

All City Council Meetings are recorded.

CITY OF CUSTER CITY
COUNCIL AGENDA
November 5th, 2018 – 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 – October 15th, 2018 Regular Meeting and October 22nd, 2018 Special Meeting
4. Declaration of Conflict of Interest
5. Public Hearings - Public Presentations
 - a. Executive Proclamation – Bells of Peace Armistice Commemoration
 - b. First Reading – Ordinance #812 – Water Rates
 - c. First Reading – Ordinance #813 – Wastewater Rates
 - d. First Reading – Ordinance #814 – Water Off Rates
 - e. Resolution #11-05-18A – Write-Offs
 - f.
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 – Terry Subdivision, Plat of Tracts 1 and 2 of Terry Subdivision
 - b. Minor Plat – Plat of Tract Kuehl and Tract Morrow
 - c. Minor Plat – Hendrickson Subdivision
 - d. DOT Sign & Delineation Project Agreement
 - e. Deer Management Letter
 - f. SD WARN Donation
 - g. New Hire
 - h. Employee Leave without Pay Request
 - i. Employee Increases
 - j.
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 – November 13th, 2018 4:00 P.M.**
Planning Commission Meeting – November 13th, 2018 5:15 P.M.
Regular City Council Meeting – November 19th, 2018 5:30 P.M.
Park & Recreation Committee Meeting – November 20th, 2018 5:30 P.M.
Public Works Committee Meeting – December 3rd, 2018 4:30 P.M.
Regular City Council Meeting – December 3rd, 2018 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
October 15th, 2018**

Mayor Corbin Herman called to order the second meeting of the Common Council for the month of October 2018 at 5:30 p.m. Present at roll call were Councilpersons Blom, Whittaker, Nielsen, Fischer, Moore and Arseneault. City Attorney Chris Beesley was present. The Pledge of Allegiance was stated.

AGENDA

Councilperson Fischer moved to approve the agenda with the removal of the new hire item. Seconded by Councilperson Nielsen, the motion unanimously carried.

MINUTES

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

CONFLICTS OF INTEREST

No conflicts of interest were stated.

PUBLIC COMMENTS

Doug Kimball, candidate for Custer County Sheriff, introduced himself.

EXCEPTION TO CUSTER MUNICIPAL CODE 15.12 (FIRE LIMITS) – FIRST INTERSTATE BANK (648 MT RUSHMORE ROAD)

Councilperson Fischer moved to grant the exception to the municipal code 15.12, Fire Limits, contingent upon the following stipulations being followed: the structure shall be constructed per the footprint provided in the construction plans provided by the contractor and currently on file with the Planning Administrator; all structural members of the structure shall be treated with an intumescent or fire-retardant product approved by the Planning Administrator; and all electrical wiring shall be installed within rigid or flexible metal raceway. Seconded by Councilperson Nielsen, the motion unanimously carried.

RECORDS MANAGEMENT

Councilperson Moore moved to approve destruction of the records as listed and on file in the Finance Office, in guidance with the South Dakota Records Retention & Destruction Schedule. Seconded by Councilperson Nielsen, the motion unanimously carried.

CLAIMS

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

ASFPM, Supplies, \$160.00
Black Hills Chemical, Supplies, \$838.61
Black Hills Energy, Utilities, \$8,204.03
Beesley Law Office, Professional Fees, \$2,720.00
California State Disbursement, Deductions, \$53.19
Clark, Jeff, Reimbursement, \$33.00
Culligan, Repairs and Maintenance, \$18.50
Chamber of Commerce, Sales Tax Subsidy, \$20,341.56
Custer Ace Hardware, Repairs and Maintenance, Supplies, \$339.71
Dakota Rental & Chain Saw, Repairs and Maintenance, \$70.21
Dakota Pump, Repairs and Maintenance, \$4,770.52
Dakota Supply Group, Supplies, \$458.77
Davenport, Dolsee, BID Board, \$1,000.00
Discovery Benefits, Supplies, \$25.00
Ditch Witch of SD, Repairs and Maintenance, \$38.58
FEMA, 2018 Membership, \$100.00
French Creek Supply, Supplies, \$251.90
Golden West Telecommunications, Utilities, \$590.43
Golden West Technologies, Repairs and Maintenance, \$673.50
Green Owl Media, Professional Fees, \$140.00
Hawkins, Supplies, \$5,888.97
Home Slice Media Group, BID Board, \$15,012.91
J.P. Cooke Co, Supplies, \$52.82
Lynn's Dakotamart, Supplies, \$37.64
Midcontinent Testing Labs, Professional Fees, \$3,032.50
Morrison, Bob, Reimbursement, \$192.78
Nelson's Oil & Gas, Supplies, \$473.82
Pitney Bowes, Supplies, \$48.69
Quill, Supplies, \$189.12
Ramkota Hotel – Pierre, Travel & Conference, \$91.20

Rapid Delivery, Professional Fees, \$51.76
Regional Health Network, Sales Tax Subsidy, \$400.00
Rapid Fire Protection, Profession Fees, \$397.96
Sander Sanitation, Supplies, \$100.00
Serrall, Supplies, \$165.42

SD Department of Environment & Natural Resources, Travel & Conference, \$40.00

SD State Long Distance, Utilities, \$31.70

The Hartford, Insurance, \$64.12

Toby Brusseau, BID Board, \$3,200.00

Tim Hartmann, Reimbursement, \$96.60

USDA Loan Payment, \$8,910.00

USA Bluebook, Repairs and Maintenance, \$136.87

Verizon Wireless, Utilities, \$492.36

Western Dakota Technical, Travel & Conference, \$90.00

Engstrom, Scott, Utility Deposit Refund, \$5.68

Total Claims, \$80,030.43

DEPARTMENT HEADS & COMMITTEE REPORTS

Various committee reports were given in addition to updates from the department heads.

ADJOURNMENT

With no further business, Councilperson Whittaker moved to adjourn the meeting at 6:03 p.m. Seconded by Councilperson Moore, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Laurie Woodward
Finance Officer

Corbin Herman
Mayor

**CITY OF CUSTER CITY
COUNCIL PROCEEDINGS- SPECIAL MEETING
October 22nd, 2018**

Mayor Corbin Herman called to order a special meeting of the Common Council at 4:15 p.m. Present at roll call were Councilpersons Blom, Nielsen, Fischer and Moore. The Pledge of Allegiance was stated.

CONFLICTS OF INTEREST

No conflicts of interest were stated.

BLACK HILLS COMMUNITY FOUNDATION GRANT REQUEST – CUSTER BARK PARK VOLUNTEER GROUP

Lesa McDermott, Custer Bark Park Volunteer, presented the Black Hills By Choice Southern Hills Grant opportunity offered by Black Hills Community Foundation, which the Custer Bark Park Volunteer Group would like to apply for.

Councilperson Arseneault joined the meeting at 4:21 p.m.

Councilperson Fischer moved to approve the City applying for the Black Hills By Choice Southern Hills Grant on behalf of the Custer Bark Park Volunteer Group, with the City submitting the application online. Seconded by Councilperson Blom, the motion carried unanimously.

ADJOURNMENT

With no further business, Councilperson Nielsen moved to adjourn the meeting at 4:30 p.m. Seconded by Councilperson Blom, the motion carried unanimously.

ATTEST:

CITY OF CUSTER CITY

Sydney Gramkow
Deputy Finance Officer

Corbin Herman
Mayor

PROCLAMATION

CUSTER, SOUTH DAKOTA

WHEREAS, a century ago 4.7 million American families sent their sons and daughters off to World War I; and

WHEREAS, men and women from Custer, South Dakota served selflessly and honorably in World War I; and

WHEREAS, 116,516 Americans gave their lives in the war, and more than 200,000 were wounded; and

WHEREAS, the tolling of bells is a traditional expression of honor and remembrance; and

WHEREAS, in November 2018 the world will commemorate the 100th anniversary of the Armistice that ended the fighting in World War I at 11:00 am, November 11, 1918 – the eleventh hour of the eleventh day of the eleventh month; and

WHEREAS, on April 6, 2018 the United States World War I Centennial Commission called upon all Americans across the nation to toll bells in remembrance of those who served in World War I on Armistice Day, November 11, 2018;

NOW, THEREFORE BE IT RESOLVED, I, Corbin Herman, Mayor of the City of Custer, do hereby call upon all Americans across the community to toll bells in remembrance of those who serviced in World War I at 11:00 am on November 11, 2018, for

Your Bells of Peace Armistice Commemoration

Dated this 5th day of November, 2018

CITY OF CUSTER CITY

Corbin Herman, Mayor

ATTEST:

Laurie Woodward, Finance Officer

(SEAL)

ORDINANCE NO. 812

An Ordinance entitled An Ordinance Amending Title 13 Public Services, Chapter 13.08. Section 13.08.010 A & B of the City of Custer City Municipal Code and amending, replacing, and superseding all prior ordinances or amendments, by which amending and superseding said Ordinance as follows, to wit:

13.08.010 Rates and charges.

There shall be charged by the city, effective for the January 2019 billing upon passage and publication of the ordinance codified in this chapter as provided by law, a charge for water services (operation and maintenance) to persons, associations of individuals, partnerships, corporations or firms based upon the usage of water. The rates shall be as follows:

A. 1. Operation and Maintenance—Residential (Single Family).

Gallons Used	Water Charge
2,000 (minimum)	\$11.01

On amounts of water used over two thousand (2,000) gallons, add seven dollars and seventy-six cents (\$7.76) per thousand gallons used to the water charge.

B. 1. Operation and Maintenance—Commercial and Multi Family.

Gallons Used	Water Charge
2,000 (minimum)	\$23.71

On amounts of water used over two thousand (2,000) gallons, add nine dollars and thirteen cents (\$9.13) per thousand gallons used to the water charge.

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 19th day of November, 2018.

City of Custer City

Attest _____
Laurie Woodward, Finance Officer

Corbin Herman, Mayor

(SEAL)

First Reading: November 5th, 2018
Seconding Reading: November 19th, 2018
Publication: November 28th, 2018

Vote:
Arseneault:
Moore:
Nielsen:

Fischer:
Blom:
Whittaker:

ORDINANCE NO. 813

An Ordinance entitled An Ordinance Amending Title 13 Public Services, Chapter 13.20. Section 13.20.130 of the City of Custer City Municipal Code and amending, replacing, and superseding all prior ordinances or amendments, by which amending and superseding said Ordinance as follows, to wit:

BE IT ORDAINED by the Common Council of the City of Custer City that section 13.20.130 be amended as follows:

13.20.130 Rates and charges.

There shall be charged by the city, effective for the January 2019 billing upon passage and publication of the ordinance codified in this chapter as provided by law, a charge for wastewater services (operation and maintenance) to persons, associations of individuals, partnerships, corporations or firms based upon the usage of water. The rates shall be as follows:

A. 1. Operation and Maintenance—Residential (Single Family).

Gallons Used	Wastewater Charge
2,000 (minimum)	\$22.65

On amounts of water used over two thousand (2,000) gallons, add two dollar and forty-nine cents (\$2.49) per thousand gallons used to the wastewater charge.

B. 1. Operation and Maintenance—Commercial and Multi Family.

Gallons Used	Wastewater Charge
2,000 (minimum)	\$26.59

On amounts of water used over two thousand (2,000) gallons, add seven dollars and nineteen cents (\$7.19) per thousand gallons used to the wastewater charge.

C. In addition to the charge for wastewater services (operation and maintenance) to persons, associations of individuals, partnerships, corporations or firms, there shall be a surcharge for the services of the facilities financed.

1. Bond Redemption – 2012 SRF. The following surcharge is imposed pursuant to SDCL 9-40-15 to pay, redeem and discharge the 2012 SRF Loan in the amount of nine hundred twenty-five thousand nine hundred and nineteen dollars (\$925,919.00) until such loan is paid full. This charge shall be charged by the city, commencing with the June 2016 billing upon passage and publication of the ordinance codified in this chapter as provided by law.

	Monthly Fee Charged
Residential (Single-family), Commercial, and Multifamily	\$5.50

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 19th day of November, 2018.

City of Custer City

Attest _____
Laurie Woodward, Finance Officer

Corbin Herman, Mayor

(SEAL)

First Reading: November 5th, 2018
Seconding Reading: November 19th, 2018
Publication: November 28th, 2018

Vote:	Fischer:
Arseneault:	Blom:
Moore:	Whittaker:
Nielsen:	

ORDINANCE NO. 814

AN ORDINANCE ENTITLED AN ORDINANCE AMENDING TITLE 13 PUBLIC SERVICES CHAPTER 13.24 WATER AND SEWER RATE CLASSIFICATIONS SECTION 13.24.060 SERVICE REDUCTION OF THE CITY OF CUSTER CITY MUNICIPAL CODE AND AMENDING, REPLACING, AND SUPERSEDING ALL PRIOR ORDINANCES OR AMENDMENTS, BY WHICH AMENDING AND SUPERSEDING SAID ORDINANCE AS FOLLOWS, TO WIT:

13.24.60 Service Reduction

All residential and commercial customers whose home is not occupied for a period of thirty (30) consecutive days or more shall present a written request for water shut-off in order to have their water and wastewater bill reduced during said period. In order to reinstate water and wastewater service, the customer shall present a written request therefore, at which time the rate reduction will terminate. The following reduced rates will apply for residential customers: water charge – six dollars and seventy-two cents (\$6.72); bond charge – two dollars and sixty cents (\$2.60); wastewater charge - seven dollars and sixty-one cents (\$7.61). The following reduced rates will apply for commercial customers: water charge – eight dollars and seven cents (\$8.07); bond charge – two dollars and sixty cents (\$2.60); wastewater charge - ten dollars and fifteen cents (\$10.15).

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 19th day of November, 2018.

City of Custer City

Corbin Herman, Mayor

Attest _____
Laurie Woodward, Finance Officer

(SEAL)

First Reading: November 5 th , 2018	Vote:	
Seconding Reading: November 19 th , 2018	Arseneault:	Fischer:
Publication: November 28 th , 2018	Moore:	Blom:
	Nielsen:	Whittaker:

2019 UTILITY RATES - 2000 GALLON BASE

Single Family	1000 Gallons	2000 Gallons	3000 Gallons	4000 Gallons	5000 Gallons	6000 Gallons	7000 Gallons	8000 Gallons	9000 Gallons	10000 Gallons
Water	11.01	11.01	18.77	26.53	34.29	42.05	49.81	57.57	65.33	73.09
Water Bond	3.40	3.40	4.99	6.58	8.17	9.76	11.35	12.94	14.53	16.12
Wastewater	22.65	22.65	25.14	27.63	30.12	32.61	35.10	37.59	40.08	42.57
Sewer Bond	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50
Garbage	19.20	19.20	19.20	19.20	19.20	19.20	19.20	19.20	19.20	19.20
Garbage Tax	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
Total Residential Rate	63.01	63.01	74.85	86.69	98.53	110.37	122.21	134.05	145.89	157.73

7.76
1.59
2.49

Commercial & Multi Family	1000 Gallons	2000 Gallons	3000 Gallons	4000 Gallons	5000 Gallons	6000 Gallons	7000 Gallons	8000 Gallons	9000 Gallons	10000 Gallons	20000 Gallons
Water	23.71	23.71	32.84	41.97	51.10	60.23	69.36	78.49	87.62	96.75	188.05
Water Bond	3.40	3.40	4.99	6.58	8.17	9.76	11.35	12.94	14.53	16.12	32.02
Wastewater	26.59	26.59	33.78	40.97	48.16	55.35	62.54	69.73	76.92	84.11	156.01
Sewer Bond	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50	5.50
Total Commercial Rate	59.20	59.20	77.11	95.02	112.93	130.84	148.75	166.66	184.57	202.48	381.58

9.13
1.59
7.19

100000 Gallons	200000 Gallons
918.45	1831.45
159.22	318.22
731.21	1450.21
5.50	5.50
1814.38	3605.38

2019 UTILITY RATES - 2000 GALLON BASE

<u>Single Family</u>	1000 Gallons	2000 Gallons	3000 Gallons	4000 Gallons	5000 Gallons	6000 Gallons	7000 Gallons	8000 Gallons	9000 Gallons	10000 Gallons
Water	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Water Bond	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Wastewater	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%
Sewer Bond	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Garbage	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Garbage Tax	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Total Residential Rate	1.5%	1.5%	1.7%	1.8%	1.9%	2.0%	2.1%	2.1%	2.1%	2.2%

3%
0%
7%

<u>Commercial & Multi Family</u>	1000 Gallons	2000 Gallons	3000 Gallons	4000 Gallons	5000 Gallons	6000 Gallons	7000 Gallons	8000 Gallons	9000 Gallons	10000 Gallons	20000 Gallons
Water	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Water Bond	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Wastewater	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%
Sewer Bond	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Total Commercial Rate	3%	3%									

3%
0%
7%

100000 Gallons	200000 Gallons
3%	3%
0%	0%
7%	7%
0%	0%
3%	3%

2019 UTILITY RATES INCREASE

Single Family	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000	
	Gallons										
Water	0.32	0.32	0.55	0.78	1.01	1.24	1.47	1.70	1.93	2.16	0.23
Water Bond	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Wastewater	1.48	1.48	1.64	1.80	1.96	2.12	2.28	2.44	2.60	2.76	0.16
Sewer Bond	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Garbage	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Garbage Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Residential Rate	1.80	1.80	2.19	2.58	2.97	3.36	3.75	4.14	4.53	4.92	
	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%

Commercial & Multi Family	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000	20000
	Gallons										
Water	0.69	0.69	0.96	1.23	1.50	1.77	2.04	2.31	2.58	2.85	5.55
Water Bond	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Wastewater	1.74	1.74	2.21	2.68	3.15	3.62	4.09	4.56	5.03	5.50	10.20
Sewer Bond	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Commercial Rate	2.43	2.43	3.17	3.91	4.65	5.39	6.13	6.87	7.61	8.35	15.75
	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%

100000	200000
Gallons	Gallons
27.15	54.15
0.00	0.00
47.80	94.80
0.00	0.00
74.95	148.95
4%	4%

0.27
0.00
0.47

RESOLUTION NO. 11/05/18

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 2018 Financial Report.

NAME:	ACCOUNT #:	AMOUNT:
Tyler Celli	401550-04	\$ 54.62
Ryan Kimball	402270-05	\$ 99.38
Stephanie McFalls	500890-07	\$ 85.63
Alyssa Miller	201670-02	\$ 69.41
Phillip Young	400831-09	\$269.95
Audrey Schauer Kimball	401840-01	\$103.33
	TOTAL	<u>\$ 682.32</u>

Signed this 5th day of November, 2018.

ATTEST:

CITY OF CUSTER

LAURIE WOODWARD
FINANCE OFFICER
(SEAL)

CORBIN HERMAN
MAYOR



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

Staff Report

Request: Minor Plat, Terry Subdivision
Applicant: Crossroads Church
Location: Adjacent to US Hwy 16A Approximately 1 mile east of Custer City
Fee Paid: \$125.00
Legal Desc.: Tracts 1 and 2, Terry Subdivision
Date Prepared: October 25, 2018
City Council Meeting: November 5, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a lot line adjustment that is not within the corporate limits of the City of Custer but is within the City's extraterritorial jurisdiction. Private wells serve the parcels. Sewer is provided to proposed Tract 2 by the East Custer Sewer District and Tract 1 by a private septic system. The plat is performing a lot line adjustment between proposed Tract 1 and Tract 2 to provide a larger building envelope for future building plans. The lot line between the proposed Tract 1 and Tract 2 has been shifted east making proposed Tract 1 15.94 acres and proposed Tract 2 2.45 acres.

COMPREHENSIVE PLAN

The comprehensive plan identifies this area as suburban residential and rural residential.

ROUTING SHEET RESPONSES

CC Planning – No Comments

ACCESS

Access to the subdivision is gained to the proposed Tract 2 directly from Highway 16A. Proposed Tract 1 has access from two separate locations. A 66' Public Access and Utility Easement provides access from Highway 16A through Tract 2, and a second access is currently provided directly from Highway 16A.

PREVIOUS ACTION BY PLANNING COMMISSION

The Planning Commission reviewed this plat at their June 12th, 2018 meeting. After some discussion mainly focused around the lot line being adjusted, the easement through proposed Tract 2 and the access to proposed Tract 1, Commissioner Uhrich moved with a second by Commissioner Hudson to recommend approval of the minor plat. Motion carried unanimously.

SUMMARY AND STAFF RECCOMENDATION

This plat was paused briefly in the review process as property owners worked to finalize property exchange between the two parties. No changes have been made to the plat since Planning Commission review, and staff believes the plat complies with applicable City and County plat review requirements. Therefore, staff supports approval of the minor plat by the Council.

rec 6/7/18
Mj

TERRY SUBDIVISION

PLAT OF TRACTS 1, AND 2 OF TERRY SUBDIVISION (FORMERLY LOTS B, AND C OF LOTS 2 AND 3 OF TRACT GOLDEN CIRCLE, AND TRACT MATTHESEN OF TERRY LODE AND TERRY NO. 1 LODE OF MS 2039) LOCATED IN SE1/4 OF SECTION 19 AND IN THE SW1/4 OF SECTION 20, T3S, R5E, BHM, CUSTER, SOUTH DAKOTA

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 SUCCEDED, UNLESS OTHER SUITABLE UTILITY EASEMENTS HAVE BEEN SHOWN.

NOTE

FROM PANEL 46033C 0118 F-DATED JANUARY 1, 2012 INDICATES THAT THERE IS NO PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THIS PLAT

NOTE

ANY CONSTRUCTION WITHIN A DESIGNATED FLOOD HAZARD AREA SHALL REQUIRE A PERMIT AND BE IN ACCORDANCE WITH CUSTER COUNTY ORDINANCE 6

NOTE

LOTS B, AND C ARE RECORDED IN PLAT BOOK 12 PAGE 125 LOTS 2, AND 3 ARE RECORDED IN PLAT BOOK 11 PAGE 740 TRACT MATTHESEN AND TRACT GOLDEN CIRCLE ARE RECORDED IN PLAT BOOK 11 PAGE 502

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

US HIGHWAY 16A IS 200' DEDICATED PUBLIC RIGHT OF WAY EASEMENTS AS PER SDCL 31-3-1

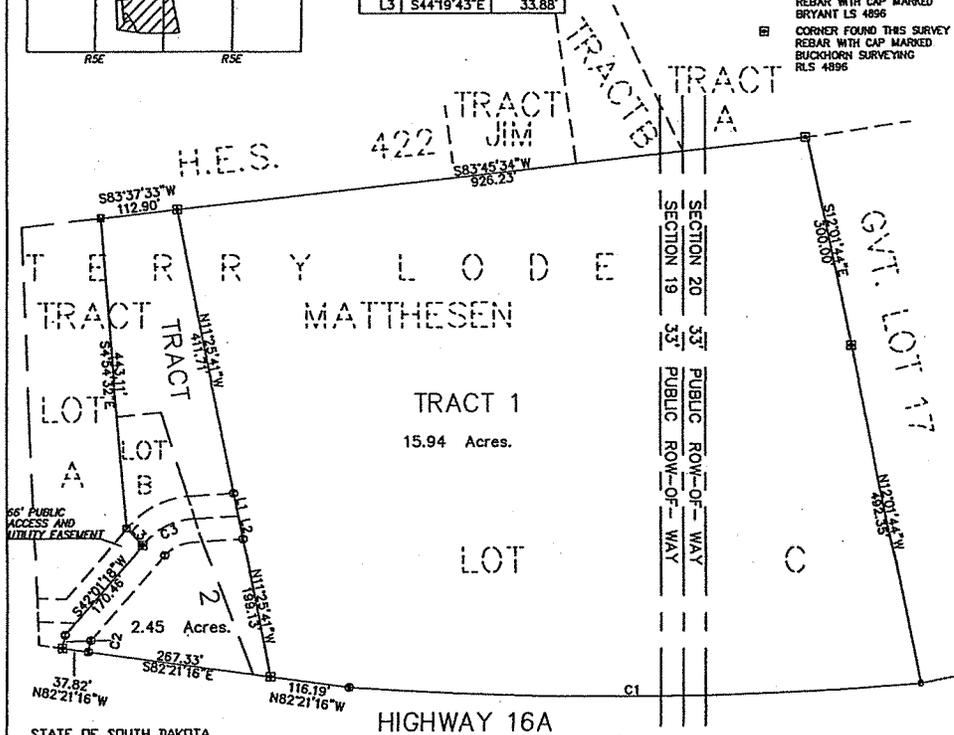
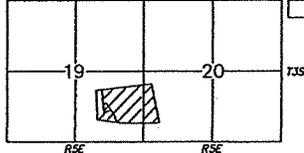
LEGEND

- ☒ CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER SET THIS SURVEY REBAR WITH PLASTIC CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER FOUND THIS SURVEY REBAR WITH CAP MARKED BRYANT LS 2196
- ☒ CORNER FOUND THIS SURVEY B.L.M./G.L.O. STONE MONUMENT
- CORNER FOUND THIS SURVEY REBAR WITH CAP MARKED BRYANT LS 4896
- ☒ CORNER FOUND THIS SURVEY REBAR WITH CAP MARKED BUCKHORN SURVEYING R.L.S. 4896

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	8°31'41"	837.98'	5629.92'	N89°41'41"E	837.21'
C2	10°57'37"	19.13'	100.00'	S10°42'49"W	19.10'
C3	50°30'41"	88.16'	100.00'	S63°49'22"W	85.33'

NUM	BEARING	DISTANCE
L1	S11°25'41"E	33.29'
L2	S11°25'41"E	33.29'
L3	S44°19'43"E	33.88'

VICINITY MAP (NO SCALE)



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 THESE PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND SEWAGE CONTROL REGULATIONS.

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

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 THESE PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND SEWAGE CONTROL REGULATIONS.

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

STATEMENT OF SURVEYOR
FOR BUCKHORN SURVEYING INC
I, JACK H. KRUST, REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT I HAVE PERSONALLY EXAMINED THE SURVEY AND THESE PLAT OF THE LAND SHOWN AND DESCRIBED HEREON. I HAVE MADE SURE THAT THE SURVEY AND THESE PLAT OF SAID LAND COMPLY WITH THE BEST OF MY KNOWLEDGE AND BELIEF, THE THESE PLAT IS A REPRESENTATION OF SAID SURVEY. IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL
THIS _____ DAY OF _____ 20____

BUCKHORN SURVEYING INC.
BY JACK H. KRUST, REGISTERED LAND SURVEYOR



CERTIFICATE OF COUNTY TREASURER
I, TREASURER OF CUSTER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES DUE ON THE LAND DESCRIBED HEREON ARE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE, DATED THIS _____ DAY OF _____ 20____.



PREPARED BY
JACK H. KRUST
BUCKHORN SURVEYING INC
25053 LEVISON LOOP
CLUSTER, SOUTH DAKOTA 57730
(605) 673-5452

01-16-2018
SCALE 1" = 100'

CERTIFICATE OF HIGHWAY AUTHORITY:
I, CLERK OF COURTS OF THE CITY OF CUSTER, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE LOCATION OF THE INTERSECTION OF ANY PROPOSED SUBDIVISION RIGHTS OF WAY WITH A PUBLIC ROAD AND THE LOCATION OF THE INTERSECTION OF ANY PROPOSED SUBDIVISION RIGHTS OF WAY WITH A PUBLIC ROAD IS HEREBY APPROVED.

RESOLUTION OF GOVERNING BOARD:
I, CLERK OF COURTS OF THE CITY OF CUSTER, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE CITY OF CUSTER, SOUTH DAKOTA, HAS REVIEWED THE PLAT OF THE ABOVE DESCRIBED SUBDIVISION AND HAS APPROVED THE SAME.

CITY OF CUSTER, SOUTH DAKOTA
I, CLERK OF COURTS OF THE CITY OF CUSTER, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE CITY OF CUSTER, SOUTH DAKOTA, HAS REVIEWED THE PLAT OF THE ABOVE DESCRIBED SUBDIVISION AND HAS APPROVED THE SAME.

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

CERTIFICATE OF REGISTER OF DEEDS:
I, REGISTER OF DEEDS OF THE COUNTY OF CUSTER, SOUTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE ON RECORD A COPY OF THE ABOVE DESCRIBED PLAT, DATED THIS _____ DAY OF _____ 20____.



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

Staff Report

Request: Minor Plat, Tract Kuehl and Tract Morrow
Applicant: Black Hills Pizza Hut, Inc
Location: Just East of the Intersection of US Hwy 16 and Wazi Lane
Legal Desc.: A Plat of Tract Kuehl and Tract Morrow - See Plat for full legal
Fee Paid: \$125.00
Date Prepared: October 25, 2018
City Council Meeting: November 5, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a lot line adjustment with two parcels that are within the corporate limits of the City of Custer. City utilities serve the proposed Tract Kuehl. Proposed Tract Morrow could be connected to city services if needed.

The area was annexed into the city in 2008 but currently has no zoning.

The plat is performing a lot line adjustment. The existing N/S lot line between the existing Tract Morris and Tr Turner is proposed to be eliminated. The parcel will then be divided with an E/W property line placed in conjunction with an overhead power service crossing the property. An easement has been dedicated along the bisecting property line to provide easement for the power line.

COMPREHENSIVE PLAN

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

ROUTING SHEET RESPONSES

SDDOT – Additional access locations from US16 will not be permitted.
CC ROD – Items incorporated into red line plat sent to surveyor.
CC Planning - Items incorporated into red line plat sent to surveyor.
Custer City Public Works – No concern with an approach and access from Wazi Lane.

ACCESS

Existing access to the area is provided from W Mount Rushmore Road/ Hwy 16.

Proposed Tract Kuehl will contain approximately 144 feet of frontage on W Mount Rushmore Road. Access will remain from W Mount Rushmore Rd/Hwy 16. Note SDDOT routing response.

Proposed Tract Morrow will be accessed directly from Wazi Lane on the West.

Wazi Lane right of way (ROW) notes

- Lot H-1, 40.96' width of ROW was acquired for highway right of way purposes adjacent to the property being platted (Tract Morris) in the mid-1970s.
- Wazi Lane is constructed on Tract Mae of Tract A, approximately 15' from the adjacent Lot H-1 property line. No specific right of way can be found on the neighboring Tract Mae of Tract A as this parcel is and has been City owned and therefore public.

REGULATORY FLOODPLAIN

A large portion of the proposed Tract Morrow is affected by are in the floodway. The presence of the flood hazard has been noted on the plat. All work and/or development within the floodplain will be governed by Custer Municipal Code Chapter 15.16, Flood Damage Prevention and FEMA standards.

PREVIOUS ACTION BY PLANNING COMMISSION

The Planning Commission reviewed this plat at their August 14th, 2018 meeting. After some discussion mainly focused around recent vacation of Tract Freeway, potential zoning of the parcels, and the location of public utilities, Commissioner Uhrich moved with a second by Commissioner Olson to recommend approval of the minor plat. Motion carried unanimously.

SUMMARY AND STAFF RECCOMENDATION

This plat was paused briefly in the review process as property owners worked to address a civil lot line matter. No changes have been made to the plat since Planning Commission review, and staff believes the plat complies with City plat review requirements. Therefore, staff supports approval of the minor plat by the Council.

TRACT KUEHL AND TRACT MORROW

B Rec 7/9/18
mly

CONTAINING ALL OF TRACT MORRIS OF TRACT BOWDEN OF TRACT A (LESS LOT H1), TRACT TURNER OF TRACT BOWDEN OF TRACT A (LESS LOT H1), AND THAT PORTION OF VACATED TRACT FREEWAY LYING ADJACENT TO SAID LOTS, ALL IN THE CITY OF CUSTER, CUSTER COUNTY, SOUTH DAKOTA

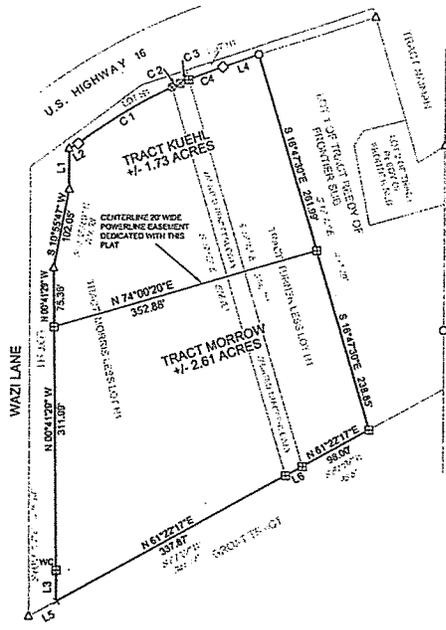
NOTE: See Book 1 of Plats on Page 139 for plat of Tract Morris.

NOTE: See Book 5 of Plats on Page 35 for plat of Lot H1 of Tract Morris.

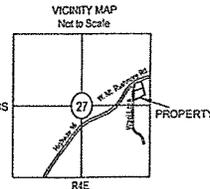
NOTE: See misc. book 484 on page 350 for the resolution vacating Tract Freeway.

NOTE: See Book 1 of Plats on Page 142 for plat of Tract Turner.

NOTE: See Book 5 of Plats on Page 23 for plat of Lot H1 of Tract Turner.



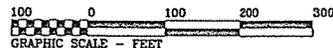
DATE SURVEYED
6 July 2018



LEGEND

- ▲ Found rebar with Aluminum Cap marked "Bryant RLS 2195"
- ◇ Found "T" bar
- Set rebar with aluminum cap marked "ANDERSEN PELS 2842"
- × Angle point not monumented
- Found rebar
- Set "PK" nail in asphalt
- SLANT LETTERING MEASUREMENTS

BASIS OF BEARING - GPS OBSERVATION
taken S 63°46'32"E 153.89' from the NW corner of Tract Morris.



Course	Bearing	Distance
L1	S 00°28'26" E	52.10'
L1	S 60°23'39" E	36.10'
L2	S 60°52'20" W	13.51'
L2	S 53°14'25" W	10.92'
L3	N 00°41'29" W	40.00'
L3	SOUTH	
L4	N 71°22'56" E	49.12'
L4	N 71°02'45" E	45.11'
L5	N 61°22'17" E	40.95'
L5	N 63°24'30" E	41.00'
L6	N 61°22'17" E	24.40'
L6	N 61°02" E	24.4'

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	676.20'	70.90'	141.29'	11°58'19"	8°28'24"	141.04'	N 59°15'54" E
C1	676.20'	70.90'	141.29'	11°58'19"	8°28'24"	141.04'	N 59°15'54" E
C2	676.20'	6.02'	12.03'	1°01'16"	8°28'23"	12.03'	N 65°45'39" E
C3	676.20'	6.01'	12.02'	1°01'05"	8°28'24"	12.02'	N 65°46'51" E
C4	676.20'	23.48'	46.95'	3°58'41"	8°28'24"	46.94'	N 69°16'39" E

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.

An area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 48033C0113F, effective date: Jan. 6, 2012. The placement of fill, 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 the City of Custer City's Flood Ordinance.

CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5908 in the State of South Dakota, do hereby certify that being so subsigned, 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 ___, 2018.

John D. McBride SDRLS No. 5908

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.

Date: _____

Highway Authority

STATE OF _____ COUNTY OF _____

Black Hills Pizza Hut, Inc. does hereby certify that it is the owners of the within described lands and that the within plat was made at its 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 ___, 2018.

Jody Maruska (President)

Director of Equalization of Custer County

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____ COUNTY OF _____
On this the ___ day of ___, 20___, before me, the undersigned officer, personally appeared Jody Maruska, who acknowledged himself to be the President of Black Hills Pizza Hut, Inc., a corporation, and that he, as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.
IN WITNESS WHEREOF I hereunto set my hand and official seal.

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 plats 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 ___, 2018.

Mayor

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 ___, 2018.

Custer City Finance Officer

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
Dated this ___ day of ___, 2018.

Custer County Treasurer

OFFICE OF THE REGISTER OF DEEDS
Filed for record this ___ day of ___, 2018, 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 7/14/2018	P.O. Box 446 Edgemont, SD 57735
Approved by DR	Date 7/15/2018	(605) 562-5500 andersenengineers@qvc.net
Scale 1"=100'	Sheet 1 of 1	File Name: TRACT_MORRIS_2018_PLAT_MORROW_KUEHL



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

Staff Report

Request: Minor Plat, Hendrickson Subdivision
Applicant: Tucker Pankowski
Location: Approximately 2.7 miles West of Custer. Near the int of Pleasant Valley Road & Wind Song Valley Road
Legal Desc.: Hendrickson Subdivision - Plat of Tracts Wesdak, 2A and 2B - See Plat for full legal
Fee Paid: \$450.00
Date Prepared: October 25, 2018
City Council Meeting: November 5, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a subdivision 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 divide the existing Lot 2 (14.40 acres) into two Tracts, Tract 2A (7.2 acres) and Tract 2B (7.2 Acres). Proposed Tract Wesdak is included within this plat to grant the Public Access and Utility easement across such. No additional changes are being made to the proposed Tract Wesdak (Lot 1)

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 Planning – Various redline corrections

CC ROD – Various redline corrections

CC Planning – No concerns

USFS – Maintain current access across private property from Pleasant Valley Road. No additional access across national Forest System lands will be provided.

SDDOT – No concerns

ACCESS

Existing access to the area is provided from US Hwy 385 and Pleasant Valley Rd.

Pleasant Valley Road is a 66' Public Access and Utility Easement serving numerous properties as it continues south.

An existing private easement through Lot 1 serving Lot 2 currently provides access to Lot 2. The proposed plat will upgrade this easement to public through Lot 1, Tract 2A to the north west corner of Lot 2B. This public easement will provide legal access to Tract 2A and Tract 2B.

Per Custer County Ordinance #2 low volume roads shall be used primarily for access to abutting properties containing no more that five (5) dwelling units and shall contain a driving surface of 18' in width. The existing access road located on the easement through proposed Tract Wesdak contains some established drainage and has an average driving surface width of 20' with the narrowest section being approximately 17.5' wide. Staff believes a low volume road is already established into the subdivision area.

REGULATORY FLOODPLAIN

A portion of the proposed Tracts 2A & 2B and a small portion of proposed Tract Wesdak have regulatory floodplain present. The presence of the flood hazard has been noted on the plat. All work and/or development within the floodplain will be governed by Custer County Flood Damage Prevention and FEMA standards.

PREVIOUS ACTION BY PLANNING COMMISSION

The Planning Commission reviewed this plat at their October 9th, 2018 meeting. After some discussion mainly focused around the location of the property from Custer City's municipal boundaries, access to the parcels and the access road to proposed Tracts 2A and 2B, Commissioner Uhrich moved with a second by Commissioner Harbach to recommend approval of the minor plat. Motion carried unanimously.

SUMMARY AND STAFF RECCOMENDATION

Staff believes the plat complies with applicable City and County plat review requirements. Staff supports approval of the minor plat by the Council.

HENDRICKSON SUBDIVISION

PLAT OF TRACTS WESDAK, 2A AND 2B (FORMERLY LOTS 1 AND 2) OF TRACT 3 OF HENDRICKSON SUBDIVISION OF H.E.S. 67 LOCATED IN SECTION 5, T4S, R4E, B.H.M. CUSTER COUNTY, SOUTH DAKOTA

WATER PROTECTION STATEMENT

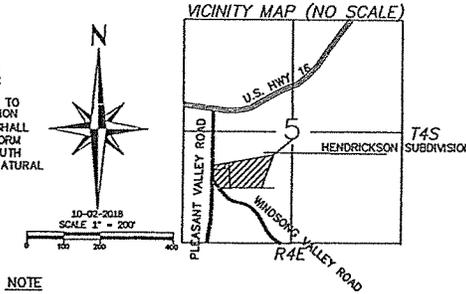
PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2 THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE INCLUDING GROUNDWATER, LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

NOTE

TRACTS 1, 2, AND 3 OF HENDRICKSON SUBDIVISION ARE RECORDED IN PLAT BOOK 10 PAGE 194. LOTS 1, AND 2 OF HENDRICKSON SUBDIVISION ARE RECORDED IN PLAT BOOK 12 PAGE 393.

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.



LEGEND

- CORNER SET THIS SURVEY-REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER SET THIS SURVEY-REBAR WITH PLASTIC CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER FOUND THIS SURVEY-REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
- CORNER FOUND THIS SURVEY-REBAR WITH ALUMINUM CAP MARKED BRYANT R.L.S. #2196
- ⊙ CORNER FOUND THIS SURVEY-B.L.M./G.L.O. STONE MONUMENT
- ⊠ WELL LOCATION

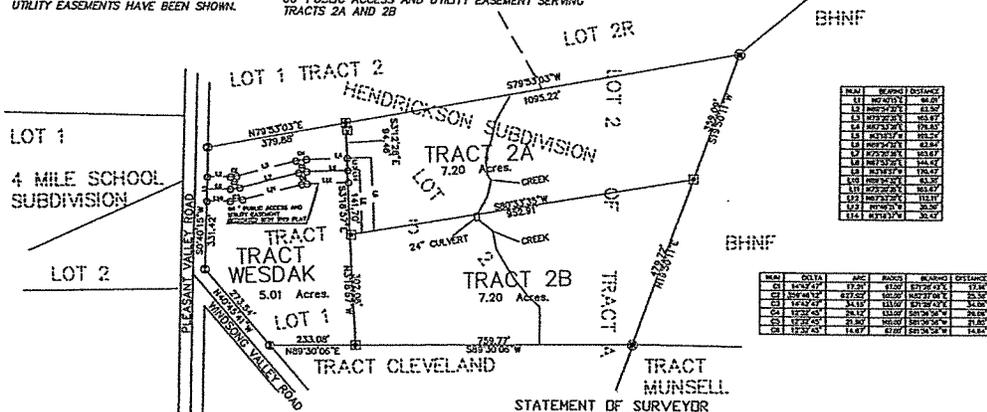
NOTE

FIRM PANEL 46033C 0400 F DATED INDICATES JANUARY 05, 2012 INDICATES THE PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THE PLAT

NOTE

PLEASANT VALLEY ROAD AND WINDSOR VALLEY ROAD ARE 66' PUBLIC ACCESS AND UTILITY EASEMENTS 66' PUBLIC ACCESS AND UTILITY EASEMENT SERVING TRACTS 2A AND 2B

PREPARED BY
JACK H. KNUST
BUCKHORN SURVEYING INC
25053 LEYSON LOOP
CUSTER, SOUTH DAKOTA 57730
(605) 673-5452



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 WITHIN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND SEDIMENT 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 _____

STATEMENT OF SURVEYOR
FOR BUCKHORN SURVEYING INC
I, JACK H. KNUST, REGISTERED LAND SURVEYOR, NO. 4896 OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT BOTH THE SURVEY AND WITHIN PLAT OF SAID LAND, ARE ACCURATE AND CORRECT AND THAT THE SAME PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY AND WITHIN PLAT OF SAID LAND.

DATE: _____ DAY OF _____, 20____

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 4896
JACK H. KNUST
SOUTH DAKOTA

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

HIGHWAY AGENCIES: _____

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 WITHIN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND SEDIMENT 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 _____

RESOLUTION OF GOVERNING BOARD
STATE OF SOUTH DAKOTA
CITY OF CUSTER S.S.
RESOLUTION NO. _____
WHEREAS, THE CITY OF CUSTER, SOUTH DAKOTA, HAS RECEIVED THE WITHIN PLAT OF THE ABOVE DESCRIBED SUBDIVISION AND IT APPEARS TO BE IN ACCORDANCE WITH THE CITY CHARTER;
THEREFORE, BE IT RESOLVED THAT THE CITY OF CUSTER, SOUTH DAKOTA, DOES HEREBY APPROVE THE WITHIN PLAT OF THE ABOVE DESCRIBED SUBDIVISION AND IT APPEARS TO BE IN ACCORDANCE WITH THE CITY CHARTER.

DATE OF THE CITY OF CUSTER: _____
FINANCE OFFICER OF THE CITY OF CUSTER, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON THE _____ DAY OF _____, 20____, AT THE CITY OF CUSTER, BY RESOLUTION DO APPROVE THE PLAT AS SHOWN HEREON.

CUSTER CITY FINANCE OFFICER: _____

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 WITHIN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND SEDIMENT 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 COUNTY TREASURER
I, TREASURER OF CUSTER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE DUE UPON THE WITHIN DESCRIBED LANDS ARE 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: _____

CERTIFICATE OF REGISTER OF DEEDS
FILED FOR RECORD THIS _____ DAY OF _____, 20____, AT _____ FLOOR ____ X.
AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

REGISTER OF DEEDS, CUSTER COUNTY: _____

**STATE OF SOUTH DAKOTA
JOINT POWERS
FINANCIAL AND MAINTENANCE AGREEMENT
BETWEEN
DEPARTMENT OF TRANSPORTATION
AND
CITY OF CUSTER**

This Joint Powers Agreement (Agreement) is made by and between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as the "STATE," and the city of Custer, South Dakota, referred to in this Agreement as the "CITY." The STATE and the CITY concur in the construction of a Federal Aid Construction Project in the Roadway Safety Improvement Category, listed in the Department of Transportation Statewide Transportation Improvement Program for Fiscal Year (FY) 2020, in the city of Custer, South Dakota, as follows:

1. JOINT POWERS

This Agreement does not establish a separate legal entity, as contemplated by SDCL 1-24-5. The cooperative undertaking described in this Agreement will be financed and conducted under the provisions of this Agreement by the CITY and the STATE. Each party has responsibilities under the terms of this Agreement and no joint board or administrator will be used. No real property will be purchased for use for this Agreement.

2. STATE PROJECT

The STATE and the CITY concur in the proposal for the Sign and Delineation project identified as Roadway Safety Improvement Project Number PH 8017(08) PCN 04KC, located on various CITY roads in the city of Custer, referred to in this Agreement as the "PROJECT."

3. CONTRACT PROCUREMENT

- A. The STATE will design, advertise, let to contract, and be the contracting party for the PROJECT.
- B. The STATE will obtain the required environmental clearances for the PROJECT.
- C. The STATE will provide construction engineering including construction supervision and inspection.

4. CITY RESPONSIBILITY

- A. The CITY will have the sole obligation and responsibility for maintenance of the PROJECT.
- B. The CITY will use the following method(s) for maintaining sign retroreflectivity in conformance with the MUTCD: (check all that apply)

- Visual Nighttime Inspection
- Measured Sign Retroreflectivity
- Expected Sign Life Method
- Blanket Replacement Method
- Control Sign Method

These methods can be found at the following website address:

http://safety.fhwa.dot.gov/roadway_dept/night_visib/retrotoolkit/moreinfo/intro/index.htm.

- C. Should the CITY choose to not construct the PROJECT after the effective date of this Agreement, the CITY will be one hundred percent (100%) responsible for any costs incurred, including but not limited, to design engineering, construction engineering, and material costs. The CITY will pay those costs to the STATE within thirty (30) days of receipt of a billing from the STATE.

5. FINANCIAL RESPONSIBILITY

The STATE will pay One Hundred Percent (100%) of the actual cost for the PROJECT with Federal Section 154/164 Funds, subject to the provisions of Section 4.C.

6. INDEMNIFICATION

The CITY will indemnify the STATE, its officers, agents, and employees against any and all actions, suits, damages, liability, or other proceedings that may arise as the result of performing services under this Agreement. This section does not require the CITY to be responsible for or defend against claims or damages arising from errors or omissions of the STATE, its officers, agents, or employees.

7. RECORDS RETENTION AND AUDIT

- A. All PROJECT charges will be subject to audit in accordance with the STATE'S current procedures and United States Office of Management and Budget (OMB) Circular regulations, found at 2 CFR Part 200 Subpart F. The CFDA Number for these funds is 20.205. Allowable costs will be determined in accordance with 2 CFR Part 200.
- B. Upon reasonable notice, the CITY will allow the STATE or U.S. Department of Transportation representatives to examine all records of the CITY related to this Agreement during the CITY'S normal business hours. The CITY will keep all records for a period of three (3) years after the date of final payment is made by the STATE under this Agreement and all other pending matters are closed.
- C. If the CITY expends Seven Hundred Fifty Thousand Dollars (\$750,000.00) or more in federal funds during any CITY fiscal year covered, in whole or in part, under this Agreement, then the CITY will be subject to the single agency audit requirements of the U.S. Office of Management and Budget (OMB) Circular regulations, found at 2 CFR Part 200 Subpart F. If the CITY expends less than Seven Hundred Fifty Thousand Dollars (\$750,000.00) in federal funds during any CITY fiscal year, the STATE may perform a more limited program or performance audit related to the completion of Agreement objectives, the allowability of services or costs and adherence to Agreement provisions.

8. AMENDMENT

This Agreement may not be amended except in writing, which writing will be expressly identified as a part of this Agreement, and be signed by an authorized representative of each of the parties.

9. TERMINATION

The STATE may terminate this Agreement on thirty (30) days' written notice. If the CITY breaches any of the terms or conditions of this Agreement, this Agreement may be terminated by the STATE at any time with or without notice.

10. AUTHORIZATION

The CITY has designated its Mayor as the CITY'S authorized representative and has empowered the Mayor with the authority to sign this Agreement on behalf of the CITY. A copy of the CITY'S Commission or Council minutes or resolution authorizing the execution of this Agreement by the Mayor as the CITY'S authorized representative is attached to this Agreement as **Exhibit A**.

11. EMPLOYEE STATUS

Any officer, employee, or agent engaged in joint action under this Agreement will remain an employee of his or her employer during participation in joint action under this Agreement. Each party will retain exclusive responsibility for its officers, agents, and employees while these officers, agents, and employees are engaged in joint action under this Agreement, including but not limited to responsibility for regular and overtime wages and salaries, unemployment benefits, workers' compensation coverage, health insurance, or other benefits, and liability coverage and indemnity, except as otherwise specifically provided in this Agreement.

This Agreement is binding upon the signatories not as individuals but solely in their capacities as officials of their respective organizations and acknowledges proper action of the STATE and the CITY to enter into same.

City of Custer, South Dakota

State of South Dakota
Department of Transportation

By: _____

By: _____

Its: Mayor

Its: Secretary

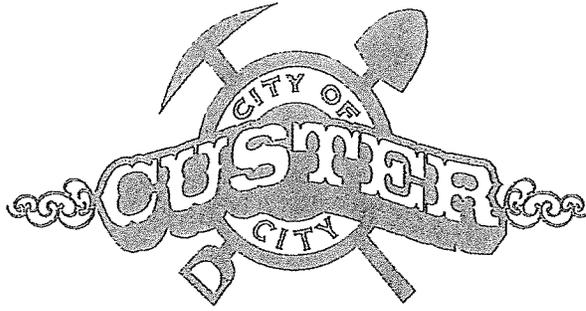
Date: _____

Date: _____

Attest:

City Auditor/Clerk

(CITY SEAL)



622 Crook Street
Custer, SD 57730

Mayor
Corbin Herman

Phone: (605) 673-4824
Fax: (605) 673-2411

November 5, 2018

Mr. John Kanta
Regional Supervisor
Dept. of Game, Fish, and Parks
4130 Adventure Trail
Rapid City, SD 57702

Re: Deer Management

Dear Mr. Kanta:

On behalf of the City of Custer City and based on action by the City Council, we are requesting consideration and issuance of 125 game tags to the City of Custer City Deer Management program. Of the 125 tags we are requesting, 25 of them would be only for the Custer Golf Course. Would you please forward this request to the Secretary of the South Dakota Game, Fish, and Parks for the authorization required to conduct this program for and within the City of Custer. We are enclosing a summary of our deer count this year, which has a separate count from the Golf Course due to complaints from the management of the facility.

The logistics of the program, as in the past, will be to harvest from December 1, 2018 through January 31, 2019. We will take antlerless deer only and those deer will be taken at specific sites within the city limits. The harvesting team will be certified sharpshooters with the special equipment necessary to safely accomplish the task. All deer taken will be field dressed and delivered to a wild game processing facility for processing. The heads of the harvested deer will be sent to the proper lab for a health analysis by the processors. All harvested deer will be given to the local food bank. All harvested deer will be tracked using the tag number supplied by the State. Tracking will begin at the site at which they are taken and end with the health statement.

Thank you for your consideration.

If you have any questions, please give our Public Works Director, Bob Morrison a call at 605-673-4824.

Sincerely,

Corbin Herman
Mayor

Encl:

CUSTER DEER SURVEY WORKSHEET

DATE	TIME	DOES	FAWN	BUCKS	Unk	Total	Culled
10/24/2007	AM	70	51	8	63	192	
							132
10/23/2009	AM	82	48	11		141	100
10/29/2010	AM	51	50	16		117	100
10/25/2011	AM	37	33	9		79	50
11/1/2012	AM	57	44	15		116	75
11/2/2013	AM	28	20	3		51	

DATE	TIME	DOES	FAWN	BUCKS	Unk	Total
10/23/2007	PM	58	45	8	65	176
10/21/2009	PM	65	30	6	8	109
10/28/2010	PM	61	65	25		151
10/24/2011	PM	48	36	11		95
11/2/2012	PM	51	49	14	4	118
11/3/2013	PM	45	41	9		95

10/14/2015 06:40-07:30

NW	5	2	1	8
SW	0	0	0	0
SE	16	3	3	22
NE	14	12	3	29
Total	35	17	7	59

10/14/2015 17:40-18:35

NW	6	6	0	12
SW	4	3	1	8
SE	23	16	6	45
NE	29	15	6	50
Total	62	40	13	115

10/21/2016 07:05-07:55

NW	10	4	2	16
SW	17	10	2	29
SE	20	6	1	27
NE	15	10	0	25
Total	62	30	5	97

10/27/2016 16:50-17:40

NW	5	5	2	12
SW	11	7	0	18
SE	23	18	5	46
NE	17	17	4	38
Total	56	47	11	114

Golf Course

10/24/2017 07:00-07:36

GC	20	12	4	13	49
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10/24/2017 17:05-17:43

	27	13	3	19	62
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10/25/2017 07:02-07:46

NW	15	5	1	21
SW	18	17	6	41
SE	8	9	16	33
NE	12	5	4	21
Total	53	36	11	116

10/25/2017 17:05-17:54

NW	9	5	3	17
SW	13	5	3	21
SE	28	27	1	56
NE	19	16	7	42
Total	69	54	14	137

Total Culled: 457

10/17/2018 07:03-07:48

NW	7	4	4	15
SW	6	3		9
SE	18	12	3	33
NE	8	5	6	19
Total	39	24	13	76

10/17/2018 16:52-17:43

NW	14	6	6	26
SW	5	6	3	14
SE	27	16	4	47
NE	23	21	5	49
Total	69	49	18	136

Total Culled: 0

Notes 10/17/18 AM - approximately 35 degrees, wind minimal, clear skies, frosty

Golf Course

10/24/2018 07:26-08:00

GC	7	4	4	10	25
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10/24/2018 16:46-17:21

	17	14	8	39
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Dear SDWARN Member,

SDWARN has acquired some pumping and flood fighting related equipment from the City of Fort Pierre. In order to make the equipment complete with all the hoses and couplers needed, we have procured a grant from SDDENR to cover \$4000 of the total \$7,300 total cost. In an attempt to fund the remaining cost of the accessories, the City of Madison is donating \$500 as a challenge grant. Interested entities can match the challenge amount or donate anything they are compelled to donate.

As a point of refence, one WARN member used one of the larger pumps to drain a low lying area that had flooded this summer. So the larger pumps are getting used and are a great asset for SDWARN.

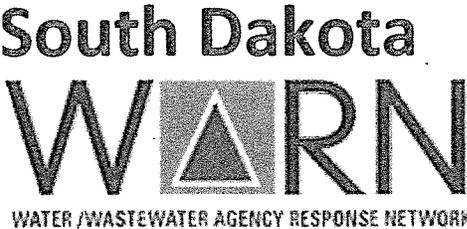
The other reason for wanting to increase funding is to provide for a central SD location for WARN equipment. Currently the WARN equipment is stored at two locations, one in Madison and one in Spearfish. There is an option that we want to pursue in the Pierre area that will require some modest amounts of funding. We don't have a budget for that currently, but will be investigating that option in the near future.

Finally, we would like to procure new 4" portable pumps that we could house at each location. The pumps with accessories will cost around \$5,000 each.

Please consider helping SDWARN increase our equipment capabilities.

Sincerely,

Brad Lawrence



 Virus-free. www.avast.com

Aflac, Insurance, \$542.74
Amazon.com, Supplies, \$91.48
Banner Associates, Professional Fees, \$1,589.13
Battle Mountain Humane Society, Animal Control Contract, \$1,000.00
Beesley Law Office, Professional Fees, \$1,300.00
Black Hills Chemical, Supplies, \$180.88
Black Hills Energy, Utilities, \$1,218.53
Baymont Inn, Travel/ Conference, \$360.95
Chronicle, Publishing, \$568.47
Custer Do It Best, Supplies, Repair and Maintenance, \$69.51
Chamber of Commerce, Supplies, \$200.00
Century Business Products, Supplies, \$172.79
City of New Underwood, Supplies, \$25.00
Custer County Auditor, Professional Fees, \$1,414.50
California State Disbursement, Deduction, \$106.38
Dacotah Bank, TIF Payment #2, \$1,256.88
Delta Dental, Insurance, \$148.20
Discovery Benefits, Supplies, \$1,210.38
EFTPS, Taxes, \$19,865.16
Expedia, Travel/ Conferene, \$886.60
Fastenal, Supplies, \$716.93
Fennell Design, Professional Fees, \$11,795.00
First Interstate Bank, TIF #4 Payment, \$24.76
First Interstate Bank, TIF #1 Payment, \$1,303.89
Full Source, Supplies, \$127.46
Green Owl Media, Professional Fees, \$140.00
Golden West Telecommunications, Utilities, \$592.05
Golden West Technologies, Repairs and Maintenance, \$673.50
Hespen Excavating, Repairs & Maintenance, \$2,521.89
Hach, Repairs & Maintenance, \$161.12
Kimball Midwest, Supplies, \$178.98
Lamonte's Auto Center, Repairs & Maintenance, \$1,777.84
Northwest Pipe Fitting, Supplies, \$129.89
Petty Cash, Supplies, \$543.44
Pitney Bowes, Supplies, \$48.69
Quality Auto Body, Repairs & Maintenance, \$26.84
Quill, Supplies, \$292.46
Ryan, Donald, Kristy, Reimbursement, \$90.00
Safety Benefits, Travel & Conference, \$130.00
Sanders Sanitation, Garbage Collection Contract, \$14,244.80
State of SD, Sales Tax, \$1,013.24
SD DCI, Supplies, \$43.25
Bit Finance/ State Long Distance, Utilities, \$29.69
SD Retirement System, \$9,188.00
SD State Treasurer, Unclaimed Property, \$446.31
SD One Call, Supplies, \$348.60
Supplemental Retirement, \$800.00
The Hartford, Insurance, \$64.12
USA Bluebook, Repairs & Maintenance, \$303.51
Unemployment Insurance Division of SD, 3rd Quarter, \$51.10
Verizon Wireless, Utilities, \$464.19
Wright Express, Supplies, \$1,491.45
Custer Industrial, Utility Deposit Refund, \$37.73
CH Housing 10th Street, Utility Deposit Refund, \$61.21

Anderson, Carl, Utility Deposit Refund, \$34.75
Mayor & Council, \$8,800.00
Finance Department, \$6,942.37
Public Buildings, \$4,053.61
Planning Department, \$10,964.78
Public Works Department, \$4,555.56
Street Department, \$12,374.88
Cruisin Department, \$120.23
Parks Department, \$7,637.23
Water Department, \$16,906.66
Wastewater Department, \$16,787.89
Total Claims, \$171,247.48