carson  
Mayor