

Colton City Council Meeting Amended
January 9th, 2023
7:00 pm

1. Call to Order:

2. Roll call:

<input type="checkbox"/> Trevor Bunde	<input type="checkbox"/> Julie Lyon
<input type="checkbox"/> Chas Foster	<input type="checkbox"/> Joe Hulscher
<input type="checkbox"/> Riley Amundson	<input type="checkbox"/> Diann Nesheim
<input type="checkbox"/> Colby Jensen	

3. Public Time:

4. Minutes:

5. Department Reports:

- a) **Fire Department:**
- b) **Sheriff's Report: 71.00 Hours**
- c) **Parks/Recreation:**
- d) **Public Works:**
- e) **City Administrator/Municipal Finance Office:
Annual Report Workshop Thursday January 19th**

6. Claims:

7. Items to be address by Council

- a) **Minnehaha Sheriff Office Contract Renewal**
 - b) **RESOLUTION 1-2023 – SALARIES**
 - c) **RESOLUTION 2-2023 – FEES AND FINES**
 - d) **Relia Bank Proposal**
 - e) **Fence Variance 309 S Glenn**
 - f) **Fence Complaint 600 S Glenn – Mayor Bunde Inspected it**
 - g) **Lifeguards and Pool Manger**
 - h) **Code Enforcement**
 - i) **Setting up employee Review for April**
 - j) **SDML Annual Conference: October 3rd - 6th**
 - k) **Transfer Funds into Reila Bank Account**
- 8. Executive Session (SDCL 1-25-2) personnel if needed:**

9. Adjournment:

Seth Sando
City Finance Office
City of Colton South Dakota

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Seth Sando
City Finance Office
City of Colton South Dakota

Colton City Council Meeting
Monday, December 12th, 2022

The Colton City council met for the monthly meeting on Monday, December 12th, 2022, at Colton City Hall. Mayor Bunde called the meeting to order at 7:00 pm with the following members present for roll call: Amundson, Jensen, Nesheim, and Lyon. Sando was present for city personnel. Foster and Hulscher were absent with cause.

Minutes:

A motion was made by Neshiem to approve the minutes from the Nov 14th, 2022, meeting. The motion was seconded by Jensen. Motion passed with all members voting aye.

Department Report:

Fire Department – Jon Randby represented the Colton Fire Department discussed that they went out to five EMS calls and four fire calls. Randby presented that Taopi Hall is being prepared to for emergency center if power is lost and requested that city council will help at the hall if an emergency happens. Randby also presented the idea of getting Metro Communication to install two radio antennas on the water tower and all of the cost would be covered by the state. Discussion was had and it was decided if the city would need to receive a liability waiver from the Metro Communication before it would be approved.

Parks and Recreation – Jerrit Pedersen discussed the lockers for the pool and how they will be cleaned and painted over the winter.

Public Works – Jerrit Pedersen discussed how the new Hydro Ranger was installed and that the check valves have been ordered.

City Administrator/Municipal Finance Officer – Seth Sando discussed requested some time off and was approved.

Sando also presented a proposal for the office to switch to winter hours. Discussion was had and it would be tabled for a later date and the Sando would keep track of who came in in the later hours.

Claims:

Discussion was had about choosing between two new library doors and who would install the door. Mayor Bunde said he would install the door. A motion was made by Amundson and seconded by Nesheim. Motion passed with all members voting aye.

A motion was made Nesheim to approve all claims in the amount of \$62,806.22. The motion was seconded by Jensen. Motion passed all members voting aye. The claims list is as follows, \$308.24 to ACCESS SYSTEMS; \$5,007.60 to BANNER; \$35,379.13 to BOEN & ASSOCIATES; \$181.00 to CITY OF SIOUX FALLS; \$171.06 to CLASSIC CORNER; \$525.00 to CNA SURETY; \$1,390.03 to CORTRUST BANK; \$189.15 to DAKOTA SUPPLY GROUP; \$4,591.85 to FIRST RATE EXCAVATE INC; \$2,550.00 to GEOTEK; \$106.92 to GILLESPIE; \$502.68 to INTERSTATE POWER SYSTEMS; \$6,647.50 to MEIERHENRY SARGENT LLP; \$510.52 to MID-AMERICAN ENERGY COMPANY; \$1,656.50 to MIDWAY SERVICE INC; \$206.61 to NEW CENTURY PRESS; \$25.92 to PHEASANTLAND INDUSTRIES; \$7.35 to SD ONE CALL; \$38.54 to SDRS; \$75.79 to SETH SANDO; \$377.54 to SIOUX FALLS HUMANE SOCIETY; \$2,287.05 to SIOUX VALLEY ENERGY; \$70.24 to VERIZON WIRELESS.

Items to be addressed by Council –

Mayor Bunde presented Baseball Sponsorship costs and that the would be invoices \$550 a year and cost of sign.

Mayor Bunde presented talking about sidewalk grant frontage. Kathleen Putman about miscommunication between the city and local business.

The following legally described real property lying within the boundaries of the City of Colton, South Dakota be rezoned from Agricultural District (A) to Residential District (R-1) pursuant to the exhibit submitted.

The West Half of the Northeast Quarter (W½NE¼) of Section 26, Township 104 North, Range 51 West of the 5th P.M., Minnehaha County, South Dakota, Except the West 614.04 Feet of the North 768.19 feet thereof, Except Tract Two (2) of Colton Cemetery Addition, Except Zion Congregation Cemetery thereof, and Except Tract One (1) of Siemonsma Addition contained therein, containing approximately 24.21 acres, and

Tract One (1) of Siemonsma Addition in the Northeast Quarter (NE¼) of Section 26, Township 104 North, Range 51 West of the 5th P.M., Minnehaha County, South Dakota, Except the East 365.96 Feet thereof, containing approximately 20.61 acres. Adopted this 12 day of December , 2022.

Trevor Bunde, Mayor

ATTEST:

Seth Sando,

Municipal Finance Officer

Mayor Bunde presented Resolution #10 Sioux Metro Growth Alliance.

RESOLUTION NO. 10

A RESOLUTION SUPPORTING REGIONAL ECONOMIC DEVELOPMENT IN THE CITY OF COLTONS CAPACITY AS A PARTICIPANT IN THE SIOUX METRO GROWTH ALLIANCE AND APPOINTING A REPRESENTATIVE TO ITS MEMBERSHIP ADVISORY BOARD FOR THE 2023 CALENDAR YEAR

WHEREAS, the City of Colton (the “City”) has been an investor in the Sioux Metro Growth Alliance, a South Dakota nonprofit corporation (the “Alliance”), since its formation on June 6, 2021;

WHEREAS, the City, through its partnership with the Alliance, works to develop new economic opportunities and improve access to those opportunities for all residents of the Sioux Metro, including those of the City;

WHEREAS, the City, through its investment in the Alliance, supports and welcomes the Alliance’s economic development programming, designed to create more investment, jobs, and opportunities, both within and without the geographic bounds of the City;

WHEREAS, the Alliance has created a Membership Advisory Board (the “Board”) where its member investors may appoint representatives to help guide the programming of the Alliance;

WHEREAS, the City would like to exercise its option to appoint a representative and an alternate to the Board to provide guidance to the Alliance’s programs throughout 2023.

NOW, THEREFORE:

BE IT RESOLVED BY THE CITY OF Colton SOUTH DAKOTA, that Monte Koopman is appointed to represent the City as its representative on the Board through December 31, 2023.

FURTHER RESOLVED, that Monte Koopman is expected to attend each regularly scheduled Board meeting to represent the City’s economic development interests.

FURTHER RESOLVED, that if Monte Koopman is unable to attend a Board meeting, the City appoints Trevor Bunde as its alternate.

Trevor Bunde
Mayor

ATTEST:
Seth Sando
City Clerk

Sando presented the 1st reading of Ordinance #4 Supplemental Appropriation. Discussion was had about the Ordinance

Colby Jensen presented the welcome to Colton Signs designs.

Jensen also discussed the Colton Sticker seal and discussed about a cleaning and renovation day for the office.

Weston Blasius with Banner presented the letter of advertisement for Phase 4 – Sewer Lining Project and requested approval to start the bidding process. Motion was made by Jensen and seconded by Amundson motion passed with all members voting aye.

Kyle Lamfers with ReliaBank presented ReliaBanks proposal for the city.

Riley Amundson discussed being able to pay the water bill online.

Sando discussed have a special meeting the 28th at 5:30pm.

Sando presented the Sioux Fall Area Humane Society Contract Renewal. A motion was made by Amundson and seconded by Lyons. Motion passed with all member voting aye.

Amundson made a motion to enter executive session at 8:43pm and seconded by Nesheim.

Nesheim made a motion to leave executive session and was seconded by Jensen.

Executive session was left at 8:57pm.

Nesheim moves to adjourn and was seconded by Jensen. The meeting was then Adjourned at 9:05 pm.

Seth Sando

City Finance Officer

City of Colton South Dakota

Special Colton City Council Meeting
Wednesday, December 28th, 2022

The Colton City council met for the monthly meeting on Wednesday, December 28th, 2022, at Colton City Hall. Mayor Bunde called the meeting to order at 5:37 pm with the following members present for roll call: Amundson, Jensen, and Foster. Sando was present for city personnel. Hulscher, Nesheim, and Lyon were absent with cause.

Claims:

Sando presented claims and it was decided that Claim would be tabled.

Items to be addressed by Council:

Sando Presented 2nd Reading of Ordinance #4 Supplemental Appropriation

A motion was made by Foster and seconded by Jensen. A roll call was called with all members present voting aye and motion passed.

Amundson moves to adjourn and was seconded by Jensen. The meeting was then Adjourned at 5:40 pm.

Seth Sando

City Finance Officer

City of Colton South Dakota

Colton Patrol Hours

December 2022

Patrol Hours

Blue Days

BULLIS, MATTHEW	2.81
BURNS, JASON	4.33
STANLEY, COREY	2.67

Blue Nights

BARTSCHER, JOSHUA	1.02
JOHANNSEN, MATTHEW	6.74
PATTERSON, JOSHUA	1.78
THORESON, JEFF	3.22
WESTERBUR, DYLAN	9.77

Yellow Days

CAVE, JUSTIN	1.99
ESCHEN, ADAM	3.78
LARSON, MATTHEW	4.97
SCHUSTER, PAUL	5.26

Yellow Nights

EARLEY STONEARROW, SKYLER	2.52
FEDDERSEN, WAYNE	4.44
HEUPEL, JOHN	2.31
HODGES, SETH	0.89
JASTRAM, MARK	1.61
KAISER, PATRICK	1.89
MCGLOTHLEN, NICHOLAS	2.04
TIRREL, CHASE	0.42

Rover

KOMMES, SPENCER	2.74
LUTTER, STEVEN	1.80
SMITH, NEVILLE	2.00

Contracted Hours	65.00
Total Hours for December	71.00
Over/Under	6.00

**AGREEMENT FOR FURNISHING POLICE SERVICES
BETWEEN MINNEHAHA COUNTY AND THE CITY OF COLTON**

THIS AGREEMENT entered into on the 1st day of January, 2023, by and between MINNEHAHA COUNTY, SOUTH DAKOTA, hereinafter referred to as COUNTY, and CITY OF COLTON, SOUTH DAKOTA, hereinafter referred to as CITY.

WITNESSETH:

WHEREAS, the Governing body of the CITY have determined that police services and protection are needed in the CITY and have called upon the COUNTY to furnish an estimate of the actual cost to said CITY for furnishing such services and protection, which estimate has been furnished and approved by the CITY;

NOW THEREFORE, in consideration of the terms and conditions as set forth herein, and in compliance with South Dakota Codified Laws, particularly SDCL Ch. 1-24, the CITY and the COUNTY do hereby contract and agree with each other as follows:

1. The COUNTY agrees to furnish police services and protection in the CITY and for such purpose shall furnish Sheriff Deputies and law enforcement equipment incident to the furnishing of such services in a quantity deemed necessary by the COUNTY for the term of January 1, 2023, through December 31, 2023.
2. All necessary equipment furnished by the COUNTY shall remain the sole property of the COUNTY pursuant to SDCL § 1-24-5 (2).
3. The COUNTY agrees that a Deputy Sheriff will be on duty in the CITY at least Fifteen (15) hours per week. The remainder of said Deputy Sheriff's time shall be devoted to COUNTY law enforcement activities. The COUNTY has sole discretion on the selection of an assigned Deputy Sheriff. The Sheriff shall make the assignment of his Deputies on behalf of the COUNTY.
4. Nothing herein shall restrict or limit the duties and obligations of the COUNTY and the County Sheriff pursuant to SDCL § 7-12-1.
5. Police service in the CITY shall be rendered under the directions of and administered by the County Sheriff pursuant to SDCL 1-24-5 (1), after careful consideration of the needs and desires of the CITY as expressed by the City Council of the CITY. A Sheriff Deputy engaged in police service and protection in the CITY under this Agreement shall be deemed a County employee.
6. It is agreed that the Sheriff Deputies assigned to the CITY will enforce all State Statutes and CITY Municipal Ordinances subject to the discretion of the Sheriff Deputy.
7. During the period of January 1, 2023 thru December 31, 2023, the CITY agrees to pay the COUNTY the sum of Thirty-One Thousand One Hundred Sixty-One Dollars (\$31,161.00), with one-fourth of said sum to be paid at the beginning of each quarter to the County Auditor, to wit: On or before January 1, April 1, July 1, and October 1.
8. All law enforcement endowments or grants from private or public agencies received for personnel as a result of this agreement will be accepted and distributed jointly and equally by the COUNTY and the CITY. All other grants or aid for equipment or other expenses will be accepted solely by the COUNTY.
9. At any time after the signing of this Agreement, the COUNTY and the CITY may by written amendment increase or decrease the amount to be paid by the CITY for police service and protection.

10. Either party hereto may cancel and terminate this Agreement at the end of any calendar year, provided notice of such intention to so terminate and cancel the Agreement shall be given not later than November 1, 2023, otherwise, it shall automatically renew for 2024 at a cost to be determined by the COUNTY.

11. As part of the police service and protection herein provided, the County Sheriff shall annually, and as soon after the end of the calendar year as practicable, furnish the CITY with a summary report of the activities of the police in the CITY, together with his comments and recommendations thereof. More frequent reports may, in the discretion of the Sheriff, be made where deemed advisable by the County Sheriff or requested by the CITY.

12. In making the scheduling and assignment of a Sheriff Deputy per paragraph 3, herein, the Sheriff shall review and consider the needs, concerns, policies and guidelines of the CITY as expressed by the City Council and Public Safety Committee of the City Council. The CITY shall review and update its needs and priorities as this Agreement continues in effect, and the Sheriff shall continue to review the CITY'S needs and priorities as they are presented to him, in order for him to adequately instruct a Deputy in the performance of the duties under this Agreement.

13. Time is of the essence of this Agreement.

IN WITNESS WHEREOF the COUNTY and the CITY have hereunto set their names and the signatures of their proper officers duly authorized by resolutions spread upon the minutes of the County Commission of MINNEHAHA COUNTY and upon the minutes of the Governing Body of the CITY OF COLTON, respectively, on the day and year first above written.

CITY OF COLTON, SD

COUNTY OF MINNEHAHA, SD

APPROVED:

APPROVED:

Mayor, City of Colton

Minnehaha County Sheriff

City Finance Officer

Cindy Heberg

Chairperson
Minnehaha County Commission

ATTEST: Ben Kyte, Auditor

Theresa A. Christensen

Deputy Auditor

CITY OF COLTON

RESOLUTION 1-2023 – SALARIES

WHEREAS, SDCL 9-13-28 requires that the governing body of every municipality shall fix and determine by ordinance or resolution, the amount of salaries and compensation of all municipal officers and the time at which the same shall be paid;

WHEREAS, it is in the best interests of the City of Colton to pay a competitive wage to attract and retain the best employees and elected officials to serve the community;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Colton that the following resolution, repealing all prior salary and wage resolutions, be passed and approved. The Mayor, Council, Planning and Zoning members shall be paid once a month and all other officers and employees shall be paid bi-weekly at the following yearly salary or hourly wage.

PROVIDED, HOWEVER, the Council may make wage increases for the following: completion of education requirements, certification tests, fulfillment of job requirements set at the date of employment and length of service to the City. The Council may also exceed set wage limits if agreed to by the City Council.

Mayor	\$ 4,800.00 annually
Council Members	\$ 1,500.00 annually
City Administrator/ Municipal Finance Officer	\$ 20.50 Hourly 40 hours + comp time + SDRS Retirement
Public Works Supt.	\$ 23.50 Hourly 40 hours + comp time + SDRS Retirement
Summer Help (mowing, etc)	\$ 13.00 hourly 1 st yr +.50 each add'l year with a maximum of \$15/hr
Pool Manager	\$ 14.00 1 st year + .50 each add'l year with a maximum of \$15/hr
Lifeguards/Concession Stand	\$ 12.00 1 st year + .50 each add'l year with a maximum of \$15/hr

Election Works	\$130.00 per day
Laborers	Minimum wage
Planning & Zoning Members	\$50 per Month

BE IT RESOLVED that the Mayor and Council hereby authorizes these salaries and wages to take effect January 9, 2023.

BE IT FURTHER RESOLVED that the Mayor and Council shall determine all foregoing salaries and wages.

The foregoing resolution was introduced by _____, who moved for its passage and adoption; _____ seconded the motion. A roll call vote was taken with ___ voting aye and ___ voting nay and motion _____.

Trevor Bunde
Mayor

ATTEST:

Seth Sando
Municipal Finance Officer

Passed & Adopted
Published

January 9, 2023

CITY OF COLTON

RESOLUTION 2-2023 – FEES AND FINES

WHEREAS, the City of Colton has determined the need to set the following fines and fees:

FEES

Dance License	\$ 25.00 per event or \$100.00 annually
Temporary Malt Beverage License	\$25.00 per event
Animal License	\$ 5.00 per animal
Sanitation Service License	\$200.00 annually
Transient Merchant, Auctioneers, Peddler, Solicitors License	\$50.00 per day per person
Circus	\$ 50.00 per day
Menageries	\$ 50.00 per day
Sideshow	\$ 25.00 per day
Carnival	\$ 50.00 per day
Swimming Pool Daily Pass	\$ 3.00 per session – under 18 \$ 5.00 per adult session – 18 older
Swimming Pool Season Pass	\$ 40.00 single pass \$ 75.00 family pass (in household only)
Swimming Pool Party	\$ 100.00 – 2 Hours (2 lifeguards required)
Tap-in Fee:	
1' water or sewer line tap (each)	\$ 250.00*
1 ½' water or sewer line tap (each)	\$ 500.00*
2' water or sewer line tap (each)	\$ 1,000.00*
3' water or sewer line tap (each)	\$ 1,500.00*
4' water or sewer line tap (each)	\$ 2,000.00*
6' water or sewer line tap (each)	\$ 4,000.00*
8' and larger TBD by city council TBD*	
Consumers outside city limits – Fees doubled**	

Rubble Site Maintenance Fee	\$ 1.00 per utility bill per month
Camping	\$ 20.00 per day includes electric/water
Zoning Fees:	
Rezone	\$ 300.00 per property nonrefundable
Variance	\$ 200.00 per request nonrefundable
Conditional Use Permit	\$ 200.00 per request nonrefundable
Stop Work Order Violation	\$ 100.00
Performing work without a Building Permit	\$100.00 for siding and re-roofing Others \$100.00 plus 25% of the permit fee
Paper & Electronic Copies	\$.50
FINES	
Animal Running At Large	\$ 50.00 for first offense each animal
Animal Disturbing the Peace	\$ 50.00 each offense
No Collar with Rabies Tags	\$ 50.00 each offense
Failure to License an Animal	\$ 50.00 each animal
Curfew Violation	\$ 100.00 each offense
Solid Waste Disposal Site Violation	\$ 200.00 each offense
Abandoned, Wrecked or Dismantled Vehicle	\$ 50.00 per day
Unauthorized Burn	\$ 100.00 each offense
Nuisances:	
Grass Mowing	\$125.00 per hour/man with one-hour minimum
Property Clean-up	\$ 125.00 per hour/man with one-hour minimum
Reconnect Fee	\$75.00 each offense
Return Check Penalty	\$ 40.00 per item returned

BE IT RESOLVED the City of Colton hereby authorizes these fees and fines to take effect January 9, 2023 and hereby designates these charges to be enforced and collected by the appropriate agency.

The foregoing resolution was introduced by _____ who moved for its passage and adoption; council member _____ seconded the motion. A roll call vote was taken with ___ members voting aye and ___ members voting nay and motion _____.

Whereupon Mayor Lehman declared the resolution passed and adopted and instructed the Municipal Finance Officer to publish this resolution in the official newspaper of the city and to comply otherwise with all applicable notice requirements of the law.

Adopted this ^h day of January, 2023.

Trevor Bunde
Mayor

ATTEST:

Seth Sando
Municipal Finance Officer

Passed and Adopted
Published

January 9, 2023

Colton Planning and Zoning Request for Variance Review

Owner: Michael Merlo

Address or Location: 309 S Glenn Ave

Legal Description: LOT 7 & S. 4' Lot 8 Block 10 COLTON CITY 2ND ADDN

Ordinance: 10.09 Fences/l.

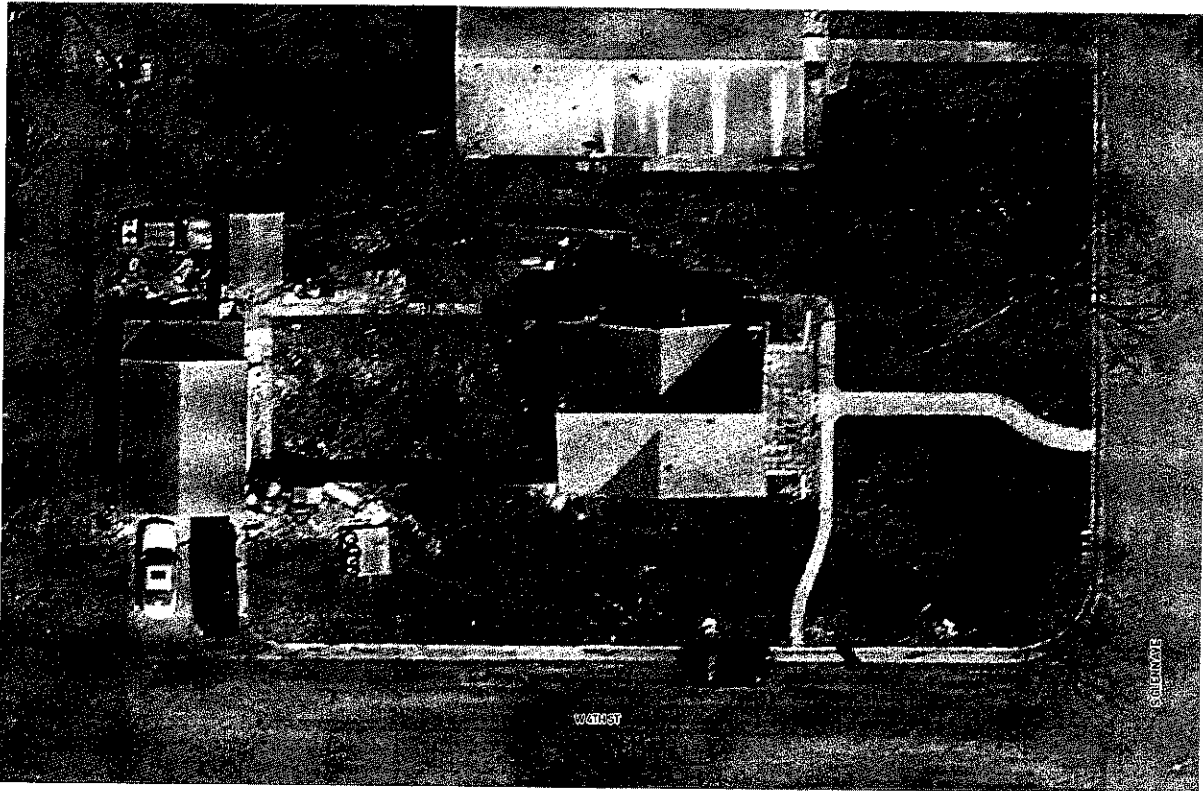
Date: 12/16/22

Reason for variance:

Mike is looking to install new fence in the back and side yards of his lot. A portion of this fence will extend North from the existing garage which is located in the alley.

Recommendation:

Planning and Zoning recommends approval as it falls in line with the existing garage which is also partially located in the alley.



- I. Public signs – Public building bulletin boards not exceeding twelve square feet in area, traffic and public signs, no trespassing or similar signs and legal notices.

10.09 Fences

Fences may be erected in required yards, provided they meet or exceed the following requirements:

- A. No barbed wire fence shall be erected or maintained.
- B. No fence shall be erected or maintained in such manner as to unreasonably obstruct the view of others or their access to light or air.
- C. For R-1, R-2 or CB District - Fences not more than six feet in height may be erected on any part of a lot other than in the required front yard. Fences not more than four feet in height may be located on any part of the lot.
- D. On double frontage and corner lots used residentially, fences not more than six feet in height may be placed in a required front yard abutting an arterial or collector street where:
 - 1. The required front yard abutting an arterial or collector street is not used as the front yard.
 - 2. The fence is set back a minimum of ten feet from the property line abutting the arterial or collector street.
 - 3. Intersection safety zones are maintained.
- E. For GB, I-1 or I-2 District - Fences not more than eight feet in height may be erected on any part of a lot other than in the required front yard except any yard adjacent to a residential use.
- F. No fence shall be erected which violates *10.02 - Visibility at Intersections*.
- G. To preserve the neighborhood character of the Residential districts, fences along the perimeter of a front yard shall be of a traditional design and shall not be more than 30 percent solid.
- H. The maximum fence height for golf courses, public swimming pools, school track and field areas, parks and ball parks shall be eight feet and for public tennis courts twelve feet on any portion of the lot. Fences associated with these uses shall not be more than thirty percent solid.
- I. Fences that are adjacent to alleys shall be set back five feet from the street/boulevard right-of-way.

SOUTH DAKOTA MUNICIPAL LEAGUE

SDML Annual Conference

Tuesday, October 3, 2023
to Friday, October 6, 2023



The annual conference gathers municipal employees and elected officials from across the state to network, learn new tips and trends, share best practices, and discover new products from exhibitors. It is typically held in October with hosting duties rotated between several locations across the state.

Registration will open in summer 2023.

Location

Best Western Ramkota Hotel & Conference Center
2111 N Lacrosse St
Rapid City, SD 57701

Room Blocks

for stays Oct. 3-6, 2023

Rapid City Ramkota	<u>605-343-8550</u>	Federal Rate 2022
The Rushmore Hotel & Suites	<u>605-348-8300</u>	\$119
Rushmore Plaza Holiday Inn	<u>605-348-4000</u>	\$129
Sleep Inn and Suites	<u>605-791-5678</u>	\$119.00
Country Inn & Suites	<u>605-394-0017</u>	\$79.00