

TIMBER LAKE CITY BOARD
REGULAR MEETING
NOVEMBER 7, 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, Michael LaCompte (by telephone), Tanner Kraft, and Brent Biegler
 - Board Absent: Jess Schlosser
 - Employees Present: Karla Nordyke and Jerimiah Garon
 - Guests/Others Present: Kathy Nelson, Kyle Nilson, Ashley Arpan, and Rod Enright

- 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:
Kraft motioned to add one (1) new matter to New Business: H) Timber Lake and Area Historical Society Funding Request for Tourism (Kathy Nelson). Hermes seconded. Motion carried. LaCompte motioned to approve the agenda as changed. Hermes seconded. Motion carried.

- 4) Public Forum and Visitors: None

- 5) Approval of Last Meeting Minutes:
Kraft motioned to approve the regular meeting minutes of October 7, 2024 and the special meeting minutes of October 28, 2024 and November 1, 2024, each 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 October.
 - B) Cash Flow Report
The Board reviewed and discussed the monthly financial report. LaCompte motioned to approve the October Cash Flow Report. Kraft seconded. Motion carried.

	GENERAL FUND	ENTERPRISE FUNDS WATER FUND	SEWER FUND	TOTAL
Beginning Balance (Checking Account) (as of 10/01/2024)	850,947.22	131,460.76	304,509.53	1,286,917.51
Total Receipts (Income)	42,003.33	13,489.74	16,861.81	72,354.88
Total Expenditures	52,264.69	26,607.47	3,856.75	82,728.91
Ending Balance (Checking Account) (as of 10/31/2024)	840,685.86	118,343.03	317,514.59	1,276,543.48
Savings Account Balance (as of 10/31/2024)	58,006.37			58,006.37
Cash Value of Certificate of Deposits (as of 10/31/2024)	28,000.00			28,000.00
Petty Cash (as of 10/31/2024)	150.00			150.00
TOTAL FUND BALANCES (as of 10/31/2024)	926,842.23	118,343.03	317,514.59	1,362,699.85

Daily Ledger Balance (Bank) -- Checking Account
(as of 10/31/2024) 1,276,907.47

- 7) Accounts/Claims Payable:
Kraft motioned to approve the claims presented for payment totaling \$46,179.05 and \$25,119.30 payroll expenses. Biegler seconded. Motion carried. See Attachment 1.
- 8) OLD BUSINESS – None
- 9) NEW BUSINESS
 - A) Approve Contract – Water System Improvement Project

The Board reviewed and discussed Trent Baumeister's, IMEG Engineering, recommendation to award the contract to Crow River Construction in the amount of \$3,821,302.80 for the Base Bid and Alternate Bid B. The Board also agreed with Baumeister's recommendation to acquire additional funding in the event change orders cause the project cost to increase further. Biegler motioned to approve the Crow River Construction contract for the Base Bid and Alternate Bid B. Kraft seconded. Motion carried. Kraft motioned to authorize Hermes to sign the contract upon receipt and after it is reviewed by the city attorney. Biegler seconded. Motion carried.

B) Approve Contract – Elevated Water Tower Project

The Board reviewed and discussed Trent Baumeister's, IMEG Engineering, recommendation to not award the contract to Maguire Iron, Inc. After review of the budget for this project it is determined that there is insufficient funding for this project. The Board also agreed with Baumeister's recommendation to pursue funding for the project before readvertising at a later date. Biegler motioned to not award (reject) the Maguire Iron bid because of insufficient funding. Kraft seconded. Motion carried.

C) Approve Contract – Sanitary Sewer Improvement Project

The Board reviewed and discussed Trent Baumeister's, IMEG Engineering, recommendation to award the contract to i) Municipal Pipe Tool in the amount of \$384,068.11 for the Base Bid; and ii) Dahme Construction in the amount of \$2,072,706.90 for Alternate Bid A and Alternate Bid B. Biegler motioned to approve the contract with Municipal Pipe Tool for the Base Bid and Dahme Construction for the Alternate Bid A and Alternate Bid B. Kraft seconded. Motion carried. Kraft motioned to authorize Hermes to sign the contracts upon receipt and after they are reviewed by the city attorney. Biegler seconded. Motion carried.

D) Resolution #2024-11-01: 2025 Service Rates and Charges

The Board reviewed and discussed the 2025 rates and charges for services as presented by Nordyke and as previously discussed. Further discussion occurred. Hermes motioned to adopt an annual peddler's permit rate of \$100. Biegler seconded. Motion carried. Biegler motioned to approve Resolution #2024-11-01: 2025 Rates and Charges. Kraft seconded. Motion carried.

E) 2025 Liquor License and Municipal Operating Agreement Renewals

i) Biegler's Timber Lake Service -- PL-4716 and RL-5261 (Jackie Biegler): The Board reviewed the Biegler's Timber Lake Service's 2025 liquor license renewal applications signed by Jackie Biegler, Manager; the 2025 municipal operating agreements also signed by Jackie Biegler; and the status of the establishment's accounts with the City. Kraft motioned to approve the 2025 Uniform Alcoholic Beverage license Application (Reissuance) for the City's Retail (On-Sale) Liquor License (RL-5261) and for the City's Package (Off-Sale) Liquor License (PL-4716) and

- the 2025 Municipal Operating Agreement for each license between the City and the Biegler's Timber Lake Service. Biegler seconded. Motion carried.
- ii) Timber Lake Investment Group, doing business as Timber Lake Café, also known as The Corner Bar and Grill -- RL-29553 and PL-29554 (Jeremy Bollinger): The Board reviewed the Timber Lake Investment Group's 2025 liquor license renewal applications signed by Jeremy Bollinger, Manager; the 2025 municipal operating agreements also signed by Jeremy Bollinger; and the status of the establishment's accounts with the City. Kraft motioned to approve the 2025 Uniform Alcoholic Beverage license Application (Reissuance) for the City's Retail (On-Sale) Liquor License (RL-29553) and for the City's Package (Off-Sale) Liquor License (PL-29554) and the 2025 Municipal Operating Agreement for each license between the City and the Timber Lake Investment Group. Biegler seconded. Motion carried.
 - iii) Timber Lake Rodeo Association -- RL-5348 (Shaun Maher): The Board reviewed the Timber Lake Rodeo Association's 2025 liquor license renewal application signed by Shaun Maher, Manager; the 2025 municipal operating agreement also signed by Shaun Maher; and the status of the establishment's account with the City. Kraft motioned to approve the 2025 Uniform Alcoholic Beverage license Application (Reissuance) for the City's Retail (On-Sale) Liquor License (RL-5348); and the 2025 Municipal Operating Agreement for the license between the City and the Timber Lake Rodeo Association. Biegler seconded. Motion carried.
- F) Health and Life Insurance Renewal (Health Pool of South Dakota)
The Board reviewed and discussed the Health Pool of South Dakota's renewal contract for employer provided health and life insurance for full-time employees. Discussion occurred. It was noted the Health Pool of SD has revised the policy plan by increasing the deductible from \$500 to \$1,000. Kraft motioned to approve the contract for continued Plan B (now known as HPSD 1000) coverage at a cost of \$933.05 per month per full-time employee, effective January 1, 2025. Biegler seconded. Motion carried.
- G) Building Permit (Michael and Wanda Austin)
The Board reviewed and discussed a New Construction & Improvements – Building Permit submitted by Michael and Wanda Austin. They applied to demolish a dilapidated structure on their property located at 606 E Street (Block 31 Lots 15). Biegler motioned to approve the Building Permit. Hermes seconded. Motion carried. A copy of the Permit is on file in the City Finance Office, the Dewey County Equalization Office, and with the Permittee.
- H) Timber Lake and Area Historical Society Funding Request for Tourism (Kathy Nelson)
Nelson presented information on the South Dakota Vacation Guide and Missouri River Tourism Guide advertising for Timber Lake (2025 publications). Nelson explained what is already purchased by the Historical Society. She also explained additional

advertisement is available at additional cost. Nelson requested the City consider funding \$500 to 1) purchase a tear-off map in the SD Vacation Guide and the Missouri River Guide and 2) to get the Photo + Extended Listing in the Missouri River Guide. A review of the 2024 budget indicates there are funds available in the Culture and Recreation – Community Support account sufficient to contribute. Kraft motioned to provide \$500 to the support of the Historical Society and Museum. Biegler seconded. Motion carried.

10) Department Reports:

A) Custodial (Char Boysen)

Char was not present for discussion. She reported she had no concerns to discuss with the Board.

B) Maintenance (Jerimiah Garon)

Jerimiah discussed the following matters with the Board.

- i) Streets: Jerimiah reported he has bladed streets after the recent rains. He said he plans to sweep the streets in the near future.
- ii) Water: Jerimiah reported all the required water sampling is complete with the exception of one well, which is off-line. He will need to collect that raw sample when the well is back in service. He plans to schedule that repair in the near future. He reports the water system is functioning effectively, otherwise.
- iii) Sewer: Jerimiah reported a pump at the lift-station is vibrating so he has scheduled an inspection with Dakota Pump and Control.
- iv) Landfill: Jerimiah reported the landfill is looking good. He will burn when there is snow cover.
- v) Park: No report. No discussion.
- vi) Other Matter(s): None

C) Law Enforcement (Sheriff Arpan)

Sheriff Ashley Arpan and Deputy Sheriff Kyle Nilson presented the Dewey County Sheriff's Office law enforcement report for the month of October. The report details the following services provided to Timber Lake: total records of 111 and total patrol time of 81:55:46 hours. Discussion occurred. Rod Enright, representing the Dewey County Commissioners, was also present. Sheriff Arpan presented a letter, dated November 7, 2024, regarding the Law Enforcement Agreement between the City and the County. The letter references annual consumer price index (CPI) increases from 2014 to 2025 and mentions the Agreement has not increased nor decreased with the CPI. Arpan reiterated the letter is not a bill. Rather, he brings this matter to the City Board's attention in hopes of promoting a good-faith discussion. According to Arpan's calculation, using a 3% CPI increase each year, the City's 2025 contractual amount

would be \$85,545, had the annual increases happened. Much discussion occurred. The current law enforcement services contract was reviewed and discussed. It was noted the City has not ever received a written notice of intent from the County to amend the Agreement, as per the Agreement. The Agreement, therefore, has automatically renewed for each ensuing year with no change. The Board requested Arpan provide a cost of one deputy per hour and a per hour operational cost analysis. The Board also stated the County needs to provide a written notice of intent to amend and/or renegotiate the law enforcement services agreement providing 120-days, per the Agreement. The Board directed Nordyke to a) validate the annual CPI rates from 2014 to present; b) receive advise from the city attorney for how to proceed.

D) Finance (Karla Nordyke)

Karla discussed the following matters with the Board.

- i) Food Sales and Peddler's Permits: Karla reported the Finance Office has received inquiries about whether or not food sale vendors operating in town have a business license to do so. She informed the Board they do not have a Peddler's Permit from the City. Much discussion occurred. It was agreed all vendors need to be treated equally. The Board directed Nordyke to a) send a letter to each vendor stating they need to have a City Peddler's Permit; b) provide a copy of the City Ordinance; and c) provide a guidance document available from the SD Department of Revenue. There are three (3) vendors identified.
- ii) Project(s) Funding and Next Steps – Update: Karla reported we are waiting to receive the contracts from the engineer and waiting to receive the Notice to Award from the SD Department of Agriculture and Natural Resources (SD-DANR). She anticipates receiving these documents soon. Once the contracts are fully signed, the ARPA funds are obligated and SD-DANR will issue a Notice To Proceed document. Karla will then report to the US Treasury that ARPA funds are fully obligated prior to the December 31, 2024 deadline. She also reported the Board can expect to receive a new contract from IMEG Engineering. The current contract is for design to bidding services. The second contract is for construction oversight and inspection.
- iii) 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) – 8 accounts were assessed a \$10 late payment charge and 6 accounts were assessed a \$10.00 late payment charge with disconnection warning.
 - (2) Disconnections – 4 service disconnections are scheduled if not paid by deadline.
 - (3) Due Process Notice(s) – 0 customers received a first notice. 3 customers received a second notice. 0 customers received a final notice.
 - (4) Court Collection Process – No discussion.

- (5) Financial Arrangements – 2 accounts have an approved financial arrangement and both are staying 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 an improvement from last month (\$1,041.70).
- (8) Uncollectable Debt and Board Write-Off – 1 account, previously, written off has been collected in full.

11) Schedule Next Meeting:

The next regularly scheduled Board meeting is Monday, December 9, 2024 at 6:00 PM in the City Finance Office.

12) Adjourn:

At 7:55 PM, Hermes motioned the meeting be adjourned. Kraft seconded. Motion carried.



APPROVED: Tom Hermes
Tom Hermes, Board President

Karla Nordyke
Karla Nordyke, City Finance Officer

Recorded: November 8, 2024

Published: November 14, 2024

Published at an approximate cost of _____

CITY OF TIMBER LAKE

ACCOUNTS/CLAIMS PAYABLE: OCTOBER 2024

APPROVED: NOVEMBER 7, 2024

GENERAL GOVERNMENT

DVL Fire & Safety	764.30	Already Paid: 10/08/24; Check #32819	Replacement Check for 32670
SD Dept. of Labor	0.42	Already Paid: 10/10/24; EFT	Reemployment Assistance Admin. Fees (3rd Quarter 2024)
SD Dept of Revenue	260.50	Already Paid: 10/11/24; EFT	Sales Tax Liability (September)
SD Retirement System	648.00	Already Paid: 10/25/24; Check #32827	Employee Benefits: Retirement (Payroll Liabilities & Employer Match)
US Treasury (Internal Revenue Service)	1,883.71	Already Paid: 10/25/24; EFT	Payroll Liabilities & Employer Payroll Taxes (October)
VISA	997.78	Already Paid: 10/25/24; Check #32828	Office Supplies: Microsoft; Adobe; Quickbooks Monthly Payroll Fees, Flag Pole, Postage
A&B Business Solutions	118.08		Printer Maintenance (October)
American Solutions for Business	99.53		Office Supplies
Blegler Equipment	361.42		Community Center: Microwave & Lights Timer
Century Link	231.27		Telephone & Fax Lines
Cherie Leibel	119.34		Maintenance & Supplies: Library (Personally Purchased)
CRST Telephone Authority	146.90		Internet
Dewey County Treasurer	5,000.00		Law Enforcement Services (November)
ELO Prof.	166.00		Cloud Fees (October & November)
FP Mailing Solutions	104.85		Postage Meter & Scale Rental (4th Quarter 2024)
G & O Paper and Supplies	116.00		Paper Products (Community Center)
Health Pool of SD	882.34		Employee Benefits: Health & Life Insurance
Mobridge Gas	257.15		Propane (Community Center)
Moreau Grand Electric Coop.	450.62		Electricity: Community Center, Fire Hall
SDML Workers' Compensation	3,064.00		Workers' Compensation (2025): Board, Finance Office, Poll Workers, Custodians, Culture & Rec, Fire Fighters
Servail Uniform & Linen Supply	355.42		Mats & Mops & Linens
Timber Lake Topic	325.41		Publishing (October) & Subscription
	<u>16,293.04</u>		

STREETS/PARK/LANDFILL/SANITATION

SD Retirement System	222.53	Already Paid: 10/25/24; Check #32827	Employee Benefits: Retirement (Payroll Liabilities & Employer Match) 40%
US Treasury (Internal Revenue Service)	426.93	Already Paid: 10/25/24; EFT	Payroll Liabilities & Employer Payroll Taxes (October) -- 40%
AT&T Mobility	38.20		iPad Connectivity (40%)
Automotive	150.94		Equipment Maintenance: Skid steer
Blegler Equipment	129.43		Tools, Equipment Maintenance
Blegler's Timber Lake Service	58.72		Fuel (September) -- 40%
CRST Telephone Authority	40.76		Internet (City Shop) 40%
Dakota Supply Group	1,000.00		Detector (40%)
Health Pool of SD	352.94		Employee Benefits: Health & Life Insurance 40%
Heartland Waste Management	5,625.00		Garbage Collection (October)
Herman's Service	109.71		Fuel (October)
Menards --- Pierre	271.97		Shop Maintenance
Mobridge Gas	139.00		Propane (Maintenance Shop)
Moreau Grand Electric Coop.	1,275.92		Electricity: Airport, City Shop, Street Lights, Camper Site
Newman Signs	483.39		Signage
Premier Equipment	185.00		Equipment Maintenance: Mowing Tractor
SDML Workers' Compensation	1,707.00		Maintenance Manager (40%)
Van Diest Supply Company	1,685.00		Mosquito Prevention (Briquets)
Western Dakota Bank	1,605.35		Loan Payment #47/60 (Blade): Principal (1,531.70) & Interest (73.65)
	<u>15,507.80</u>		

WATER/SEWER			
SD Retirement System	333.79	Already Paid: 10/25/24; Check #32827	Employee Benefits: Retirement (Payroll Liabilities & Employer Match) 60%
US Treasury (Internal Revenue Service)	640.39	Already Paid: 10/25/24; EFT	Payroll Liabilities & Employer Payroll Taxes (October) -- 60%
VISA	517.32	Already Paid: 10/25/24; Check #32828	Lodging: Water/Sewer Conference
Agtegra	361.90		Fuel: Lift-Station
AT&T Mobility	57.30		iPad Connectivity (60%)
Biegler's Timber Lake Service	88.09		Fuel (September) -- 60%
CRST Telephone Authority	61.14		Internet (City Shop) 60%
Dakota Supply Group	1,522.55		Detector (60%) & Curb-box Maintenance
Hawkins	965.63		Water Treatment & Lift-Station Maintenance
Health Pool of SD	529.40		Employee Benefits: Health & Life Insurance 60%
Herman's Service	164.57		Fuel (October)
Meierhenry Sargent, LLP	5,510.00		Water Project: Bond Counsel Services
Moreau Grand Electric Coop.	810.00		Electricity: Well Houses & Lift Stations
ND Dept of Health	50.00		Water Analysis
Runnings	99.99		Maintenance: Lagoon
SDML Workers' Compensation	1,707.00		Maintenance Manager (60%)
SD Public Health Lab	331.00		Water Analysis
Timber Lake Topic	628.15		Publishing: Water & Sewer Project Bid Notice Ads
	<u>14,378.21</u>		
Grand Total	<u><u>46,179.05</u></u>		

PAYROLL & BENEFITS SUMMARY -- BY DEPARTMENT
October 2024

	Board		Financial		General		Streets, Parks, Landfill		Water		Sewer		Total
	Trustees	Board President	Administration	Government	Landfill	Water	Sewer	Total					
Gross Pay	1,275.00	350.00	5,018.25	588.60	1,854.40	1,390.80	1,390.80	1,390.80	11,867.85				
SD Retirement System													
Employee Contribution	0.00	0.00	301.10	22.90	111.26	83.45	83.45	83.45	602.16				
Employer Contribution	0.00	0.00	301.10	22.90	111.26	83.45	83.45	83.45	602.16				
Federal Tax Withholding													
Employee Contribution	0.00	0.00	698.00	79.23	143.20	107.40	107.40	107.40	1,135.23				
Employer Contribution	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
Social Security Tax Withholding													
Employee Contribution	79.05	21.70	311.13	36.49	114.98	86.23	86.23	86.23	735.81				
Employer Contribution	79.05	21.70	311.13	36.49	114.98	86.23	86.23	86.23	735.81				
Medicare Tax													
Employee Contribution	18.49	5.08	72.77	8.53	26.89	20.17	20.17	20.17	172.09				
Employer Contribution	18.49	5.08	72.77	8.53	26.89	20.17	20.17	20.17	172.09				
Medical & Life Insurance													
Employee Contribution	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
Employer Contribution	0.00	0.00	882.34	0.00	352.94	264.70	264.70	264.70	1,764.68				
SD Reemployment Assistance Tax (Employer)													
Workers' Compensation Insurance (Employer)													
Other Payroll Liabilities (Employee)													
	123.20	30.80	154.00	2,756.00	1,707.00	1,280.00	1,280.00	1,280.00	7,331.00				
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	1,593.28	434.36	8,122.59	3,560.09	4,563.80	3,422.59	3,422.59	3,422.59	25,119.30				