

TIMBER LAKE CITY BOARD  
REGULAR MEETING  
APRIL 10, 2024  
6:00 PM  
CITY FINANCE OFFICE

- 1) Board President Tom Hermes called the meeting to order at 6:00 PM.
  - Board Present: Tom Hermes, Jess Schlosser (by teleconference), Michael LaCompte (by telephone), and Brent Biegler
  - Board Absent: Sandy Koenig
  - Employees Present: Karla Nordyke, Jerimiah Garon, and Roger Hieb
  - Guests/Others Present: Kathy Nelson, Barb Gross, Joe Scherer, Tanner Kraft, and Kyle Nilson
- 2) Declaration of Conflict of Interest  
None of the Trustees self-disclosed a conflict of interest on any agenda item. No conflict of interest was identified by the Board.
- 3) Approval of Agenda:  
Schlosser motioned to approve the agenda with no changes. Hermes seconded. Motion carried.
- 4) Public Forum and Visitors: None
- 5) Approval of Last Meeting Minutes:  
Schlosser motioned to approve the minutes of March 6, 2024 with no corrections. LaCompte seconded. Motion carried.
- 6) Financial Report:
  - A) Reconciliation Report – Checking Account  
The Board reviewed and discussed the reconciliation summary, detail, and bank statement for the City’s checking account for the month of March.
  - B) Reconciliation Report – Savings Account  
The Board reviewed and discussed the reconciliation summary, detail, and bank statement for the City’s savings account for the first quarter months of January, February, and March.
  - C) Cash Flow Report

The Board reviewed and discussed the monthly financial report. Schlosser motioned to approve the March Cash Flow Report. LaCompte seconded. Motion carried.

|  | ENTERPRISE FUNDS |            |            |              |
|--|------------------|------------|------------|--------------|
|  | GENERAL FUND     | WATER FUND | SEWER FUND | TOTAL        |
| <b>Beginning Balance (Checking Account)</b><br>(as of 03/01/2024)  | 749,097.33       | 224,871.02 | 126,862.87 | 1,100,831.22 |
| <b>Total Receipts (Income)</b>                                     | 44,940.58        | 12,305.36  | 97,586.15  | 154,832.09   |
| <b>Total Expenditures</b>  | 70,636.05        | 103,539.64 | 50,686.08  | 224,861.77   |
| <b>Ending Balance (Checking Account)</b><br>(as of 03/31/2024)     | 723,401.86       | 133,636.74 | 173,762.94 | 1,030,801.54 |
| <b>Savings Account Balance</b><br>(as of 03/31/2024)               | 57,786.50        |            |            | 57,786.50    |
| <b>Cash Value of Certificate of Deposits</b><br>(as of 03/31/2024) | 28,000.00        |            |            | 28,000.00    |
| <b>Petty Cash</b><br>(as of 03/31/2024)                            | 150.00           |            |            | 150.00       |
| <b>TOTAL FUND BALANCES</b><br>(as of 03/31/2024)                   | 809,338.36       | 133,636.74 | 173,762.94 | 1,116,738.04 |



**Daily Ledger Balance (Bank) -- Checking Account**  
(as of 03/31/2024) 1,024,460.21

D) Quarterly Reports (First Quarter 2024)  
Tabled to the next regularly scheduled meeting.

7) Accounts/Claims Payable:  
Schlosser motioned to approve the claims presented for payment totaling \$35,016.53 and \$14,840.85 payroll expenses. LaCompte seconded. Motion carried. See Attachment 1.

8) OLD BUSINESS

A) Ordinance: Revision of Sales Tax Code Set 8.0102

Pending legal review by city attorney and SD State Attorney General's office. No discussion.

B) CRST Central Office Hut – Location Agreement (CRST Telephone Authority)

The Board reviewed and discussed the revised lease agreement between the City and the Cheyenne River Sioux Tribe Telephone Authority (CRST-TA). The CRST-TA agreed with the City's edits as discussed at the last meeting. Schlosser motioned to approve the lease agreement on its terms of \$100 per month, or \$1,200 per year, for ten (10)-years. Biegler seconded. Motion carried. The Central Office Hut is necessary to support the delivery of fiber-optic broadband services in the 865-telephone exchange.

C) Right-of-Way Easement (Timber Lake and Area Development Corporation, Joe Scherer)

Joe Scherer, representing the Timber Lake and Area Development Corporation (TLADC), presented to explain their plan to construct a concrete driveway, on Block 32 Lots 7-8, and their need to utilize ten to fifteen (10-15) feet of right-of-way for said purpose. Much discussion occurred. It was agreed an agreement and an easement would protect both the City and the TLADC. The Board directed Nordyke to draft said documents with consultation from the city attorney. Further discussion on the matter is referred to the next regularly scheduled meeting.

9) NEW BUSINESS

A) Ambulance Services

Hermes provided a brief summary of the community meeting recently held to discuss the current situation and need for ambulance services. Much discussion occurred as related to what the City can do to support the ambulance service. The Board directed Nordyke to prepare a report detailing what the City already provides in support; such as space for the ambulance shed, utilities, back up generator power, and meeting room usage. It was agreed that Hermes and Biegler will schedule a meeting with the Dewey County Commissioners to discuss additional budgeted financial support; including but not limited to the hiring of full-time paramedic(s) and/or emergency medical technician(s). It was also agreed the City will actively support efforts to increase volunteers and training.

B) Spring Clean-Up (Timber Lake and Area Development Corporation, Barb Gross)

Barb Gross, representing the Timber Lake and Area Development Corporation (TLADC), presented to discuss the need for a spring clean-up day. She complimented the City for the landfill improvements, as well. Barb is organizing the event and requested the City's support for manpower, equipment, and landfill access. Discussion occurred. Schlosser motioned to support the TLADC Spring Clean-Up Event and to rent a roll-off dumpster

for the event. Biegler seconded. Motion carried. Barb will announce the date at a later time.

C) Right-of-Way Permit Application (Cheyenne River Sioux Tribe Telephone Authority)

The Board reviewed and discussed an Application for Occupancy on the Right of Way of City Streets, submitted by the Cheyenne River Sioux Tribe Telephone Authority (CRST-TA). They are looking for approval for work within the City right-of-way as necessary to bury and/or bore fiber-optic cable. A large section involves H Street from the highway to the south edge of City limits. Much discussion occurred. Nordyke shared email communication between herself and the city attorney. Penfield advises the permit application and a formal right-of-way easement is needed to protect both the City and the CRST-TA. It was also agreed the City needs to determine and resolve ownership concerns: 1) the exact city limit boundary along H Street and 2) what entity owns H Street, which is also known as County Road 5. The Board directed Nordyke to investigate these matters and to draft an easement document in consultation with CRST-TA and the city attorney. Further discussion is referred to the next regularly scheduled Board meeting.

D) Personnel Matters – Executive Session

- i) Trustee Matter: Pursuant to SDCL 1-25-2-1, at 6:46 PM, Biegler motioned the Board enter executive session to discuss a matter involving a public official. Hermes seconded. Motion carried. At 6:59 PM, Board President Hermes returned the Board to open session. Action taken in open session: Biegler motioned to accept Sandy Koenig's resignation from the City Board of Trustees. Schlosser seconded. Motion carried.
- ii) Employee Matter: Pursuant to SDCL 1-25-2-1, at 7:00 PM, Schlosser motioned the Board enter executive session to discuss a matter involving an employee. Hermes seconded. Motion carried. At 7:35 PM, Board President Hermes returned the Board to open session. Action taken in open session: None.

E) Wage Increase and Commitment Agreement

- i) Maintenance Manager (Jerimiah Garon): The Board reviewed and further discussed the need for a wage increase and employment commitment agreement between the City and Jerimiah Garon. The City is involved in infrastructure improvement projects (water and wastewater). The City wishes to ensure that Garon continues his employment with the City as its Maintenance Manager to oversee the completion of these projects. Garon commits to the position for a term of not less than five (5) years. The City commits to compensate Garon an additional \$5.00 per hour, effective March 20, 2024. The City also commits to continue a good faith consideration of annual wage increases as is normal business practice. Discussion

occurred. Schlosser motioned to approve the wage increase and commitment agreement. Biegler seconded. Motion carried.

- ii) Finance Officer (Karla Nordyke): The Board reviewed and further discussed the need for a wage increase and employment commitment agreement between the City and Karla Nordyke. The City is involved in infrastructure improvement projects (water and wastewater). The City wishes to ensure that Nordyke continues her employment with the City as its Financial Officer to oversee the completion of these projects. Nordyke commits to the position for a term of not less than two (2) years. Nordyke also commits to coordinating an exit plan with the Board as related to a retirement date not yet determined. She also commits to being available to the City post-retirement to assist however needed; compensation to be determined. The City commits to compensate Nordyke an additional \$5.00 per hour, effective March 20, 2024. The City also commits to continue a good faith consideration of annual wage increases as is normal business practice. The City commits to support an exit plan by giving good faith effort to hiring a deputy finance officer at least six (6)-month in advance of Nordyke's planned retirement date to provide training and a successful succession. Discussion occurred. Schlosser motioned to approve the wage increase and commitment agreement. Biegler seconded. Motion carried.

F) 2024 Election: Canvass

The Board reviewed the Official Canvass and discussed the 2024 election. It is noted Timber Lake had a total of 34 votes casted (approximately a 7% turn-out). Biegler motioned to approve the Official Canvass. Schlosser seconded. Motion carried. Pursuant to SDCL 9-13-14, the Board of Trustees, appointed as the Board of Canvassers, because of their positions on the governing board, certified the Official Election Canvass.

1) Department Reports:

A) Law Enforcement Activity Report (Sheriff Arpan):

Kyle Nilson, Deputy Dewey County Sheriff, presented the monthly Dewey County Sheriff's Office report. The Board reviewed the report and discussion occurred. The Sheriff's Office reports the following services provided to Timber Lake: total records of 30; total time of 116 hours.

B) Custodial (Char Boysen)

Not present. No discussion.

C) Maintenance (Jerimiah Garon)

- i) Streets: Jerimiah reported he and Roger have been blading and cleaning up the streets as schedule and weather conditions allow. Jerimiah presented three (3) quotes from Jensen Rock and Sand to maintain Main Street, the streets around the school, and the side streets off Main that have pavement: a) Quote #Q324-24 to

chip seal (\$90,240); b) Quote #Q324-24-ASP (\$68,318.24) to asphalt patch; and c) Quote #Q324-24-1<sup>st</sup> ST (\$10,171.74) to asphalt patch and chip seal 1<sup>st</sup> Street. Much discussion occurred as related to how infrastructure project(s) will impact sections of Main Street, maintenance options, and budget authority. It was agreed Main Street is in need of repair but it is prudent to wait until after infrastructure project(s) are completed. It was agreed next year's budget plan needs to include an appropriation for Main Street maintenance; estimated at \$200,000. It was also agreed that laying gravel is an immediate need. Biegler motioned to purchase 300-ton of gravel at an estimated cost of \$24 per ton. LaCompte seconded. Motion carried. The Board directed Garon to order 300-ton of gravel from Jensen Rock and Sand and to lay it all on prioritized streets.

- ii) Water: Jerimiah reported the water system is functioning well. He flushed hydrants and had good results. He reported he is trying to get Greg's Drilling scheduled to clean Well #5. Jerimiah also presented the 2023 Annual Drinking Water Report, drafted by the SD Department of Agriculture and Natural Resources (SD-DANR). The Board reviewed the Report and agreed to its findings. SD-DANR determines that the relative susceptibility rating for the Timber Lake public water supply system is medium. Jerimiah will complete and return the 2023 Annual Drinking Water Report Certification of Distribution. This Report is available to any interested person(s) from the City Finance Office, from the City's web site or from the SD-DANR website.
  - iii) Sewer: Jerimiah reported the sewer system is functioning well. The lagoon has turned-over and is fully melted.
  - iv) Landfill: Jerimiah reported the landfill is functioning well and is being maintained.
  - v) Park: Jerimiah reported the Park is in good condition and he will need to order wood chips in the near future.
  - vi) Quarterly Maintenance Reports (First Quarter): Tabled to the next regularly scheduled meeting.
  - vii) Other Matter(s): None
- D) Finance (Karla Nordyke)
- Karla discussed the following matters with the Board.
- i) Personnel Policy/Employee Handbook Update (Discussion): Karla reported the handbook revision is pending the city attorney's review. Matter is referred to the next regularly scheduled meeting.
  - ii) Project(s) Funding and Next Steps – Update: Karla reported we have not yet received confirmation from either SD-DANR or GOED indicating the plans and specifications have been reviewed and accepted. Once confirmation is received then we will have approval to advertise for bids. Karla also reported Roger Lawien took pictures of the water tower and she is researching prior-year minutes for

historical documentation regarding the water tower. Historical information is needed to complete the memorandum of understanding (MOU) agreement to comply with the Historical Preservation Act. Once the MOU is fully executed and public comments are heard locally and by the SD-DANR, then we can close the loan for SD-DANR loan funds allocated.

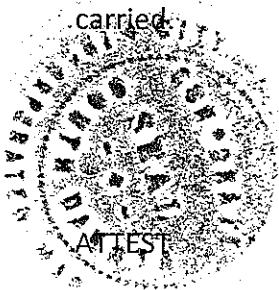
- i) Delinquent Accounts – Update and Action(s): Karla reported the following information regarding customer accounts.
  - (1) Late Payment Charges & Disconnect Warnings (31-60 days past due) – 4 accounts were assessed a \$10 late payment charge and 7 accounts were assessed a \$10.00 late payment charge with disconnection warning.
  - (2) Disconnections – 7 service disconnections are scheduled if not paid by deadline.
  - (3) Due Process Notice(s) – 0 customers received a first notice. 1 customer received a second notice. 4 customers received a final notice.
  - (4) Court Collection Process – 2 customers are delinquent sufficient to begin small claims court proceedings. Discussion occurred about each account. No action to be taken.
  - (5) Financial Arrangements – 2 accounts have an approved financial arrangement and both are compliant.
  - (6) Legal Action Status – 2 accounts remain referred to CRST Small Claims Court and 1 account remains referred to CRST Civil Claims Court. No change.
  - (7) Delinquent Account Status (61+ days past due) -- Overall, the delinquent account balance total shows a decrease (improvement) from last month (\$485.87).
- ii) Uncollectable Debt and Board Write-Off – None

2) Schedule Next Meeting:

The next regularly scheduled meeting is set for Wednesday, May 8, 2024 at 6:00 PM in the City Finance Office.

3) Adjourn:

At 8:30 PM, Schlosser motioned the meeting be adjourned. Biegler seconded. Motion carried.



APPROVED: Tom Hermes  
Tom Hermes, Board President

Karla Nordyke  
Karla Nordyke, City Finance Officer

Recorded: April 12, 2024

Published: April 18, 2024

Published at an approximate cost of \_\_\_\_\_

CITY OF TIMBER LAKE

ACCOUNTS/CLAIMS PAYABLE: MARCH 2024

APPROVED: APRIL 10, 2024

**GENERAL GOVERNMENT**

|  |                  |                                      |  |
|--|------------------|--------------------------------------|--|
| SD Dept of Revenue                     | 262.63           | Already Paid: 03/15/24; EFT          | Sales Tax Liability (February)                                       |
| SD Retirement System                   | 583.62           | Already Paid: 03/25/24; Check #32550 | Employee Benefits: Retirement (Payroll Liabilities & Employer Match) |
| US Treasury (Internal Revenue Service) | 1,392.47         | Already Paid: 03/25/24; EFT          | Payroll Liabilities & Employer Payroll Taxes (March)                 |
| VISA                                   | 223.31           | Already Paid: 03/22/24; Check #32551 | Office Supplies: Microsoft & Adobe & Web Domain & Registration       |
| A&B Business Solutions                 | 93.38            |                                      | Printer Maintenance (March)  |
| American Solutions for Business        | 233.20           |                                      | Office Supplies  |
| Ann Crance                             | 250.00           |                                      | Election Board Deputy & Poll Worker Training                         |
| Biegler Equipment                      | 92.79            |                                      | General Supplies (Community Center)                                  |
| Century Link                           | 232.45           |                                      | Telephone & Fax Lines  |
| CRST Telephone Authority               | 146.90           |                                      | Internet   |
| Dewey County Treasurer                 | 5,000.00         |                                      | Law Enforcement Services (April)                                     |
| ELO Prof.                              | 341.00           |                                      | Cloud Fees (February & March); Technical Assistance                  |
| FP Mailing Solutions                   | 40.00            |                                      | Shipping Fees (Return Old Equipment)                                 |
| G&O Paper and Supplies                 | 389.70           |                                      | Paper & Cleaning Supplies (Community Center & Library)               |
| Health Pool of SD                      | 882.34           |                                      | Employee Benefits: Health & Life Insurance                           |
| House of Glass                         | 23.75            |                                      | Library: Building Maintenance (Duplicate Keys)                       |
| Janet Gill                             | 250.00           |                                      | Election Board Deputy & Poll Worker Training                         |
| Jean Tehle                             | 300.00           |                                      | Election Board Superintendent & Poll Worker Training                 |
| Kacey Long                             | 25.00            |                                      | Election Board Deputy (Back-Up) & Poll Worker Training               |
| Karla Nordyke                          | 40.80            |                                      | Mileage Reimbursement: SDML District 7 Meeting (Mobridge)            |
| Karla Nordyke                          | 90.00            |                                      | Cell Phone Reimbursement   |
| McLeod's Printing & Office Supply      | 116.78           |                                      | Election Supplies  |
| Menards -- Rapid City                  | 79.99            |                                      | Shelving: Document Storage   |
| Mid-American Research Chemical         | 193.73           |                                      | Cleaning Supplies  |
| Moreau Grand Electric Coop.            | 644.50           |                                      | Electricity: Community Center, Fire Hall                             |
| Penfield Law Firm                      | 340.00           |                                      | Legal Services (March)   |
| Servall Uniform & Linen Supply         | 1,912.43         |                                      | Mats & Mops & Linens   |
| Timber Lake Topic                      | 933.88           |                                      | Publishing (March): Notice, Minutes, Election & Receipt Books        |
|  | <u>15,114.65</u> |                                      |  |

**STREETS/PARK/LANDFILL/SANITATION**

|  |                  |                                      |  |
|--|------------------|--------------------------------------|--|
| SD Retirement System                   | 217.90           | Already Paid: 03/25/24; Check #32550 | Employee Benefits: Retirement (Payroll Liabilities & Employer Match) 40% |
| US Treasury (Internal Revenue Service) | 389.04           | Already Paid: 03/25/24; EFT          | Payroll Liabilities & Employer Payroll Taxes (March) 40%                 |
| AT&T Mobility                          | 38.20            |                                      | iPad Connectivity (40%)  |
| Automotive, Inc.                       | 229.65           |                                      | Equipment Maintenance: Skid-Steer  |
| Biegler Equipment                      | 609.08           |                                      | Supplies, Equipment Maintenance; Tools                                   |
| Biegler's Timber Lake Service          | 83.56            |                                      | Fuel (February)  |
| Dakota Fluid Power                     | 723.53           |                                      | Equipment Maintenance: Cylinder Repair                                   |
| G&O Paper and Supplies                 | 38.50            |                                      | Paper & Cleaning Supplies (City Shop)                                    |
| Health Pool of SD                      | 353.78           |                                      | Employee Benefits: Health & Life Insurance 40%                           |
| Heartland Waste Management             | 4,500.00         |                                      | Garbage Collection (March)   |
| Herman's Service                       | 268.12           |                                      | Fuel (February & March)  |
| Jeremiah Garon                         | 36.00            |                                      | Cell Phone Reimbursement (1st Quarter 2024)                              |
| Mobridge Gas                           | 651.90           |                                      | Propane: City Shop   |
| Moreau Grand Electric Coop.            | 1,507.06         |                                      | Electricity: Airport, City Shop, Street Lights, Camper Site              |
| Pomp's Tire Services                   | 800.00           |                                      | Equipment Maintenance: Payloader Tires                                   |
| Roger Hieb                             | 36.00            |                                      | Cell Phone Reimbursement (1st Quarter 2024)                              |
| Western Dakota Bank                    | 1,605.35         |                                      | Loan Payment: #40/60 (Blade): Principal (1,496.15) & Interest (109.20)   |
|  | <u>12,087.67</u> |                                      |  |



**WATER/SEWER**

|  |                         |                                      |  |
|--|-------------------------|--------------------------------------|--|
| VISA                                   | 110.41                  | Already Paid: 03/22/24; Check #32551 | Well-House Maintenance   |
| SD Retirement System                   | 326.86                  | Already Paid: 03/25/24; Check #32550 | Employee Benefits: Retirement (Payroll Liabilities & Employer Match) 60% |
| US Treasury (Internal Revenue Service) | 583.56                  | Already Paid: 03/25/24; EFT          | Payroll Liabilities & Employer Payroll Taxes (March) 60%                 |
| AT&T Mobility                          | 57.30                   |                                      | IPad Connectivity (60%)  |
| Biegler Equipment                      | 77.25                   |                                      | Equipment Maintenance: Portable Generator & Trash Pump                   |
| Biegler's Timber Lake Service          | 125.35                  |                                      | Fuel (January)   |
| Country Market                         | 80.95                   |                                      | Lift-Station Maintenance   |
| Dakota Pump & Control                  | 388.00                  |                                      | Well-House Maintenance: VFD Keypad                                       |
| Health Pool of SD                      | 530.66                  |                                      | Employee Benefits: Health & Life Insurance 60%                           |
| Herman's Service                       | 94.37                   |                                      | Fuel (February & March)  |
| Jeremiah Garon                         | 54.00                   |                                      | Cell Phone Reimbursement (1st Quarter 2024)                              |
| Moreau Grand Electric Coop.            | 1,066.50                |                                      | Electricity: Well Houses & Lift Stations                                 |
| Mueller Company                        | 3,770.00                |                                      | Sentryx System: Backhaul & Hosting Fees                                  |
| ND Dept of Health                      | 50.00                   |                                      | Water Analysis   |
| Roger Hieb                             | 54.00                   |                                      | Cell Phone Reimbursement (1st Quarter 2024)                              |
| SD Association of Rural Water Systems  | 445.00                  |                                      | Annual Dues  |
|  | <u>7,814.21</u>         |                                      |  |
|  | <u><u>35,016.53</u></u> |                                      |  |

Grand Total

