

**SUMMERSET CITY COMMISSION
REGULAR MEETING
SUMMERSET MUNICIPAL BUILDING
7055 LEISURE LANE
THURSDAY, JULY 21st, 2022 6:00 P.M.**

Mayor Torno called the Regular Meeting to order at 6:00 p.m. Commissioners Hirsch, Butler, and Nasser were present. Commissioner Kitzmiller was absent. The City Attorney and City Administrator was also present.

Mayor Torno led in the Pledge of Allegiance.

Commissioner Butler gave the invocation.

Motion by Hirsch, second by Butler, to approve the agenda for the regular meeting of the Summerset City Commission for July 21st, 2022 as presented or amended. Motion carried.

CONSENT CALENDAR

Motion by Hirsch, second by Nasser, to approve the minutes of the regular meeting of July 7th, 2022 as amended. Motion carried.

APPROVAL OF CLAIMS

Motion by Nasser, second by Butler, to approve the claims and hand checks in the amount of \$82,927.58 from July 7th, 2022 through July 20th, 2022. Motion carried.

AQUA AEROBIC SYSTEMS	CLOTH SOCK WWTP	3,303.33
BLACK HAWK WATER USERS DISTRIC	MONTHLY USAGE	75.10
CBH CO-OP	GOVT FUEL	5,795.75
CITY OF RAPID CITY	SOLID WASTE DISPOSAL	5,829.77
DAKOTA PUMP, INC	REPAIR LIFT/ PLANT PLC	1,785.71
DELTA DENTAL	EMPLOYEE DENTAL INSURANCE	796.10
DEMERSSEMAN JENSEN	LEGAL SERVICES	1,895.00
FIRE PRO	FIRE EXT RECHARGE	99.50
GOLDEN WEST TECHNOLOGIES	COMP SERVICES	3,876.50
HDR ENGINEERING, INC	ENGINEERING FEES	49,703.88
KIEFFER SANITATION	TEMP PORTABLE TOILETS	300.00
LEGENDARY ELECTRIC	LIFT UPGRADE	832.91
MEADE COUNTY AUDITOR	DISPATCH JUNE 2022	2,068.39
MIDCONTINENT COMMUNICATIONS	WWTP TELEPHONE	201.64
MIDCONTINENT TESTING LABS	TESTING	321.00
MONTANA DAKOTA UTILITIES	MONTHLY USAGE	272.62
RAPID CITY JOURNAL	PUBLICATIONS	298.15
RCS CONSTRUCTION INC	GREENHOUSE TEMP REPAIRS	3,536.43
SD ONE CALL	JUNE NOTIFICATIONS	56.70
SONTECH	INSTALLED PUSH BUMPER	640.00
	JUNE PREMIUMS	249.34

AFLAC REMITTANCE
PROCESSING
SOUTH DAKOTA STATE
TREASURER

SALES TAX COLLECTED JUNE 2022 989.76

UTILITY BILLING ADJUSTMENTS

Motion by Butler, second by Hirsch to approve utility billing adjustments of \$595.20 for the period June 1st thru June 30th, 2022. Motion carried.

DEPARTMENT HEAD REPORTS

Department heads gave report of monthly activities.

RESIGNATION OF POLICE/SCHOOL RESOURCE OFFICER BRANDY PALMER.

Motion by Hirsch, second by Nasser to accept the resignation of Brandy Palmer effective July 20th, 2022. Motion carried.

PAYROLL CHANGE – PUBLIC WORKS/MITCH ANGLIN

Motion by Butler, second by Hirsch to open discussion for a 90-Day Review from \$20.00 to \$22.00. Effective July 4th, 2022. Motion carried.

Motion by Butler, second by Nasser to close discussion. Motion carried.

Motion by Butler, second by Hirsch to approve the payroll change to \$22.00. Motion carried.

PAYROLL CHANGE – PUBLIC WORKS DIRECTOR/ANTHONY KAYL

Motion by Nasser, second by Hirsch to open discussion for a 90-Day Review for Anthony Kayl currently at \$25.00. Effective July 4th, 2022. Motion carried.

Motion by Hirsch, second by Butler to close discussion. Motion carried.

Motion by Butler, second by Nasser to table the matter until a review is completed. Motion carried.

CODE ENFORCEMENT STANDARD OPERATING PROCEDURES

Motion by Butler, second by Nasser to open for discussion. Motion carried. Public Works Dept Head spoke to the same.

Motion by Nasser, second by Hirsch to close discussion. Motion carried.

Motion by Hirsch, second by Nasser to adopt the Code Enforcement Standard Operating Procedures. Motion carried.

PINE HILLS MOBILE HOME COURT – SEWER MAINTENANCE

Motion by Butler, second by Hirsch to open for discussion. Motion carried. Waste Water Superintendent Jon Ambrose spoke to the same.

Motion by Hirsch, second by Butler to close discussion. Motion carried.

No further action taken.

DISCRETIONARY FORMULA RESOLUTION - DISCUSSION

Motion by Nasser, second by Butler to open for discussion. Motion carried. City Administrator Lisa Schieffer gave the background on the discretionary formula and new laws that took effect.

Motion by Nasser, second by Butler to close discussion. Motion carried.

No further action taken.

SET DATES FOR FISCAL YR 2023 BUDGET HEARINGS

Motion by Nasser, second by Hirsch to set for August 22nd, 24th and 25th 2022. Motion carried.

STATE OF SOUTH DAKOTA BOARD OF WATER AND NATURAL RESOURCES SUB-RECIPIENT AGREEMENT

Motion by Nasser, second by Hirsch to approve signing the agreement. Motion carried.

RESOLUTION NO. #2022-14 GIVING APPROVAL TO CERTAIN SEWER FACILITIES IMPROVEMENTS.

Motion by Butler, second by Nasser to approve Resolution 2022-14. Motion carried.

RESOLUTION NO. #2022-15 – CITY SURCHARGE FOR SERVICES.

Motion by Nasser, second by Butler to open discussion on required surcharge. Motion carried.

Motion by Nasser, second by Butler to close discussion. Motion carried.

Motion by Butler, second by Hirsch to approve Resolution 2022-15. Motion carried.

SUMMERSET CITY COMMISSION CODE OF ETHICS

Mayor Torno spoke to the revisions.

CITY OF SUMMERSET ROLES & RESPONSIBILITIES FIVE-COMMISSIONER FORM OF GOVERNMENT

Mayor Torno spoke to the revisions.

CITY COMMISSION INFORMATION

Mayor Torno spoke to the revisions.

2021 ELECTED OFFICIALS’ ORIENTATION PACKET

Mayor Torno spoke to the revisions.

SET FIRST READING OF ORDINANCE 2022-09 A REVISION OF 92.073

Motion by Hirsch, second by Nasser to set first reading for August 18th, 2022. Motion carried.

CITIZENS INPUT

None

UPCOMING EVENTS

None

ITEMS FROM CITY ATTORNEY

Motion by Hirsch, second by Butler, to enter into executive session at 7:02 p.m. per SDCL 1-25-2 for discussing legal, economic development, negotiations, and personnel issues. Motion carried.

Motion by Nasser, second by Hirsch, to exit executive session at 7:37 p.m. Motion carried.

ADJOURNMENT

Motion by Hirsch, second by Nasser, to adjourn at 7:38 p.m. Motion carried.

(SEAL)

ATTEST:

Candace Sealey
Finance Officer

Melanie Torno
Mayor

Published once _____ at a cost of \$_____.

Check Register Report

Date: 08/01/2022

Time: 11:45 AM

Page: 1

City of Summerset

BANK BANKWEST

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
BANKWEST Checks								
25683	08/01/22	Printed			1098	A&B BUSINESS SOLUTIONS	MONTHLY CONTRACTS	709.39
25684	08/01/22	Printed			0962	ALLEN, DON	CELL PHONE STIPEND	50.00
25685	08/01/22	Printed			1111	AMBROSE, JONATHAN	CELL PHONE STIPEND	50.00
25686	08/01/22	Printed			1808	ANGLIN, MITCH	CELL PHONE STIPEND	50.00
25687	08/01/22	Printed			1816	AT&T MOBILITY	PD NETMOTION	480.00
25688	08/01/22	Printed			0808	BLACK HILLS ENERGY	JULY 2022	6,163.53
25689	08/01/22	Printed			1830	BLUEPEAK	FAX, PHONE, INTERNET	1,118.95
25690	08/01/22	Printed			0095	Butler, Dave	CELL PHONE STIPEND	50.00
25691	08/01/22	Printed			1268	CANDACE SEALEY	CELL PHONE STIPEND	50.00
25692	08/01/22	Printed			1665	CARDMEMBER SERVICES	CREDIT CARD FLEET CHARGES	135.19
25693	08/01/22	Printed			1813	DAVIS, OWEN	CELL PHONE STIPEND	50.00
25694	08/01/22	Printed			0468	DELTA DENTAL	EMP DENTAL INS	1,122.50
25695	08/01/22	Printed			1722	DUCHENEUX,HALAYNA	CELL PHONE STIPEND	50.00
25696	08/01/22	Printed			0246	GOLDEN WEST	GENETEC SOFTWARE INSTALL	150.00
25697	08/01/22	Printed			1369	GREENAPIS	JANITORIAL GOVT BUILDINGS	475.00
25698	08/01/22	Printed			0544	Gunderson & Palmer	LEGAL FEES	2,350.00
25699	08/01/22	Printed			0698	HAWKINS INC.	DEFOAMER	2,467.20
25700	08/01/22	Printed			0041	HEALTH POOL OF SD	EMP MEDICAL INS	16,937.28
25701	08/01/22	Printed			1506	HERMANSON EGGE ENGINEERING	2 RESIDENTIAL INSPS	210.00
25702	08/01/22	Printed			1513	HIRSCH, CLYDE	CELL PHONE STIPEND	50.00
25703	08/01/22	Printed			0781	Humane Society of Black Hills	HUMANE SOCIETY	125.19
25704	08/01/22	Printed			1566	JUSO, COLTON	CELL PHONE STIPEND	50.00
25705	08/01/22	Printed			1103	KITZMILLER, MICHAEL	CELL PHONE STIPEND	50.00
25706	08/01/22	Printed			0324	Kayl, Anthony	CELL PHONE STIPEND	50.00
25707	08/01/22	Printed			1656	LEGENDARY ELECTRIC	BREAKER PD	76.53
25708	08/01/22	Printed			1787	MACRANDER, MATTHEW	CELL PHONE STIPEND	50.00
25709	08/01/22	Printed			1698	MONTILEAUX, CASEY	CELL PHONE STIPEND	50.00
25710	08/01/22	Printed			1812	NASSER, ALEXIS	CELL PHONE STIPEND	50.00
25711	08/01/22	Printed			1730	NASSER,RICH	CELL PHONE STIPEND	50.00
25712	08/01/22	Printed			1788	O'GRADY, BRENDA	CELL PHONE STIPEND	50.00
25713	08/01/22	Printed			1732	SCHIEFFER, LISA	CELL PHONE STIPEND	50.00
25714	08/01/22	Printed			1746	SCHROCK, BRIELLE	CELL PHONE STIPEND	50.00
25715	08/01/22	Printed			1022	SDRS-SUPPLEMENTAL	SUP RET CONTS JULY 2022	545.00
25716	08/01/22	Printed			1328	SERVALL UNIFORM & LINEN SUPPLY	MONTHLY FEES	162.89
25717	08/01/22	Printed			1820	SMITH, JEFF	CELL PHONE STIPEND	50.00
25718	08/01/22	Printed			1729	TORNO, MELANIE	CELL PHONE STIPEND	50.00
25719	08/01/22	Printed			1023	TYLER TECHNOLOGIES, INC	MAINT AND ANNUAL FEES	17.27
25720	08/01/22	Printed			0128	UNITED STATES TREASURY	PAYROLL TAX DEP JULY 2022	15,776.27
25721	08/01/22	Printed			1024	USA BLUEBOOK	WWTP SUPPLIES	473.70
25722	08/01/22	Printed			0203	Verizon Wireless	LE VOICE AND MOBILE	190.10

Total Checks: 40 Checks Total (excluding void checks): 50,685.99

Total Payments: 40 Bank Total (excluding void checks): 50,685.99

BANKWEST EFT Checks

111	08/01/22	Printed			0322	AFLAC REMITTANCE PROCESSING	EMP INS PREMIUMS JULY	156.65
114	08/01/22	Printed			1665	CARDMEMBER SERVICES	CREDIT CARD CHARGES	4,666.58
115	08/01/22	Printed			0011	SDRS	JULY 2022 RET CONTS	9,108.80
116	08/01/22	Printed			1245	SOUTH DAKOTA STATE TREASURER	SALES TAX COLL JULY 2022	975.06

Total Checks: 4 Checks Total (excluding void checks): 14,907.09

Total Payments: 4 Bank Total (excluding void checks): 14,907.09

Total Payments: 44 Grand Total (excluding void checks): 65,593.08

Required REPORT

July 2022 Commissioner Kitzmiller

MEETINGS

- Attended 1 Commission Meeting
- Attended Special Meeting
- Attended

PUBLIC WORKS

- Dozens of calls and text messages between Public Works employees/citizens and myself
 - Mack Garbage Truck is down for repair. All other Public Works equipment is operational.
 - Report of the City Garbage Truck damaging a private party's vehicle.
 - Continued work on the Sewer Treatment Plant Road.
 - No report regarding Sun Valley homes pumping ground water.
 - Diamond T trailer park had a plugged sewer line that dumped sewage onto Try Form Construction property.
 - Sun Valley Containment area for yard waste has been set up.
 - Cross Walk painting as weather allows.
- Update on upcoming street projects
 - Infinity Drive Paving is being discussed.... reference Pre-Work completion.
- Maintained public Facebook page
 - Monitored City's Facebook page for citizen concerns Follow up discussions with Summerset citizens.

Commissioner Report

Commissioner: Alexis Nasser

Department: Finance

Attended ___2___ Commission Meetings

Attended ___0___ Special Meetings

- Email check-in with Candace regarding her return.
- Reviewed monthly financials.

July 2022 MAYOR REPORT

COMMISSION MEETINGS

- * Attended (1) Commission Meeting
- * Scheduled vacation from June 29th through July 14th

CITY DEVELOPMENT AND PLANNING

- * Discussions (multiple) with City Administrator regarding current developments and permits
- * Meeting with LSchieffer, AKahl, LShagla, and Meade County Commissioners regarding connector road from Recreation Dr. to Sturgis Rd., as well as possible future development, road operations and land in Summerset.
- * Discussed legal matters regarding resolution to waste water expansion project with MWheeler
- * Follow up discussions with AKahl regarding city land off of Recreation Dr and possible uses for that land
- * Discussion with LSchieffer regarding violation of stop work order and plan to move forward – ongoing
- * Site visit to property off of Stage Stop regarding violation of stop work order and renewal of permits
- * Site visit to a residents home with LSchieffer and AKahl to discuss drainage and possible building a structure on his property
- * Ongoing discussion regarding updating fees for the city (tap fee formula) and adding possible roofing and siding fees with LSchieffer

DEPARTMENT AND PERSONNEL INTERACTION

- * Discussion with LSchieffer regarding discretionary formula and impact of attracting commercial opportunities
- * Discussed legal issues regarding Water Warriors with MWheeler
- * Discussion with CSealey regarding payroll, benefits payments, budget items, and utility billing costs and processes

- * Follow up discussions rezoning and compliance issues with property near Stagestop with LSchieffer, LShagla and TWieczorek with multiple follow up emails and conversations
- * Discussed personnel items with MWheeler
- * Discussed handbook updates and progress for approval with LSchieffer, including leave slips
- * Email discussions with AKahl regarding fencing at WW and PW, siren issues, including operation and maintenance, personnel issues of 90 day reviews, mosquito mitigation, and fence repair caused by city mower
- * Email with LSchieffer regarding insurance payment and light pole repair timeline
- * Email discussions with LSchieffer and AKahl regarding proposed changes to standard operating procedures and fines from code enforcement and presenting to Commission for approval
- * Email discussions with JAmbrose, LSchieffer, and AKahl regarding possible purchase of land owned by Gingras
- * Email discussions with LSchieffer and AKahl regarding possible change in possible road operations/maintaining with DOT roads
- * Email discussions with LSchieffer, LShagla, and TWieczorek regarding compliance and renewing grading permit with Stage Stop property with follow up phone conversation with LSchieffer to discussion resolutions and city actions to correct issues
- * Email discussions with LSchieffer and MWheeler regarding waste water resolution to be scheduled for 7-21-22 meeting
- * Check in emails with LSchieffer, AKahl, ANasser, DAllen, BSchrock, JAmbrose, and RNasser during vacation
- * Discussed TIF 1 & 2 information with LSchieffer and CSealey – ongoing to address waste water costs
- * Email discussions regarding changes in application for Siouxland Road with LSchieffer
- * Email discussions with LSchieffer and MWheeler regarding possible increase in liquor licenses for Summerset
- * Discussion with MWheeler regarding TIF 1 & 2 and impacts to waste water operating costs
- * Discussed a possible utility rate study with CRobinson and LSchieffer with process to move forward

- * Discussed personnel matters, utility billing, and budget items for 2022 & 2023 with CSealey via telephone
- * Email discussion with LShagla and LSchieffer regarding HDR's involvement with SDEDA Water Regionalization study
- * Discussed personnel matters with DAllen and MWheeler
- * Participated in interviews for the police department
- * Email discussion with JAmbrose, MWheeler, and DButler regarding industry standards for maintenance of waste water systems
- * Email discussion with LSchieffer regarding carpet cleaning for the city admin building and police department
- * Review 90 day review of MAnglin
- * Review 90 day review of ODavis
- * Discussed water issues with AKahl regarding water issues with Diamond D water in Sun Valley Estates.
- * Discussed waste water issues in Pine Haven Trailer Park with AKahl with follow up via phone, email, and in person
- * Discussed waste water issues in Pine Haven Trailer Park with JAmbrose with follow up via email and in person
- * Follow up phone calls with Diamond D water and BPowles regarding water issues and resolutions.
- * Reviewed and approved commission meeting agendas and minutes
- * Discussed accident investigation with LSchieffer, AKahl and DAllen
- * Discussed accident investigation with DAllen, RNasser, and CMontileaux, including procedure and time line
- * Review of video and still images of crash investigation with follow up discussion with RNasser
- * Discussion with CSealey, LSchieffer, and DAllen regarding time sheets, W4's, and payroll deductions with follow up after completion of new W4's
- * Discussed with CSealey regarding waste water billing information and processes
- * Discussion with Commissioner Hirsch regarding personnel issues
- * Discussion with Commissioner Nasser regarding personnel issues
- * Follow up discussion with AKahl regarding garbage issues
- * Discussion with Commissioner Hirsch regarding police department employee numbers and possible increase

- * Discussed the operation and maintenance of the siren placed near Camping World with AKahl and LSchieffer
- * Discussed updates on all of the grant applications with LSchieffer
- * Attended meeting with JAmbrose, LSchieffer, and AKahl regarding sewer issues at Pine Haven trailer park
- * Discussed follow up with LSchieffer and MWheeler regarding Triggs complaint of ordinance violations
- * Follow up emails with AKahl and LSchieffer regarding meeting with DOT and future planning for road maintenance and possible land acquisition
- * Reviewed police report regarding gunshot incident sent by DAllen

MISC.

- * Created and posted FAQ's Friday on City of Summerset FB page
- * Posted on Sun Valley Estates FB page regarding water concerns with recommendations from Diamond D water
- * Posted on Sun Valley Estates FB page regarding the resolutions of issues addressed from Diamond D Water
- * Updated spreadsheet for tracking current projects



2727 N Plaza Dr.
Rapid City, SD 57702

Phone 605-348-6529 Fax 605-342-1160

Quote

No.: **68412**

Date: 7/22/2022

Prepared for:

Brandy Palmer (605) 721-6806
Summerset Police Department
12150 Siouxland Road
Summerset, SD 57718 USA

Account No.: 17007
Phone: (605) 718-9858

Qty	Description	UOM	Sell	Total
After replacing the Streamvault - Security Total Care would cost \$200 per month for a 5 Year Agreement				
1	Genetec SV-300E with 4TB - Hardware Only - Archiver Only (Connects to Security Center Directory)	EA	\$2,540.45	\$2,540.45
1	Genetec SV-300-T4 - Two Year Warranty Extension	EA	\$494.45	\$494.45
1	Project Installation & Configuration	EA	\$1,955.00	\$1,955.00

Your Price: \$4,989.90

Total: \$4,989.90

Prices are valid for 30 days from quote date.

Prepared by: Mark Gustaf, markgustaf@goldenwest.com

Date: 7/22/2022

Accepted by: _____ **Date:** _____

Disclaimer

Unless otherwise specified, all labor is charged on a time and materials basis. Any additional service charge or travel will apply. Any quoted cable runs assume that there is an available cable pathway; if not, additional charges may apply. Applicable taxes and/or shipping charges may be added to the invoice.

Terms: A 30% down payment may be required for sales of \$10,000 or more, with the balance due 15 days from the invoice date. Large, long-term projects are subject to progress billing.

From: Mark Gustaf <MarkGustaf@GoldenWest.com>
Sent: Tuesday, July 26, 2022 1:30 PM
To: Lisa Schieffer <lschieffer@CityofSummerset.onmicrosoft.com>
Subject: RE: Genetec Server Replacement

Sure can Lisa.

On 7/11 our NOC got an email from Brenda that the Genetec server was offline. Rachel worked on the server and got it back online but the hard drives are failing on the current unit. The Genetec Streamvault server was installed Dec. 2017 so we would recommend replacing this unit verses replacing the hard drives. The labor would be the same for just replacing the drives and you would have a unit that is approaching 5 years old. With the new server I've included the extended warranty that will take you out to 5 years warranty.

Let me know if you have and further questions.

Mark Gustaf
Sales Engineer
605-721-1055



CITY OF SUMMERSET

RESOLUTION 2022-16_

**RESOLUTION CONCERNING ON-SALE AND OFF-SALE LIQUOR LICENSES
AND ESTABLISHING FEES**

WHEREAS, The City of Summerset, Meade County, a South Dakota Municipal Corporation, acting through its Board of Commissioners, has the authority to authorize and approve the issuance of on-sale and off-sale liquor licenses within its municipal boundaries; and

WHEREAS, the number of liquor licenses available to the City is governed by state law based upon population as specifically set forth at SDCL 35-4-10 and SDCL 35-4-11 and that the Board of Commissioners may by resolution before the second of September determine the number of licenses to be issued for the following calendar year and fees to be charged.

WHEREAS, that pursuant to SDCL 35-4-10, and Summerset City Ordinance § 113.17, the number of off-sale licenses that can be issued pursuant to SDCL 35-4-2(3) and (5) to operate in the municipality is two (2) for the first population of 1,000 or less, and one license for every additional 1,500 of population or a fraction thereof; and

WHEREAS, pursuant to SDCL 35-4-11, and Summerset City Ordinance § 113.18, the number of on-sale licenses issued pursuant to SDCL 35-4-2(4) is three for the first population of 1,000 or a fraction thereof, and an additional one license for each additional population of 1,500 or a fraction thereof; and

WHEREAS, that pursuant to the most recent census taken in 2020, the City of Summerset has a population of 2,972, for the purposes of authorizing the number of municipal liquor licenses that are available to be issued within the City of Summerset, said figure having been confirmed by the South Dakota Department of Revenue; and

WHEREAS, that the City of Summerset is entitled to by Resolution set the number of licenses that will be approved for the ensuing calendar year and to establish fees.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners authorizes and establishes that in accordance with SDCL 35-4-10, there are a total of four (4) off-sale liquor licenses may be issued pursuant to SDCL 35-4-2(3) and (5).

IT IS FURTHER RESOLVED, that the fee to be charged for each off-sale liquor license issued pursuant to SDCL 35-4-2(3) and (5) shall be \$_____.

IT IS FURTHER RESOVLED, that the Board of Commissioners authorizes and establishes that in accordance with SDCL 35-4-11 there are a total of five (5) on-sale liquor licenses that may be issued within the municipality.

IT IS FURTHER RESOVLED, that the fee for to be charged for each on-sale liquor license shall be \$ _____.

ATTEST:

Finance Officer

Melanie Torno
Mayor

35-4-2. Classes of licenses enumerated--Fees.

The classes of licenses, with the fee of each class, are as follows:

- (1) Repealed by SL 2018, ch 223, § 13;
- (2) Wholesalers of alcoholic beverages--five thousand dollars;
- (3) Off-sale--not less than three hundred dollars. The renewal fee for the license may not exceed five hundred dollars;
- (4) On-sale--not less than one dollar for each person residing within the municipality as measured by the last preceding federal census. The renewal fee for the license may not exceed fifteen hundred dollars;
- (5) Off-sale licenses issued to municipalities under local option--not less than two hundred fifty dollars;
- (6) On-sale licenses issued outside municipalities--not less than the amount the nearest municipality to the applicant is charging for a like license. The renewal fee shall be the same as is charged for a like license in the nearest municipality. If the municipality to which the applicant is nearest holds an on-sale license, pursuant to § [35-3-13](#) and does not charge a specified fee, then the fee shall be the minimum amount that could be charged as if the municipality had not been authorized to obtain on-sale licenses pursuant to § [35-3-13](#). The renewal fee shall be the same as could be charged for a like license in the nearest municipality;
- (7) Repealed by SL 2018, ch 213, § 46;
- (8) Transportation companies--twenty-five dollars;
- (9) Carrier--one hundred dollars. The fee licenses all conveyances the licensee operates in this state;
- (10) Repealed by SL 2018, ch 213, § 46;
- (11) On-sale dealers at publicly operated airports--two hundred fifty dollars;
- (12) Wine and cider retailers, being both package dealers and on-sale dealers--five hundred dollars;
- (13) Convention facility on-sale--not less than one dollar for each person residing within the municipality as measured by the last preceding federal census. The renewal fee for the license may not exceed fifteen hundred dollars;
- (14) Repealed by SL 2018, ch 224, § 11;
- (15) Wholesalers of malt beverages--four hundred dollars;
- (16) Malt beverage and wine produced by a farm winery licensee, being both package dealers and on-sale dealers--three hundred dollars;
- (17) Repealed by SL 2018, ch 213, § 46;
- (17A) Repealed by SL 2018, ch 213, § 46;
- (18) Repealed by SL 2018, ch 213, § 46;
- (19) Repealed by SL 2018, ch 213, § 46 and ch 222, § 11;
- (20) Repealed by SL 2018, ch 213, § 46;
- (21) Retail on premises manufacturer--two hundred fifty dollars;
- (22) Repealed by SL 2018, ch 223, § 13; and
- (23) Off-sale delivery--one hundred fifty dollars.

Source: SDC 1939, § 5.0203; SL 1945, ch 17, § 2; SL 1947, ch 19; SDC Supp 1960, § 5.0204 (13), (14) as enacted by SL 1961, ch 14; SL 1964, ch 9; SL 1965, ch 12; SL 1966, ch 10; SDC Supp 1960, § 5.0204 (15) as enacted by SL 1967, ch 6; SL 1968, ch 2, § 1; SL 1970, ch 206, § 1; SL 1970, ch 207, § 1; SL 1971, ch 211, §§ 40, 41, 121; SL 1973, ch 236, § 1; SL 1975, ch 228; SL 1981, ch 270, § 1; SL 1985, ch 291, §§ 1, 3, 4A; SL 1986, ch 300; SL 1987, ch 261, § 16; SL 1988, ch 292, § 1B; SL 1989, ch 312; SL 1990, ch 296; SL 1993, ch 265; SL 1994, ch 285, § 1; SL 1995, ch 207, § 2; SL 2001, ch 194, § 1; SL 2003, ch 190, § 1; SL 2003, ch 191, § 1; SL 2006, ch 194, § 12; SL 2008, ch 182, § 1; SL 2008, ch 183, § 1; SL 2009, ch 48, § 3; SL 2011, ch 172, § 1; SL 2014, ch 175, § 1; SL 2014, ch 176, § 1; SL 2017, ch 166, § 1; SL 2017, ch 169, § 2; SL 2018, ch 213, § 46; SL 2018, ch 215, § 4; SL 2018, ch 219, § 1; SL 2018, ch 222, § 11; SL 2018, ch 223, § 13; SL 2018, ch 224, § 11.

35-4-111. Full-service restaurant on-sale licenses.

Notwithstanding the provisions of § [35-4-11](#) or [35-4-11.1](#) or the on-sale license fees established pursuant to subdivisions 35-4-2(4) and (6), the governing board of any incorporated municipality or the board of county commissioners of any county may, by ordinance, issue additional on-sale licenses for full-service restaurants if the municipality or county charges at least the minimum fee required by § [35-4-116](#).

A full-service restaurant on-sale license issued in a municipality is subject to the license renewal fees as provided for in subdivision 35-4-2(4), and shall be treated for all other regulatory purposes in this title as a license issued pursuant to subdivision 35-4-2(4).

A full-service restaurant on-sale license issued in a county is subject to the license renewal fees as provided for in subdivision 35-4-2(6), and shall be treated for all other regulatory purposes in this title as a license issued pursuant to subdivision 35-4-2(6).

Source: SL 2008, ch 189, § 1; SL 2009, ch 177, § 2.



35-4-124. Special alcoholic beverage licenses--Special events.

Any municipality or county may issue:

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to § [35-4-111](#) or subdivision [35-4-2\(4\)](#), (6), or (16) in addition to any other licenses held by the special events license applicant;
- (2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to § [35-4-111](#) or subdivision [35-4-2\(4\)](#), (6), or (12) or any farm winery licensee in addition to any other licenses held by the special events license applicant;
- (3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to § [35-4-111](#) or subdivision [35-4-2\(4\)](#) or (6) in addition to any other licenses held by the special events license applicant;
- (4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision [35-4-2\(3\)](#), (5), or (12) or any farm winery licensee in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealers licensee may only sell wine manufactured by a farm winery licensee;
- (5) A special off-sale package wine dealers license in conjunction with a special event, conducted pursuant to § [35-4-124.1](#), within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization;
- (6) A special off-sale package malt beverage dealers license in conjunction with a special event, conducted pursuant to § [35-4-124.1](#), within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization; or
- (7) A special off-sale package dealers license in conjunction with a special event, conducted pursuant to § [35-4-124.1](#), within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization.

The municipality or county may issue a license under this section for a time not to exceed fifteen consecutive days. No public hearing is required for the issuance of a license pursuant to this section if the person applying for the license holds an on-sale alcoholic beverage license or a retail malt beverage license in the municipality or county or holds an operating agreement for a municipal on-sale alcoholic beverage license, and the license is to be used in a publicly-owned facility. The local governing body shall establish rules to regulate and restrict the operation of the special license, including rules limiting the number of licenses that may be issued to any person within any calendar year.

Source: SL 2010, ch 185, § 1; SL 2011, ch 175, § 1; SL 2015, ch 195, § 1, eff. Mar. 13, 2015; SL 2018, ch 213, § 106; SL 2019, ch 162, § 2; SL 2020, ch 156, § 1.

[35-4-124.1](#). Donation of beverages to civic, charitable, educational, fraternal, or veterans organization holding special events license.

A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision [35-4-124\(5\)](#) may only sell wine that has been donated by members of the public to be sold at the special event. A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision [35-4-124\(6\)](#) may only sell malt beverages that have been donated by members of the public to be sold at the special event. A civic, charitable, educational, fraternal, or veterans organization holding a special events license pursuant to subdivision [35-4-124\(7\)](#) may only sell alcoholic beverages that have been donated by members of the public to be sold at the special event.

The donor shall purchase any donated alcoholic beverage from a licensed South Dakota retailer.

Source: SL 2015, ch 195, § 2, eff. Mar. 13, 2015; SL 2018, ch 213, § 107.