**CITY OF EDGEMONT**

**PROCEEDINGS**

**Edgemont Common Council**

**Regular Meeting**

**August 18, 2020**

**CALL TO ORDER – ROLL CALL**

Mayor, Carla Schepler, called the regular meeting of the Edgemont Common Council to order at 7:00 P.M. on August 18, 2020, at Edgemont City Hall. Present were Council members, Lyle Edmonds, Roger Horton, Jason Shook and Robert Worden.

Pledge of Allegiance was stated.

**CONFLICT OF INTEREST FOR COUNCIL MEMBERS**

No conflicts were heard.

**APPROVAL OF AGENDA**

Jason Shook made a motion to approve the August 18, 2020 agenda. Motion seconded by Lyle Edmonds. Motion passed with unanimous vote.

**APPROVAL OF MINUTES**

Roger Horton made a motion to approve the August 4, 2020 minutes. Motion was seconded by Jason Shook. Motion passed with unanimous vote.

**COMMITTEE REPORTS**

Law Enforcement – Thomas McMillan

Code Enforcement – Thomas McMillan

Public Works – Joe Koller

**PUBLIC COMMENT**

 Lisa Pawlowski wanted to discuss bat issues again.

**APPROVAL OF CLAIMS**

Jason Shook made a motion to approve the August 18, 2020 claims totaling $29,794.43. Motion seconded by Roger Horton. Motion carried with unanimous roll call vote.

Aug 4-17, 2020 Salaries: Administration 1704.70, Streets 2421.08, Cemetery 685.31, West Nile 19.88, Hospital 7.29, Park 286.49, Library 1062.66, Water 1923.49, Sewer 572.38, Garbage 482.10.

Total Salaries: $9,165.38.
Aug 4-17, 2020 Expenditures: Intuit 29.82 updates, Century Business 155.21 copier, City of Edgemont 578.14 utility allowance, Culligan 27.00 supplies, Custer-Fall River Landfill 205.45 landfill fees, GW Technologies 100.00 firewall, Marc 1019.97 supplies, McDaniel 991.78 repairs, Metering & Technology Solutions 14,358.00 meter reader & software, MidContinent Labs 1367.00 testing, Rancher’s Feed 318.00 supplies, SDML 50.00 registration fees, Sturdevant’s 108.68 supplies, Thomas McMillan 1000.00 professional fees, Wilson Electric 153.00 professional fees, IUOE Local 49 175.00 dues.

Total expenditures: $20,629.05.

**OLD BUSINESS**

**DEBORHA HERRINGTON & SURGEE JOHNSON HEARING**

Jason Shook made a motion to approve Resolution 2020-08-18 as follows with correction of Ms. Herrington’s name and to enforce a fine of $3.00 per day for 365 days for a total of $1095.00 in addition to delinquent water bill of $565.55. Motion seconded by Lyle Edmonds. Motion passed with unanimous roll call vote.

**RESOLUTION NO. 2020 – 08-18**

**RESOLUTION FINDING VIOLATION OF EDGEMONT CITY ORDINANCES,**

**DECLARATION OF PUBLIC NUSIANCE AND**

**PENALTIES THEREFORE**

WHEREAS, The City of Edgemont, Fall River County, South Dakota, adopted Ordinance 2014-07-15-01 Providing Collection of Delinquent Utility Bills By Assessment Against the Property on August 5, 2014;

WHEREAS, the Edgemont City Council adopted Ordinance 2018-07-17-2 Amending Chapter 14 of the Edgemont Code of Ordinances relating to water and sewer on August 7, 2018;

WHEREAS, the Edgemont City Council finds that Surgee Johnson and/or Deborha Herrington have resided at 601 4th Avenue, Edgemont, South Dakota, for months, and said residence has not been connected to the City of Edgemont's water and sanitation services in excess of three-hundred sixty-five (365) of those days in violation of the above Ordinances of the City of Edgemont;

WHEREAS, the Edgemont City Council finds that Surgee Johnson and Deborha Herrington's residence has been in violation of said Ordinances for 365 days, and therefore, has been in continuing violation of Edgemont Ordinance 14.07.01, and subject to a fine of not exceeding $200.00 per day of violation; and

WHEREAS, the Edgemont City Council finds that Surgee Johnson and Deborha Herrington's residence has been in violation of Edgemont Ordinance 14.07.00, and therefore, finds and declares the residence structure at 601 4th Avenue, Edgemont, Fall River County, South Dakota, a public nuisance and a menace to the public welfare, comfort, and safety and health of the community; and/or annoys, injures, or endangers the comfort repose health, or safety of others in the neighborhood and community.

NOW THEREFORE, BE IT RESOLVED that the City of Edgemont, pursuant to the above-referenced Edgemont City Ordinances, SDCL Chapters 9-29 and 21-10, hereby finds that Surgee Johnson and Deborha Herrington of 601 4th Avenue, Edgemont, Fall River County, South Dakota are in violation of said Edgemont City Ordinances and South Dakota Codified Laws for the said residential structure, with the legal description of:

Lot 12, Block 10, Original Town of Edgemont, in the City of Edgemont, Fall River County, South Dakota.

BE IT FURTHER RESOLVED, that the City of Edgemont, finding that Surgee Johnson and Deborha Herrington's residence has been in continuing violation of said Ordinances for 365 days, is hereby fined $3.00 per day for a total fine of 1,095 dollars for the continuing violation of said Ordinances, in addition to the $565.00 due and owed to the City of Edgemont for water and other sanitation charges.

BE IT FURTHER RESOLVED, that the City of Edgemont, finding that Surgee Johnson and Deborha Herrington's residence has been in continuing violation of said Ordinances for 365 days, the above-described residential structure is hereby declared a public nuisance, and the City Attorney is hereby authorized to prosecute any legal action necessary to abate the public nuisance pursuant to SDCL Chapters 9-29 and 21-10.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Edgemont to be affixed this 18th day of August, 2020.

EDGEMONT COMMON COUNCIL

Edgemont, South Dakota

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Carla Schepler, Mayor

ATTEST:

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Karen S. Cain, Finance Officer

(SEAL)

**NEW BUSINESS**

**BILL BARLOW – VACATE CITY PROPERTY BY KEV’S CARWASH**

Jason Shook made a motion to set a public hearing on September 21, 2020 for vacation of property for Bill Barlow. Motion seconded by Lyle Edmonds. Motion passed with unanimous roll call vote.

**LIBRARY HANDBOOK APPROVAL**

Jason Shook made a motion to table the approval of the Library Handbook so Staci Harter can discuss changes. Motion was seconded by Roger Horton. Motion carried with unanimous vote.

**DUSTIN DALE – PROJECT APPROVAL**

Jason Shook made a motion to approve Dustin Dale to move forward with iron removal project. Motion was seconded by Roger Horton. Motion carried with unanimous roll call vote.

**EXECUTIVE SESSION PER SDCL 1-25-2 (2,3 & 4) PERSONNEL, LITIGATION & CONTRACTS**

Jason Shook made a motion to enter into Executive Session @ 8:35pm. Motion was seconded by Robert Worden. Motion passed with unanimous vote.

 Return to Regular Meeting @ 9:22pm.

 No action taken.

**ADJOURNMENT**

 Jason Shook made a motion to adjourn @ 9:23pm. Motion was seconded by Robert Worden. Motion carried with unanimous vote.

The next regular City Council meeting will be held September 1, 2020 at 7:00p.m.

MINUTES UNAPPROVED

ATTEST

/s/Carla Schepler

Carla Schepler, Mayor

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Carla Schepler

ATTEST

/s/Rheta Reagan

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