

**SUMMERSET CITY COMMISSION
REGULAR MEETING
SUMMERSET MUNICIPAL BUILDING
7055 LEISURE LANE
THURSDAY, JANUARY 5th, 2023 6:00 P.M.**

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

Mayor Torno led in the Pledge of Allegiance.

Commissioner Butler gave the invocation.

Motion by Hirsh, second by Nasser to approve the agenda for the regular meeting of the Summerset City Commission for January 5th, 2023. Motion carried.

CONSENT CALENDAR

Motion by Nasser, second by Butler to approve the minutes of the regular (rescheduled) meeting of December 19th, 2022 as presented or amended. Motion carried.

APPROVAL OF CLAIMS

Motion by Nasser, second by Hirsch to approve the claims and hand checks in the amount of \$343,754.64 from December 15th, 2022, through January 4th, 2023, as presented or amended. Motion carried.

A&B BUSINESS SOLUTIONS	Monthly Contract	430.03
ALLEN, DON	Uniform Allowance	400.00
AMBROSE, JONATHAN	Uniform Allowance	550.00
ANGLIN, MITCH	Uniform Allowance	550.00
ASPEN RIDGE LAWN & LANDSCAPE L	Treated Road Salt	5,400.00
AT&T MOBILITY	FirstNet SS PD	526.37
AXON ENTERPRISE, INC	Axon Subscription	345.24
BAUMEISTER, STEPHANY	Phone Stipend	50.00
BLACK HILLS ENERGY	Utilities	6,031.33
BLUEPEAK	Fax/Phone/Internet	1,120.73
Butler, Dave	Phone Stipend	50.00
C HAVEMAN BUSINESS SERVICES	Reconciliations	2,025.00
CANDACE SEALEY	Phone Stipend	50.00
DAKOTA PUMP, INC	Scada Service Agreement	3,135.06
DAVIS, OWEN	Uniform Stipend	550.00
DEMERSSEMAN JENSEN	Legal Services	3,070.00
GOLDEN WEST TECHNOLOGIES	Managed Services & Security Labor	459.00
GREENAPSIS	Professional Fees	335.81
Gunderson & Palmer	Legal Fees	4,350.00
HAWKINS INC.	Defoamer	4,934.40
HIRSCH, CLYDE	Phone Stipend	50.00
JT VEHICLE SYSTEMS	Flat Rate Vehicle Set-Up	1,813.90
COLTON JUSO	Uniform Allowance	400.00

KIEFFER SANITATION	Temp Portable Toilets	60.00
KITZMILLER, MICHAEL	Phone Stipend	50.00
Kayl, Anthony	Phone Stipend & Uniform	550.00
Lighting Maintenance Co.	New Streetlight	10,411.47
MACRANDER, MATTHEW	Uniform Allowance	400.00
MDU	Utilities	2,353.76
MEADE COUNTY	Pictometry Project	2,000.00
MEADE COUNTY AUDITOR	Dispatch Oct	2,227.06
MID-AMERICAN RESEARCH CHEMICAL	WWTP Supplies	575.96
MIDCONTINENT TESTING LABS	Mid Co Testing	223.50
MONTILEAUX, CASEY	Uniform Allowance	400.00
NASSER, ALEXIS	Phone Stipend	50.00
NASSER, RICH	Uniform Allowance	400.00
NORTHERN TRUCK EQUIPMENT CO	Snowplow	10,675.85
O'GRADY, BRENDA	Phone Stipend	50.00
RAPID CITY FIRE DEPARTMENT	Ambulance Service Contract	31,114.43
RAPID CITY JOURNAL	Publications	751.12
SCHIEFFER, LISA	Phone Stipend	50.00
SD ONE CALL	November Notifications	16.80
SDRS-SUPPLEMENTAL	Supplemental Retirement	540.00
SMITH, JEFF	Phone Stipend Uniform Allowance	550.00
STURGIS RESPONDER SUPPLY	Fire Extinguisher Clamps	101.80
TORNO, MELANIE	Phone Stipend	50.00
UEBEL, DEREK	Uniform Allowance	400.00
UNITED STATES POSTAL SERVICE	Postage	1,000.00
CARDMEMBER SERVICES	Credit Card Charges	21,168.45
SOUTH DAKOTA STATE TREASURER	Sales Tax	981.91
UNITED STATES TREASURY	Payroll Taxes	16,835.36
USDA	USDA Payment	148,400.00
AFLAC REMITTANCE PROCESSING	Employee Accident Insurance	94.25
CARDMEMBER SERVICES	Credit Card Charges	15,518.81
SDRS	Employee Retirement	8,912.02
UNITED STATES TREASURY	Payroll Taxes	15,165.22

APPROVAL OF PAYROLL – DECEMBER 2022 – SDCL 6-1-10

Motion by Kitzmiller, second by Butler to approve the following payroll. Motion carried.

Dept. 4000 - \$18,442.81 Wastewater/Public Works

Dept. 4110 - \$2,333.32 Commission

Dept. 4120 - \$1,083.33 Mayor
Dept. 4140 - \$12,606.82 Finance
Dept. 4210 - \$27,576.35 Police
Dept. 4652 - \$75.00 Planning & Zoning

UTILITY BILLING ADJUSTMENTS

Motion by Butler, seconded by Hirsch to approve the utility billing adjustments of \$841.37 for the period December 1 thru December 31, 2022. Motion carried.

COMMISSION REPORTS

Kitzmiller, Butler, Nasser, Hirsch, and Torno gave monthly reports.

MUNICIPAL ELECTION

Motion by Kitzmiller, seconded by Nasser, to set the Summerset Municipal Election for April 11, 2023. Motion carried.

NOTICE OF VACANCY

Two (2) City Commissioner Seats -Three Year Term.

CONTRACTOR’S APPLICATION FOR PAYMENT - HDR

Motion by Hirsch, seconded by Butler to approve. Motion carried.

OFFICAL NEWSPAPER

Motion by Kitzmiller, second by Butler to designate Rapid City Journal as official newspaper for 2023. Motion carried.

RECOGNITION OF VOLUNTEERS

*Mayor Melanie Torno abstained from vote.

Motion by Nasser, second by Hirsch to approve the following volunteers in the Summerset Police Department: Tracy Wiest and Mark Boddicker; Approval of the following volunteers in the Summerset Public Works Department: Gerald Torno – snow removal. Motion carried.

APPROVAL OF CONTINGENCY FUNDS – to close out FY2022

Motion by Butler, second by Nasser to approve contingency funds as listed. Motion carried.

4140	\$5,000.00	Finance Office
4192	\$40,000.00	General Governmental Bldg.
4210	\$40,000.00	Police Department

APPOINT PLANNING & ZONING MEMBERS

Motion by Kitzmiller, second by Hirsch to appoint Planning & Zoning members Brody Oldfield, Dustin Hirsch, Casey Kenrick, John Hough, and Mike Martin. Motion carried.

SECOND READING FOR ORDINANCE 2022-16 AMENDING SUPPLEMENTAL ITEMS AND LICENSING FEE

Motion by Butler, second by Hirsch to approve the second reading for Ordinance 2022-16. Motion carried.

ADOPT ORDINANCE 2022-16 AMENDING SUPPLEMENTAL ITEMS AND LICENSING FEE

Motion by Kitzmiller, second by Butler to adopt Ordinance 2022-16. Motion carried.

SECOND READING FOR ORDINANCE 2022-17 AMENDING PERMANENT LICENSES

Motion by Kitzmiller, second by Nasser to approve the second reading for Ordinance 2022-17. Motion carried.

ADOPT ORDINANCE 2022-17 AMENDING PERMANENT LICENSES

Motion by Hirsch, second by Nasser to adopt Ordinance 2022-17. Motion carried.

FIRST READING FOR ORDINANCE 2023-01 REPEAL ORDINANCE 31.024

Motion by Nasser, second by Hirsch to approve the first reading for Ordinance 2023-01. Motion carried.

SET SECOND READING FOR ORDINANCE 2023-01 REPEAL ORDINANCE 31.024

Motion by Kitzmiller, second by Hirsch to set the second reading for January 19th, 2023. Motion carried.

BLACK HAWK INCORPORATION INTENT LETTER

Motion by Kitzmiller, second by Butler, to open discussion. Motion carried.

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

AGREEMENT WITH RCS CONSTRUCTION, INC.

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

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

Motion by Butler, second by Kitzmiller to approve agreement with RCS Construction, Inc. Motion carried.

BUILDING PERMIT VARIANCE-RCS STORAGE

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

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

Motion by Butler, second by Hirsch to approve building permit variance- RCS Storage. Motion carried.

FINALIZATION OF PERSONNEL HANDBOOK

Motion by Kitzmiller, second by Nasser to approve finalization of personnel handbook. Motion carried.

CITIZENS INPUT

None

UPCOMING EVENTS:

Summerset Christmas Party, January 6th– Meadowood Lanes.

City Offices will be closed Monday January 16th, 2023, in observance of Martin Luther King Day.

ITEMS FROM CITY ATTORNEY

Motion by Kitzmiller, second by Nasser, to enter executive session at 6:38 p.m. per SDCL 1-25-2 for discussing legal, economic development, and personnel issues. Motion carried.

Motion by Kitzmiller, second by Hirsch to go out of executive session at 8:05 p.m. Motion carried.

ADJOURNMENT

Motion by Nasser, second by Kitzmiller, to adjourn at 8:05 p.m. Motion carried.

(SEAL)

ATTEST:

Candace Sealey
Finance Officer

Melanie Torno
Mayor

Published once January 13, 2023 at a cost of \$211.35.

Check Register Report

Date: 01/17/2023
Time: 10:12 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								
26080	01/06/23	Printed			1558	COLTON JUSO	Uniform Allowance	400.00
26081	01/19/23	Printed			1633	A & B WELDING SUPPLY	Cylinder Rental	24.60
26082	01/19/23	Printed			0021	BLACK HAWK WATER USERS DISTRICT	Monthly Usage	35.00
26083	01/19/23	Printed			1334	BLACK HILLS COUNCIL OF LOCAL	2023 Assessment Dues	1,550.00
26084	01/19/23	Printed			1504	CBH CO-OP	Govt Fuel	4,409.41
26085	01/19/23	Printed			0036	CITY OF RAPID CITY	Solid Waste Disposal	4,606.72
26086	01/19/23	Printed			1093	DAKOTA PUMP, INC	SV Lift #2 Troubleshoot	963.88
26087	01/19/23	Printed			0468	DELTA DENTAL	Employee Dental Insurance	1,165.20
26088	01/19/23	Printed			0765	DEMERSSEMAN JENSEN	Legal Fees	1,735.00
26089	01/19/23	Printed			0246	GOLDEN WEST TECHNOLOGIES	Genetec	4,043.50
26090	01/19/23	Printed			1369	GREENAPSIS	Professional Fees-Janitorial	320.00
26091	01/19/23	Printed			0544	Gunderson & Palmer	Legal Fees	2,275.00
26092	01/19/23	Printed			0698	HAWKINS INC.	Defoamer	4,934.40
26093	01/19/23	Printed			1036	IRON OUTFITTER DBA	On-Site Shredding	21.20
26094	01/19/23	Printed			1433	MIDCONTINENT COMMUNICATIONS	WWTP Phone	201.87
26095	01/19/23	Printed			1157	MIDCONTINENT TESTING LABS	Midcontinent Testing Lab	327.00
26096	01/19/23	Printed			0008	RAPID CITY JOURNAL	Publications	1,768.61
26097	01/19/23	Printed			1291	RCS CONSTRUCTION INC	2021-41 Erosion Control	1,000.00
26098	01/19/23	Printed			1873	SD DEPARTMENT OF AGRICULTURAL	SD DANR Permit	2,500.00
26099	01/19/23	Printed			0018	SD ONE CALL	December Notifications	12.60
26100	01/19/23	Printed			1328	SERVALL UNIFORM & LINEN SUPPLY	Monthly Fees	162.89
26101	01/19/23	Printed			1164	SIMON CONTRACTORS	Infinity Drive Improvements	77,327.32
26102	01/19/23	Printed			1432	TNT CONSTRUCTION	Erosion Control Deposit Refund 2022-08	1,000.00
26103	01/19/23	Printed			1023	TYLER TECHNOLOGIES, INC	Incode Annual SaaS Fees	5,522.67
Total Checks: 24							Checks Total (excluding void checks):	116,306.87
Total Payments: 24							Bank Total (excluding void checks):	116,306.87

Check Register Report

Date: 01/17/2023
 Time: 10:12 am
 Page: 2

City of Summerset

BANK: BANKWEST EFT

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
BANKWEST EFT Checks								
150	01/19/23	Printed			0167	SD DEPARTMENT OF REVENUE	December Sales Tax	982.66

	Total Checks: 1	Checks Total (excluding void checks):	982.66
	Total Payments: 1	Bank Total (excluding void checks):	982.66
	Total Payments: 25	Grand Total (excluding void checks):	117,289.53

**NOTICE OF PUBLIC HEARING OF THE SUMMERSET PLANNING COMMISSION ON THE
AMENDMENT OF THE TAX INCREMENT DISTRICT NUMBER TWO**

Notice is hereby given pursuant to § 11-9-3 of the South Dakota Codified Laws, that a public hearing shall be conducted at City of Summerset, City Hall Commission Room, Summerset South Dakota, on January 19, 2023, at 6:00 p.m. or as soon thereafter as can be heard by the Summerset City Planning Commission on the question of whether to recommend the amendment of a tax incremental district located in the following location:

- Sun Valley Estates Subdivision: Lot 234R
- Block 1: Lots 1-16
- Block 2: Lots 1-4

All of the above located in the SE 1/4 and the SW1/4 of Section 14, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

- Stage Stop Subdivision: Tract 1 and 2R

All of the above located in the SE ¼ of the SE ¼ of Section 23 and the SW ¼ of the SW ¼ of Section 24, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota

- Sioux Land Estates Subdivision: Tract 1R: Lot 7R and Lot D
Lots 13A and 13BR and 13CR and 13D Lots 16 and 17 and 18

All of the above located in Section 25, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

- Amwest Utilities Subdivision: Lots 1, 2 and 3

All of the NE1/4 of Section 23, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

- Lenlu Estates Subdivision:
Lot 2 of Lenlu Estates Subdivision, formerly a part of Lot A in the SW ¼ of Section 24, T3N, R3E of them B.H.M, Meade County, South Dakota less Lot 3A, 3B, 3C, 3D, and subject to easements as shown by Plat Book 10 Page 50 and Plat Book 11 Page 94 in the Office of the Register of Deeds, Meade County, South Dakota.

- Summerset USA: Block 1: Lot 234
- Block 2: Lots 2R and 3R Block 5: Lots 1-3
- Block 7: Tract A Block 8: Lot A

All of the above located in Section 25, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

- That portion of Lot A of the NE1/4 of Section 25, T3N, R3E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 5 on Page 15, lying southerly of the northerly Independence Loop right-of-way, and lying southerly and westerly of

Outlot 2 and the vacated right-of-way adjacent thereto, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 6").

- That portion of Lot B of the E1/2 of the NW1/4 of Section 25, T3N, R6E, of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 5 on Page 15, lying southerly and easterly of the northerly Independence Loop right-of-way and westerly of the Republic Road right-of-way, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 4").
- That portion of Lot B of the E1/2 of the NW1/4 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 5 on Page 15, lying southerly and easterly of the northerly Independence Loop right-of-way, and lying northerly and easterly of the Republic Road right-of-way, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 6").
- That portion of Tract 3 of the S1/2 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 7 on Page 28, lying northerly and westerly of the southerly Independence Loop right-of-way, lying northerly and easterly of the Republic Road right-of-way, and lying southerly and westerly of Outlot 2 and the vacated right-of-way adjacent thereto, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 6").
- That portion of Tract 3 of the S1/2 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 7 on Page 28, lying northerly and easterly of Outlot C, lying northerly and westerly of the Patriot Drive right-of-way, lying southerly and westerly of the Republic Road right-of-way, and lying southerly and easterly of the northerly Independence Loop right-of-way, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Future Block 4").
- That portion of the vacated portion of the Independence Loop right-of-way lying southerly and westerly of Outlot 2 of Summerset USA of the City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 21 of Pages 290-291, said portion now being a part of the unplatted portion of Lot A of the NE1/4 and a part of the unplatted portion of Tract 3 of the S1/2 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota
- That portion of Tract 3 of the S1/2 of Section 25, T3N, R6E of the B.H.M., City of Summerset, Meade County, South Dakota, as shown on the plat filed in Plat Book 7 on Page 28, lying southerly and easterly of the Patriot Drive right-of-way, lying southerly and westerly of the Republic Road right-of-way, lying northerly and westerly of Lots 1 and 3 in Block 5 of Summerset, USA, and lying northerly and easterly of Outlot D of Summerset USA, as shown on the plats filed in Plat Book 21 on Pages 290-291 and Plat Book 21 on Page 2 (referred to on said plats as "Remainder of Block 5")
- Unplatted Lands:
The unplatted portion of the NE1/4 of the SW1/4 and the NW1/4 of the SE1/4 and the NE1/4 of the SE1/4 and the SW1/4 of the SE1/4 of Section 25, T3N, R6E of the B.H.M., Meade County, South Dakota. All Previously portions of Block 9 of Summerset USA.

- The unplatted portion of the SE1/4 of Section 14, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.
- The unplatted portion of the NE1/4 and the N1/2 of the SE1/4 lying Northeasterly of the Northeasterly right of way line of interstate 90, all of Section 23, T3N, R6E, B.H.M., City of Summerset, Meade County, South Dakota.

All Located in the City of Summerset, Meade County, South Dakota including within and adjacent rights-of-ways.

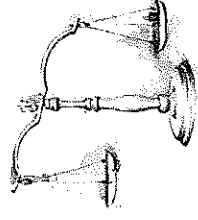
The Tax Increment District would be amended to assist with the project cost associated with the wastewater treatment plant upgrade within the District.

At said time and place, the City Planning Commission and City Commission shall give all parties who appear or submit written comments an opportunity to express their views with respect to the proposed amendment of the District. Written comments will be received at the office of the Planning Department.

City of Summerset

Published once this 22nd day of December, 2022 at the total cost of \$150.23.

Oath of Office



State of South Dakota))SS.
County of Meade))

I, Mike Martin, having been appointed to the Planning and Zoning Board for a three-year term, within and for said City of Summerset, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of South Dakota, and that I will faithfully and impartially, to the best of my knowledge and ability, perform all duties of my said office as provided by law.

Mike Martin

Subscribed and sworn to before me this 19th day of January 2023.

Brody Oldfield, P & Z Chairman

Resolution 2023-02

**A RESOLUTION RECOMMENDING AMENDMENT OF THE ORIGINAL
PROJECT PLAN OF TAX INCREMENT FINANCING DISTRICT
NUMBER TWO**

WHEREAS, on August 28, 2018, the City of Summerset passed a resolution consenting to the City of Summerset creating Tax Increment Financing District Number Two, City of Summerset (“TIF District #2”) for the purpose of upgrading the wastewater treatment system located within the City of Summerset; and

WHEREAS, on September 20, 2018, the City of Summerset, by resolution, created TIF District #2 and approved the original Project Plan with total reimbursable projects costs in the amount of \$11,000,000 for the purpose of upgrading the wastewater treatment plant within the City of Summerset; and

WHEREAS, the City of Summerset requests an amendment to the original Project Plan to dedicate revenue from the TID to the debt associated with the wastewater treatment plant upgrade of the amount approved in the original Project Plan of \$11,000,000 and therefore, a redetermination of the tax increment base is unnecessary as per SDCL 11-9-23; and

WHEREAS, pursuant to SDCL 11-9-14, project costs are defined as any expenditures made or estimated to be made, or monetary obligations incurred or estimated to be incurred, by a municipality that are listed in a project plan as grants or costs of public works or improvements within a district, plus any incidental costs diminished by any income, special assessments, or other revenues, other than tax increments, received, or reasonably expected to be received, by the municipality in connection with the implementation of the plan; and

WHEREAS, the City of Summerset Planning Commission find that: (1) less than 5 years have passed since creation of TIF District #2, and (2) the amendment to the project plan is warranted in order to prevent high surcharge costs to the residents of the City of Summerset; and

WHEREAS, the original Project Plan and Contract for development have been amended to reflect the revenue dedicated from the City of Summerset TIF #2 plan.

WHEREAS, Tax Increment District #2 will remain designated as an Annual Appropriations TIF to ensure that it does NOT count against constitutional debt.

**NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY OF SUMMERSET
PLANNING COMMISSION HEREBY:**

1. Approve the amendment of the original Project Plan to dedicate revenue from the Tax Increment District to the debt associated with the wastewater treatment plant upgrade for the City of Summerset TIF #2; The project costs for the City of Summerset TIF #2 will remain at the original amount of \$11,000,000; and
2. Consent to the amendment of the original Assignment Agreement for TIF District #2 to reflect the revenue dedicated from TIF plan #2.

This resolution shall take effect on the twentieth day after publication.

Dated this 19th day of January, 2023.

ATTEST:

Brody Oldfield, Chairperson

John Hough, Secretary

Resolution 2023-03
A RESOLUTION APPROVING AMENDMENT OF THE ORIGINAL
PROJECT PLAN OF TAX INCREMENT FINANCING DISTRICT
NUMBER TWO

WHEREAS, on August 28, 2018, the City of Summerset passed a resolution consenting to the City of Summerset creating Tax Increment Financing District Number Two, City of Summerset (“TIF District #2”) for the purpose of upgrading the wastewater treatment system located within the City of Summerset; and

WHEREAS, on September 20, 2018, the City of Summerset, by resolution, created TIF District #2 and approved the original Project Plan with total reimbursable projects costs in the amount of \$11,000,000 for the purpose of upgrading the wastewater treatment plant within the City of Summerset; and

WHEREAS, the City of Summerset requests an amendment to the original Project Plan to dedicate revenue from the TID to the debt associated with the wastewater treatment plant upgrade of the amount approved in the original Project Plan of \$11,000,000 and therefore, a redetermination of the tax increment base is unnecessary as per SDCL 11-9-23; and

WHEREAS, pursuant to SDCL 11-9-14, project costs are defined as any expenditures made or estimated to be made, or monetary obligations incurred or estimated to be incurred, by a municipality that are listed in a project plan as grants or costs of public works or improvements within a district, plus any incidental costs diminished by any income, special assessments, or other revenues, other than tax increments, received, or reasonably expected to be received, by the municipality in connection with the implementation of the plan; and

WHEREAS, the City of Summerset City Commission find that: (1) less than 5 years have passed since creation of TIF District #2, and (2) the amendment to the project plan is warranted due to prevent high surcharge costs to the residents of the City of Summerset; and

WHEREAS, the original Project Plan and Contract for development have been amended to reflect the revenue dedicated from the City of Summerset TIF #2 plan.

WHEREAS, Tax Increment District #2 will remain designated as an Annual Appropriations TIF to ensure that it does NOT count against constitutional debt.

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY OF SUMMERSET CITY COMMISSION HEREBY:

1. Approve the amendment of the original Project Plan to dedicate revenue from the Tax Increment District to the debt associated with the wastewater treatment plant upgrade for the City of Summerset TIF #2; The project costs for the City of Summerset TIF #2 will remain at the original amount of \$11,000,000; and
2. Consent to the amendment of the original Assignment Agreement for TIF District #2 to reflect the revenue dedicated from TIF plan #2.

This resolution shall take effect on the twentieth day after publication.

Dated this 19th day of January, 2023.

Melanie Torno, Mayor

ATTEST:

City Finance Officer

RESOLUTION NO. 2023-04

A RESOLUTION AUTHORIZING AN INTERFUND LOAN OF UP TO \$11,000,000 FROM THE SRF LOAN PROCEEDS TO THE TAX INCREMENT FUND OF TAX INCREMENT DISTRICT #2 TO PROVIDE INTERIM FINANCING OF CAPITAL EXPENDITURES.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUMMERSET AS FOLLOWS:

Section 1. That up to \$11,000,000 be loaned from the SRF Loan proceeds to the Tax Increment Fund for Tax Increment District #2 to provide the necessary financing of capital expenditures designated in the SRF Loan.

Section 2. The loan will be repaid from the tax increment funds with interest at the rate set forth in the SRF Loan.

This resolution shall take effect on the twentieth day after publication.

Dated this 19th day of January, 2023.

Melanie Torno, Mayor

ATTEST:

Candace Sealey, City Finance Officer



**CITY OF SUMMERSET, SOUTH DAKOTA
TIF # 1 and TIF #2 – Updated Plan**

Municipal Advisor Agreement

THIS AGREEMENT made and entered into by and between the City of Summerset, South Dakota (“Issuer”) and Colliers Securities LLC (“Municipal Advisor”), consists of the following:

WHEREAS, Municipal Advisor is a specialist in assisting public entities regarding Tax Increment Districts

NOW, THEREFORE, IT IS AGREED THAT MUNICIPAL ADVISOR WILL: Serve as Issuer’s municipal advisor specifically for the referenced Issue. This agreement confirms the terms under which Municipal Advisor will act as a municipal advisor to Issuer (the “Issuer”) with respect to the issuance of the above captioned obligations.

A. SCOPE OF SERVICES. Municipal Advisor will provide the following services:

1. Work with the City of Summerset on the following:
 - Understand City’s objectives for the TID
 - Develop a Revised Tax Increment Plan
 - Work with City / City Attorney / Staff to help prepare resolutions, notices
 - Develop tracking model for overlapping Tax Increment Districts to ensure proper disbursement of Tax Increment Revenue
 - Study existing and potential future financial commitments of Issuer, its economic resources and other pertinent social and economic data:
2. South Dakota Department of Revenue
 - Submit application to DOR to ensure base value of original TIF does not change
 - Ensure that the proposed TIF is certified as Economic Development
 - Work with DOR to approve the revised TIF amount
 - Obtain base letter of certification
 - Submit final paperwork
 - Modify existing Tax Increment Plans to ensure the plan is not considered constitutional debt
3. Develop financial model to show repayment ability for the SRF Loan.
4. Work with the State of South Dakota Department of Agriculture and Natural Resources regarding the City’s SRF loan and ability to pledge TIF #2 revenues for repayment.
5. Work with the City’s auditor for correct accounting procedures.

6. Inform Issuer of (a) The material risks, potential benefits and other characteristics of each recommendation; (b) the basis upon which Municipal Advisor believes each recommendation is in the Issuer's or client's best interests and suitable; and (c) whether Municipal Advisor has investigated or considered other reasonably feasible alternatives to the recommendation that might also or alternatively serve the Issuer's objectives;

7. Coordinate TIF activities with Issuer, its engineers, accountants, attorneys and other specialists engaged by Issuer;

8. Attend meetings and public hearings to properly explain the financing and assist in the preparation of public information materials, including news releases, relative to the TIF;

11. Develop tentative timetables outlining various actions required to successfully complete the financing including recommending.

12. Research and recommend various covenants, maturity schedules and other details to be included in the proceedings authorizing the obligations supporting the Issue;

13. Provide a transcript for the City and their auditors.

B. ISSUER WILL:

1. Cooperation. Cooperate with Municipal Advisor and the financing team in providing all information necessary to prepare the required Disclosure Document(s) and to prepare said Document(s) in such a way as to assure interested parties of their accuracy and completeness.

2. Disclosures. (i) Provide Municipal Advisor with details of projects under consideration that may affect the issuance of Issuer's obligations; (ii) Provide Municipal Advisor with information sufficient to allow Municipal Advisor through reasonable diligence to believe its recommendation(s) are in the best interests and suitable for Issuer.

3. Compensation. Upon closing, pay a fee to Municipal Advisor. The fee shall be \$35,000. Colliers agrees to pay the following expenses from its fee:

- * All of Colliers out of pocket expenses such as travel, long distance phone, lodging, copy costs.

The City agrees to pay all other expenses related to the processing of the transaction including, but not limited to, the following:

- * Publication of legal notices, if any.
- * Local attorney fees, if any.
- * City staff expenses.
- * Engineering

4. Contingent Payment of Fee. If for reasons beyond Issuer's control the Issue is not successfully closed, no municipal advisor fee will be charged.

C. DISCLOSURES BY MUNICIPAL ADVISOR

1. Registered Municipal Advisor. Colliers Securities LLC is registered as a Municipal Advisor with the U.S. Securities and Exchange Commission (SEC) and Municipal Securities Rulemaking Board (MSRB). In accordance with MSRB Rules, please be informed that Municipal Advisor is acting as municipal advisor, not underwriter, for the Issue.

2. Conflicts Disclosures. As a registered Municipal Advisor, Colliers Securities LLC has a fiduciary duty to Issuer. Upon undertaking an engagement, a municipal advisor must disclose potential or actual material conflicts of interest and how those conflicts will be managed and mitigated.

- (a) Specific Potential/Actual Conflicts. Municipal Advisor has not identified any specific potential or actual material conflicts that require disclosure. We describe in Sections 2(b) - (f) potential conflicts of interest that are generally applicable to our performance of Municipal Advisory Services.
- (b) Compensation Conflicts of Interest. Potential conflicts of interest that may apply to this engagement with Issuer involve compensation. Municipal Advisor discloses those potential conflicts as follows:
 - (i) Fixed Fees or "Lump Sum." This form of compensation represents a potential conflict of interest because if the transaction requires more work than originally contemplated, Municipal Advisor may suffer a loss. Thus, Municipal Advisor may recommend less time-consuming alternatives or fail to do a full analysis of alternatives.
 - (ii) Contingent Fee. This form of compensation presents a potential conflict of interest because Municipal Advisor may have an incentive to recommend unnecessary financings or financings that are disadvantageous to Issuer. When facts or circumstances arise that could cause the financing to be delayed or fail to close, Municipal Advisor may have an incentive to discourage a full consideration of such facts and circumstances.
- (c) Other Municipal Advisor or Underwriting Relationships. Municipal Advisor serves a wide variety of other clients that may from time to time have interests that could have a direct or indirect impact on the interests of Issuer. For example, Municipal Advisor serves as municipal advisor to other municipal advisory clients and in such cases, owes a regulatory duty to such other clients just as it does to Issuer under this Agreement. These other clients may, from time to time and depending on the specific circumstances, have competing interests such as accessing the new issue market with the most advantageous timing and with limited competition at the time of the offering. In acting in the interests of its various clients, Municipal Advisor could potentially face a conflict of interest arising from these competing client interests. In other cases as a broker-dealer that engages in underwritings of new issuances of municipal securities by other municipal entities, the interests of Municipal Advisor to achieve a successful and profitable underwriting for its municipal entity underwriting clients could potentially constitute a conflict of interest if, as in the example above, the municipal entities that Municipal Advisor serves as underwriter or municipal advisor have competing interests in seeking to access the new issue market with the most advantageous timing and with limited competition at the time of the offering. None of these other engagements or relationships would impair Municipal Advisor's ability to fulfill its regulatory duties to Issuer.
- (d) Broker-Dealer and Investment Advisory Business. Municipal Advisor is a broker-dealer and investment advisory firm that engages in a broad range of securities-related activities to serve its clients, in addition to serving as a municipal advisor or underwriter. Such securities-related activities, which may include but are not limited to the buying and selling of new issue and

outstanding securities and investment advice in connection with such securities, including securities of Issuer, may be undertaken on behalf of, or as counterparty to, Issuer, personnel of Issuer, and current or potential investors in the securities of Issuer. These other clients may, from time to time and depending on the specific circumstances, have interests in conflict with those of Issuer, such as when their buying or selling of Issuer's securities may have an adverse effect on the market for Issuer's securities, and the interests of such other clients could create the incentive for Municipal Advisor to make recommendations to Issuer that could result in more advantageous pricing for the other clients. Furthermore, any potential conflict arising from Municipal Advisor effecting or otherwise assisting such other clients in connection with such transactions is mitigated by means of such activities being engaged in on customary terms through units of the Municipal Advisor that operate independently from Municipal Advisor's municipal advisory business, thereby reducing the likelihood that the interests of such other clients would have an impact on the services provided by Municipal Advisor to Issuer under this Agreement.

- (e) Secondary Market Transactions in Issuer's Securities. Municipal Advisor in connection with its sales and trading activities, may take a principal position in securities, including securities of Issuer, and therefore Municipal Advisor could have interests in conflict with those of client with respect to the value of Issuer's securities while held in inventory and the levels of mark-up or mark-down that may be available in connection with purchases and sales thereof. In particular, Municipal Advisor or its affiliates may submit orders for and acquire Issuer's securities issued in an Issue under the Agreement from members of the underwriting syndicate, either for its own account or for the accounts of its customers. This activity may result in a conflict of interest with Issuer in that it could create the incentive for Municipal Advisor to make recommendations to Issuer that could result in more advantageous pricing of Issuer's bond in the marketplace. Any such conflict is mitigated by means of such activities being engaged in on customary terms through units of the Municipal Advisor that operate independently from Municipal Advisor's municipal advisory business, thereby reducing the likelihood that such investment activities would an impact on the services provided by Municipal Advisor to Issuer under this Agreement.
- (f) General Mitigations. As general mitigations of Municipal Advisor's conflicts with respect to all of the conflicts disclosed above Municipal Advisor mitigates such conflicts through its adherence to its fiduciary duty to Issuer, which includes a duty of loyalty to Issuer in performing all municipal advisory activities for Issuer. This duty of loyalty obligates Municipal Advisor to deal honestly and with the utmost good faith with Issuer and to act in Issuer's best interests without regard to Municipal Advisor's financial or other interests, In addition because Municipal Advisor is a broker-dealer with significant capital due to the nature of its overall business, the success and profitability of Municipal Advisor is not dependent on maximizing short-term revenue generated from individualized recommendations to its clients, but instead is dependent on long-term profitably built on a foundation of integrity, quality of service and strict adherence to its fiduciary duty. Furthermore, Municipal Advisor's municipal advisory supervisory structure, leveraging our long-standing and comprehensive broker-dealer supervisory processes and practices, provides strong safeguards against individual representatives of Municipal Advisor potentially departing from their regulatory duties due to personal interests. The disclosures below describe, as applicable, any additional mitigations that may be relevant with respect to any specific conflict disclosed above.

3. Legal/Disciplinary Matters. MSRB Rules require Municipal Advisor to provide Issuer with certain disclosures of legal or disciplinary events that are material to its evaluation of the integrity of Municipal Advisor's management and advisory personnel. Municipal Advisor here provides a website link to those required disclosures and related information.

<http://www2.colliers.com/en/-/media/Files/UnitedStates/ProductGroups-and-ServiceLines/Colliers-Securities/MunicipalAdvisorLegal-DisciplinaryDisclosureVersion-06-2020.pdf>

4. Date of last SEC Filing. Municipal Advisor filed an amendment to its Form MA with the Securities and Exchange Commission on June 5, 2020. Such amendment was filed to reflect that Colliers International Group, Inc. indirectly acquired a controlling interest in Dougherty & Company LLC and Dougherty & Company LLC changed its name to Colliers Securities LLC, effective June 1, 2020.

Municipal Advisor shall make available its legal and compliance staff members to respond to any inquiries or concerns it may have concerning those disclosures.

D. TERM OF ENGAGEMENT. Upon closing and delivery at closing, Municipal Advisor's responsibilities will be concluded with respect to this financing and Municipal Advisor does not undertake (unless separately engaged) to provide continuing advice to Issuer or any other party.

E. BOND MARKET AND REGULATORY CHANGES. Bond market interest rates can be volatile, fast changing and subject to factors beyond the knowledge or control of Municipal Advisor. Similarly, laws and regulations applicable to the municipal finance business are often amended. Municipal Advisor shall endeavor to inform Issuer of all factors related to the issuance of obligations, as far as such factors are known and determinable. Municipal Advisor shall not be liable however for changes in interest rates, laws and regulations, or costs which are beyond Municipal Advisor's knowledge or control.

F. ISSUER CLIENT EDUCATION, PROTECTION AND POTENTIAL COMPLAINTS.

- Municipal Advisor is registered with the U.S. Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB).
- The MSRB posts a Municipal Advisory client brochure on its website: www.MSRB.org. That brochure describes the protections that may be provided by MSRB rules and how to file a complaint with an appropriate regulatory authority.

G. AMENDMENTS. This Agreement may be amended in writing by mutual consent and may be terminated by either party upon written notice.

IN WITNESS WHEREOF, Issuer and Municipal Advisor have executed this Agreement. By signature of their representative below, each affirms that is has taken all necessary action to authorize said representative to execute this Agreement and has asked any questions or sought any clarification about disclosures with no further questions about said disclosures.

Issuer

_____ City of Summerset, SD _____ (Issuer Name)

_____ (Print Name of Authorized Signer)

_____ (Signature)

Executed this _____ day of _____, 20_____

Municipal Advisor
Colliers Securities LLC

_____ Tobin J. Morris _____ (Print Name)

_____ (Signature)

Executed this _____ day of _____, 20_____



SUMMERSET POLICE DEPARTMENT

7055 Leisure Ln
Summerset, SD 57718
Don Allen, Chief of Police

Summerset Police Department Monthly Report- December 2022

Grants: Currently operating under the COPS and Highway Safety Grant- in compliance, nothing to note.

Calls for Service: 255

Traffic stops: 74

*Examples of calls for service:

DUI-8

Drugs-8

Pursuits-2

Disturbances-5

Assaults-1

Weapon Violations-3

MV Crashes-4

Warrant arrests -3

Hit & Run- 2

Burglary alarms- 4

Thefts- 3

Burglary-1

Parking complaint-13

Medical responses- 7

Welfare checks- 3

Assist-other-agency-25

Animal complaints- 9

Traffic complaints- 8

Assist persons-10

Saturation patrols: 5

Community Service: Officer Uebel started a GoFundMe campaign for the child of suicide victim and presented the family a check

Department Training: Officer Montileaux attended Advanced Roadside Impaired Driving Enforcement training; Sgt. Nasser attended Emotional Intelligence for Leaders training

DECEMBER 2022 CITY ADMINISTRATOR REPORT

ECONOMIC DEVELOPMENT

- Reviewed the Climate of Community & Economic Development Report.
- Potential economic opportunity with K. Kienzle with Workhorse Nutrition.
- Met with M. Torno on economic development opportunity for future development.

GRANTS

- Visited with H. Sage about potential new grant for Capital Improvement Plan.

PLANNING & ZONING

- Visited with N. Wilson regarding a retaining wall.
- Visited with A. Roeber of Black Hills Golf Cars – returning his erosion control deposit.
- Visited with W. Siebdrath from Longbranch Engineering on storm water.
- Visited with L. Berg on sending out certified letters on notices.
- L. Shagla and I discussed M. Cotton preliminary plat.
- L. Shagla and I discussed Norman Ranch email.
- Visited via telephone with I. Hugsby on variance notice they received.
- Visited with J. Scull on variance notices to be sent on RCS Storage.
- Sent lighting study to J. Herz of GenPro.
- Visited with L. Shagla regarding geo tech report on M. Cotton preliminary plat.
- Visited with numerous landowners regarding variance notices sent out by ACES.
- Drafted and sent two variances to the legal newspaper for publication.
- Visited with R. Embree on variance notice.
- Attended one (1) Planning & Zoning meeting.
- Visited via phone with S. Reade regarding Planning Zoning meeting
- Meeting with T. Wieczorek, M. Torno, L. Shagla on C. Gollnick property.
- Met with B. Ackerman from WBI on making sure to leave room on utilities in right of way.
- Visited with M. Cotton regarding rescheduling his plat until everything gets turned in.
- Visited with B. Rich regarding geo-tech reporting on jurisdictional platting for three-mile area.
- Visited with M. Cotton and additional items needed from Brosz Engineering.
- Visited with L. Shagla regarding second phase on Summerset Apartments #2.
- Visited with L. Shagla on SDDOT planning board on Exit 48.
- Visited with J. Lewis on letter of intent for possible incorporation of Black Hawk.
- Visited with M. Martin regarding variances and preliminary plat.
- Visited with M. Kitzmiller on upcoming Planning & Zoning meeting and possible Board of Adjustments.
- Visited with J. Milliron regarding sign permit. Contacted Rosenbaum Signs to get the permitting completed.
- Numerous telephone conversations with T. Wieczorek on next steps for P & Z and Board of Adjustments.
- Completed P & Z Minutes
- Met L. Berg, visited about notices that needed to go out for Board of Adjustments.

*See next page

MISC. CONT

- Completed the SD DANR Forestry Survey.
- Helped PW sign up for MSHA Training.
- Completed the cross-referencing on the miscellaneous information and rolls of commission with SD Codified Law.
- Participated in the Cops for Kids Program.
- Visited with S. Reade via phone. Questions on the process of how to get on the Parks and Recreation Board.
- Followed up on RESPEC questionnaire for regionalization of sewer.
- Visited with C. Sealey regarding SRF Loan.
- Meeting with T. Morris, C. Sealey, M. Torno on TIF Tax Rate.
- Met with J. Hanson from the Forest Service. Summerset was denied grant funding for training in urban forestry. Workshops can be set up thru the Forest Service.
- Completed cyber security training and obtained certificate.
- Trained S. Baumeister on where to find election resources regarding the upcoming 2023 election.
- Visited with A. Thurs and M. Torno regarding publications and timeline for agreement on closing SRF Loan.
- Sent publication off to the legal newspaper regarding rewriting of TIF #2.
- Drafted repeal ordinance and sent to the legal newspaper for publication.
- Sent Resolution of Board of Adjustments to M. Wheeler for legal opinion.
- Met with M. Anglin and J. Smith regarding sidewalks, plowing and mailboxes – ordinances.
- Updated password for O. Davis for email.
- Visited with Mike from Golden West on Genetec Server problems.
- Visited with S. Reade via telephone to see if he would like to be appointed to appraise surplus property of the city.
- Visited with P. Anderson of Piedmont regarding Sturgis Road.
- Visited with S. Reade regarding potential rescheduling of commission meeting due to weather event.
- Meeting with C. Hirsch, R. Nasser and D. Allen about wage scale alignment and increase pay for police department.
- Visited with Golden West regarding updating of the switches.
- Zoom meeting – Board of City Managers on upcoming legislation and Municipal Day at the Capitol.
- Zoom meeting – Incode 10.
- Visited with A. Nasser regarding resetting her password code to get into computer and be able to take cyber security training.
- Got USGS Agreement signed and sent back.

- A. Kayl and I attended Meade County Commission meeting regarding Sturgis Road.
- Meeting with DANR, T. Morris, M. Torno, and others regarding TIF agreement, SRF Loan, and rewriting of TIF2.
- Met with A. Kayl regarding snow ordinance. We cleaned up the web site so the proper ordinance was reflected.
- Received a call to locate a car after the same was towed. Transferred the call to the correct department.
- Trained S. Baumeister on setting up agendas, zoom and what needs to be placed on the same each month.
- Noticed taxing entities within the jurisdiction regarding TIF2 hearing.
- Sent in a First Report of Injury to Claims Associates for worker's comp.
- Received a complaint about a parked car – for sale in right of way. Transferred call over to police department.
- Visited with R. Nasser regarding kennel ordinances and clean up of the same.
- Visited via phone with C. Simmons regarding information on Memory Care Center.
- Set up Christmas party @ Meadowood Lanes.
- Visited with S. Reade regarding annexation laws and ordinances.
- Visited with S. Delbridge on various items for follow-up on building sites.

December 2022 Wastewater Department report

Daily Operations

12-1 Head works auger alarm. Found level sensor working intermittently.
12-5 Met with Brandon Powles (Powles and Sons) and Tony Thompson (TNT Construction) about sending sewer to Wonderland Homes Lagoons.
12-5 Met with Mayor and Finance Officer about Plant Expansion project.
12-6 Talked with Greg Tanner from Pine Hills Mobile Park about contract on the phone.
12/6-8 Owen in class. Basic Wastewater Treatment in Rapid
12-8 Sun Valley Lift Station pump #2 inop. Pump was plugged. DPI fixed pump.
12-9 Removed Blower #1 due to a bad bearing. Replacement blower on order.
12-12 Discussed Pine Hills Response to our contract with Mike Wheeler.
12-19 Replaced belts on blower #3.
12-27 Meeting with Jim Jones of Rural Community Assistance Partnership (RCAP)
12-28 Sun Valley Lift pump #2 circuit breaker tripped. Reset
12-29 Drove to Tea to pick up bobcat snow blower attachment for Steet Dept.
Treated 5,236,000 gal of Wastewater with an average of 170,000 gal/day
Responded to 6 requests for locating service

Special Projects

Misc

Finance Department Monthly Recap December

Week by Week Essential Functions

- Cash Receipting & Reports
- Monthly Cash and Account Reconciliation Reports (Journal Entries to General Ledger after review as needed)
- Accounts Payable (Beginning & Mid Month): Voucher creation, invoice processing, entering expenditures into General Ledger and creating checks for corresponding vouchers.
- Revenue/Expenditure review and correspondence with department heads to ensure correct classification of expenditures.
- Sales Tax, Payroll Tax, Retirement and Quarterly Reporting. Monthly invoicing on SRO contract to the County is done at this time. DOJ reporting and submission for reimbursement and other grant reporting as requested by department heads.
- Utility Billing (a daily process but month end and day due is most time sensitive) posting payments in Cash Receipts, processing credit card payments to accounts through lockbox, reconciling and adjusting customer accounts, posting late fees and sending penalty and collection notifications, general customer service, monthly billing procedures and statement production and disbursement.
- Time sheet review, payroll processing, employee cost and deduction review and implementation, human resource updates in Payroll system. Reconciliation of Accounts pertaining to employees and trial balances.

Financial Matters/Notable Highlights

- Supplemental Budget & Contingency Items to wrap up the year
- Utility Billing Adjustments to Customer Accounts. Questions?
- Meetings with TM on TIF
- New Assistant FO-In the Process of training
- Server Upgrade so lots of technical difficulties with our Financial Software
- Pervasive Upgrade to Software so lots of technical difficulties trying to do basic processes
- Incode Meetings w/Project Manager
- BHFOA Meeting-Summerset Hosted and Candace was elected Secretary for the Association
- Organized the 2022 Lighting contest, purchased the prizes and also helped Judge
- Month End, Year End, Quarter End
- Filed last years stuff and made new files

Administrative Operations

- General Customer Service
- Website Management
- Newsletter and Community Updates
- Document and Records Management and Retention
- Licensing, Permitting, Inspections
- Application processing & customer account tracking

Utility Billing Adjustments

- ACH items returned for various reasons from the bank
- Morton & Angels every month
- NSF Returned Payments
- Online-Bill pay broke with the server migration so adjusted utility accounts that didn't post.
-
-
-

December

Sanitation

Hauled 140520 lbs of Solid waste, 7100 lbs of recycling, 5700 lbs of cardboard, to the Landfill. Placed roll off boxes for Christmas trees. Repaired/cleaned/ and delivered cans as needed. Serviced and cleaned solid waste equipment. Repaired flat tire. Repaired Hydraulic leak.

Public works

Fixed Street lights. Installed vehicle accessories. Attended council meeting. Attended Meade County Commission Meeting. Prepped Snow removal equipment. Performed maintenance on public works equipment. Plowed snow. Received a bulk load of road salt. Began installing salt shed framework. Purchased and set up and used a snowblower for the skid steer to assist clearing streets of snow.

Code enforcement

Transferred a few issues to law enforcement for assistance.

Parks

Replaced basket ball hoop nets.

NOTICE OF PUBLIC HEARING

NOTICE OF HEARING APPLICATION FOR VARIANCE BEFORE THE CITY COMMISSION OF SUMMERSET ACTING AS THE BOARD OF ADJUSTMENTS

Notice is hereby given that the following petitioner has applied to the City of Summerset Board of Adjustments under the provisions of the City of Summerset Zoning Ordinance as follows:

Applicant: Chad Gollnick

Legal Description:

Existing: Lot N Revised of the E1/2 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, SD.

Proposed: Lots 1 through 8 and dedicated public Right of Way for Buckaroo Court all of TAB Industrial Park. All located in the SE1/4 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, SD.

Variances:

Applicant has requested the following variances:

- 1) Ordinance 151.020 (e) Annexation – rather than the immediate filing for voluntary annexation it is requested a future annexation agreement can be utilized until services are available from the City of Summerset in that area.
- 2) Variance to Summerset IDCM. Urban section for commercial use: 26' min. street width with curb and gutter and sidewalk. Requesting 26' asphalt surfacing, 1' wide gravel shoulders and open ditch with no sidewalk.
- 3) Variance to Summerset IDCM. Commercial roadways min. Right of Way width of 70'. Meade County Standard is 66' width and proposed improvements do not warrant a wider Right of Way.
- 4) Variance to Ordinance 151. Request that since the city municipal sanitary sewer collection system is not available, that individual onsite wastewater treatment systems are allowed as approved by Meade County and SD DANR.

TAB INDUSTRIAL PARK – PRELIMINARY PLAT

Plat of Lots 1 through 8 and Dedicated Public Right of Way for Buckaroo Court all of Tab Industrial Park, All Located in SE1/4 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.

Notice is further given that said applications will be heard and considered by the City of Summerset Commission acting as the Board of Adjustments at Summerset City Hall, 7055 Leisure Lane, Summerset, SD 57718 at 6:00 p.m. on the 19th day of January 2023. At that time, any person, persons, or their attorney who are interested in the approval or rejection of said application may appear and be heard at said scheduled public hearing.

Dated this 30th day of December, 2022.

City of Summerset

Published once 1/5/2023, at an approximate cost of \$70.84.

**OFFICIAL MINUTES
SUMMERSET PLANNING AND ZONING COMMISSION
REGULAR MEETING
DECEMBER 27, 2022 @ 6:00 P.M.**

The meeting was called to order by Commissioner Oldfield at 6:00 p.m.

ROLL CALL: Brody Oldfield, Dustin Hirsch, Casey Kenrick, John Hough, and Mike Martin present. Also present was the City Administrator, Talbot Wieczorek, Counsel and Lindsay Shagla, Engineer.

CALL FOR CHANGES: Motion by Kenrick, second by Martin to approve the agenda of the meeting for December 27th, 2022. Motion carried.

CONSENT CALENDAR: Motion by Kenrick, second by Hirsch to approve the minutes of the regular meeting of November 22nd, 2022. Motion carried.

RCS STORAGE – VARIANCE REQUEST

Motion by Martin, second by Kenrick, to open discussion. Motion carried.

City Administrator Lisa Schieffer presented the variance along with the review of Engineer Lindsay Shagla requesting 28.7' instead of the 30' between storage unit aisles. The standard 30" is in between each aisle and 28.7' is on the end and not in between aisles. Engineering found no problem with the variance request.

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

Motion by Kenrick, second by Martin to recommend approval of the variance to the Board.

TAB INDUSTRIAL PARK – VARIANCE REQUESTS:

VARIANCE #1 TO ORDINANCE 115 (E) ANNEXATION

Motion by Hirsch, second by Hough, to open discussion. Motion carried.

Jessica Larson, Attorney for the applicant, stated that the annexation would cause an undue hardship and there are no current plans in place to extend the City sewer, along with restrictions for use of the property. Instead, possibly an agreement could be reached in a Declaration of Future Voluntary Annexation and Restrictive Covenants to alleviate the concerns of the City.

Robert Embree, residing at 7680 Angus Lane, asked if commercial property were to go in that area that they would like to have a privacy fence put up between the commercial property and their residential property.

Tyson Waddell, residing at 7700 Angus Lane, asked what the City does get out of this regarding annexation.

Attorney Talbot Wieczorek cited the ordinances in which Summerset is operating under wherein annexation takes place if any portion of the subdivision adjacent to the City's municipal boundary. The term adjacent ignores any right of way or dedication that lies between the municipal boundary and the subdivision boundary. Wieczorek went on to discuss if the variance

meets the intent, just because someone does not want to be annexed. Discussion ensued on what other services besides sewer the City provides.

Motion by Hough, second by Kenrick to close discussion. Motion carried.

Motion by Kenrick, second by Martin, to deny the variance. Motion carried.

**VARIANCE #2 TO SUMMERSET IDCM – CURB/GUTTER
VARIANCE #3 TO SUMMERSET IDCM – RIGHT OF WAY WIDTH
VARIANCE #4 TO ORDINANCE 115 – ONSITE WASTEWATER TREATMENT
SYSTEM**

Motion by Martin, second by Hirsch to open discussion. Motion carried.

Leah Berg, Aces Engineering, spoke to the remaining three variances. Berg stated that there does not need to be a curb and gutter system in that area. The open ditch drainage meets the needs. Said businesses will not generate pedestrian traffic. Berg stated that the right of way widths that are in the City of Somerset are at 66' and that utilities would fit into the same. Lastly, there is no sewer available from the City so an onsite wastewater treatment system would be put into place.

Lindsay Shagla, HDR Engineering, stated that there is currently curb and gutter in the Black Hawk area, and that sidewalk would probably not be needed as it is going to be more of an industrial type setting. As far as the width goes, most right of ways were developed before Somerset was incorporated but Shagla did not see a problem with the same along with the septic system.

Dianna Meeker, residing at 8405 Captain Soelzer expressed her concerns of not knowing what is going on and receiving a notification regarding the same. Meeker stated that they are established there and that they are not wanting to have any of these services in the future.

Talbot Wiczorek, Counsel, had asked who maintains the end of Black Hawk Road and whether the road would be pushed through to Buckaroo Court or if a cul-de-sac would be put in. Additionally has there been access granted to have an entrance into Lot 4. Also, it would be wise if the City asked for setbacks in the area for future sidewalk if it were to be put in.

It was then discussed that there is a road district at the end of Black Hawk Road and that half is owned by them and the other half is in a different district. The discussion ensued about getting property access and who has jurisdiction.

Motion made by Martin, second by Hirsch, to close discussion. Motion carried.

Motion by Kenrick to recommend denying Variance #2 on the curb/gutter due to lack of information. Motion failed for lack of a second.

Motion by Martin, second by Hough, for no recommendation on Variance #2 Curb/Gutter to the Board for lack of information. Voting yes: Martin, Oldfield, Hirsch, and Hough. Voting no: Kenrick. Motion carried.

Motion by Kenrick, second by Hirsch to recommend approval of Variance #3 – Right of Way width. Motion carried.

Motion by Martin, second by Kenrick, to recommend approval of Variance #4 Onsite Wastewater Treatment System. Motion carried.

TAB INDUSTRIAL PARK – PRELIMINARY PLAT

Plat of Lots 1 through 8 and Dedicated Public Right of Way for Buckaroo Court all of Tab Industrial Park. All Located in SE1/4 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.

Motion by Kenrick, second by Martin to open discussion. Motion carried.

Discussion was had regarding the requirements needed for the preliminary plat and how the variances tie in.

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

Motion by Hirsch, second by Martin, to recommend denying the preliminary plat to the Board based on the plat fails to comply with the requirements set out in the ordinances of the City of Summerset and more information is needed regarding the same. Motion carried.

ADJOURNMENT

Motion by Martin, second by Kenrick, to adjourn the meeting at 7:36 p.m. Motion carried.

Candace Sealey, Finance Officer

Brody Oldfield, Chairman

Published once 1/4/2023 at a cost of \$146.24.



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset
12150 Siouxland Dr., Summerset, SD 57718
Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment
- Subdivision
 - Layout Plan
 - Preliminary Plat
 - Final Plat
 - Minor Plat
- Variance **1 of 4**
- Rezoning
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
- Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING LOT N REVISED of the E1/2 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.	
PROPOSED Lots 1 through 8 AND Dedicated Public Right of Way for Buckaroo Court all of TAB Industrial Park. ALL Located in the SE1/4 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.	
LOCATION 7935 Cpt Soelzer St, Black Hawk, SD 57718	
Size of Site-Acres 28.761	Square Footage 1,252,829.16
Proposed Zoning N/A	
DESCRIPTION OF REQUEST: Variance to Ordinance 115 (E) Annexation. Rather than the immediate filing for voluntary annexation it is requested a future annexation agreement can be utilized until services are available from the City of Summerset to this area. HARDSHIP: No services or benefit will be received in order to justify the City taxes & unnecessary control	Utilities: Private / Public
	Water BLACK HAWK WATER
	Sewer INDIVIDUAL

APPLICANT

Name Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoutfitter.com
 City, State, Zip Black Hawk, SD 57718

PROJECT PLANNER - AGENT

Name Leah M. Berg, P.E. of ACES - Affordably Creative Engineering Services, Inc. Phone 605-716-4646 / 605-545-1120
 Address 324 St. Joseph St, Ste 200 E-mail LBerg@proacesinc.com
 City, State, Zip Rapid City, SD 57701

OWNER OF RECORD (If different from applicant)

Name Dakota Cable Solutions, Inc. - Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoutfitter.com
 City, State, Zip Black Hawk, SD 57718

Chad Gollnick 11/29/27
 Property Owner Signature Date Property Owner Signature Date

Signature _____ Date _____ Signature _____ Date _____
 Print Name: CHAD GOLLNICK Title*: owner-President

*required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

ZONING	
Current	
North	
South	
East	
West	
Planner	
File No.	
Comp Plan	
Received By:	

- Sewer Utility
- Fire Department
- Public Works
- Planning
- Building Inspector
- Engineering
- City Code Enforcement
- Police
- City Attorney
- BHP&L
- Finance Officer
- Register of Deeds
- County - Planning
- SD DOT
- SD DENR
- Auditor - Annexation
- Drainage
- Parks & Recreation
- Diamond D Water
- Black Hills Water
- Other: _____
- Other: _____
- Other: _____
- Other: _____

Board of Adjustments Meeting Date: _____
 Date Paid: _____
 Sign Deposit Received: _____ Amount: _____ Sign returned: _____ Payment Type: Cash Credit Check 06/2015



MEMORANDUM

PROJECT: TAB Industrial Park – Lots 1 thru 8 & Buckaroo Court
LOCATION: Black Hawk, South Dakota
DATE: November 28, 2022
TOPIC: Variance Request 1 of 4 – Immediate Forced Annexation

This Memorandum shall provide additional information in support of the variance request application submitted.

The landowner, Dakota Cable Solutions, Inc., is owned and operated by Chad Gollnick, whose family has lived and worked in South Dakota for over one hundred years. Chad operates the "2017 Black Hills Community Economic Development Small Business of the Year" and is a "2018 DakotaRising Fellow". Chad's businesses currently employ up to 70 people, and he is an advocate and mentor for dozens of other small businesses around the State. Chad's goal is to not only offer employment to hundreds of people in South Dakota, but also to help other small business owners do the same.

The intent behind subdividing the property is largely about creating a space for local small business people to gain the opportunity to own the ground under them. Verbal commitments have been made for 4 of the 7 lots platted for sale (selling the lots at submarket pricing to support the growth of small business locally). These are people seeking space for a Geotech firm, an office for construction management, and a small-scale components manufacturer. The businesses are locally owned by our neighbors. One of these lots will likely hold a warehouse area to store Chad's personal property (a pontoon and offroad toys). Chad has seen that our community has become dominated by property owners only interested in creating real estate opportunities to lease. In his eyes, this puts a disproportionate return in the hands of the wealthy and exacts a disproportionate cost on the up-and-coming. Chad wants to battle that at all costs. He believes in supporting the small business person; they are the pioneers of our day.

A variance from the forced annexation is warranted because annexation of this property would cause an undue hardship on the property owner. Annexation would result in no benefit to the property (no services are being requested and the majority of City services are not available). There is no current plan in place to extend the City's sewer collection system to this location. Annexation would result in unnecessary and unwarranted taxation on the property. It would also result in putting burdensome restrictions on the use of the property – in effect taking away the property owner's rights to use and develop his property.

In order to cooperate with the City and to meet the spirit of the ordinance, the landowner would be willing to work with the City to incorporate certain limited covenants and restrictions on the use of the property in order to address the City's main concerns. We have drafted an initial proposal (the included Declaration of Future Voluntary Annexation and Restrictive Covenants), but would also be willing to meet with the City to explore additional restrictions to alleviate concerns the City may have for the use of this property located on the outer boarder of the City. This would give the City the opportunity to weigh in on the uses of the property without taking away the property owner's current rights to use and develop unincorporated property.

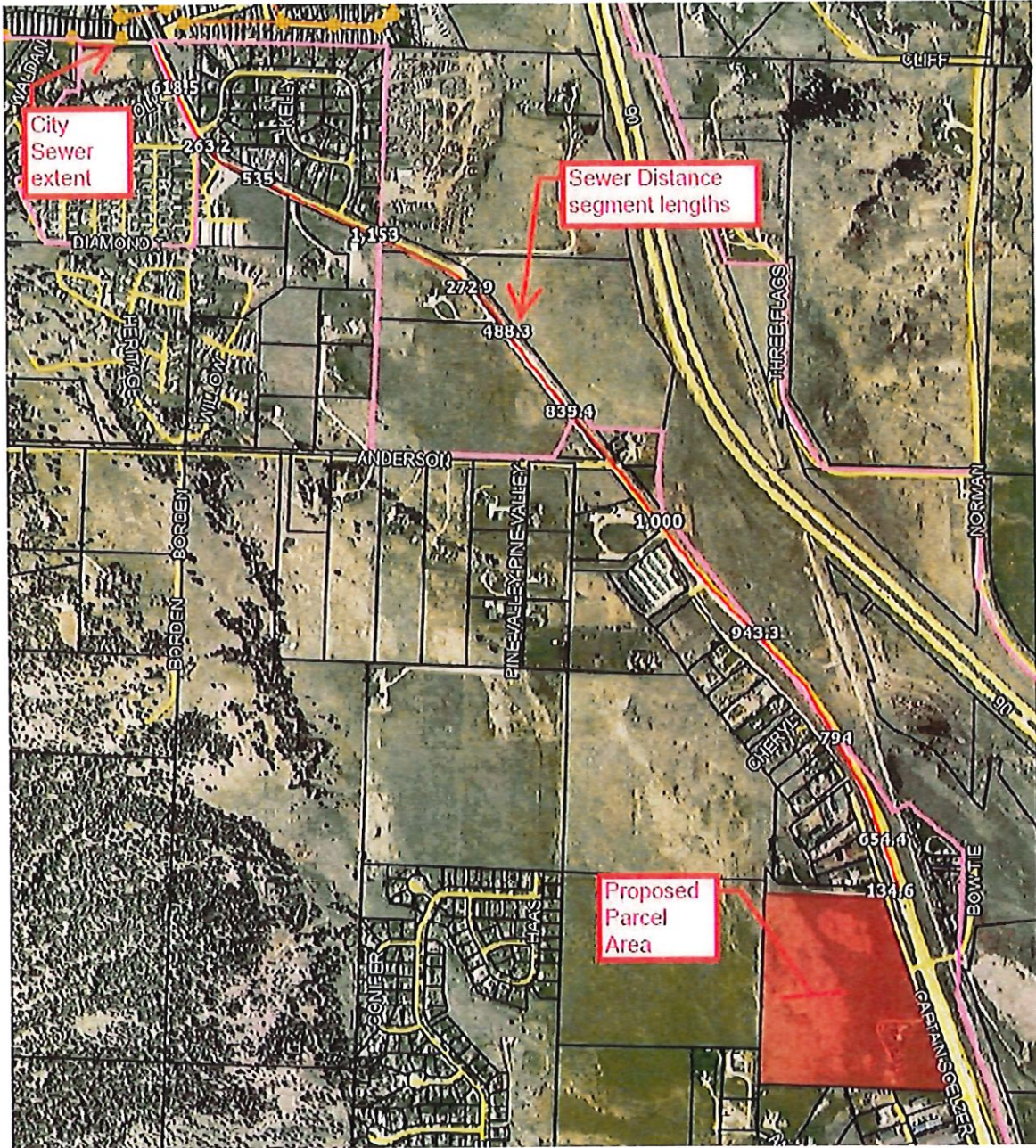
Key Factors:

- The current location being proposed is not within the City of Summerset's municipal boundary.
- An exception/variance to immediate forced (voluntary) annexation per Ordinance section § 151.020, (E) is being requested.
 - § 151.020 GENERAL REQUIREMENTS, (E): *Annexation*. The subdivider shall be required to submit a petition for voluntary annexation of his or her subdivision into the city with the final or minor plat application if any portion of the subdivision is adjacent to the city's municipal boundary. For the purposes of this chapter, the term "adjacent" ignores any right-of-way or dedication that lies between the municipal boundary and the subdivision boundary.
- A Declaration of Future Voluntary Annexation and Restrictive Covenants is included for consideration as a way to work with the City.
- The reason why a Future Annexation Agreement is being proposed is as follows:
 - No City services are provided or are likely to be provided to the property (no City water or sewer service is available; no City trash collection is available or needed for the commercial property; no City snow removal or road maintenance is available or needed, as the frontage road and Sturgis Road are serviced by the SDDOT). Ongoing road maintenance and snow removal will be established through a road district when warranted in coordination with Meade County.
 - No water service is being requested or provided by the City of Summerset
 - Water is committed to be provided by Black Hawk Water
 - Sanitary Sewer is not being requested and such municipal service is not possible to be provided by the City of Summerset at this time.
 - Individual Onsite Wastewater Treatment is planned as approved by Meade County and SDDANR.
 - The City's collections system is about 7,700 feet away and is at a higher elevation than the parcel area (meaning an extension with gravity collection is not possible, multiple lift stations would be required to serve this area).
 - The following map snip is from the Meade County Beacon GIS system. This Legend applies to the map features:

Legend

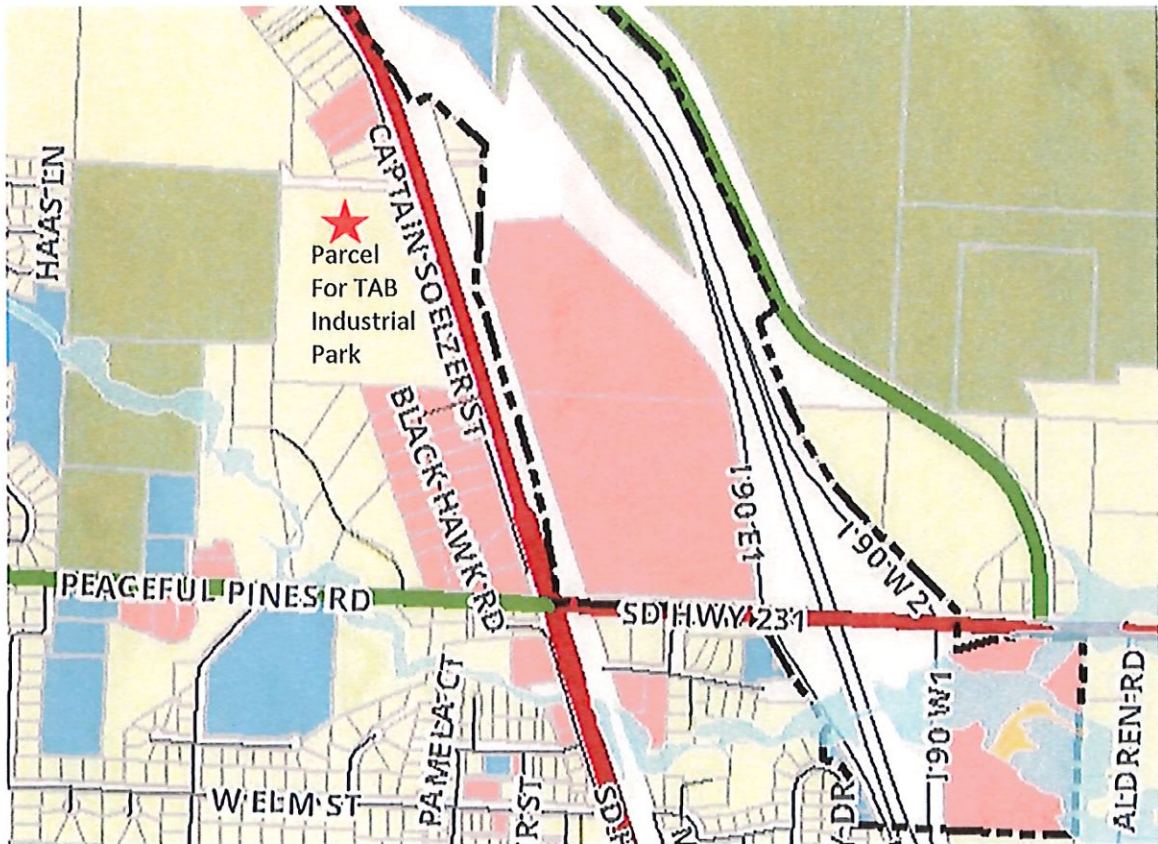
- Parcels 2022
- Roads
- Somerset City Limits
- Somerset Manholes
- Somerset Sanitary Pipe

The distance to the property area is shown with segment measurements and labeled.



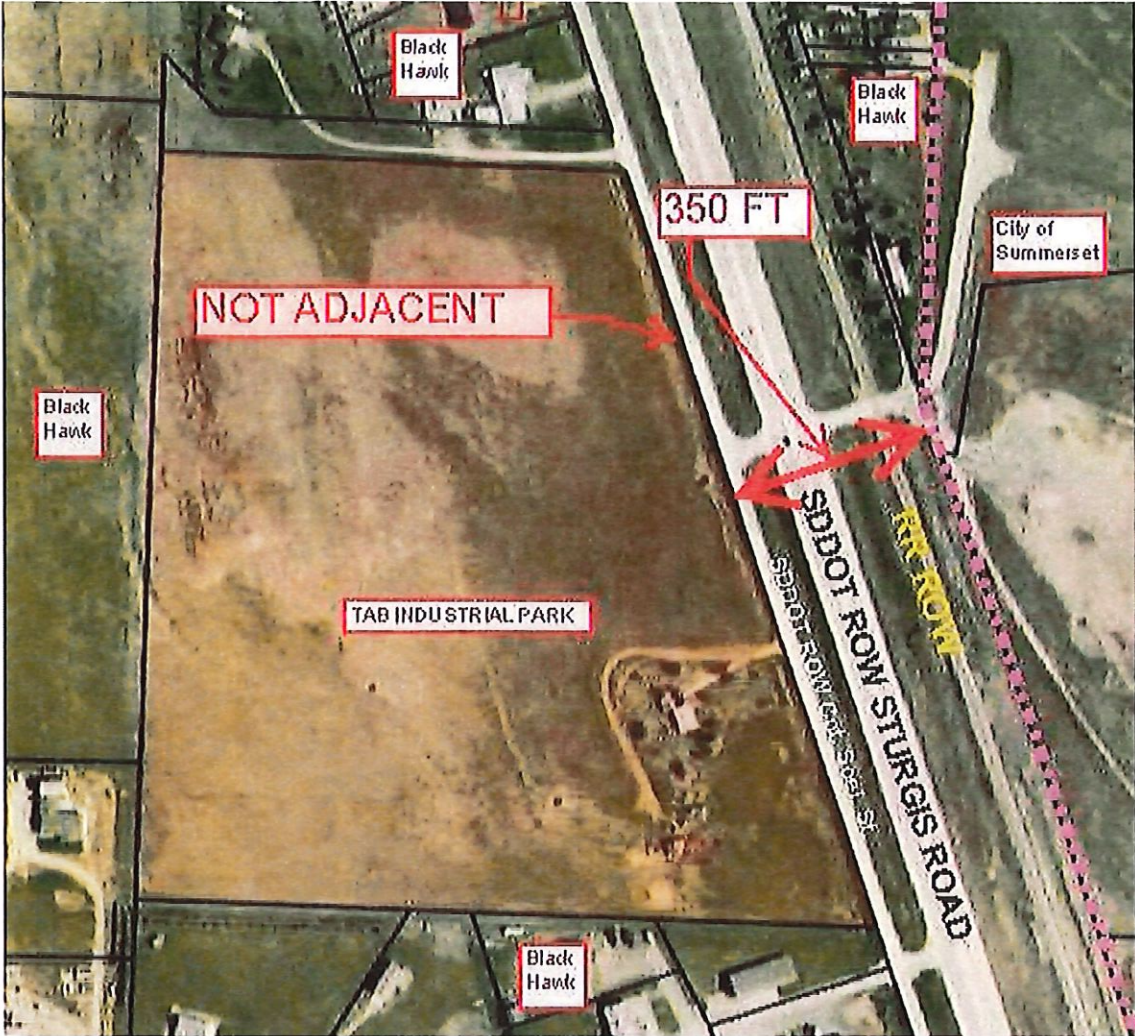
- Location does not warrant City expansion
 - Adjacent areas are either already developed or have an agricultural use and all have no intention to voluntarily annex into the City of Summerset
 - Annexation of this property would not be consistent with the Comprehensive Plan and would result in a strange peninsula surrounded by non-incorporated property that is unlikely to ever be annexed into the City
 - A snip from the current Comprehensive plan, showing future land use is shown below with legend.

FUTURE LAND USE AND MAJOR STREET PLAN

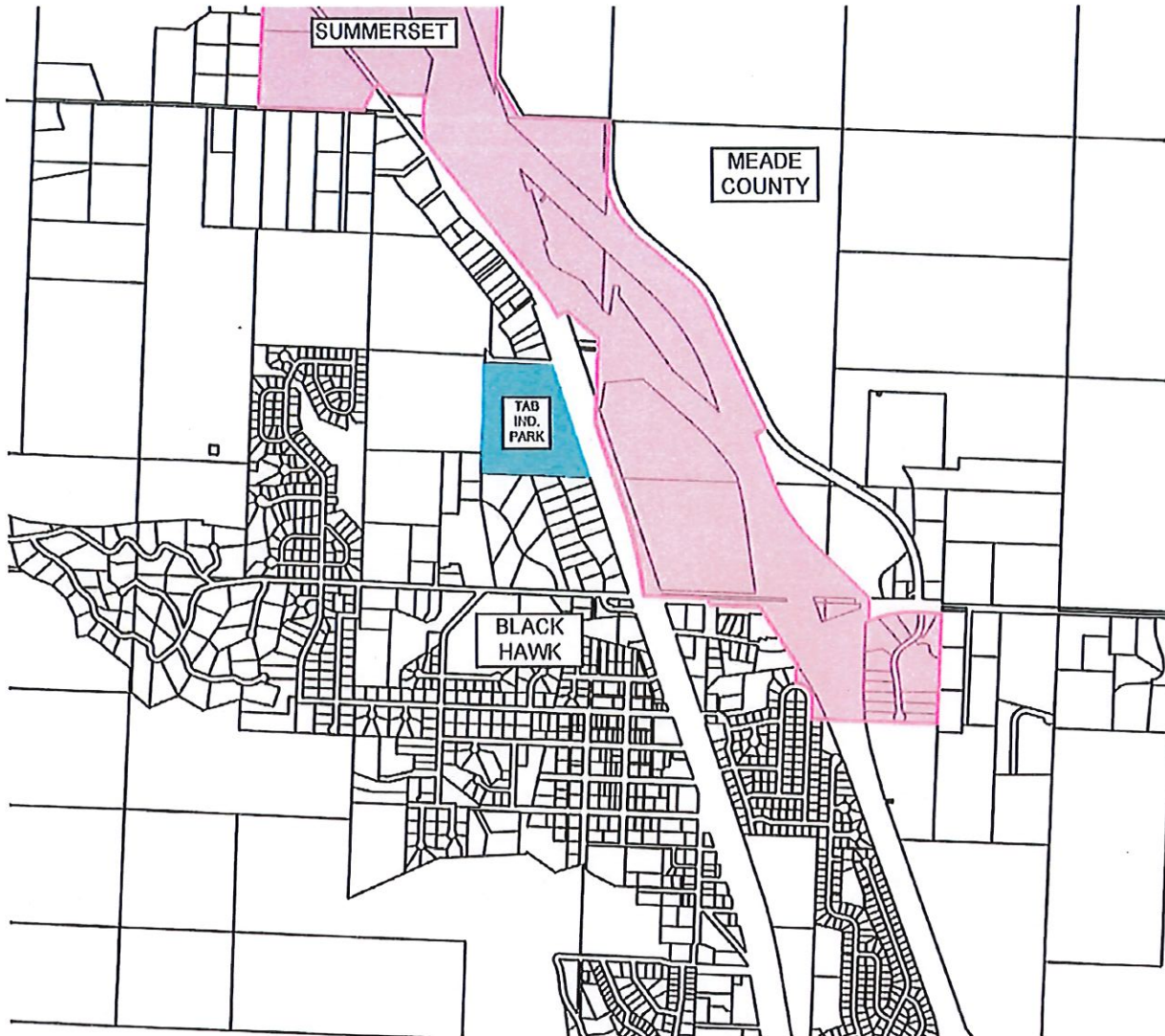


- Location is not fully adjacent to the current municipal boundary
 - Only about 30% of the parcel edge could be considered adjacent based on Ordinance description
 - The limited property that is arguably adjacent to City property is separated by multiple ROWs that are not within the jurisdiction of the City of Summerset.

The snip included below from the Meade County Beacon GIS system is zoomed into this parcel area to show in detail how the City of Summerset's municipal boundary runs in this area.

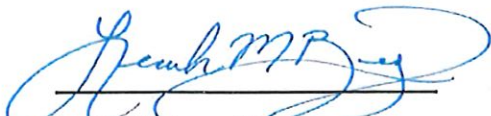


It can easily be seen in the last map that annexation of the parcel does not make logical sense for the growth of the City's boundary. The one sentence in the Ordinance does not appear to be for this situation and should not apply to this parcel area. The City of Summerset's municipal area is shown in pink and the fully separated parcel (highlighted in blue) is amongst developed Black Hawk parcels. It is not in line with the expansion of the City of Summerset. Forced annexation is not applicable. The Declaration of Future Voluntary Annexation and Restrictive Covenants is a way to move forward for both parties.



Note: If Variance Request 1 of 4 regarding annexation is granted, then the owner will, upon warranted request comply with IDCM items as listed in Variance Request 2 of 4 regarding curb & gutter and sidewalk, and Variance Request 3 of 4 regarding ROW width.

Any technical questions or additional information needed please contact project agent, Leah M. Berg at 605-716-4646 / 605-545-1120 or at LBerg@proacesinc.com. For any legal questions please contact project Attorney, Jessica L. Larson, with Beardsley Jensen & Lee at 605-721-2800 or at jl Larson@blackhillslaw.com.


Leah M. Berg, P.E.

Prepared by:
Jessica L. Larson, Esq.
Beardsley, Jensen & Lee, Prof. LLC
P.O. Box 9579
Rapid City, SD 57709-9579
(605) 721-2800

**DECLARATION OF FUTURE VOLUNTARY ANNEXATION
AND RESTRICTIVE COVENANTS**

This Declaration of Future Voluntary Annexation and Restrictive Covenants ("Declaration") is made by Dakota Cable Solutions, Inc., a South Dakota corporation, P.O. Box 825, Black Hawk, South Dakota 57718 ("Declarant").

Recitals

- A. Declarant owns certain property in Meade County, South Dakota, legally described as follows (the "Property"):
 - Lot N Revised of the East Half (E1/2) of Section 6, Township 2 North, Range 7 East, BHM, Meade County, South Dakota, as shown in Plat Book 18 on Page 32
- B. Declarant is making an application to re-plat the Property, whereby Lot N Revised will be divided into eight lots, known as Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, and Lot 8 of TAB Industrial Park;
- C. The parties understand and acknowledge that Lot 8 may be further subdivided in the future.
- D. As a condition for the plat approval, the City of Summerset requires a voluntary annexation agreement to establish a plan for voluntary annexation when City services are made available to the Property.
- E. As a further condition for plat approval, the City of Summerset requires certain restrictive covenants running with the land for the use of the Property.

Now, therefore, in consideration of the plat approval and other good and valuable consideration, the Property shall be held and subject to the restrictions and conditions as set forth herein, that shall constitute a servitude on the Property, run with the Property, and be binding on all parties that have or shall have any right, title, or interest in the Property.

1) Voluntary Annexation Agreement. If, prior to December 31, 2032, a municipal sewer system of the City of Summerset is available within two hundred (200) feet of all or any part of Lots 1-7 of the Property, each lot owner of Lots 1-7 shall file a voluntary annexation petition for that particular lot. Should the lot owner or any successor in interest fail to file the voluntary annexation petition within sixty (60) days of the availability, the parties agree that the City is authorized by this agreement to

proceed immediately with a statutory annexation procedure. Upon further subdivision or re-platting of Lot 8, the parties agree that immediate voluntary annexation will be a requirement for approval of the re-platting of Lot 8.

2) Road Maintenance. The City of Summerset shall have no responsibility for maintaining, repairing, or providing snow removal service for Buckaroo Court. When the Property is subdivided and two or more Lots are transferred, a separate Road District will be formed.

3) Restrictive Covenants Running with the Land. The ownership, development, and use of the Property and any and all buildings, structures, or other improvements (each an "Improvement" and collectively the "Improvements") shall be restricted, burdened, and subject to all of the limitations below.

- a. All approaches and driveways constructed on the Property shall comply with all City of Summerset Ordinances.
- b. The following uses are specifically prohibited on the Property without the prior written consent of the City of Summerset:
 - i. a gambling establishment or betting parlor;
 - ii. an adult type bookstore or other establishment selling, renting, displaying, or exhibiting pornographic or obscene materials (including, without limitation: magazines, books, movies, videos, photographs or so called "sex toys") or providing adult type entertainment or activities (including, without limitation, any displays or activities of a variety involving, exhibiting, or depicting sexual themes, nudity, or lewd acts); provided, however, the incidental sale of such materials by a national bookstore such as "Barnes and Noble" as the same operate in a majority of their stores shall be permitted;
 - iii. a mobile home park, trailer court, labor camp, or mobile home sales lot (except this shall not prohibit the temporary use of construction trailers during any periods of construction, reconstruction, or maintenance nor shall it prohibit the use of one single- or double-wide mobile home trailer for use as an office or work facility by the lot owner or tenant);
 - iv. a mortuary, crematorium, or funeral home;
 - v. a junk yard, stock yard, or animal raising operation; or
 - vi. a landfill, garbage dump, or other such facility for dumping of garbage.
- c. The foregoing covenants, restrictions, and agreements are imposed upon the Property for the benefit of the City of Summerset and shall be deemed restrictive covenants running with the land and shall be binding



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset
12150 Slouland Dr., Summerset, SD 57718
Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment

- Subdivision
 - Layout Plan
 - Preliminary Plat
 - Final Plat
 - Minor Plat
- Variance **2 of 4**
- Rezoning
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
- Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING LOT N REVISED of the E1/2 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.		
PROPOSED Lots 1 through 8 AND Dedicated Public Right of Way for Buckaroo Court all of TAB Industrial Park. ALL Located in the SE1/4 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.		
LOCATION 7935 Cpt Soelzer St, Black Hawk, SD 57718		
Size of Site-Acres 28.761	Square Footage 1,252,829.16	Proposed Zoning N/A
DESCRIPTION OF REQUEST: Variance to Summerset IDCM. Urban section for commercial use: 26' min. street width with curb and gutter and sidewalk. Requesting 26' asphalt surfacing, 1' wide gravel shoulders and open ditch drainage with no sidewalk.		Utilities: Private / Public
HARDSHIP: There is no curb and gutter system to connect to and industrial areas don't warrant sidewalk. Precedent has been set by Infinity Drive in City of Summerset for commercial type use areas.		Water BLACK HAWK WATER
		Sewer INDIVIDUAL

APPLICANT

Name Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoutfitter.com
 City, State, Zip Black Hawk, SD 57718

PROJECT PLANNER - AGENT

Name Leah M. Berg, P.E. of ACES - Affordably Creative Engineering Services, Inc. Phone 605-716-4646 / 605-545-1120
 Address 324 St. Joseph St, Ste 200 E-mail LBerg@proacesinc.com
 City, State, Zip Rapld City, SD 57701

OWNER OF RECORD (If different from applicant)

Name Dakota Cable Solutions, Inc. - Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoutfitter.com
 City, State, Zip Black Hawk, SD 57718

Chad Gollnick 11/29/22
 Property Owner Signature Date Property Owner Signature Date

Signature Date Signature Date
 Print Name: CHAD GOLLNICK
 Title*: Owner-President
 *required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

ZONING
Current
North
South
East
West
Planner
File No.
Comp Plan
Received By:

- Sewer Utility
- Fire Department
- Public Works
- Planning
- Building Inspector
- Engineering
- City Code Enforcement
- Police
- City Attorney
- BHP&L
- Finance Officer
- Register of Deeds
- County - Planning
- SD DOT
- SD DENR
- Auditor - Annexation
- Drainage
- Parks & Recreation
- Diamond D Water
- Black Hills Water
- Other: _____
- Other: _____
- Other: _____
- Other: _____

Board of Adjustments Meeting Date: _____
 Date Paid: _____
 Sign Deposit Received: _____ Amount: _____ Sign returned: _____ Payment Type: Cash Credit Check 06/2015



MEMORANDUM

PROJECT: TAB Industrial Park – Lots 1 thru 8 & Buckaroo Court
LOCATION: Black Hawk, South Dakota
DATE: November 18, 2022
TOPIC: Variance Request 2 of 4 – Curb & Gutter and Sidewalk

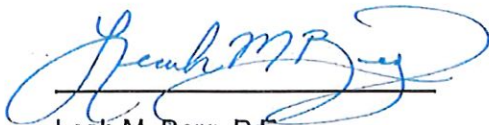
This Memorandum shall provide additional information in support of the variance request application submitted.

The Proposed street section does not meet Summerset's IDCM. For a commercial area the IDCM requires an urban section (26' min. street width with curb and gutter and sidewalk). A variance/exception to the IDCM requirement is being requested due to the facts that curb and gutter and sidewalk are not warranted in this area and at this location.

There is no adjacent curb and gutter system to convey surface drainage from this area. The surrounding areas are not within the City of Summerset, therefore, an extension of existing improvements are not possible. The proposed open ditch drainage shall meet surface drainage needs. This area is proposed for light industrial use, which does not generate pedestrian traffic. Also, there are no adjacent pedestrian travel ways to extend to or from. The proposed section matches and exceeds the standard commercial area roadway section, which has been established by Infinity Drive for the City of Summerset.

Note: If Variance Request 1 of 4 regarding annexation is granted, then the owner will, upon warranted request comply with IDCM items as listed in Variance Request 2 of 4 regarding curb & gutter and sidewalk, and Variance Request 3 of 4 regarding ROW width.

Any technical questions or additional information needed please contact project agent, Leah M. Berg at 605-716-4646 / 605-545-1120 or at LBerg@proacesinc.com. For any legal questions please contact project Attorney, Jessica L. Larson, with Beardsley Jensen & Lee at 605-721-2800 or at jl Larson@blackhillslaw.com.



Leah M. Berg, P.E.



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset
12150 Slouland Dr., Summerset, SD 57718
Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment

- Subdivision
 - Layout Plan
 - Preliminary Plat
 - Final Plat
 - Minor Plat
- Variance **3 of 4**
- Rezoning
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
- Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING LOT N REVISED of the E1/2 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.	
PROPOSED Lots 1 through 8 AND Dedicated Public Right of Way for Buckaroo Court all of TAB Industrial Park. ALL Located in the SE1/4 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.	
LOCATION 7935 Cpt Soelzer St, Black Hawk, SD 57718	
Size of Site-Acres 28.761	Square Footage 1,252,829.16
Proposed Zoning N/A	
DESCRIPTION OF REQUEST Variance to Summerset IDCM. Commercial roadways min. ROW width of 70'. Meade County Standard is 66' width and proposed improvements do not warrant a wider ROW.	Utilities: Private / Public
HARDSHIP: Precedent has been set by Infinity Drive in City of Summerset for 66' width ROW.	Water BLACK HAWK WATER
	Sewer INDIVIDUAL

APPLICANT

Name Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoutfitter.com
 City, State, Zip Black Hawk, SD 57718

PROJECT PLANNER - AGENT

Name Leah M. Berg, P.E. of ACES - Affordably Creative Engineering Services, Inc. Phone 605-716-4646 / 605-545-1120
 Address 324 St. Joseph St, Ste 200 E-mail L.Berg@proacesinc.com
 City, State, Zip Rapid City, SD 57701

OWNER OF RECORD (If different from applicant)

Name Dakota Cable Solutions, Inc. - Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoutfitter.com
 City, State, Zip Black Hawk, SD 57718

Chad Gollnick 11/28/22
 Property Owner Signature Date Property Owner Signature Date

Signature _____ Date _____ Signature _____ Date _____
 Print Name: CHAD GOLLNICK Print Name: _____
 Title*: Owner - President Title*: _____
 *required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

ZONING	<input type="checkbox"/> Sewer Utility	<input type="checkbox"/> BHP&L
Current	<input type="checkbox"/> Fire Department	<input type="checkbox"/> Finance Officer
North	<input type="checkbox"/> Public Works	<input type="checkbox"/> Register of Deeds
South	<input type="checkbox"/> Planning	<input type="checkbox"/> County - Planning
East	<input type="checkbox"/> Building Inspector	<input type="checkbox"/> SD DOT
West	<input type="checkbox"/> Engineering	<input type="checkbox"/> SD DENR
Planner	<input type="checkbox"/> City Code Enforcement	<input type="checkbox"/> Auditor - Annexation
File No.	<input type="checkbox"/> Police	<input type="checkbox"/> Drainage
Comp Plan	<input type="checkbox"/> City Attorney	<input type="checkbox"/> Parks & Recreation
Received By:		<input type="checkbox"/> Diamond D Water
		<input type="checkbox"/> Black Hills Water
		<input type="checkbox"/> Other: _____
		<input type="checkbox"/> Other: _____
		<input type="checkbox"/> Other: _____
		<input type="checkbox"/> Other: _____

Board of Adjustments Meeting Date: _____
 Date Paid: _____
 Sign Deposit Received: _____ Amount: _____ Sign returned: _____ Payment Type: Cash Credit Check 06/2015



MEMORANDUM

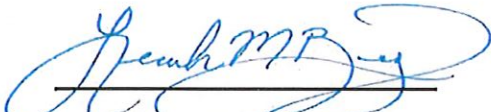
PROJECT: TAB Industrial Park – Lots 1 thru 8 & Buckaroo Court
LOCATION: Black Hawk, South Dakota
DATE: November 18, 2022
TOPIC: Variance Request 3 of 4 – ROW Width

This Memorandum shall provide additional information in support of the variance request application submitted.

The proposed ROW width is 66 feet. The Summerset IDCM requires a minimum ROW width of 70 feet for commercial roadways. The proposed ROW matches the standard commercial area roadway section of 66 feet, which has been established by Infinity Drive for the City of Summerset. The proposed improvements do not warrant a larger ROW width. Meaning the roadway section and utilities will fit within the 66 ft ROW without issue. There are no other known areas in the City of Summerset that have a 70 ft ROW width.

Note: If Variance Request 1 of 4 regarding annexation is granted, then the owner will, upon warranted request comply with IDCM items as listed in Variance Request 2 of 4 regarding curb & gutter and sidewalk, and Variance Request 3 of 4 regarding ROW width.

Any technical questions or additional information needed please contact project agent, Leah M. Berg at 605-716-4646 / 605-545-1120 or at LBerg@proacesinc.com. For any legal questions please contact project Attorney, Jessica L. Larson, with Beardsley Jensen & Lee at 605-721-2800 or at jl Larson@blackhillslaw.com.



Leah M. Berg, P.E.



COMMUNITY PLANNING & DEVELOPMENT SERVICES
 City of Summerset
 12150 Slouxlund Dr., Summerset, SD 57718
 Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

- REQUEST (please check all that apply)**
- Annexation
 - Comprehensive Plan Amendment
 - Fence Height Exception
 - Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment

- Subdivision
 - Layout Plan
 - Preliminary Plat
 - Final Plat
 - Minor Plat
- Variance **4 of 4**
- Rezoning
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
- Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING LOT N REVISED of the E1/2 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.

PROPOSED Lots 1 through 8 AND Dedicated Public Right of Way for Buckaroo Court all of TAB Industrial Park. ALL Located in the SE1/4 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.

LOCATION 7935 Cpt Soelzer St, Black Hawk, SD 57718

Size of Site-Acres	28.761	Square Footage	1,252,829.16	Proposed Zoning	N/A
--------------------	--------	----------------	--------------	-----------------	-----

DESCRIPTION OF REQUEST Variance to Ordinance 115. Request that since the City municipal sanitary sewer collection system is not available, that individual onsite wastewater treatment systems are allowed as approved by Meade County and SD DANR.

HARDSHIP: The City's sewer system is about 7,700 feet away from this property at a higher elevation.

Precedent has been set by Infinity Drive in City of Summerset for commercial type use areas.

Utilities: Private / Public	
Water	BLACK HAWK WATER
Sewer	INDIVIDUAL

APPLICANT

Name Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoutfitter.com
 City, State, Zip Black Hawk, SD 57718

PROJECT PLANNER - AGENT

Name Leah M. Berg, P.E. of ACES - Affordably Creative Engineering Services, Inc. Phone 605-716-4646 / 605-545-1120
 Address 324 St. Joseph St, Ste 200 E-mail L.Berg@proacesinc.com
 City, State, Zip Rapid City, SD 57701

OWNER OF RECORD (If different from applicant)

Name Dakota Cable Solutions, Inc. - Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoutfitter.com
 City, State, Zip Black Hawk, SD 57718

Chad Gollnick 11/28/22
 Property Owner Signature Date Property Owner Signature Date

Signature _____ Date _____ Signature _____ Date _____
 Print Name: CHAD GOLLNICK Title*: Owner - President

*required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

ZONING	<input type="checkbox"/> Sewer Utility	<input type="checkbox"/> BHP&L	<input type="checkbox"/> Diamond D Water
Current	<input type="checkbox"/> Fire Department	<input type="checkbox"/> Finance Officer	<input type="checkbox"/> Black Hills Water
North	<input type="checkbox"/> Public Works	<input type="checkbox"/> Register of Deeds	<input type="checkbox"/>
South	<input type="checkbox"/> Planning	<input type="checkbox"/> County - Planning	<input type="checkbox"/> Other: _____
East	<input type="checkbox"/> Building Inspector	<input type="checkbox"/> SD DOT	<input type="checkbox"/> Other: _____
West	<input type="checkbox"/> Engineering	<input type="checkbox"/> SD DENR	<input type="checkbox"/> Other: _____
Planner	<input type="checkbox"/> City Code Enforcement	<input type="checkbox"/> Auditor - Annexation	<input type="checkbox"/> Other: _____
File No.	<input type="checkbox"/> Police	<input type="checkbox"/> Drainage	<input type="checkbox"/>
Comp Plan	<input type="checkbox"/> City Attorney	<input type="checkbox"/> Parks & Recreation	
Received By:			

Board of Adjustments Meeting Date: _____
 Date Paid: _____ Sign Deposit Received: _____ Amount: _____ Sign returned: _____ Payment Type: Cash Credit Check 06/2015

2nd Review
for meeting on
December 27th

Memo

Date: Friday, December 09, 2022
Project: Lots 1-8 and Dedicated ROW for Buckaroo Ct All of TAB Industrial Park
To: Lisa Schieffer, City Administrator
From: HDR, Inc
Subject: Preliminary Plat - Plan Review

Carry Over Comments from 11-10-22

Roadway

3. Proposed street section does not meet Summerset IDCM. For a commercial area IDCM requires an urban section (26' min. street width with curb and gutter and sidewalk).

Drainage

4. It is not clear in the plans nor the drainage report if the required freeboard for the detention pond is being met.
5. Based on the City's indication that this property will be zoned C-1 commercial, for the proposed detention pond to serve as the detention pond for all 8 lots, the drainage report and drainage facilities may need to be updated and/or revised.

Sanitary Sewer

6. Proposed sewer is septic. City does not currently have sewer service in the area. City will need to decide if individual septic systems will be allowed.

Comments from 12-7-22

Roadway

7. What is the plan for connecting to Black Hawk Road? Summerset IDCM doesn't allow dead-end roadways, a turnaround at the end of Black Hawk Road will be required so emergency vehicles, snowplows, garbage trucks, etc. can turn around. By connecting Black Hawk Road to Captain Soelzer through Buckaroo Court, two cul-de-sacs could be eliminated.

Drainage

8. Should there be a major drainage easement in the skinny part of Lot 4?

Geotechnical

9. Gypsum is indicated in bore holes 4, 5, & 8. The following note shall be added to the plat "Due to the presence of gypsum on Lots 4, 5 & 8 a geotechnical investigation will need to be completed at building locations and all foundations, unless determined otherwise, shall be designed by a licensed geotechnical engineer."

*1st Review.
for meeting on
November 22nd*

Memo

Date: Thursday, November 10, 2022
Project: Lots 1-8 and Dedicated ROW for Buckaroo Ct All of TAB Industrial Park
To: Lisa Schieffer, City Administrator
From: HDR, Inc
Subject: Preliminary Plat - Plan Review

General

1. Provide letter of approval from Black Hawk Water User District.
2. Provide letter of approval from Black Hawk Volunteer Fire Department
3. Provide letter of approval from SDDOT for the proposed intersection with SDDOT HWY 14 (Captain Soelzer St.), storm runoff to their ROW, and any work in their ROW.

Roadway

4. Proposed street section does not meet Summerset IDCM. For a commercial area IDCM requires an urban section (26' min. street width with curb and gutter and sidewalk).

Drainage

5. Based on the proposed layout, the storm runoff will be taking multiple paths through the proposed subdivision to get to the detention pond. The drainage report shall reflect this including evaluation of the culverts under Buckaroo Ct. and Captain Soelzer St. It is not clear in the plans nor the drainage report if the required freeboard for the culverts and the detention pond are being met.
6. Based on the City's indication that this property will be zoned C-1 commercial, for the proposed detention pond to serve as the detention pond for all 8 lots, the drainage report and drainage facilities may need to be updated and/or revised.

Sanitary Sewer

7. Proposed sewer is septic. City does not currently have sewer service in the area. City will need to decide if individual septic systems will be allowed.

2nd review for
December 27th HDR

December 9th, 2022

Final Plat Review
Lots 1-8 and Dedicated Public Right of Way for Buckaroo Court All of TAB
Industrial Park

*Formerly Lot N Revised of the E1/2 of Section 6
All located in the SE1/4 of Section 6 Township 2 North, Range 7 East
Black Hills Meridian, Meade County, South Dakota.*

General Information:

Parcel Acreage 28.782

Location SE ¼ Section 6 Township 2 North Range 7 East Black Hills Meridian, Meade,
South Dakota County

Date of Application October 28, 2022

Surveyor Job Number 22-263

Reviewed By: Gary Anderson, LS, HDR Engineering, Inc.

Purpose: New Subdivision

Zoning: Property is in the City of Summerset extraterritorial jurisdiction and is not
currently zoned. The City of Summerset indicated review should be
completed assuming the zoning will be C-1 General Commercial District.

Access and Utilities: Access for Lots 1-3 & 5-7 off proposed Buckaroo Court. Lot 4 access off Black
Hawk Road and Lot 8 access off unnamed ROW. Water provided by Black
Hawk Water User District. Proposed sewer is septic, Summerset does not
currently have sewer in this area.

Fire Protection: Black Hawk Volunteer Fire Department

Drainage: Major drainage easement shown on south end of Lot 1. Minor drainage and
utility easements noted along interior side of all lot lines.

Final Plat Review:

Bearings Distances of the Perimeter do NOT close by 4 feet

Acreages shown for the proposed lots and ROW comes to 28.758 Acres, this doesn't match previous plat of Lot N.

For commercial roadways Summerset IDCM requires a minimum ROW width of 70'.

Based on the City's indication this will be zoned C-1, subdivision name may need to be changed.

Lot between Lot 1 and Lot 3 is not labeled, appears it should be Lot 2.



Gary Anderson, LS 12000

hdrinc.com

601 Metz Dr. Gillette WY. 82717



1st review for
November 22nd HDR

Nov. 10th, 2022

Final Plat Review
Lots 1-8 and Dedicated Public Right of Way for Buckaroo Court All of TAB
Industrial Park

*Formerly Lot N Revised of the E1/2 of Section 6
All located in the SE1/4 of Section 6 Township 2 North, Range 7 East
Black Hills Meridian, Meade County, South Dakota.*

General Information:

Parcel Acreage 28.782

Location SE ¼ Section 6 Township 2 North Range 7 East Black Hills Meridian, Meade,
South Dakota County

Date of Application October 28, 2022

Surveyor Job Number 22-263

Reviewed By: **Gary Anderson, LS, HDR Engineering, Inc.**

Purpose: New Subdivision

Zoning: Property is in the City of Summerset extraterritorial jurisdiction and is not
currently zoned. The City of Summerset indicated review should be
completed assuming the zoning will be C-1 General Commercial District.

Access and Utilities: Access for Lots 1-3 & 5-7 off proposed Buckaroo Court. Lot 4 access off Black
Hawk Road and Lot 8 access off unnamed ROW. Water provided by Black
Hawk Water User District. Proposed sewer is septic, Summerset does not
currently have sewer in this area.

Fire Protection: Black Hawk Volunteer Fire Department

Drainage: Major drainage easement shown on south end of Lot 1. Minor drainage and
utility easements noted along interior side of all lot lines.

Final Plat Review:

Bearings Distances of the Perimeter do NOT close by 4 feet

Buckaroo Cr. ROW is not a Parallel width, bearing of L1 is different than the north line of the dedicated ROW.

Why are bearing and distance not provided to found Wendland monument (at Black Hawk Rd. CL).

Acreages shown for the proposed lots and ROW comes to 28.715 Acres, this doesn't match previous plat of Lot N.

For commercial roadways Summerset IDCM requires a minimum ROW width of 70'.

Based on the City's indication this will be zoned C-1, subdivision name may need to be changed.



Gary Anderson, LS 12000

hdrinc.com

601 Metz Dr. Gillette WY. 82717





MEMORANDUM

PROJECT: TAB Industrial Park – Lots 1 thru 8 & Buckaroo Court
LOCATION: Black Hawk, South Dakota
DATE: November 18, 2022
TOPIC: Variance Request 4 of 4 – Individual Onsite Wastewater Treatment Systems

This Memorandum shall provide additional information in support of the variance request application submitted.

Ordinance 115 references the City's sanitary sewer collection system. However, Ordinance 115, also defines 'Sanitary Sewer' as follows:

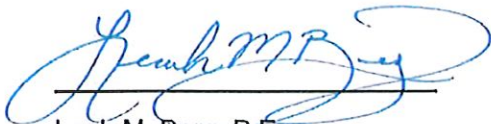
"A municipal, community, small or individual sewage disposal system of a type approved by DENR."

It is requested that based on the facts that a sanitary sewer collection system does not exist in this area and that the parcel is not located within the City of Summerset; that the requirements and jurisdiction of Meade County and SDDANR (South Dakota Department of Agriculture and Natural Resources) are followed for individual onsite wastewater treatment systems.

Sanitary Sewer service is not being requested and such municipal service is not possible to be provided by the City of Summerset at this time. Individual Onsite Wastewater Treatment is planned as approved by Meade County and SDDANR.

The City's collections system is about 7,700 feet away and is at a higher elevation than the parcel area (meaning an extension with gravity collection is not possible, multiple lift stations would be required to serve this area).

Any technical questions or additional information needed please contact project agent, Leah M. Berg at 605-716-4646 / 605-545-1120 or at LBerg@proacesinc.com. For any legal questions please contact project Attorney, Jessica L. Larson, with Beardsley Jensen & Lee at 605-721-2800 or at jl Larson@blackhillslaw.com.



Leah M. Berg, P.E.



MEMORANDUM

PROJECT: TAB Industrial Park – Lots 1 thru 8 & Buckaroo Court
LOCATION: Black Hawk, South Dakota
DATE: November 29, 2022
TOPIC: Overall Project Narrative and Submittal Package

This Memorandum shall provide an overall narrative of the proposed TAB Industrial Park Project and the submittal items provided with the Preliminary Plat application.

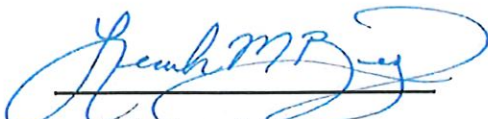
Items included with the Submittal Package:

1. Preliminary Plat Application Form and Checklist
2. Check #1580 for Application fee of \$1,000
3. Preliminary Plat
4. Lots 1 through 8 and Buckaroo Court construction plan set
5. Geotechnical Report
6. Technical Memorandum – Drainage – Stormwater Management Plan
7. Four (4) variance applications with supporting documentation
8. SDDOT Access Permit
9. Black Hawk Fire Dept and Black Hawk Water have provided letters directly to the City
10. Electronic copy of items to be emailed to Lisa Schieffer

Summary of intent for platting process:

- Following comments received from P&Z Meeting, 11/22/22, the Preliminary Plat application has been revised to include four (4) formal variance request applications.
- Submittal to City of Summerset Tuesday, November 29, 2022
- Meeting requested with City of Summerset December 7th -9th to discuss plat and variance applications
- On the Agenda at the **Planning and Zoning Meeting, Tuesday, December 13, 2022**
 - Intent is to receive recommendation of approval for preliminary plat and variances
- On the Agenda at the **City Commission Meeting, Thursday, December 22, 2022**
 - Intent is to receive approval of Preliminary Plat and variances

Any technical questions or additional information needed please contact project agent, Leah M. Berg at 605-716-4646 / 605-545-1120 or at LBerg@proacesinc.com. For any legal questions please contact project Attorney, Jessica L. Larson, with Beardsley Jensen & Lee at 605-721-2800 or at jl Larson@blackhillslaw.com.



Leah M. Berg, P.E.



COMMUNITY PLANNING & DEVELOPMENT SERVICES
 City of Summerset
 7055 Leisure Lane, Summerset, SD 57718
 Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment

- Subdivision
 - Layout Plan
 - Preliminary Plat
 - Final Plat
 - Minor Plat
- Rezoning
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
- Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING LOT N REVISED of the E1/2 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.

PROPOSED Lots 1 through 8 AND Dedicated Public Right of Way for Buckaroo Court all of TAB Industrial Park. ALL Located in the SE1/4 of Section 6, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota.

LOCATION 7935 Cpt Soelzer St, Black Hawk, SD 57718

Size of Site-Acres 28.782 Square Footage 1,253,743.92 Proposed Zoning N/A

DESCRIPTION OF REQUEST: Extra Territorial Jurisdiction TAB Industrial Park - Platting 8 Lots and Dedicated Public Right of Way – Buckaroo Court	Utilities: Private / Public
	Water BLACK HAWK WATER
	Sewer INDIVIDUAL

APPLICANT

Name Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoufitter.com
 City, State, Zip Black Hawk, SD 57718 Signature [Signature] Date 11-28-22

PROJECT PLANNER - AGENT

Name Leah M. Berg, P.E. of ACES - Affordably Creative Engineering Services, Inc. Phone 605-716-4646 / 605-545-1120
 Address 324 St. Joseph St, Ste 200 E-mail LBERG@proacesinc.com
 City, State, Zip Rapid City, SD 57701 Signature [Signature] Date 11/28/22

OWNER OF RECORD (If different from applicant)

Name Dakota Cable Solutions, Inc. - Chad Gollnick Phone 605-415-5090
 Address PO BOX 825 E-mail cgollnick@ironoufitter.com
 City, State, Zip Black Hawk, SD 57718

[Signature] 11/28/22 [Signature] _____
 Property Owner Signature Date Property Owner Signature Date

Signature _____ Date _____ Signature _____ Date _____
 Print Name: CHAD GOLLNICK Print Name: _____
 Title*: owner - President Title*: _____
 *required for Corporations, Partnerships, etc.

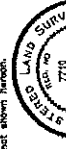
FOR STAFF USE ONLY

ZONING	<input type="checkbox"/> Sewer Utility	<input type="checkbox"/> BHP&L	<input type="checkbox"/> Diamond D Water
Current	<input type="checkbox"/> Fire Department	<input type="checkbox"/> Finance Officer	<input type="checkbox"/> Black Hills Water
North	<input type="checkbox"/> Public Works	<input type="checkbox"/> Register of Deeds	<input type="checkbox"/> Quaal Road District
South	<input type="checkbox"/> Planning	<input type="checkbox"/> County - Planning	<input type="checkbox"/> Other: _____
East	<input type="checkbox"/> Building Inspector	<input type="checkbox"/> SD DOT	<input type="checkbox"/> Other: _____
West	<input type="checkbox"/> Engineering	<input type="checkbox"/> SD DENR	<input type="checkbox"/> Other: _____
Planner	<input type="checkbox"/> City Code Enforcement	<input type="checkbox"/> Auditor - Annexation	<input type="checkbox"/> Other: _____
File No.	<input type="checkbox"/> Police	<input type="checkbox"/> Drainage	<input type="checkbox"/>
Comp Plan	<input type="checkbox"/> City Attorney	<input type="checkbox"/> Parks & Recreation	
Received By:			

Planning and Zoning Meeting Date: _____
 Commission Meeting Date: _____
 Date Paid: _____ Payment Type: Cash Check Credit Card

SURVEYOR'S CERTIFICATE

I, Sharon E. Vassinetz, 2305 Junction Avenue, South Dakota, do hereby certify that the foregoing plat, map or plan is a true and correct copy of the original as shown to me by the owner of the land described hereon, or others by the means of my office, as duly paid.



I have this day of _____, 20____, at _____, South Dakota, duly certified to me that the foregoing plat, map or plan is a true and correct copy of the original as shown to me by the owner of the land described hereon, or others by the means of my office, as duly paid.

OWNER'S CERTIFICATE

I, Chad Galindez, Owner - Director of Dakota Cash Solutions Inc., do hereby certify that I am the owner of the land described hereon, and that I have duly paid the City of Sunburst, South Dakota, the amount of the fee for the plat, map or plan shown hereon, and that I have duly paid the amount of the fee for the plat, map or plan shown hereon, and that I have duly paid the amount of the fee for the plat, map or plan shown hereon.

I have this day of _____, 20____, at _____, South Dakota, duly certified to me that the foregoing plat, map or plan is a true and correct copy of the original as shown to me by the owner of the land described hereon, or others by the means of my office, as duly paid.

STATE OF SOUTH DAKOTA }
COUNTY OF _____ }
I have this day of _____, 20____, at _____, South Dakota, duly certified to me that the foregoing plat, map or plan is a true and correct copy of the original as shown to me by the owner of the land described hereon, or others by the means of my office, as duly paid.

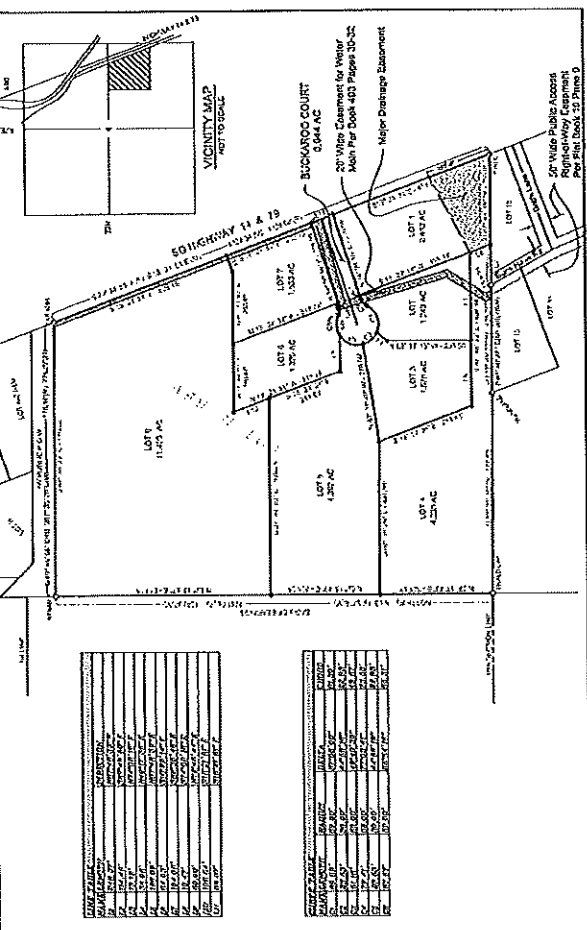
On this _____ day of _____, 20____, before me, the undersigned official, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing Owner's Certificate, and acknowledged to me that they executed the same for purposes therein expressed.

My commission expires _____

OFFICE OF REGISTER OF DEEDS

Meade County Register of Deeds
PEOPLE: 605-490-1401 EMAIL: baselene@sturgisurveying.com JOB NUMBER: 22-283

Preliminary Plat of Way for Buckaroo Court of TAB Industrial Park.
Formerly LOT N REVISED of the E1/2 of Section 6.
ALL Located in the S81/4 of Section 6, Township 2 North, Range 7 East.
Black Hills Meridian, Meade County, South Dakota.



LEGEND
1. All existing easements
2. Easements shown on previous plat
3. Easements shown on this plat
4. Easements shown on this plat
5. Easements shown on this plat
6. Easements shown on this plat
7. Easements shown on this plat
8. Easements shown on this plat

COUNTY TREASURER'S CERTIFICATE
I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are due upon the land described hereon, or others by the means of my office, as duly paid.

I have this day of _____, 20____, at _____, South Dakota, duly certified to me that the foregoing plat, map or plan is a true and correct copy of the original as shown to me by the owner of the land described hereon, or others by the means of my office, as duly paid.

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Sunburst, South Dakota, do hereby certify that the amount of the fee for the plat, map or plan shown hereon, and that I have duly paid the amount of the fee for the plat, map or plan shown hereon, and that I have duly paid the amount of the fee for the plat, map or plan shown hereon.

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Sunburst, do hereby certify that all special assessments which are levied upon the within described lands are duly paid according to the records of my office.

CERTIFICATE OF PLANNING COMMISSION

The City of Sunburst Planning and Zoning Commission certifies that the proposed plat, map or plan conforms to the requirements of the City of Sunburst, South Dakota.

ASSOCIATION OF CITY COMMISSION

Whereas there has been presented to the City Commission of the City of Sunburst, South Dakota, the proposed plat, map or plan shown hereon, and it appears to the effect of Commissioners that:

- The system of streets and lots shown hereon conforms to the system of streets and lots shown hereon.
- All lots shown hereon are shown hereon.
- All lots shown hereon are shown hereon.
- All lots shown hereon are shown hereon.

NOW THEREFORE BE IT RESOLVED THAT THIS PLAT IS HEREBY APPROVED IN ALL RESPECTS.

Prepared by: BASELENE SURVEYING, INC., 2305 JUNCTION AVENUE, STURGIS, S.D. 57785

APPROVAL BY HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access will require additional approval.

APPROVAL BY HIGHWAY OR STREET AUTHORITY
The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access will require additional approval.

APPROVAL BY HIGHWAY OR STREET AUTHORITY
The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access will require additional approval.

APPROVAL BY HIGHWAY OR STREET AUTHORITY
The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access will require additional approval.

LOTS 1 THROUGH 8 AND BUCKAROO COURT PROJECT

MEADE COUNTY, BLACK HAWK, SOUTH DAKOTA

SOUTH DAKOTA



BLACK HAWK

INDEX OF SHEETS

- 1.0 COVER SHEET
- 2.0 GENERAL NOTES AND MATERIAL QUANTITIES
- 3.0 LOT LAYOUT PLAN
- 4.0 GRADING AND DRAINAGE PLAN
- 5.0 EROSION AND SEDIMENT CONTROL WITH DEMOLITION
- 6.0 PLAN & PROFILE STA. 0+00 - 3+37.07
- 7.0 DETAILS



NOT TO SCALE

PROJECT LOCATION MAP

BLACK HAWK, SD PROJECT



ACES
AFFORDABLE CREATIVE ENGINEERING SERVICES, INC.
201 East 10th Street, Suite 200, Rapid City, SD 57701
(605) 716-4549 • Fax (605) 716-1151

REVISIONS
FINAL DESIGN
DATE

ACED PROJECT NO
15-1000-4

DATE
10/26/2022

LOTS 1 THROUGH 8 AND
BUCKAROO COURT
PROJECT
BLACK HWK, SD PROJECT
CHAD GOLLNICK
BLACK HWK, MEADE COUNTY, SD

THIS COVER SHEET
SCALE
DATE
1.0

PROJECT: BUCKAROO COURT PROJECT
 LOCATION: BLACK HAWK LEASE COUNTY, SD
 DRAWING NO: 19-1004-1
 DATE: 10/20/2022
 DESIGNER: CHAD GOLLWICK

GENERAL NOTES AND MATERIAL QUANTITIES
 SHEET NO. 2.0

ESTIMATE OF QUANTITIES

Item No.	Description of Work	Estimated Quantity	Unit
1	Installation	1.0	LS
2	Excavation and Backfill	1.0	LS
3	Gravel	1.0	LS
4	Asphalt	1.0	LS
5	Concrete	1.0	LS
6	Water Main	1.0	LS
7	Sanitary Sewer	1.0	LS
8	Storm Sewer	1.0	LS
9	Electric	1.0	LS
10	Gas	1.0	LS
11	Foundation	1.0	LS
12	Roofing	1.0	LS
13	Interior Finishes	1.0	LS
14	Exterior Finishes	1.0	LS
15	Site Work	1.0	LS
16	Other	1.0	LS

RESTORED AREAS

TOPSOIL SHALL BE STRIPPED AND STOCKPILED. ALL DISTURBED AREAS OUTSIDE OF AREAS TO BE PAVED SHALL BE RESEED. THE SEED SHALL BE: ANNUAL PERGRASS 10%, BLUEGRASS 10%, BROMEGRASS 10%, KY BLUEGRASS 10%, KENTUCKY TALL FESCUE 10%, CANON CANADA BLUEGRASS 10%, LITTLE BLUESTEM 10%, HARD FESCUE 10% OR APPROVED EQUAL.

ONCE TOPSOIL HAS BEEN PLACED, THE SEED MIXTURE SHALL BE BROADCAST, TILLED, PACKED, AND HYDRATED. RATE OF APPLICATION FOR SEEDING SHALL BE 15 POUNDS (lbs) PER ACRE.

DISTURBED AREAS SHALL BE RESEEDED EITHER IMMEDIATELY OR WITHIN 30 DAYS OF COMPLETION. THE SEEDER SHALL MAINTAIN THE SEEDING AREA UNTIL 70% OF THE NEW VEGETATION HAS BEEN ESTABLISHED.

ON-SITE WASTEWATER TREATMENT

THE TAB INDUSTRIAL PARK SHALL HAVE INDIVIDUAL ON-SITE WASTEWATER TREATMENT SYSTEMS.

UTILITIES: THE CONTRACTOR SHALL COORDINATE WITH APPLICABLE UTILITY COMPANIES FOR SERVICES OR UTILITIES ENCOUNTERED ON THE SITE.

THE INFORMATION ON THESE DRAWINGS CONCERNING THE TYPE, SIZE AND LOCATION OF UTILITIES HAS BEEN SHOWN BASED UPON THE LOCATIONS SHOWN WERE BASED ON FIELD LOCATIONS AND FROM OWNERS RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL UTILITIES PRIOR TO BEGINNING CONSTRUCTION.

NEW UTILITIES WITHIN THE SUBDIVISION SHALL BE LOCATED WITHIN THE RIGHT-OF-WAY. SEE THE PLAN AND PROFILE SHEETS B-0-0-2.

UTILITY INFORMATION: ONE-CALL 1-800-371-4274
 BLACK HAWK ENERGY
 408 DELWOOD AVE. RAPID CITY, SD
 (605) 721-3300
 (PHONE/DATA CABLE)
 MIDCONTINENT COMMUNICATIONS
 1310 OMAHA ST.
 RAPID CITY, SD
 (605) 462-7300
 (GAS)
 CANADA-KANAWAY UTIL
 716 STELLA AVE. RAPID CITY, SD
 (605) 342-0146
 (PHONE/DATA)
 LUMEN (CENTURY LINK)
 (605) 323-1511

PAVEMENT

ASPHALT PAVEMENT SHALL NOT BE INSTALLED AFTER OCTOBER 15 THROUGH APRIL 15 WITHOUT THE APPROVAL OF THE ENGINEER. NO ADDITIONAL PAVEMENT SHALL BE MADE FOR TEMPORARY SUPPLEMENTARY PAVEMENTS.

CAREFUL CONSIDERATION SHALL BE GIVEN TO THE DRAINAGE OF THE PAVEMENT. THE CONTRACTOR SHALL REPLACE INSTALLED PAVEMENT AT THEIR OWN EXPENSE IF ANY DEFICIENCIES ARE NOT MAINTAINED OR INSTALLED PAVEMENT.

STREET SIGN SHALL MEET MEADE COUNTY HIGHWAY REQUIREMENTS.

DEWATERING PERMIT

ALTHOUGH NOT ANTICIPATED, DEWATERING OF TRENCHES AND RELATED EXCAVATIONS MAY BE REQUIRED ON THIS PROJECT.

DEWATERING ACTIVITIES SHALL BE CONDUCTED IN COMPLIANCE WITH THE GENERAL PERMIT TO DISCHARGE UNDER THE SURFACE WATER QUALITY ACT. THE CONTRACTOR SHALL OBTAIN A PERMIT TO DISCHARGE UNDER THE SURFACE WATER QUALITY ACT FROM THE SOUTH DAKOTA DEPARTMENT OF WATER RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A COPY OF THE PERMIT AND FURNISHING A COPY TO THE ENGINEER PRIOR TO CONDUCTING ANY DEWATERING ACTIVITIES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A PERMIT TO DISCHARGE UNDER THE SURFACE WATER QUALITY ACT. SUCH AS SAMPLING, TESTING, AND REPORTING AS MAY BE DETERMINED TO BE REQUIRED UNDER THE AUTHORIZATION TO DISCHARGE.

AGGREGATE MATERIAL: ALL AGGREGATE MATERIAL SHALL BE IN ACCORDANCE WITH SECTION 602 OF THE SOUTH DAKOTA SPECIFICATIONS.

MATERIAL TESTING: THE CONTRACTOR SHALL PROVIDE ALL NEEDED TESTS FOR ALL MATERIALS INCLUDING SURFACE AND GRAVEL. THESE TESTS SHALL BE COMPLETED BY AN INDEPENDENT TESTING AGENCY.

AGGREGATE SHALL BE PROOF ROLLED AND DENSITY TESTED BY AN INDEPENDENT TESTING AGENCY AT THE DISCRETION OF THE ENGINEER AND OWNER.

A MINIMUM OF 2 SECURITY TESTS SHALL BE TAKEN ON THE SURFACE AND ALGON ON THE AGGREGATE. CORES SECTIONS OF THE PROJECT PER PHASE THE TESTS SHALL BE SURFACE AND AGGREGATE COURSE SHALL BE COMPACTED TO 98% MAX DRY DENSITY +/- 3% OPTIMUM MOISTURE CONTENT. (ACTD D-699).

FAILING TESTS: CONTRACTOR SHALL RE-COMPACT AND RE-TEST AREAS REPRESENTED BY FAILING TESTS AT THEIR OWN EXPENSE.

EXCAVATION: THE CONTRACTOR SHALL BE RESPONSIBLE TO INSURE THAT ALL EXCAVATION, TRENCHING AND SHORING AND TIE-LINE SHALL BE PERFORMED IN ACCORDANCE WITH THE SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION AND STANDARD SPECIFICATIONS.

DRAINAGE SHALL BE DONE AS MAY BE NECESSARY TO PREVENT SURFACE WATER FROM ACCUMULATING UNDER THE PAVEMENT. DISCHARGES SHALL WATER BE PERMITTED TO RUN IN UNPAVED TRENCHES.

GEOTECHNICAL INVESTIGATION: GEOTECHNICAL FIELD TESTING WAS CONDUCTED THE WEEK OF OCTOBER 24, 2022. REPORT AVAILABLE UPON REQUEST.

WATER SERVICE: WATER SHALL BE SUPPLIED BY BLACK HAWK WATER. THERE IS AN EXISTING MAIN AND FIRE HYDRANT ON THE PROPERTY AND SERVICES SHALL BE COORDINATED WITH BLACK HAWK WATER.

SPECIFICATIONS TO BE USED

PROJECT SITE IS LOCATED IN BLACK HAWK MEADE COUNTY, SOUTH DAKOTA, BEING WITHIN THE PLANNING JURISDICTION OF THE CITY OF BLACK HAWK. THE PROJECT SHALL BE IN ACCORDANCE WITH THE CITY OF BLACK HAWK INFRASTRUCTURE DESIGN CRITERIA, EXCEPT WHERE SHOWN OTHERWISE. THE PROJECT SHALL BE IN ACCORDANCE WITH THE CITY OF RAPID CITY STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 2017 EDITION.

PROJECT INTENT: THIS PROJECT IS THE CREATION OF LOTS 1 THROUGH 6 AND THE SHORT CH-26-2-0-0-0 BUCKAROO COURT. THE LENGTH OF BUCKAROO STREET IN BLACK HAWK, SOUTH DAKOTA, INCLUDES THE GENERAL CONSTRUCTION OF: DRAINAGE WATER MAINS AND SANITARY SEWER MAINS FOR BLACK HAWK WATER LOCATED ON THE PROPERTY, AND UTILITY SERVICES FOR THE PROJECT. THE PROJECT SHALL BE LOCATED AT THE WEST END OF BUCKAROO COURT.

GENERAL SURVEY NOTES: THE TOPOGRAPHIC SURVEY WAS PROVIDED BY DEXLINE SURVEYING, INC. THE SURVEY WAS COMPLETED IN SEPTEMBER 2022.

THE UTILITY LOCATIONS SHOWN ARE BASED ON FIELD LOCATIONS AND RECORDS. THE SIZE AND LOCATION OF UTILITIES SHALL BE VERIFIED BY EXCAVATION. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING UTILITIES DURING CONSTRUCTION.

GENERAL NOTES: THE CONTRACTOR IS REQUIRED TO OBTAIN COVERAGE UNDER THE DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES GENERAL PERMIT FOR MORE THAN ONE YEAR. THE CONTRACTOR SHALL OBTAIN A PERMIT FOR MORE THAN ONE YEAR. THE CONTRACTOR SHALL OBTAIN A PERMIT FOR MORE THAN ONE YEAR. THE CONTRACTOR SHALL OBTAIN A PERMIT FOR MORE THAN ONE YEAR.

IF WATER FROM TEMPORARY DEWATERING WILL BE DISCHARGED TO WATERS OF THE STATE DURING CONSTRUCTION, CONTRACTOR MUST OBTAIN A PERMIT FROM THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES. GENERAL PERMIT FOR MORE THAN ONE YEAR. THE CONTRACTOR SHALL OBTAIN A PERMIT FOR MORE THAN ONE YEAR. THE CONTRACTOR SHALL OBTAIN A PERMIT FOR MORE THAN ONE YEAR.

CONTRACTOR SHALL NOTIFY THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.

THE CONTRACTOR SHALL MEASURE AND RECORD ANY HORIZONTAL OR VERTICAL CHANGES TO THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADVANCE NOTICE FOR ALL UTILITY LOCATIONS. 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING WATER FOR COMPACTING OF GRANULAR MATERIALS AND TRENCH BACKFILL AS REQUIRED.

THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES. ALL DAMAGE TO IMPROVEMENTS DURING CONSTRUCTION SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE.

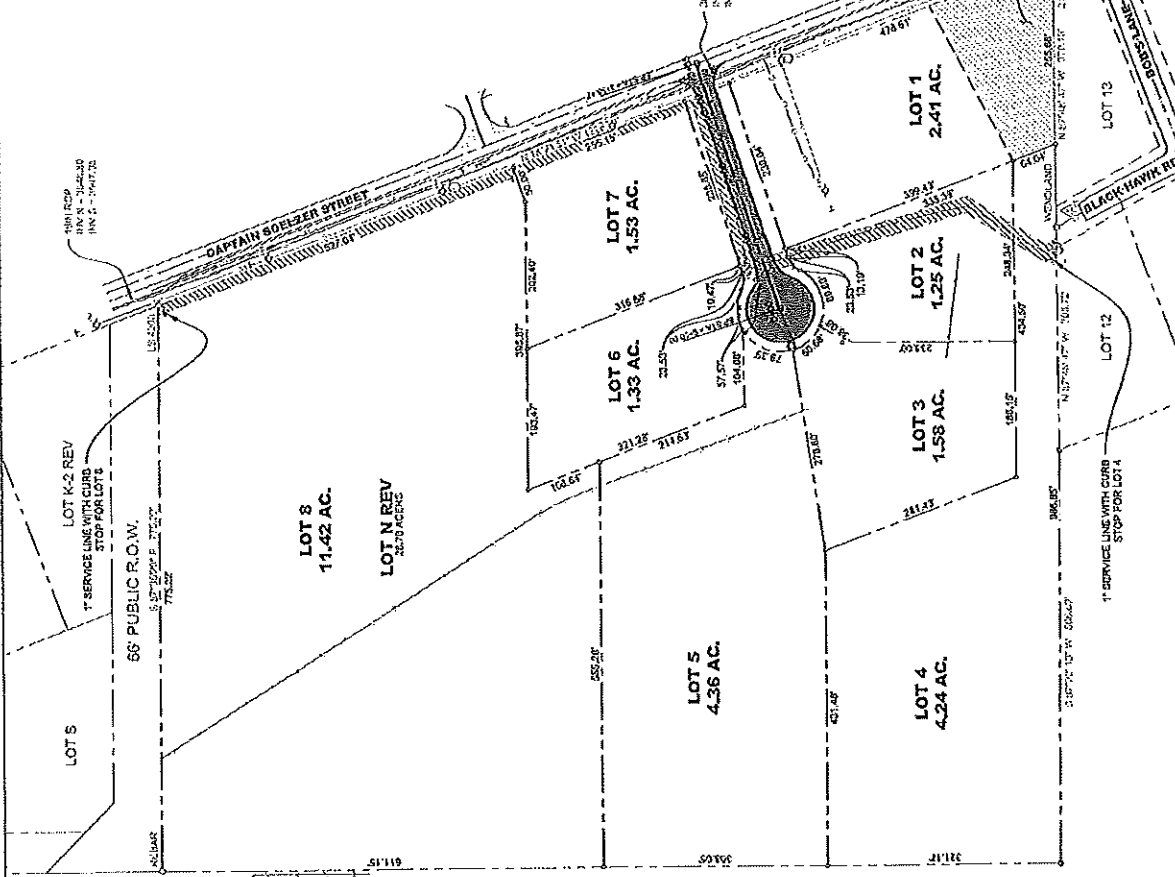
ACES
 AFFORDABLE CREATIVE ENGINEERING SERVICES, INC.
 3115 S. 152nd St., Suite 100, Omaha, NE 68144
 (402) 715-1415 Fax (402) 715-1114

FINAL DESIGN
 PROJECT NO. 18-10004
 DATE: 10/20/2011
 PROJECT: BLACK HWY, SD PROJECT
 CHAD GOLNICK
 BLACK HWY, MADE COUNTY, SD

LOTS 1 THROUGH 8 AND
 BUCKAROD COURT
 PROJECT
 BLACK HWY, SD PROJECT
 CHAD GOLNICK
 BLACK HWY, MADE COUNTY, SD

LOT LAYOUT PLAN
 SHEET NUMBER: 3.0

- LEGEND**
- 3240 --- EXISTING 3' MAJOR CONTOUR INTERVAL
 - 3240 --- EXISTING 1' MAJOR CONTOUR INTERVAL
 - 3240 --- PROPOSED 3' MAJOR CONTOUR INTERVAL
 - 3240 --- EXISTING PROPERTY LINE
 - 3240 --- EXISTING ADJACENT PROPERTY LINE
 - 3240 --- EXISTING POWER POLE, GUY WIRE & OVERHEAD POWER LINE
 - 3240 --- NATURAL DAG LINE
 - 3240 --- EXISTING FENCE
 - 3240 --- EXISTING FIBER OPTIC LINE
 - 3240 --- EXISTING UTILITY RISERS
 - 3240 --- EXISTING CONIFEROUS TREE
 - 3240 --- EXISTING DECIDUOUS TREE
 - 3240 --- EXISTING ASPHALT ROAD
 - 3240 --- PROPOSED ASPHALT ROADWAY
 - 3240 --- CONTROL POINT: C.P. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

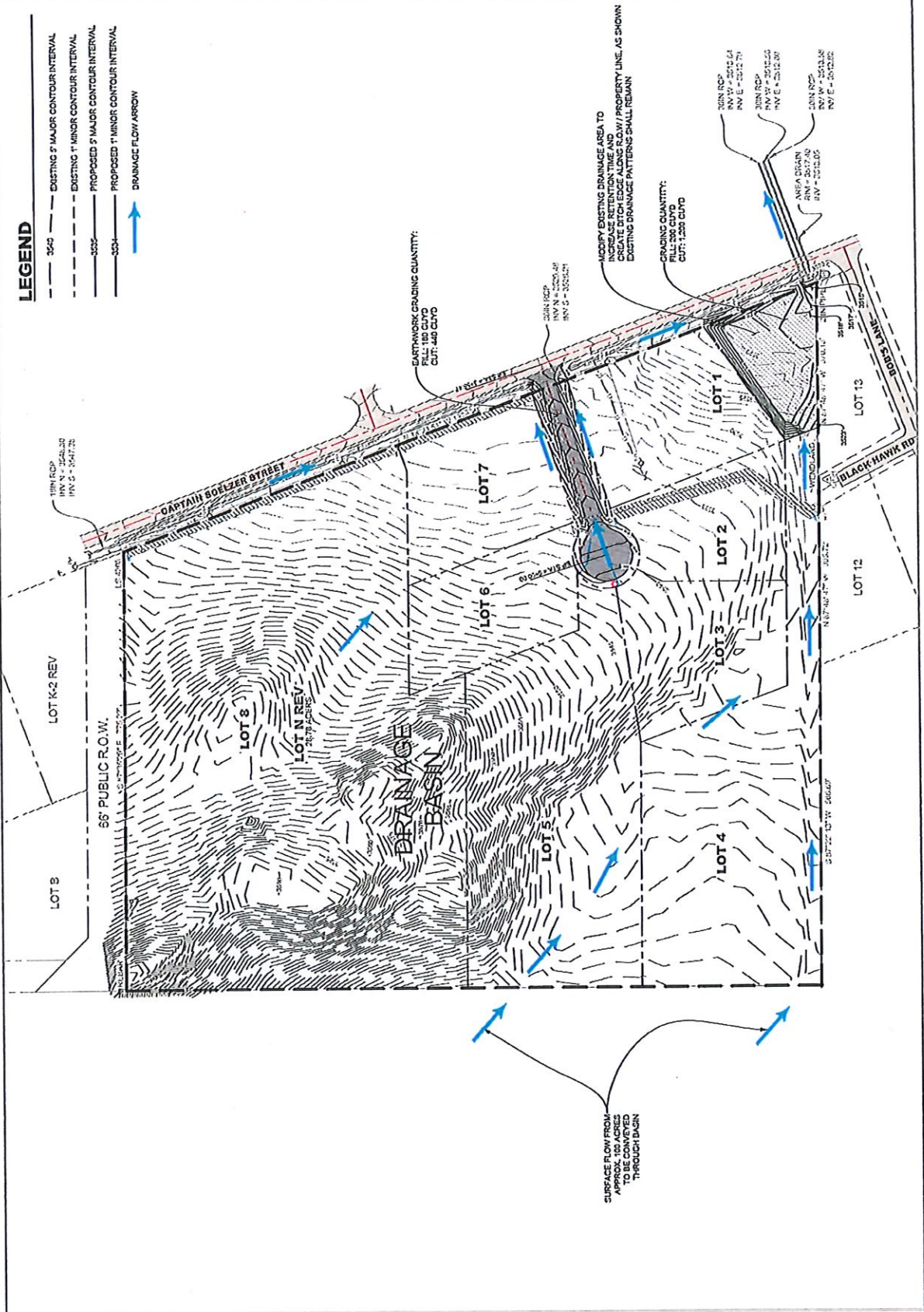


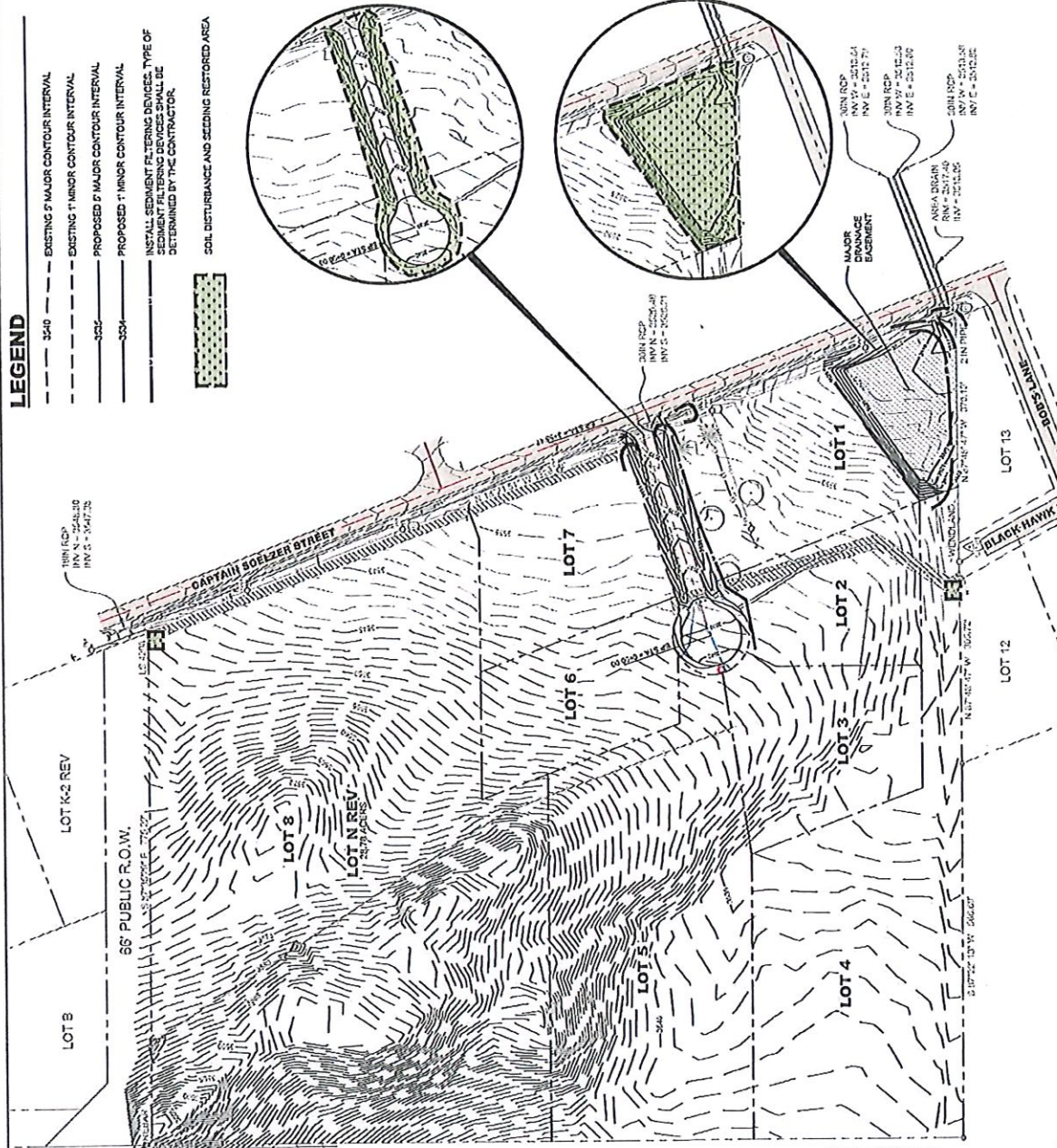
FINAL DESIGN	DATE:
REVISION:	DATE:
ACES PROJECT #:	DATE:
15-1000-4	10/26/2022

BUCKAROO COURT PROJECT
 BLACK HAWK, SD PROJECT
 CHAD GOLLNICK
 BLACK HAWK, WEAVER COUNTY, SD

PROJECT LOCATION MAP
 TITLE: GRADING AND DRAINAGE PLAN
 SHEET NUMBER: 4.0
 SCALE: 1" = 40'

- LEGEND**
- 3040 --- EXISTING 3' MAJOR CONTOUR INTERVAL
 - 3035 --- EXISTING 1' MINOR CONTOUR INTERVAL
 - 3030 --- PROPOSED 3' MAJOR CONTOUR INTERVAL
 - 3025 --- PROPOSED 1' MINOR CONTOUR INTERVAL
 - >--- DRAINAGE FLOW ARROW





LEGEND

- 3'40" --- EXISTING 5' MAJOR CONTOUR INTERVAL
- 3'40" --- EXISTING 1' MAJOR CONTOUR INTERVAL
- 3'40" --- PROPOSED 5' MAJOR CONTOUR INTERVAL
- 3'40" --- PROPOSED 1' MAJOR CONTOUR INTERVAL
- 3'40" --- PROPOSED 1' MINOR CONTOUR INTERVAL
- 3'40" --- INSTALL SEDIMENT FILTERING DEVICES, TYPE OF SEDIMENT FILTERING DEVICES SHALL BE DETERMINED BY THE CONTRACTOR.
- 3'40" --- SOIL DISTURBANCE AND SEEDING RESTORED AREA

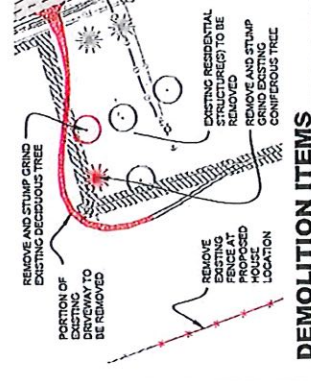
NOTES

1. INSTALL TEMPORARY VEGETATION TRACING CONTROL AT ALL LOCATIONS WHERE EROSION CONTROL MEASURES ARE TO BE INSTALLED PRIOR TO THE START OF ANY CONSTRUCTION. MEASURING SHALL BE BASED ON THE ENGINEER'S JUDGMENT. NO DATA POINTS WILL BE MADE IN THE EVENT ADDITIONAL MEASURES ARE REQUIRED TO BE MADE.
2. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
3. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY CONSTRUCTION WITH UNPAVED SURFACES.
4. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
5. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
6. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
7. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
8. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
9. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
10. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
11. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
12. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.
13. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL AREAS DISTURBED BY CONSTRUCTION WITH UNPAVED SURFACES.

DEMOLITION ITEMS

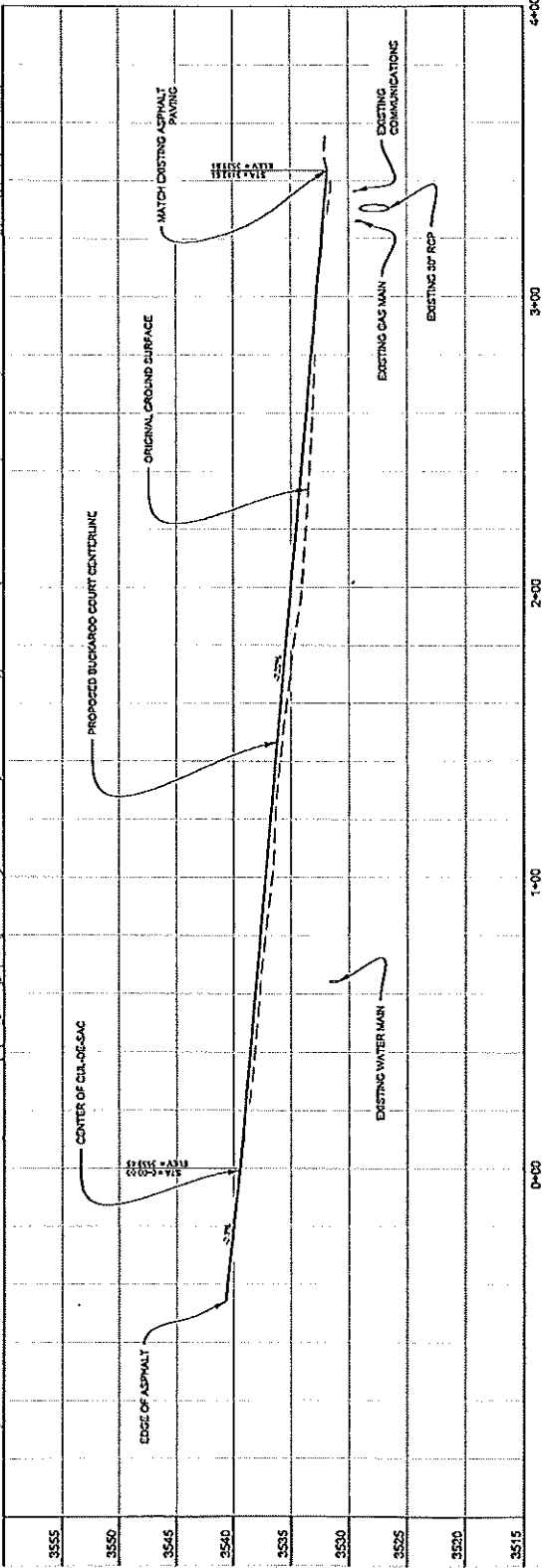
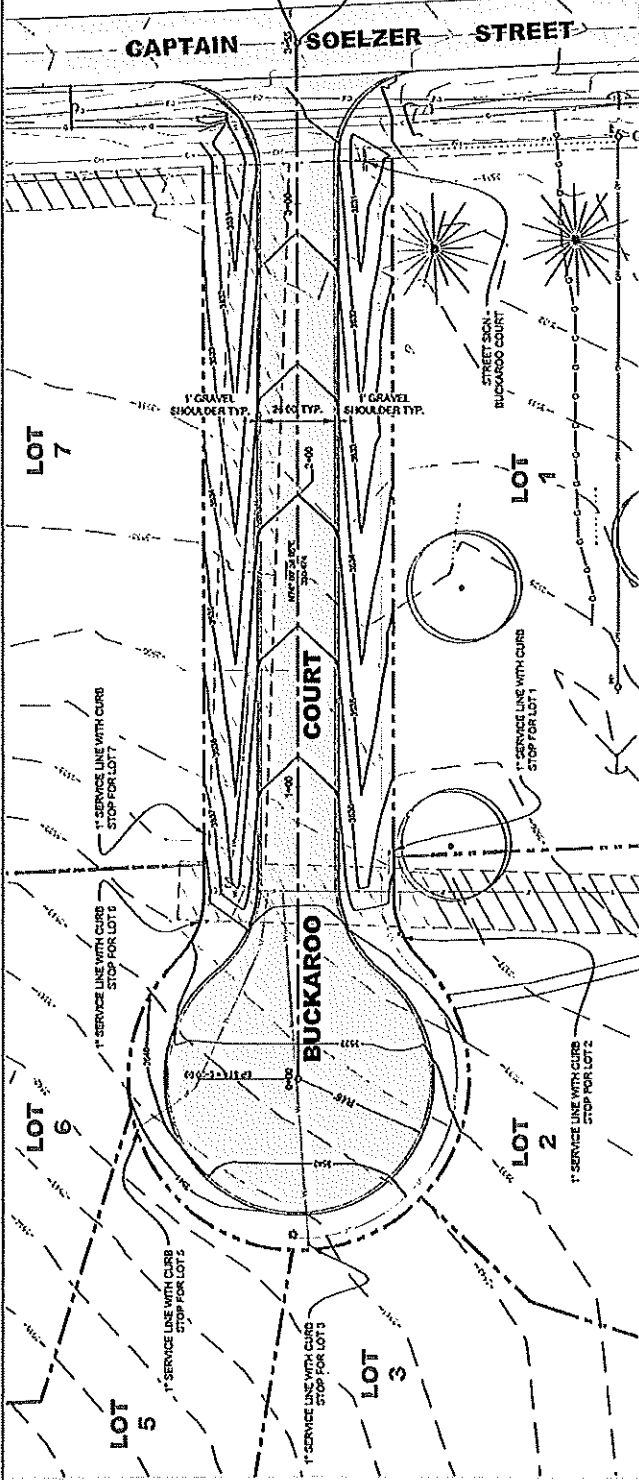
SCALE: 1"=40'

- 1. REMOVE AND STUMP GRIND EXISTING DECIDUOUS TREE.
- 2. PORTION OF EXISTING DRIVEWAY TO BE REMOVED.
- 3. EXISTING RESIDENTIAL DRIVEWAY TO BE REMOVED.
- 4. REMOVE AND STUMP GRIND EXISTING CONFEROUS TREE.
- 5. REMOVE EXISTING FENCE AT PROPOSED HOUSE LOCATION.



ACES
 AFFORDABLE CREATIVE ENGINEERING SERVICES
 2215 W. 15th St., Ste. 200, Lincoln, NE 68502
 (402) 716-1515 Fax: (402) 716-1111

NOTES:
 1. LOTS 5 & 6 - LOT LAYOUT PLAN FOR WATER SERVICES WITH CURB STOP LOCATIONS FOR LOTS 4 AND 6.



CHAD GOLNICK
 PROJECT
 BUCKAROO COURT
 BLACK HAWK, NEBRASKA COUNTY, SD
 SHEET NUMBER: 15-1000-4
 DATE: 1/20/2022

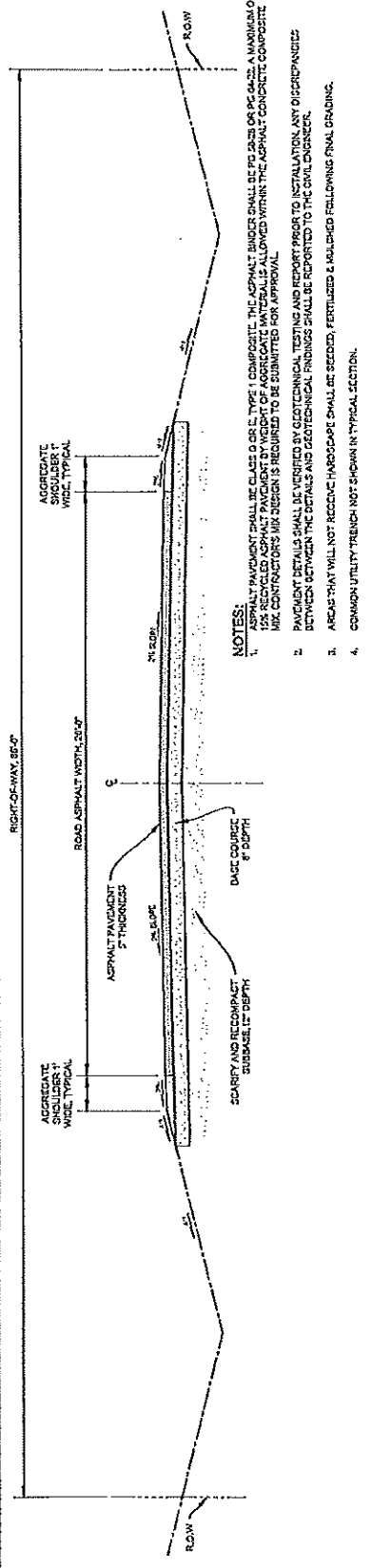
LOT 1 THROUGH 8 AND
 BLACK HAWK, NEBRASKA COUNTY, SD
 CHAD GOLNICK
 PROJECT
 BUCKAROO COURT
 BLACK HAWK, NEBRASKA COUNTY, SD
 SHEET NUMBER: 15-1000-4
 DATE: 1/20/2022

FINAL DESIGN
 DATE:
 PROJECT NO:
 SHEET NO:
 TITLE:
 PLAN & PROFILE STA.
 0+00 - 3+57.87
 SHEET NUMBER: 6.0

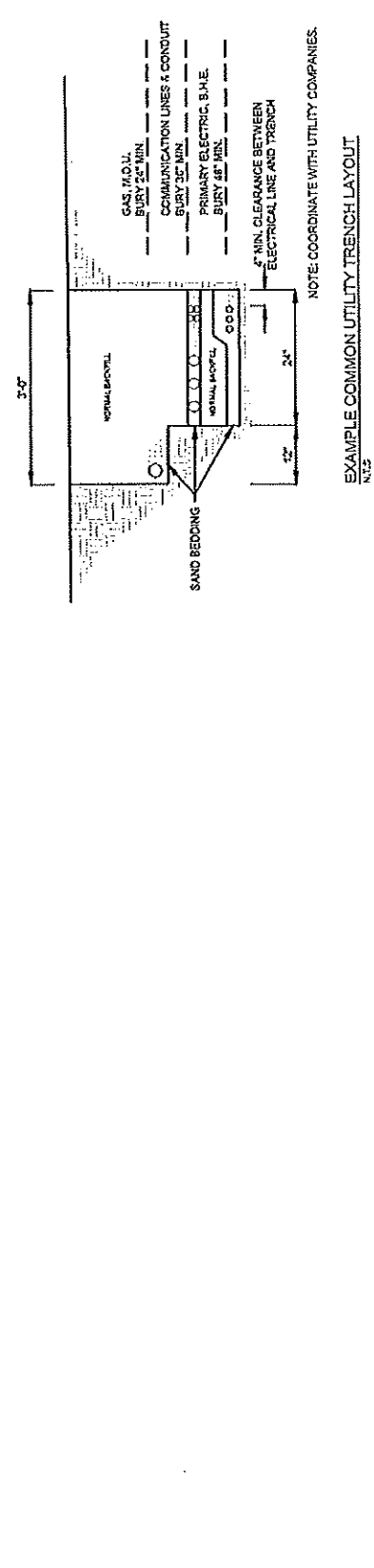
FINAL DESIGN DATE: 10/25/2003
 PROJECT NO: 15-10004
 DATE: 10/25/2003

LOTS 1 THROUGH 8 AND
 BUCAROO COURT
 PROJECT
 BLACK HAWK, SO PROJECT
 CHAD GOLLNICK
 BLACK HAWK LEASE COUNTY, SO

TITLE: DETAILS
 SHEET NUMBER: 7.0
 PROJECT NUMBER: 15-10004



- NOTES:**
1. ASPHALT PAVEMENT SHALL BE CLASS 0 OR L TYPE 1 COMPOSITE. THE ASPHALT BINDER SHALL BE PG 58 OR PG 64. A MINIMUM OF 1% POLYMER MODIFIED ASPHALT SHALL BE USED WITHIN THE ASPHALT CONCRETE COMPONENT. MAX. CONTRACTORS MIX DESIGN IS REQUIRED TO BE SUBMITTED FOR APPROVAL.
 2. PAVEMENT DETAILS SHALL BE VERIFIED BY GEOTECHNICAL TESTING AND REPORT PRIOR TO INSTALLATION. ANY DISCREPANCIES BETWEEN DESIGN AND GEOTECHNICAL FINDINGS SHALL BE REPORTED TO THE OWNER/OWNER'S REPRESENTATIVE.
 3. AREAS THAT WILL NOT RECEIVE HARDSCAPE SHALL BE SEEDING, FERTILIZED & MULCHED FOLLOWING FINAL DRAINING.
 4. COMMON UTILITY TRENCH NOT SHOWN IN TYPICAL SECTION.
 5. WATER MAIN IS EXISTING.
 6. PUBLIC SANITARY SEWER SYSTEM IS NOT AVAILABLE. EACH LOT WILL HAVE INDIVIDUAL ON-SITE WASTEWATER TREATMENT SYSTEMS.



NOTE: COORDINATE WITH UTILITY COMPANIES.

TECHNICAL MEMORANDUM

PROJECT: TAB Industrial Park – Lots 1 thru 8
 LOCATION: Black Hawk, South Dakota
 DATE: November 29, 2022
 TOPIC: Drainage – Stormwater Management Plan

This Technical Memorandum shall provide information related to the drainage of the existing parcel and the impact related to the creation of Lots 1 through 8 with Buckaroo Court. The layout of the Lots are shown in Figure 1.

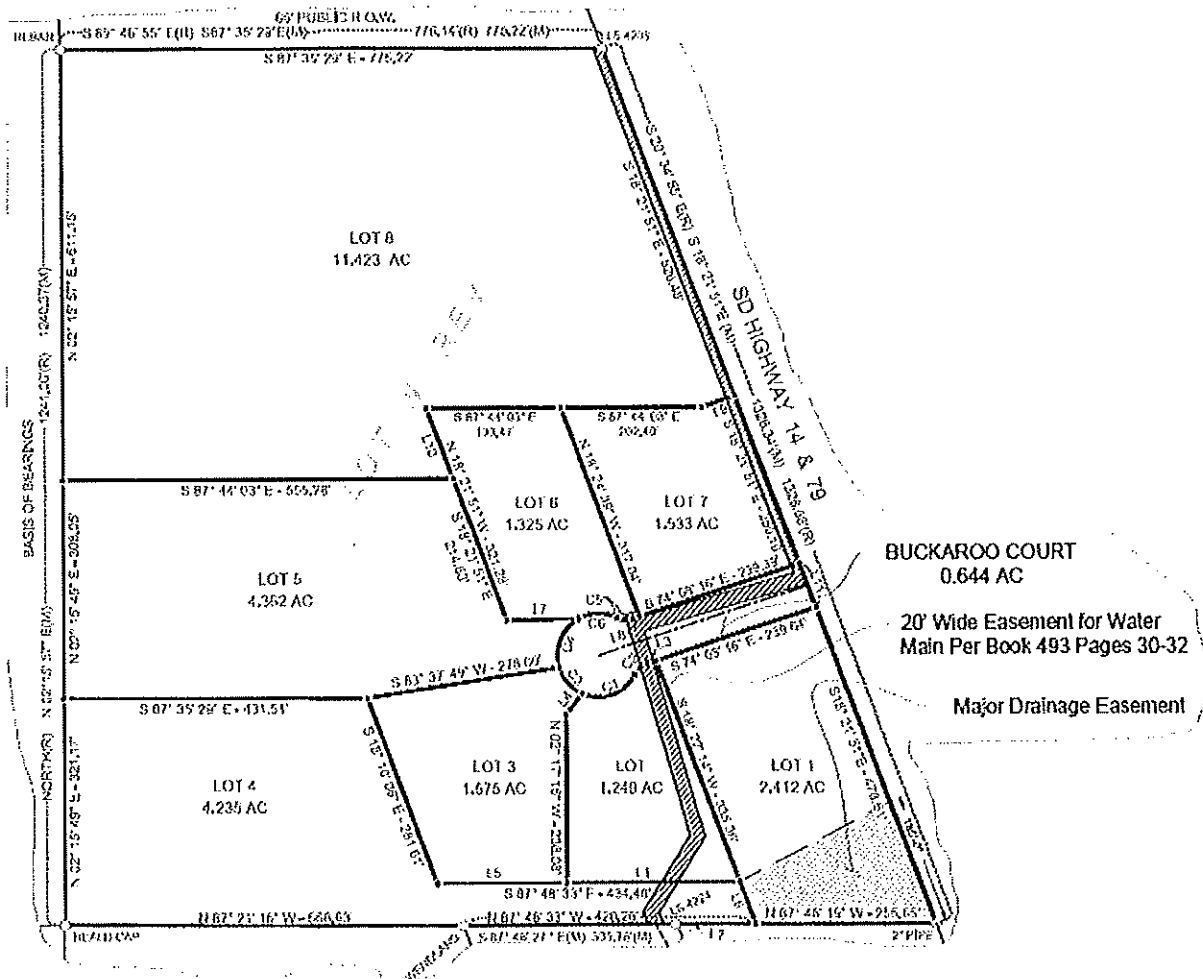


Figure 1: Lot Layout from Preliminary Plat

There is no FEMA regulated flood hazard zones within the limits of this property or adjacent areas. FIRM Map Number 46093C1787F, Effective Date September 16, 2011 is included for

reference.

Based on the field verification of the Lot layout and investigation of area elements the drainage can be evaluated. The extent of the contributing area was determined utilizing the USGS StreamStats system and actual conditions and drainage patterns. The contributing area is from the NW and includes about 100 acres of land up to Anderson Road. The drainage path and pattern is toward the SE across the parcel and it will not be impacted or altered by the creation of Lots 1 through 8. The contributing drainage area is shown in Figure 2.



Figure 2: Contributing Drainage Area shown in Blue from Google Earth

With the contributing drainage area being established and the project area of Lots 1 through 8 being set as the Basin the Rational Method was selected for estimating the peak runoff based on the low complexity and size of the contributing area of the watershed and Basin. The selected Basin area is considered rural with open field conditions and adjacent roadways having open ditch drainage systems. The results of the contributing drainage flow calculations are as follows:

The Rational Method equation is $Q = ciA$

Q = Discharge, ft^3/sec (CFS)

c = Runoff Coefficient

i = Rainfall Intensity, in/hr

(IDF curve found in SDDOT Drainage Manual for Rapid City as a close comparison at a time of concentration of 10 minutes)

A = Drainage Area, acre (AC)

The runoff coefficients, c , were selected from Table 4-1 of the Summerset IDCM, for "Parks/Cemeteries" for the Pre-Construction to best reflect the impervious area and "Light Industrial" for Post-Construction on Lots 1 through 7 and "Multi-Unit (Detached)" to best represent the large area of Lot 8.

The storm events for a 2-year, 10-year and 100-year were evaluated. The results are provided in Table 1.

Table 1: Calculation Results for the Pre-Construction and Post-Construction conditions

DRAINAGE BASIN	UNITS	PRE-CONSTRUCTION	POST-CONSTRUCTION	
BASIN AREA	(AC)	28.7	28.7	
PERVIOUS AREA	(AC)	27.27	3.46	5.71
IMPERVIOUS AREA	(AC)	1.44	13.83	5.71
IMPERVIOUS AREA	(%)	5.0	80.0	50.0
TIME OF CONCENTRATION (t_c)	(MIN)	10.0	10.0	10.0
C_2		0.05	0.71	0.45
C_{10}		0.20	0.76	0.60
C_{100}		0.40	0.82	0.70
i_2	(IN/HR)	4.30	4.30	4.30
i_{10}	(IN/HR)	6.5	6.5	6.5
i_{100}	(IN/HR)	9.6	9.6	9.6
Q_2	(CFS)	6.2	52.8	22.1
Q_{10}	(CFS)	37.3	85.4	44.5
Q_{100}	(CFS)	110.2	136.1	76.8
RUNOFF VOLUME ₂	(CF)	10,626	69,923	
RUNOFF VOLUME ₁₀	(CF)	64,248	119,161	
RUNOFF VOLUME ₁₀₀	(CF)	189,778	193,841	
RUNOFF VOLUME ₂	(ACFT)	0.24	1.61	
RUNOFF VOLUME ₁₀	(ACFT)	1.47	2.74	
RUNOFF VOLUME ₁₀₀	(ACFT)	4.36	4.45	

The proposed Lots are large and will have light industrial use at the Post Construction condition. The creation of impervious area should be considered but is unknown at this time. What was assumed for calculations is a conservative estimate of 80% impervious area will be created for Lots 1 through 7 and 50% impervious area will be created on Lot 8. The

difference is due to the size of Lot 8 being 11.4 Acres.

The exact flow directions/paths across each lot is unknown at this time but the areas can be considered with the natural drainage patterns being conveyed to the south-east corner of the property area, just as the existing drainage is conveyed today.

The 2 year, 10 year, and 100 year storm event will result in some additional runoff being created. The difference in runoff for the storm events, as listed in Table 1, is 1.4 ACFT, 1.3 ACFT and 0.1 ACFT, respectively. Since there is an increase in runoff, the additional runoff needs to be retained within the project area. Since there are natural drainage areas and substantial natural area being retained, the ideal option is to retain the surface drainage within the retained natural/drainage areas.

Storm Water Quality Capture Volume (WQCV) is required to control storm water quality within the site prior to discharge to the open ditch system along Captain Soelzer Street. WQCV was calculated for the site and compared to detention volume to determine the controlling volume. The volume is calculated based on the time required to treat storm water and drain the detained volume to the open ditch conveyance system. The fraction of mapped impervious is also used for the calculation.

For the site, a drain time equal to 12 hours was selected. The WQCV calculations are as follows:

$$\text{Basin: WQCV} = 1.16 * a * (0.9113 - 1.19112 + 0.781)$$

$$\text{Design Volume} = \text{WQCV} / 12 * \text{area}$$

$$I = \text{Impervious Area Fraction } 60\%$$

$$a = \text{Drain Time (12 hrs.) } 0.8$$

$$\text{WQCV} = 0.22 \text{ inches}$$

$$\text{DV} = 2,762 \text{ CF}$$

The required detention volume was calculated using the Modified Rational Method. Storage Calculations are attached to this Technical Memorandum. The required storage for the Basin is based on the difference between the existing and developed 100 year peak flows. The maximum storage volume calculated for detaining flows is 49,178 CF.

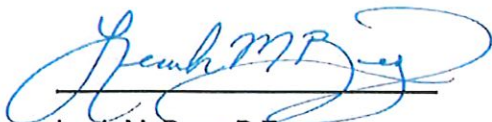
The Required Storage Volume for the Basin is 49,178 CF and the Water Quality Volume is 2,762 CF. Therefore, a minimum detention volume of 49,178 CF is required, which is the maximum volume control. The area of the Basin is 1,253,744 sqft and based on Light Industrial being planned, a conservative area of the pervious or natural area retained of 20% for Lots 1 through 7 and 50% on Lot 8 is 399,441 sqft of area is utilized. This area is assumed to be able to retain 1.0 inch deep surface drainage. The conservative area of turf with a 1.0 inch drainage depth equals 33,287 CF of volume being retained onsite.

Storage volume required is 49,178 CF and the storage volume provided onsite is 33,287 CF, leaving a difference of 15,892 CF needing to be retained onsite. The basin has existing drainage patterns and areas that will be retained. All surface flow is ultimately conveyed by three (3) 30 inch RCP culverts at Captain Soelzer Street. This crossing includes flows from the contributing area, the drainage basin and from adjacent areas to the south.

Without altering the existing drainage patterns the low drainage area shall be shaped to create more retention area and the slope will be lowered and area flattened out to slow flows and allow for surface flow to collect, as needed, during events. The area being created has a bottom size of about 18,400 sqft. However, the south edge, due to existing drainage patterns shall be retained, therefore, a conservative area of 16,000 sqft shall be utilized in calculations. This shaped area shall be turf and will be able to retain 12 inches deep of surface flow, as needed, prior to entering the culverts at this SE corner of the drainage basin. That size allows 16,000 CF of storage. The combination of the natural area storage of 33,287 CF and the modified drainage area storage of 16,000 CF, a total storage amount of 49,287 CF is provided. The contributing drainage area will continue to function at pre-construction conditions through the area.

Culverts are existing under Buckaroo Court and under Captain Soelzer Street. The culvert under Buckaroo Court is a 30 inch RCP pipe with inlet invert set at 3529.48' and outlet invert set at 3528.21' and a length, field measured, of 71.6 feet. This culvert is required to pass a 10 year storm event based on the City's IDCM. This location will convey about 40% of the flow from the TAB Industrial Park, therefore, 40% of the 10 year storm event is 17.8 cfs. The culvert was analyzed with the CulvertMaster Bentley software based on existing field conditions. The flow conveyed by this culvert shall be 24.98 cfs and therefore meets the requirement with no freeboard required to convey a 10 year storm event. The CulvertMaster Report is included with this Technical Memorandum. The culverts under Captain Soelzer Street include three (3) 30 inch RCP pipes. The combined conveyance provided are 161.66 cfs, with CulvertMaster report included. The post construction 10 year storm event is 129.9 cfs and with contributing flow of 100 acres being 130 cfs, the required conveyance is 259.9 cfs. The culverts will pass 161.66 cfs, that leaves 98.24 cfs that could freeboard over Captain Soelzer Street. That flow would result in a potential 2 inch deep freeboard situation, which is less than the allowable 12 inch depth. Captain Soelzer is within the Meade County jurisdiction as well.

The required storage volume is 49,178 CF as detailed above, the storage volume being provided onsite exceeds the requirement at 49,287 CF. The project plan set includes a Grading and Drainage Plan as well as an Erosion and Sediment Control Plan in order to clarify the drainage items required and protection of the existing drainage patterns through and after construction. A major drainage easement is included within Lot 1 at the SW corner of the project area and is shown on the Plat. This stormwater management plan has been proposed in order to account for existing and future drainage conditions.


Leah M. Berg, P.E.



NOTICE FOR PUBLICATION

Ordinance 2023-02

CHAPTER 54

**AN ORDINANCE AMENDING CHAPTER 54: COLLECTION AND DISPOSAL OF
GARBAGE AND RUBBISH**

NOTICE IS HEREBY GIVEN that the City of Summerset will set the first reading on Ordinance #2023-02 Chapter 54: Collection and Disposal of Garbage and Rubbish. Said first reading will be held at Summerset City Hall, 7055 Leisure Lane, Summerset SD on January 19th, 2023 @ 6:00 p.m. The purpose of the public hearing is to accept public comment on the proposed amended ordinance.

Individuals needing assistance related to the American Disabilities Act should contact the Summerset City Finance Officer no less than 24 hours prior to this hearing to make necessary arrangements.

Dated this 28th day of December 2022.

City of Summerset

Published once on 01/03/2022, at the total approximate cost of \$39.99.

Chapter 54
COLLECTION AND DISPOSAL OF GARBAGE AND RUBBISH

SECTIONS:

- 54.001 Commission May adopt System for Collection and Disposal
- 54.002 City Collection System
- 54.003 Rates
- 54.004 Commission Authority Over Rates
- 54.005 Billing and Failure to Pay
- 54.006 Container Regulations
- 54.007 Placement of Garbage Cans and Rubbish
- 54.008 Compulsory and Universal System
- 54.009 Hazardous or Toxic Waste Not to be Placed in Any Container for Collection
- 54.010 Billing and Failure to Pay

54.001 COMMISSION MAY ADOPT SYSTEM FOR COLLECTION AND DISPOSAL

The City Commission shall have the power and duty to provide for the removal of garbage and rubbish by the system outlined in this Ordinance or by developing a separate licensing procedure.

54.002 CITY COLLECTION SYSTEM

In lieu of issuing a license or licenses to collectors, the City Commission is hereby authorized to purchase or rent the necessary equipment and employ the necessary personnel to collect and dispose of the garbage and rubbish found in the City and collects and retains the collection fees as hereinafter provided. Commercial haulers that haul within the city limits of Summerset need to have a contractor's license to operate.

Commented [LS1]: Add- contractor's license needed.

54.003 RATES

It is hereby determined that the Commission shall establish by Resolution all reasonable and necessary charges to be levied, imposed and collected for said garbage and rubbish collection and disposal in order to provide proper sanitary control within the City.

54.004 COMMISSION AUTHORITY OVER RATES

The City shall have the power by Resolution to lower or raise the charges.

54.005 BILLING AND FAILURE TO PAY

Any charges for services as provided for shall be paid with the City utility bill. The City shall not be obligated to collect and dispose of the garbage and rubbish from that unit until such time that all charges are paid up to date.

54.006 CONTAINER REGULATIONS

Residential solid waste containers will be provided by the City and shall be kept closed and all of the contents shall be protected so that the wind cannot blow out and scatter the contents over the streets, alleys or property within the City. All refuse shall be placed in garbage bags and the bags must be

Commented [LS2]: Add residential Add will be provided by the City and Add no other residential containers are allowed for dumping.

securely fastened at the opening, and all boxes and containers must be sealed in such a fashion that no refuse can fall, blow away, or leak out. **No other residential containers are allowed for dumping.**

~~In the event that a commercial unit provides a dumpster container at its own expense, this dumpster shall be compatible with the garbage collection trucks used by the City.~~

Garbage shall be placed in containers provided by the City and no family unit shall place garbage in any city provided container without having drained off the moisture and placed it in plastic garbage bags or wrapped it in paper to avoid odor and freezing to the garbage can. Ashes must be cold before being placed in any garbage container. All rubbish shall be placed in sufficiently strong containers to adequately hold and confine such waste materials. Materials stuck in the garbage can are the responsibility of the homeowner to get unstuck. Sanitation workers shall not be responsible for picking up garbage which has been strewn about or not in proper containers.

Commented [LS3]: Add - stuck materials

54.007 PLACEMENT OF GARBAGE CONTAINERS AND RUBBISH

~~All garbage containers and rubbish shall be placed on the premises adjacent to an alley bordering on said premises so as to be accessible from the alley adjoining the premises. Where no alley is available, garbage containers and rubbish shall be placed at any other convenient location where the garbage collectors can get at it, but in no case shall any garbage truck be required to use any private driveway in collecting garbage and rubbish. Garbage and rubbish shall be placed for pick-up in a location adjacent to the public right of way (curbside) so as to allow safe operation of City equipment. In no case shall any garbage truck be required to use any private driveway in collecting garbage and rubbish.~~

Commented [LS4]: Add - curbside

54.008 COMPULSORY AND UNIVERSAL SYSTEM

The maintenance of health, sanitation and safety require, and it is the intention hereof to make the collection, removal and disposal of garbage and rubbish within the City compulsory and universal. The collection of garbage and rubbish shall be the exclusive authority of the City. No private refuse collection firms shall be allowed to pick up any garbage or trash in the City unless licensed by or under contract with the City to do so.

54.009 HAZARDOUS OR TOXIC WASTE NOT TO BE PLACED IN ANY CONTAINER FOR COLLECTION

Hazardous or toxic waste shall not be placed in any container for collection, transport, processing or disposal by the City. The terms hazardous or toxic waste as used herein shall be deemed to mean any pesticides, herbicides, insecticides, or any narcotic, drug, barbiturates, or stimulant drug which is not permitted under South Dakota state law to be sold over the counter without prescription. Tires, oil and refrigerant are also not allowed.

Commented [LS5]: Add-tires, oil, and refrigerant.

54.010 YARD WASTE

Yard waste shall not be placed in any curb-side container for collection by the City. Yard waste can be taken to the designated areas as prescribed by the City of Summerset.

Commented [LS6]: Add - yard waste paragraph

54.011 PENALTY

(A) Any person violating any provision of this chapter for which no specific penalty is provided shall be subject to § 10.99 of this code of ordinances.

Commented [LS7]: Add - penalty have Mike W. review

54.012 BILLING AND FAILURE TO PAY

In the event the payment is not made within the time noted on the utility bill, any applicable penalties of this Chapter shall apply.

Notwithstanding any other collection provision provided for under this Chapter, the City shall have the power to collect the sanitation fee imposed herein through any other remedy available to it under the statutes of the state of South Dakota.

Ordinance 2023-01

**AN ORDINANCE REPEALING TITLE III: ADMINISTRATION, CHAPTER 31:
OFFICIALS AND ORGANIZATIONS, SUBSECTION 31.024 – POWERS AND DUTIES OF THE
CITY ADMINISTRATOR**

31.024 – REPEALED.

Passed and adopted this 19th day of January 2023.

Melanie Torno, Mayor

ATTEST:

Candace Sealey, Finance Officer

VOTE:

Torno:

Kitzmilller:

Butler:

Hirsch:

Nasser:

First Reading: 01/05/2023

Second Reading: 01/19/2023

Adoption: 01/19/2023

Publication:

Effective:

Published once _____ at the total approximate cost of \$_____.

 **Ordinance 31.024 Powers and duties of the city administrator.**

The city administrator shall be the chief administrative officer of the city, responsible to the Board of Commissioners and mayor for the administration of all city affairs placed in the administrator's charge by this Code, other ordinances, and resolutions of the city.

The city administrator shall:

(a) Ensure that all provisions of this Code and all acts of the Board of Commissioners subject to enforcement by the city administrator or by officers' subject to the administrator's direction and supervision, are faithfully executed;

(b) Oversee and direct the administration of all departments, offices, and agencies of the city as directed by the Board of Commissioners and except as otherwise provided by this Code, or by state law, and to organize and administer the activities, operations, programs, services and day to day operations of the city;

(c) Make recommendations to the Board of Commissioners concerning the affairs of the city;

(d) Prepare and submit to the Board of Commissioners an annual budget not later than September first of each year;

(e) Ensure all terms and conditions in any contract or franchise to which the city is a party are faithfully kept and performed;

(f) Recommend appointment and promotion of all city employees and officers to the Board of Commissioners;

(g) When necessary, suspend or remove all city employees except as otherwise provided by law, this Code, or adopted personnel policies;

(h) Consolidate or combine offices, positions, departments, or units under his/her jurisdiction, subject to Commission approval;

(i) Serve as the liaison between city staff, the mayor and the Board of Commissioners;

(j) Attend all meetings of the Board of Commissioners, except as excused by the mayor;

(k) Keep the Board of Commissioners fully advised as to the future needs of the city;

(l) Provide for staff support services for the mayor and councilmembers;

(m) Submit updates and reports to the Board of Commissioners as requested;

(n) Delegate authority as deemed appropriate; and

(o) Perform such other duties as are specified in the position description, in this Code, by resolution or as may be required from time to time by the Board of Commissioners.

(p) the administrator shall at all times remain subject to the ultimate authority of the Board of Commissioners as a whole and the individual Commissioners designated as being the charge of each department (public safety, public works, utilities, finance and revenue) and the mayor.

Ordinance 2022-11

AN ORDINANCE AMENDING ORDINANCE TITLE II, CHAPTER 30- OFFICIALS AND ORGANIZATION, SUBSECTION 31.080 - CITY PARKS AND RECREATION BOARD ESTABLISHED; 31.082 - CITY PARKS AND RECREATION BOARD MEMBER APPOINTMENT; 31.083 - CHAIRPERSON, VICE CHAIRPERSON, SECRETARY AND 31.085 -- POWERS & DUTIES;

§ 31.080 CITY PARKS AND RECREATION BOARD ESTABLISHED.

There is hereby created for the City of Summerset a City Parks and Recreation Board consisting of five members from the City of Summerset located within Meade County, South Dakota. The Board of Commissioners may by resolution increase the size of the City Park and Recreation Board to seven members by resolution if the Board of Commissioners determines that a seven-member board is appropriate.

§ 31.082 CITY PARKS AND RECREATION BOARD MEMBER APPOINTMENT.

All members of the Summerset Parks and Recreation Board shall be volunteers appointed by the City of Summerset Board of Commissioners upon the submission of applications in proper form approved by the Board of Commissioners. The terms of the members shall be three years. If a member resigns or is removed prior to the end of a term, the Board of Commissioners may appoint a replacement member to fulfill the remainder of that term. Terms shall begin on July 1 and terminate three years later on June 30. A person may be reappointed to multiple terms. The City Parks and Recreation Board members shall serve without compensation. In addition to the members of the City Parks and Recreation Board, one member of the Board of Commissioners will be appointed by the Board of Commissioners as liaison to the City Parks and Recreation Board. The appointed Commissioner shall have the right to participate in all discussions but shall only have the right to vote on actions to break a tie.

§ 31.083 CHAIRPERSON, VICE CHAIRPERSON, SECRETARY.

(A) The City Parks and Recreation Board shall elect from its number a Chairperson and Vice Chairperson to serve for a term of two years or until a successor is elected and qualified, except and unless the said officer so elected is removed from the City Parks and Recreation Board before the end of his or her term. The City Park Board shall also designate a Secretary. The Vice Chairperson shall act in the absence or disability of the Chairperson. In the event of death, retirement or removal of an officer from the City Parks and Recreation Board, a successor shall be elected, promptly.

(B) The Secretary of the City Parks and Recreation Board shall keep a record of its proceedings to be made available to any member of the Board of Commissioners for the City of Summerset.

(C) If the City Parks and Recreation Board believes that the budget amounts from the city will be insufficient to meet what it deems is necessary for the duties of the Park Board, it shall be the Chairperson's responsibility to convey the need for supplementation of the budget to the Board of Commissioners. All expenditures for Parks and Recreation Projects remain in the discretion of the Summerset Board of Commissioners.



Madame Sealey
Madame Sealey, Finance Officer

Melanie Torno
Melanie Torno, Mayor

VOTE:

Torno: Aye
Kitzmilller: Aye
Butler: Aye
Hirsch: Aye
Nasser: Aye

First Reading: 12/01/2022
Second Reading: 12/19/2022
Adoption: 12/19/2022
Publication: 12/24/2022
Effective: 01/13/2022

Published once 12/24/2022 at the total approximate cost of \$153.66.

SOUTH DAKOTA STATE TREASURER	Sales Tax- October	983.64
STURDEVANT'S AUTO PARTS	Floordry	321.16
TALLGRASS LANDSCAPE ARCH	Schematic Design	1,470.00
TEXTMYGOV	Text My Gov	1,800.00

DEPARTMENT HEAD REPORTS

Department Heads gave a summary of their departments for the month of October 2022.

PROCLAMATION – NOVEMBER NATIONAL ADOPTION MONTH

Mayor Torno read the Proclamation.

SET FIRST READING FOR ORDINANCE 2022-15 SUPPLEMENTAL

Motion by Butler, second by Nasser to set first reading for Ordinance #2022-15 -End of year supplementing for December 1st, 2022. Motion carried.

RESOLUTION 2022-18 CAPITAL OUTLAY – DISCUSSION/ACTION

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

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

Motion by Butler, second by Nasser to revert the \$350,000 that was in the capital outlay by Resolution 2022-18 and return it to the General Fund. Motion carried.

DISCUSSION/ACTION FUTURE PARK BOARD FUNDING – RESOLUTION 2022-20

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

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

Motion by Butler, second by to table the funding until the January 19th 2023 regular meeting of the Board of Commissioners. Motion carried.

ADDENDUM TO SEWER SERVICES CONTRACT BETWEEN THE CITY OF SUMMERSET AND BREZEL RANCH FOR THE PINE HILLS MOBILE HOME PARK

Motion by Butler, second by Hirsch, to approve the addendum. Motion carried.

SET FIRST READING FOR ORDINANCE 2022-16 AMENDING SUPPLEMENTAL ITEMS AND LICENSING FEE.

Motion by Nasser, second by Hirsch to set the first reading for December 15th, 2022. Motion carried.

SET FIRST READING FOR ORDINANCE 2022-17 AMENDING PERMANENT LICENSES.

Motion by Hirsch, second by Butler to set the first reading for December 15th, 2022. Motion carried.

RECOGNITION OF VOLUNTEER

Mayor Torno announced that she would be abstaining from the discussion/vote.

Motion by Butler, second by Hirsch to approve Gerard Torno as a volunteer in the Public Works Department to remove snow. Motion carried.

Lisa Schieffer

From: Rachelle White <rwhiteevents@gmail.com>
Sent: Thursday, October 6, 2022 12:14 PM
To: Lisa Schieffer
Subject: 2023 Food Truck Schedule

Here are some dates for Summer 2023.

May 3
June 7 and 21
July 5 and 19
August 2
Sept 6
Oct 4

Thank you so much for all your help with these. I'll get the vendor contract sent out as soon as possible.

Rachelle White

CITY OF SUMMERSET

RESOLUTION 2023-01

A RESOLUTION SETTING THE SALARY AND WAGES FOR THE CITY OF SUMMERSET FOR 2023

BE IT RESOLVED by the Council of Commissioners of the City of Summerset, that the salaries and wages of City Officials and Employees for the year 2023 shall be as follows:

Allen, Don/Police Chief/ \$66,265.54 /Annual Salary
Ambrose, Jonathan/WWTP Supervisor/ \$68,155.27/Annual Salary
Anglin, Mitch/Public Works Laborer/\$22.66 Per Hour
Baumeister, Stephany/Assistant Finance Officer/ \$16.48 Per Hour
Boddicker, Mark/Part-Time Police Officer/\$19.00 Per Hour
Butler, David/City Commissioner/\$7,000.00 Annual Salary
Davis, Owen/Wastewater Operator/\$19.57 Per Hour
Geigle Adam/ Part-Time Police Officer/\$19.00 Per Hour
Hirsch, Clyde/City Commissioner/\$7,000.00 Annual Salary
Hirsch, Dustin/Planning & Zoning Member/\$75.00 Per Meeting
Hough, John/Planning & Zoning Board Member/\$75.00 per Meeting
Johnson, Scott/Temporary Certified Police Officer/\$20.00 Per Hour
Juso, Colton/Patrolman/\$24.80 Per Hour
Kayl, Anthony/ Public Works Laborer/\$26.78 Per Hour
Kenrick, Casey/Planning & Zoning Member/\$75.00 Per Meeting
Kitzmiller, Michael/City Commissioner/\$7,000.00 Annual Salary
Macrander, Matthew/Patrolman/\$22.89 Per Hour
Martin, Mike/Planning & Zoning Board Member/\$75.00 per Meeting
Montileaux, Casey/Patrolman/\$21.65 Per Hour
Nasser, Alexis/City Commissioner/\$7,000.00 Annual Salary
Nasser, Rich/Sergeant/\$28.23 Per Hour
O’Grady, Brenda/Police Administrative Assistant/\$16.48 Per Hour
Oldfield, Brody/Planning & Zoning Board Member/\$75.00 per Meeting
Schieffer, Lisa/City Administrator/\$70,735.25/Annual Salary
Sealey, Candace/Municipal Finance Officer/\$56,014.23/Annual Salary
Smith, Jeff/Public Works Laborer/\$22.15 Per Hour
Torno, Melanie/Mayor/\$23,000.00/ Annual Salary
Taylor, Justin/Part-Time Police Officer/\$19.00 Per Hour
Twite, Jeffery/ Part-Time Police Officer/\$19.00 Per Hour
Uebel, Derek/Patrolman/\$22.66 Per Hour
Walker, John/ Part-Time Police Officer/\$19.00 Per Hour
Weaver, Justin/ Part-Time Police Officer/\$19.00 Per Hour
Wiest, Tracy/ Part-Time Police Officer/\$19.00 Per Hour

NOW THEREFORE, BE IT RESOLVED that the foregoing salaries and wages shall take effect on December 26th, 2022.

BE IT RESOLVED this 19th day of January 2023.

ATTEST:

Candace Sealey,
Finance Officer

Melanie Torno,
Mayor

Lisa Schieffer

From: GOED Partner Relations <joe.fiala=sdgoed.com@mlsend.com> on behalf of GOED Partner Relations <joe.fiala@sdgoed.com>
Sent: Thursday, January 5, 2023 1:45 PM
To: Lisa Schieffer
Subject: Infrastructure First project

[View in browser](#)

SOUTH DAKOTA

GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT

• GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT •



- Infrastructure First -

Good afternoon,

The Governor's Office of Economic Development (GOED) is embarking on a new project in 2023 that is focused on economic development infrastructure planning at a state, regional, and local level. We are calling it the Infrastructure First project. Our office received a \$1 million grant from the U.S Economic Development Administration to fund this project. Our hope is that properly planning for future infrastructure improvements will lay the groundwork for future economic development success across South Dakota.

As part of the Infrastructure First project, we are happy to announce that communities of under 5,000 population will be able to apply for financial assistance of \$15,000 to create a new five-year capital improvement plan (CIP) for their community. We are so excited for this piece of the project as it will provide an opportunity for communities to invest in the

critically important part of infrastructure planning. The CIPs will set the stage for well-planned economic growth.

Sixteen municipalities will be selected for this capital improvement planning opportunity. GOED has partnered with ISG, a firm with expertise in planning, engineering, and architecture. ISG will work closely with each of the selected communities and lead the planning process.

The CIPs will be created in partnership with city officials, economic development organizations, and/or their designees in each of the communities. The CIPs for each community will consider all city owned assets, including essential infrastructure.

Cities will apply through the GOED website on a first come first serve basis, subject to meeting, at minimum, the following qualifying requirements:

- Completed application and supporting documents
- Population of less than 5,000
- Does not have a current CIP or has an existing plan older than 4 years
- Able to provide a financial match of \$15,000
- The city must be willing to formally adopt the CIP

Note: This grant will not be used for construction or installing infrastructure. It will be used for planning purposes only.

Important dates moving forward:

- Tuesday, January 10th, at 10:30 a.m. CT – CIP Informational Webinar

* [Zoom meeting](#) – link attached

OR

* Dial: 669.900.9128

* Meeting ID: [978 0753 7134](#)

* Participant ID: #

* Passcode: 215850

- Wednesday, January 11th – Application forms available online for review
- [GOED webpage](#)
- Tuesday, January 24th, TBD – Informational Webinar for Statewide Infrastructure Plan and Economic Development Site Selection
- Wednesday, January 25th – Applications open for submission

- *Applications will remain open until all grant monies have been allocated*

Details of the CIP overview, and requirements are available on the [website](#).

If you have any questions or want any further information, reach out to your designated Partner Relations Representative.

- Northeastern Region: Laure Swanson – 605.280.6299 | laure.swanson@sdgoed.com
- Southeastern Region: Adam Molseed – 605.940.3403 | adam.molseed@sdgoed.com
- Western Region: Hannah Sage – 605.381.4225 | hannah.sage@sdgoed.com

We believe that properly planning for infrastructure is one of the first steps to economic development success. We are looking forward to working with each of you and with ISG throughout this process.

Happy New Year!

Joe Fiala

Partner Relations Director

Governor's Office of Economic Development

South Dakota Governor's Office of Economic Development

711 East Wells Avenue, Pierre
SD 57501 United States

[Unsubscribe](#)

sdgoed.com



Capital Improvement Plan

APPLICATION

INTRODUCTION

GOED has contracted with ISG, Inc., an architecture/engineering firm, to provide five-year capital improvement plans for eligible municipalities within South Dakota. Eligible municipalities must have a total population less than 5,000 residents, be willing to provide a financial match, and do not currently have a five-year capital improvement plan in place, or their existing plan is older than 4 years old. Applications will be accepted until all funds under the program have been allocated.

INSTRUCTIONS

Please type or print clearly. Be sure to fill in each blank and answer each question.

APPLICANT INFORMATION

NAME OF APPLICANT MUNICIPALITY City of Summerset

ECONOMIC DEVELOPMENT CONTACT Lisa Schieffer

CONTACT PHONE 605 718-2189

CONTACT E-MAIL lschieffer@summerset.us

MUNICIPALITY CONTACT Melanie Torno

CONTACT PHONE mtorno@summerset.us

CONTACT E-MAIL mtorno@summerset.us

MUNICIPALITY ADDRESS 7055 Leisure Lane, Summerset SD 57718

QUESTIONNAIRE

By selecting yes to the below questions, you are agreeing to do the following.

- YES NO Is the population of your municipality less than 5,000 residents?
- YES NO Does your municipality currently have a five-year capital improvement plan in place?
• *If you selected YES, you must provide GOED and ISG your most recent Capital Improvement.*
- YES NO Applicant can provide a match of \$15,000 payable to ISG, Inc. in monthly installments as work is completed on the five-year capital improvement plan.
- YES NO Subject to a satisfactory outcome, your authorizing body (i.e., City Council) must formally adopt the five-year capital improvement plan and make best efforts to update the plan (through a process of the municipality's choosing) on no less than an annual basis.
- YES NO Applicant will make best efforts to have municipality staff, economic development representatives and elected officials available, as necessary or appropriate.
- YES NO Municipality and/or its advisor(s) will furnish existing infrastructure studies (i.e., water, wastewater), facility assessments, and other plans/documents associated with municipality-owned assets only as is necessary or appropriate to aid in completing the five-year capital improvement plan.

ATTACHMENT SECTION

- Previous capital improvement plan, if applicable
- Letter of monetary support
- Letter of Economic Development support
- Attachment of overview of Economic Development focus for plan

CERTIFICATION

All information contained above is true and complete to the best knowledge and belief of the applicant. There is no intent to deceive or defraud the Governor's Office of Economic Development or any potential participant to provide five-year capital improvement planning support to this municipality.

OFFICER'S SIGNATURE

OFFICER'S NAME/TITLE Lisa Schieffer, City Administrator

TELEPHONE NUMBER (605) 718-2189

DATE 01/25/2023

SUBMIT

SOUTH DAKOTA

GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT