

FORT PIERRE CITY COUNCIL  
REGULAR MEETING  
May 7, 2012

The regular meeting of the Fort Pierre City Council was called to order by Mayor Tidball at 7:30 pm. Members present for Roll Call were Bernhard, Cronin, Gabriel, Hanson, Rathbun, and Ricketts. Officials present were Cromwell, Heezen, Lawrence, and Thorson.

**Agenda.** Gabriel moved and Hanson seconded to approve the agenda. Motion passed on Voice Vote.

**Consent Calendar.** Ricketts moved and Cronin seconded to approve the following Consent Calendar items: 4/16/12 Minutes; Raffle Permits: Stanley County History Club-trip to Europe and Candi Boes-Dallas Heninger medical exp; Open Container Permit, Anthony Blake-CYI-6/2/12-Wedding Reception; Travel-Roxanne Heezen-HR/FO school-Huron-6/12-6/15. Motion passed on Voice Vote.

**Appointment of Officials/Committees.** Tidball appointed the following: Roxanne Heezen as Finance Officer; Brad Lawrence as Director of Public Works; Tieszen Law Office as Legal Counsel; Capital Journal as Official Newspaper; American State Bank as Official Depository; Finance Committee: Carl Rathbun, Todd Bernhard, Gloria Hanson, Roxanne Heezen, and Brad Lawrence; Park Committee: Larry Cronin, Kevin Gabriel, Carl Rathbun, and Brad Lawrence; Personnel Committee: Gloria Hanson, Todd Bernhard, Carl Rathbun, and Sam Tidball; Utility Committee: Kevin Gabriel, Robert Ricketts, Larry Cronin, Brad Lawrence, and Roxanne Heezen; Ambulance Committee: Larry Cronin; Transit Board, Todd Bernhard; Expo Steering Committee: Gloria Hanson; Law Enforcement: Robert Ricketts and Larry Cronin; Habitat Conservation Planning Process: Sam Tidball, Carl Rathbun, Leroy Foster, Ed Fogal, Barry Heiss, Mike Harrison, and Brad Lawrence; Fort Pierre Development Corp Representative: Carl Rathbun; BAA reappointments: Shaun Leafgreen, Marcia Knight, Stacey LaCompte (alt); P&Z reappointments: Mark Drees, Britt Williams; Teton Island Design Review Committee: Gloria Hanson, Carl Rathbun, Steve Hayes, Dennis Hanson, Dave Bonde, and Todd Bernhard. Bernhard moved and Hanson seconded to approve the appointments as appointed. Motion passed on Voice Vote.

**Council President/Vice-President.** Rathbun nominated Bernhard as Council President. Ricketts moved and Rathbun seconded to close nominations and cast a unanimous ballot for Bernhard as Council President. Motion passed on Voice Vote. Gabriel nominated Ricketts as Council Vice-President. Cronin moved and Bernhard seconded to close nominations and cast a unanimous ballot for Ricketts as Council Vice-President. Motion passed on Voice Vote.

**Property Tax Abatements.** Don Wiedemer with the Stanley County Assessors Office explained the property tax abatements that were presented to the Council and approved by the Stanley County Commission. He explained the method used in calculating the amount of the abatements – he took the change in value created by the flood damage and used that amount to prorate over the period of time that the abatement was requested. Rathbun moved and Gabriel seconded to approve the following property tax abatements: Jay Pearson \$53.48, Marty and Carrie Johnson \$365.25, and Ron & Gloria Lawrence \$153.85. Motion passed on Voice Vote.

**CCO #1, Sharpe Enterprises-Levee Removal.** Gerrick McComsey with Sharpe Enterprises indicated that the levee removal is almost complete, wrapping up in a week or so. He explained that the change order is a result of incidentals from levee removal that were not within the scope of the original contract. Bernhard moved and Rathbun seconded to approve the change order in the amount of \$110,900.09, leaving \$4000 as a retainer until the project is 100% complete. Motion passed on Voice Vote.

**WAPA Reserve Contract.** WAPA sent the City a reserve contract which affirms the resource commitment through 2021 and indicates that they will offer Fort Pierre a new long-term contract prior to the 2021 termination date. The reserve contract will assist with customer resource planning activities until the new long-term contract is executed. Bernhard moved and Hanson seconded to authorize Mayor Tidball to sign the reserve contract with WAPA. Motion passed on Voice Vote.

**Resolution 2012-08, Bond Resolution, SRF Sewer Improvements.** The following resolution was considered:

**RESOLUTION NO. 2012-08**

**RESOLUTION GIVING APPROVAL TO CERTAIN SEWER FACILITIES IMPROVEMENTS; GIVING APPROVAL TO THE ISSUANCE AND SALE OF A REVENUE BOND TO FINANCE, DIRECTLY OR INDIRECTLY, THE IMPROVEMENTS TO THE FACILITIES; APPROVING THE FORM OF THE LOAN AGREEMENT AND THE REVENUE BOND AND PLEDGING PROJECT REVENUES AND COLLATERAL TO SECURE THE PAYMENT OF THE REVENUE BOND; AND CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF FUNDS FOR OPERATION OF THE SYSTEM AND RETIREMENT OF THE REVENUE BOND AND PROVIDING FOR A SEGREGATED SPECIAL CHARGE OR SURCHARGE FOR THE PAYMENT OF THE BONDS.**

**WHEREAS**, one of the purposes of SDCL Chapter 9-40 (the “Act”) as found and determined by the Legislature is to provide for financing the acquisition, maintenance, operation, extension or improvement of any system or part of any system for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; or any system for the control of floods and drainage; or any combination thereof, together with extensions, additions, and necessary appurtenances; and,

**WHEREAS**, a municipality is authorized by Section 6 of the Act to issue revenue bonds to defray the cost of extensions, additions and improvements to any utility previously owned without pledging its credit and is authorized to pledge the net income or revenues from the improvements in accordance with Section 15 of the Act; and,

**WHEREAS**, the City of Fort Pierre (the “City”) currently operates a sewer system for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; and for the control of floods and drainage and has determined that improvements to the sewer facilities are necessary for the conduct of its governmental programs and qualifies as an improvement, extension or addition to its sewer system; and,

**WHEREAS**, the City has determined to issue its revenue bonds to finance the improvements to its sewer system for the purpose of collecting, treating and disposing of sewage and other domestic, commercial and industrial wastes (the “System”) and has applied to the South Dakota Conservancy District (the “District”) for a Clean Water State Revolving Fund Loan to finance the improvements;

**WHEREAS**, the City shall adopt special rates or surcharges for the improvements to be pledged, segregated and used for the payment of the Bonds.

**NOW THEREFORE BE IT RESOLVED** by the City as follows:

**SECTION 1. Definitions.** The terms when used in this Resolution shall have the following meanings set forth in this section unless the context clearly requires otherwise. All terms used in this Resolution which are not defined herein shall have the meanings assigned to them in the Loan Agreement unless the context clearly otherwise requires.

“**Act**” means South Dakota Codified Laws Chapter 9-40.

“**Loan**” means the Loan made by the South Dakota Conservancy District to the City pursuant to the terms of the Loan Agreement and as evidenced by the Revenue Bond.

“**Project**” means City of Fort Pierre wastewater treatment facility improvements.

“**Revenue Bond**” means the revenue bond or bonds issued the date of the Loan Agreement by the City to the South Dakota Conservancy District to evidence the City’s obligation to repay the principal of and pay interest and Administrative Expense Surcharge on the Loan.

“**System**” means the City’s system of collecting, treating and disposing of sewage and other domestic, commercial and industrial wastes.

**SECTION 2. Declaration of Necessity and Findings.**

**2.1.1. Declaration of Necessity.** The City hereby determines and declares it is necessary to construct and finance improvements to its System described as the Project.

**2.2. Findings.** The City does hereby find as follows:

**2.2.1.** The City hereby expressly finds that if the Project is not undertaken, the System will pose a health hazard to the City and its inhabitants, and will make the City unable to comply with state and federal law.

**2.2.2.** Because of the functional interdependence of the various portions of the System, the fact that the System may not lawfully operate unless it complies with State and federal laws, including SDCL Chapter 34A-2, and the federal Clean Water Act, and the nature of the improvements financed, the City hereby finds and determines that the Project will substantially benefit the entire System and all of its users within the meaning of Sections 15 and 17 of the Act.

**2.2.3.** The City hereby determines and finds that for the purposes of the Act, including, in particular, Sections 15 and 17 of the Act, only the net income from the Project financed by the Revenue Bond be pledged for its payment.

**SECTION 3. Authorization of Loan, Pledge of Revenue and Security.**

**3.1. Authorization of Loan.** The City hereby determines and declares it necessary to finance up to \$266,000 of the costs of the Project through the issuance of bonds payable from the revenue of the Project and other funds secured by the

City. The City hereby determines that because the Revenue Bond is issued in connection with a financing agreement described in SDCL 46A-1-49, pursuant to Section 15 of the Act no election is required to issue the Revenue Bond.

**3.2. Approval of Loan Agreement.** The execution and delivery of the Revenue Obligation Loan Agreement (the "Loan Agreement"), the form of which is on file with the City Finance Officer (the "Finance Officer") and open to public inspection, between the City as Borrower and the District, is hereby in all respects authorized, approved and confirmed, and the Mayor and Finance Officer are hereby authorized and directed to execute and deliver the Loan Agreement in the form and content attached hereto, with such changes as the Attorney for the City deems appropriate and approves, for and on behalf of the City. The Mayor and Finance Officer are hereby further authorized and directed to implement and perform the covenants and obligations of the City set forth in or required by the Loan Agreement. The Loan Agreement herein referred to and made a part of this Resolution is on file in the office of the Finance Officer and is available for inspection by any interested party.

**3.3. Approval of Revenue Bond.** The issuance of a revenue bond in a principal amount not to exceed \$266,000 as determined according to the Loan Agreement in the form and content set forth in Appendix B attached to the form of Loan Agreement (the "Revenue Bond") shall be and the same is, in all respects, hereby authorized, approved, and confirmed and the Mayor, Finance Officer, and other appropriate officials shall be and are hereby authorized and directed to execute and seal the Revenue Bond and deliver the Revenue Bond to the District, for and on behalf of the City, upon receipt of the purchase price, and to use the proceeds thereof in the manner set forth in the Loan Agreement. The Mayor and Finance Officer are hereby authorized to approve the final terms of the Revenue Bond and their execution and delivery thereof shall evidence that approval. The Revenue Bond shall be issued under the authority of SDCL Chapter 9-40 and SDCL Chapter 6-8B, and the provisions of the Act are hereby expressly incorporated herein as provided in Section 19 of the Act.

**3.4. Pledge of Revenues.** The Revenue Bond together with the interest thereon, shall not constitute a charge against the City's general credit or taxing power, but shall be a limited obligation of the City payable solely out of the Project Debt Service Account, which payments, revenues and receipts are hereby and in the Loan Agreement pledged and assigned for the equal and ratable payments of the Revenue Bond and shall be used for no other purpose than to pay the principal of, interest and Administrative Surcharge on the Revenue Bond, except as may be otherwise expressly authorized in the Loan Agreement (including the purpose of securing Additional Bonds issued as permitted by the terms thereof). The City covenants and agrees to charge rates for all services from the Project or establish special charges or surcharges which will be sufficient to provide for the payments upon the Revenue Bond issued hereunder as and when the same become due, and as may be necessary to provide for the operation and maintenance and repairs of the Project, and depreciation, and the Rate Resolution shall be revised from time to time so as to produce these amounts. The City hereby reserves the right to determine on a periodic basis the appropriate allocation of operation and maintenance expenses, depreciation, repair and reserves associated with the facilities financed with the Revenue Bond, provided that such determination of allocable operation and maintenance expenses shall in no event abrogate, abridge or otherwise contravene the covenant of the City set forth in this Section 3 or any other covenant or agreement in the Loan Agreement.

#### **SECTION 4. Special Charge or Surcharge for Revenue Bond.**

**4.1.** The City does hereby create the Revenue Bond Special-Surcharge District (the "District") which shall include all users which benefit from the Project. There shall be charged a special charge or surcharge pursuant to Section 15 of the Act for the services provided by Project financed by the Revenue Bond. The special charge or surcharge shall be segregated from other revenues of the System and shall be used for the payment of the Revenue Bond. The special charge or surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements and operation, sufficient to fund interest, reserve and debt service fund annual requirements and shall be 110% of the debt service requirements on the Revenue Bond.

**4.2. Rates and collection.** The rate herein specific will be collected as a special charge or surcharge for the Project. This special charge or surcharge shall remain in effect until such time as the Revenue Bond is defeased or paid in full.

**4.3. Initial Surcharge.** The initial special charge or surcharge shall be set by resolution and collected at the same time as other charges of the utility. All users within the District which benefit from the Project, current and future, shall be charged the special charge or surcharge. The special charge or surcharge is found to be equitable for the services provided by the Project. The special charge or surcharge shall begin at such time as will produce sufficient revenue to pay principal of, interest and Administrative Surcharge on the Revenue Bond when due.

**4.4. Segregation.** The Finance Officer shall set up bookkeeping accounts in accordance with South Dakota Legislative Audit guidelines for the segregation of the revenue, special charges and surcharges.

**4.5. Periodic review.** The amount of the surcharge shall be reviewed from time to time, not less than yearly, and shall be modified in order to produce such funds as are necessary and required to comply with the Loan Agreement's rate covenant and to pay principal of, interest and Administrative Surcharge on the Revenue Bond when due. The surcharge may be set by resolution in accordance with this Section. The rate resolution shall be necessary for the support of government and shall be effective upon passage.

**SECTION 5. Additional Bonds.** As permitted by Sections 8 and 9 of the Act, Additional Bonds payable from revenues and income of the System or Project may be issued, as permitted in the Loan Agreement, and no provision of this Resolution shall have the effect of restricting the issuance of, or impairing the lien of, such additional parity bonds with respect to the net revenues or income from the extensions, additions or improvements. The City shall have the right to issue additional bonds secured by a lien subordinate to the lien from the Revenue Bond pursuant to the Loan Agreement.

**SECTION 6. Project Fund Accounts.** For the purpose of application and proper allocation of the income of the Project and to secure the payment of principal, Administrative Surcharge and interest on the Revenue Bond, the following mandatory asset segregations shall be included in the sewer system account of the City and shall be used solely for the following respective purposes until payment in full of the principal of and interest on the Revenue Bond:

**6.1. Project Revenue Account.** There shall be deposited periodically into the Project Revenue Account the net revenues as defined in Section 17 of the Act derived from the operation of the Project collected pursuant to the Resolutions and resolutions of the City of Fort Pierre, South Dakota (collectively the "Rate Resolution"). Moneys from the Project Revenue Account shall be transferred periodically into separate funds and accounts as provided below.

**6.2. Project Debt Service Account.** Out of the revenues in the Project Revenue Account, there shall be set aside no later than the 25<sup>th</sup> day of each month into the account designated Project Debt Service Account, a sum sufficient to provide for the payment as the same become due of the next maturing principal of, interest and Administrative Surcharge on the Revenue Bonds and any reserve determined by the City's governing body to be necessary. The amount set aside monthly shall be not less than one-third of the total principal, interest, and Administrative Surcharge payable on the following January 15, April 15, July 15, or October 15 and if there shall be any deficiency in the amount previously set aside, then the amount of such deficiency shall be added to the current requirement.

**6.3. Depreciation Account.** There shall be established a General Depreciation Account. Out of the revenues of the Project Revenue Account there shall be set aside each month into the General Depreciation Account an amount determined by the Common Council to be a proper and adequate amount for repair and depreciation of the Project.

**6.4. Project Surplus Account.** There shall be established the Project Surplus Account. Revenues remaining in the Project Revenue Account at the end of any fiscal year after all periodic transfers have been made therefrom as above required, shall be deemed to be surplus and shall be transferred to the Project Surplus Account. If at any time there shall exist any default in making any periodic transfer to the Project Debt Service Account, the Common Council shall authorize the City Finance Officer to rectify such default so far as possible by the transfer of money from the Project Surplus Account. If any such default shall exist as to more than one account or fund at any time, then such transfer shall be made in the order such funds and accounts are listed above.

When not required to restore a current deficiency in the Project Debt Service Account, moneys in the Project Surplus Account from time to time may be used for any of the following purposes and not otherwise:

- (a) To redeem and prepay the Revenue Bond when and as such Revenue Bond becomes prepayable according to its terms;
- (b) To pay for repairs of or for the construction and installation of improvements or additions to the System; and, if the balances in the Project Debt Service Account and the Project Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made there from prior to the end of the then current fiscal year, then:
- (c) To be held as a reserve for redemption and prepayment of any bonds of the System which are not then but will later be prepayable according to their terms; or
- (d) To be used for any other authorized municipal purpose designated by the Common Council.

(e) No moneys shall at any time be transferred from the Project Surplus Account or any other account of the Fund to any other fund of the City, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvements bonds or other obligations payable from other funds, except as provided in this Section.

**SECTION 7. Approval of Paying Agent/Registrar.** The Revenue Bond shall be payable at the office of The First National Bank in Sioux Falls, Sioux Falls, South Dakota, hereby designated as paying agent and registrar.

**SECTION 8. Approval of Bond Counsel.** Meierhenry Sargent LLP is hereby retained as Bond Counsel with respect to the Revenue Bond.

**SECTION 9. Tax Matters.** The Interest on the Revenue Bond shall be excludable from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (“the Code”) and applicable Treasury Regulations (the “Regulations”).

**SECTION 10. Covenants.** The City hereby covenants and agrees with the District and other owners of the Revenue Bond as follows:

**10.1.** The City will punctually perform all duties with reference to the Project, the System and the Revenue Bond required by the constitution and laws of the State of South Dakota and by this Resolution.

**10.2.** The City agrees and covenants that it will promptly construct the improvements included in the Project.

**10.3.** The City covenants and agrees that pursuant to Sections 25 through 27 of the Act, the lawful holders of the Revenue Bond shall have a statutory mortgage lien upon the Project and the extensions, additions and improvements thereto acquired pursuant to the Act, until the payment in full of the principal and interest on the Revenue Bond, and the City agrees not to sell or otherwise dispose of the System, the Project, or any substantial part thereof, except as provided in the Loan Agreement and shall not establish, authorize or grant a franchise for the operation of any other utility supplying like products or services in competition therewith, or permit any person, firm or corporation to compete with it in the distribution of water for municipal, industrial, and domestic purposes within the City.

**10.4.** The City covenants and agrees with the District and other owners of the Revenue Bond that it will maintain the System in good condition and operate the same in an efficient manner and at a reasonable cost, so long as any portion of the Revenue Bond remains outstanding; that it will maintain insurance on the System for the benefit of the holders of the Revenue Bond in an amount which usually would be carried by private companies in a similar type of business; that it will prepare, keep and file records, statements and accounts as provided for in this Resolution and the Loan Agreement. The Revenue Bond shall refer expressly to this Resolution and the Act and shall state that it is subject to all provisions and limitations thereof pursuant to Section 19 of the Act.

**SECTION 11. Depositories.** The Finance Officer shall cause all moneys pertaining to the Funds and Accounts to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of SDCL Ch. 4-6A, in a deposit account or accounts, which shall be maintained separate and apart from all other accounts of the City, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No money shall at any time be withdrawn from such deposit accounts except for the purposes of the Funds and Accounts as authorized in this Resolution; except that moneys from time to time on hand in the Funds and Accounts may at any time, in the discretion of the City’s governing body, be invested in securities permitted by the provisions of SDCL 4-5-6; provided, however, that the Depreciation Fund may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the Fund or Account from whose moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys therein.

**SECTION 12. Consent to Appointment.** In the event of mismanagement of the Project, a default in the payment of the principal or interest of the Revenue Bond, or in any other condition thereof materially affecting the lawful holder of the Revenue Bond, or if the revenues of the Project are dissipated, wasted or diverted from their proper application as set forth in the Loan Agreement, Revenue Bond, or herein, the City hereby consents to the appointment of a receiver pursuant to Section 33 of the Act, and agrees that the receiver will have the powers set forth therein, and in Sections 34 and 35 of the Act to operate and administer the Project, and charge and collect rates as described therein.

**SECTION 13. Severability.** If any section, paragraph, clause or provision of this Resolution, the Loan Agreement, the Revenue Bond, or any other Loan Document shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution or said Loan Agreement, Revenue Bond, or any other Loan Document.

**SECTION 14. Repeal of Resolution.** At such time as the Revenue Bond are defeased or paid in full, this Resolution and the special charge or surcharge shall automatically be repealed without any further action of the City.

**SECTION 15. Authorization of City Officials.** The Mayor, Finance Officer, City Attorney and City officials shall be and they are hereby authorized to execute and deliver for and on behalf of the City any and all other certificates, documents or other papers and to perform such other acts as they may deem necessary or appropriate in order to implement and carry out the actions authorized herein.

**SECTION 16. Effective Date.** This Resolution shall take effect on the 20<sup>th</sup> day following its publication, unless suspended by a referendum.

Ricketts moved and Gabriel seconded to approve Resolution 2012-08. Motion passed on Voice Vote, with Bernhard abstaining.

**FEMA Appeal Denial.** Council discussed the appeal process and the need to get legal representation in Washington, D.C. who can be in contact with FEMA representatives and Congressional Delegation. Mayor Tidball will work through Tieszen Law Office to obtain the services of a firm to represent us.

**Summer Employment.** Rathbun moved and Cronin seconded to approve Joyce Larsen-\$10.00-Museum Attendant; Pat Sutton-\$9.00-Museum Attendant; Robin Davis-\$8.00-Park Laborer; Carly Harrowa-\$7.50-Lifeguard; Wayde Wiczorek-\$7.50-Lifeguard. Motion passed on Voice Vote.

**Claims.** The following claims were submitted:

AT&T Mobility	189.60	Morris	108.85
Baldwin Supply Company	288.50	Morris	78.69
BLACK HILLS CHEMICAL & JANITORIAL	437.14	Morris	6.39
Border States Electric Supply	38.10	Northwest Pipe Fittings	927.43
Border States Electric Supply	843.58	Northwest Pipe Fittings	173.28
Butler Machinery Company	273.00	Pete Lien & Sons	58.50
Butler Machinery Company	167.00	Pierre Area Convention & Visitors Bureau	20.00
Butler Machinery Company	167.00	Pizza Ranch	16.99
Central Caissons	660.00	Recreonics	543.65
Central Caissons	300.00	Running's Supply	180.33
Century Business Products	145.45	Running's Supply	101.53
CenturyLink	192.75	Running's Supply	73.52
Chandler	24.00	Running's Supply	18.56
Christy Lumber	40.00	Running's Supply	21.91
Community Youth Involved	2,500.00	Running's Supply	62.94
Dakota Pump & Control Co.	7,498.50	Running's Supply	37.87
Dakota Supply Company	881.88	Running's Supply	39.33
Don's Sinclair	16,798.00	Running's Supply	70.09
Eddie's Truck Sales	41.68	Running's Supply	37.06
Fort Pierre Fire Department	11,000.00	Running's Supply	72.34
GlaxoSmithKline Financial	389.98	Running's Supply	30.84
Graham Tire Pierre		Running's Supply	

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	48.20		16.56
Grand Rental Station	28.70	S.D. Department of Revenue	39.00
Grossenburg Implement	85.91	S.D. Municipal Electric Association	1,725.00
Grossenburg Implement	272.33	SafeChecks	385.10
Hawkins Water Treatment	1,260.00	Sheehan Mack Sales and Equipment	3,500.00
Hogen's Hardware Hank	3.99	Stanley County	1,000.00
Klein's Office Plus	11.28	Stanley County	246.96
Klein's Office Plus	20.65	Stuart C Irby Co	89.06
Klein's Office Plus	20.57	Tieszen Law Office	2,075.43
Klein's Office Plus	(4.99)	Tieszen Law Office	468.75
Larry Cronin	25.54	Tim & Juanita Hughes	600.00
Louis Young	89.79	Tim & Juanita Hughes	150.00
MicroFix	17.50	Titan Machinery	110.26
Monick Pipe & Supply	259.80	WESCO	2,152.00
Monick Pipe & Supply	167.09	West Central Electric Co-op	230.87
Monick Pipe & Supply	1,092.05	West Central Electric Co-op	251.07
Monick Pipe & Supply	115.69	Western Communication	100.00
Monick Pipe & Supply	161.00	WW Tire Service	250.00
Monick Pipe & Supply	225.12	Youngberg's & Sons	87.00
Monick Pipe & Supply	48.69	Youngberg's & Sons	299.00
Monick Pipe & Supply	11.12	Zander Auto Parts	473.78
Monick Pipe & Supply	54.67	Zander Auto Parts	52.22
Morris	182.90	Zander Auto Parts	543.38
Morris	354.75	Zee Medical	139.90
Morris	11.15	Zep Manufacturing Company	170.97
Morris	151.26	TOTAL	65,427.33

Ricketts moved and Hanson seconded to pay the claims as submitted. Motion passed on Voice Vote, with Cronin abstaining.

**Reports.** 1.) Heezen indicated that the auditor started today. 2.) Heezen reported on all the outstanding loans for the City and the related constitutional debt limit. 3.) Heezen distributed March cash balances. 4.) Heezen indicated that we will need to apply for an extension of the May 13 deadline to allow for more time to get all Cat A & Cat B work completed so the closeout process can begin. 5.) Lawrence reported on the need to create a campground ordinance because we currently do not address them in our ordinances. 6.) Lawrence indicated that the fish cleaning station is in need of an upgrade due to the age of the current one and the corresponding repairs that we have done and continue to do. We may be able to get some assistance from the state with the upgrade. 7.) Lawrence indicated that he is working with a representative from the state office of emergency management to get the damage on the streets submitted as additional damage/change of scope. 8.) Lawrence indicated that he is getting several calls from residents on the river front regarding the lay of the land after levee removal. 9.) Lawrence reported that the needed upgrades to the Civil Defense sirens will cost more than we initially thought due to the fact that our sirens are not digital so they are not compatible with the switchboard at dispatch in Pierre, creating a minute or 2 delay in the alerts. 10.) Tidball reported that Todd Christopherson approached him about having a community garden on his vacant lots. Tidball confirmed with Council that they don't have any issues with this as long as he doesn't charge residents for the use of the lot space. We will need to decide exactly how the water will be provided and billed.

**Executive Session.** Paul moved and Bernhard seconded to approve entering Executive Session at 8:55 p.m. for the purpose of discussing legal & personnel matters in accordance to SDCL 1-25-2(1) and (3). Motion passed on Voice Vote. Tidball declared an end to the Executive Session at 9:25 p.m.

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**Personnel.** Rathbun moved and Cronin seconded to approve the following pay increases: Shannon Stewart \$2.00/hr, Louis Young \$1.00/hr, Anderson \$1.00/hr immediately with another \$1.00/hr upon completion of his CDL, and a one-time \$2000 payment to Roxanne Heezen, Brad Lawrence, and Vernon Thorson. Motion passed on Voice Vote.

**Adjournment.** With no further business, Tidball declared the meeting adjourned at 9:25 p.m.

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Sam Tidball, Mayor

ATTEST:  
(SEAL)

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Roxanne Heezen, Finance Officer