

REGULAR WHITEWOOD COUNCIL MEETING**April 17, 2023**

The Whitewood City Council met in regular session on Monday the 3rd of April 2023 at City Hall. Mayor Mitch Harmon called the meeting to order at 5:30 pm, with Council members Roxie Cooper, Michael Weyrich, Randy Wiege, Bruce White, Jerry Davidson, and Monica Burke. Police Chief Witcraft, Building Official Smit, Public Works Werlinger, and Finance Officer Heckenlaible were also present.

Action 2023-059

Motion by White, seconded by Wiege, to approve the minutes from the regular meeting on April 3, 2023. All members present voting yes, motion carried.

Action 2023-060

Motion by Wiege, seconded by White, to approve the claims as presented. Roll call, all members present voting yes, motion carried.

CLAIMS – April 17, 2023**GENERAL FUND**

A&B BUSINESS SOLUTIONS- Police	59.99
A&J SUPPLY- Streets 1289.48, Shop 5.99	1295.47
BH PIONEER	115.01
BH ENERGY- Hale Hall 316.61, City Hall 106.32, Police 184.50, Shop 146.90, Parks 83.28, Street Lights 1105.50	1943.11
BUTTE ELECTRIC- Exit Lights	419.75
CORY HECKENLAIBLE- Reimburse Registration Pickup	26.70
BJ'S- City Hall 49.81, Police Fuel 722.44	772.25
KERRY KAMPA- Hale Hall	120.00
MACK'S AUTO BODY- Police	4359.20
MONTANA DAKOTA- Hale Hall 225.14, City Hall 142.66, Shop 223.01, Police 229.16	819.97
POSTMASTER	126.00
RASMUSSEN MECHANICAL- Hale Hall Furnace	304.68
REPUBLIC NATIONAL- April Liquor	2656.52
SD GOV FINANCE OFFICERS ASSOC- School	75.00
SD GOV HUMAN RESOURCE ASSOC- School	50.00
SERVALL- PW Uniforms	138.80
SONSET STATION- Police Fuel 188.25, PW Fuel 116.17	420.56
SOUTHERN GLAZERS- April Liquor	1740.18
SPEARFISH AUTO	62.95
STURGIS RESPONDER SUPPLY- Police	69.99
BLUEPEAK- Police 326.58, City Hall 405.39	731.97
KETEL THORSTENSON- 2022 Audit Billing	23591.80
ADVANCED ENGINEERING- General 333.75, Laurel Street Project 1090.00	1423.75
AMAZON CAPITAL- Police	103.90
QUINN CONSTRUCTION- Pay Application No. 12	25872.30
SUNDANCE STATE BANK- Riley TIFD	10103.47
TOTAL	\$77,403.32

GENERAL LEDGER

DELTA DENTAL- Employee Dental Insurance	771.00
HEALTH POOL OF SD- Employee Health Insurance	9453.45
UNITED HEALTH CARE- Employee Life Insurance	62.10
CITY OF WHITEWOOD- Take Deposit for Bill- Lyons	100.00
SD DEPT REVENUE- Bullwackers Transfer	150.00
TOTAL	\$10,536.55

LIBRARY

A&B BUSINESS SOLUTIONS	88.46
BH ENERGY	140.72
LAMB PAINTING	61.23
MONTANA DAKOTA	46.54
BLUEPEAK	186.21
SANDY SMITH- Cleaning	487.50
TARAH MITCHELL- Cleaning	437.50
TOTAL	\$1,448.16

WATER/SEWER FUNDS

A&J SUPPLY	29.49
BH ENERGY	2293.95
BH PURE	13.50
BUTTE ELECTRIC	2011.92
DAN'S DUMPSTERS	90.00
MIDCONTINENT TESTING LABS	43.25
MONTANA DAKOTA	50.71
NORTHWEST PIPE- Meters	3917.48
POSTMASTER	351.00
RAPID DELIVERY	15.60
WIN-911 SOFTWARE- SCADA	800.00
ONE CALL	17.85
ADVANCED ENGINEERING- Water Flow Testing	873.25
RITEWAY BUSINESS FORMS- Water Bills	450.71
TOTAL	\$10,958.71

AUTOMATIC PAYMENTS

USDA RURAL DEVELOPMENT- Storm Sewer Loan	1226.50
EFTPS- Payroll Taxes 04/7/23	5197.36
TOTAL	\$6,423.86

Mayor Harmon read the Arbor Day Proclamation declaring April 28, 2023, as Arbor Day in the City of Whitewood.

At 5:35 PM, Mayor Harmon opened the public hearing for the transfer of Bullwackers LLC's, Retail (on-off sale) Malt Beverage & SD Farm Wine license, a Retail (on-sale) Liquor License, and a Package (off-sale) Liquor License, to Bullwackers Saloon and Steakhouse LLC. With no objections or comments from the public, Mayor Harmon closed the public hearing.

Action 2023-061

Motion by Wiege, seconded by Cooper, to approve the assignment of Bullwackers LLC operating agreements to Bullwackers Saloon and Steakhouse LLC. Roll call, all members present voting yes, motion carried.

Action 2023-062

Motion by White, seconded by Davidson, to approve the second reading of Ordinance 2023-02- An Ordinance Enacting a Code of Ordinances for the City of Whitewood. Roll call, all members present voting yes, motion carried.

Action 2023-063

Motion by Davidson, seconded by White, to authorize the mayor to sign the three (3) temporary easements, the utilities certificate, and the Right-of-Way Certificate for the bridge removal project. All members present voting yes, motion carried.

Action 2023-064

Motion by Wiege, seconded by Burke, to approve the water SCADA upgrade with Dakota Pump for the price of \$6,855.38. Roll call, all members present voting yes, motion carried.

Action 2023-065

Motion by White, seconded by Burke, to approve the following Resolution. Roll call, all members present voting yes, motion carried.

Prepared by:
Sara Frankenstein
Gunderson, Palmer, Nelson,
& Ashmore, LLP
P.O. Box 8045
Rapid City, SD 57709
605-342-1078

Resolution 2023-01

RESOLUTION OF INTENT TO ANNEX REAL PROPERTY

WHEREAS the Whitewood City Council deems it in the best interest of the City that the below described territory be included within the corporate limits of the City and annexed thereto; and

WHEREAS the Whitewood City Council has determined that Hills Products Group Inc., Hills Materials Co, Hills Materials Inc., Hills Materials Company Inc., and Hills Products Group Inc., are the sole owners of the properties sought herein to be annexed;

WHEREAS the real property is contiguous to the existing boundaries of the City of Whitewood;

WHEREAS the Whitewood City Council has determined that the territory described below, and any residents of that territory share a common bond and community of interest with the City of Whitewood and the annexation of that territory constitutes a natural and reasonable inclusion;

WHEREAS this decision is based on an annexation study pursuant to 9-4-4.1;

WHEREAS based on the aforementioned study, ample and suitable resources exist to accommodate the orderly growth or development of the contiguous territory;

WHEREAS the estimated difference in tax assessment rate for the residents in the contiguous territory is an increase in the mill levy of 6.28;

WHEREAS the exclusions and irregularities in boundary lines are not the result of arbitrariness;

WHEREAS there is reasonable present or demonstrable future need for annexing the contiguous territory;

WHEREAS population and census data indicate that the municipality has or may experience growth or development beyond its present boundaries.

NOW, THEREFORE BE IT RESOLVED by the City of Whitewood that the following territory is hereby included within the corporate limits of the City and annexed thereto:

Lot 1R, formerly being a portion of Lot 1 of
Tract B and a portion of the second replat of Lot

2 of Tract B of the Southeast Quarter of the Northwest Quarter (SE1/4NW1/4) and in Tract B of the (SW1/4NW1/4 Section 21, T6N, R4E, BHM, Lawrence County, South Dakota, as set out in Plat Doc. 91-4371 -AND

Lot A of Tract A, a subdivision of the SE1/4NW1/4 of Section 21, T6N, R4E BHM, Lawrence County, South Dakota, according to Plat Book 6 page 97

Lot 2A of the replat of Lot 2 and Lot 3 of Tract B of the SE1/4NW1/4 and Tract B of the SW1/4NE1/4 EXCEPT that part included in Lot 1R all located in Section 21, T6N, R4E, BHM, Lawrence County, South Dakota, according to Plat Doc. #96-4886.
Lot 3A of the replat of Lot 2 and Lot 3 of Tract B of the SE1/4NW1/4 and Tract B of the SW1/4NE1/4 EXCEPT that part included in Lot 1R, all located in Section 21, T6N, R4E, BHM, Lawrence County, South Dakota, according to Plat filed as Doc. #96-4886

Said property shall be zoned as commercial/industrial and shall be subject to all conditions and regulations applicable to property in such district.

Said property shall be annexed into the City of Whitewood Original Town.

DATED this 17th day of April 2023

CITY OF WHITEWOOD

MAYOR

ATTEST:

Finance Officer

Action 2023-066

Motion by White, seconded by Weyrich, to approve pay application No. 12 to Quinn Construction in the amount of \$25,872.30 for the Laurel Street and Utility Improvement Project. Roll call, all members present voting yes, motion carried.

Action 2023-067

Motion by Wiege, seconded by White, to approve Task Order No. 8 with Advanced Engineering for PRV replacement. All members present voting yes, motion carried.

There being no further business, the meeting was adjourned at 5:50 PM.

MITCH HARMON
Mayor

Attest:

CORY HECKENLAIBLE
Finance Officer