

TIMBER LAKE CITY BOARD
REGULAR MEETING
MARCH 6, 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, Michael LaCompte (by telephone), Sandra Koenig, and Brent Biegler
 - Board Absent: None
 - Employees Present: Karla Nordyke, Jerimiah Garon, and Roger Hieb
 - Guests/Others Present: Kathy Nelson, Shane Penfield, and Anne LaCompte (by telephone)

- 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:
Koenig motioned to approve the agenda with no changes. Schlosser seconded. Motion carried.

- 4) Public Forum and Visitors: None

- 5) Approval of Last Meeting Minutes:
Koenig motioned to approve the minutes of February 5, 2024 with no corrections. Schlosser seconded. Motion carried.

- 6) Financial Report:
 - A) Reconciliation Report (February)
The Board reviewed and discussed the reconciliation summary, detail, and bank statement for the City's checking account for the month of February.
 - B) Cash Flow Report
The Board reviewed and discussed the monthly financial report. Koenig motioned to approve the February Cash Flow Report. Hermes seconded. Motion carried.

	ENTERPRISE FUNDS			
	GENERAL FUND	WATER FUND	SEWER FUND	TOTAL
Beginning Balance (Checking Account) (as of 02/01/2024)	723,419.82	223,768.25	113,473.47	1,060,661.54
Total Receipts (Income)	59,553.29	12,504.47	15,945.46	88,003.22
Total Expenditures	33,875.78	11,401.70	2,556.06	47,833.54
Ending Balance (Checking Account) (as of 02/29/2024)	749,097.33	224,871.02	126,862.87	1,100,831.22
Savings Account Balance (as of 02/29/2024)	57,678.65			57,678.65
Cash Value of Certificate of Deposits (as of 02/29/2024)	28,000.00			28,000.00
Petty Cash (as of 02/29/2024)	150.00			150.00
TOTAL FUND BALANCES (as of 02/29/2024)	834,925.98	224,871.02	126,862.87	1,186,659.87

**Daily Ledger Balance (Bank) -- Checking Account
(as of 02/29/2024)** 1,098,228.30

7) Accounts/Claims Payable:
Schlosser motioned to approve the claims presented for payment totaling \$218,227.13 and \$14,490.38 payroll expenses. Koenig seconded. Motion carried. See Attachment 1.

8) OLD BUSINESS
A) Ordinance: Revision of Sales Tax Code Set 8.0102
Nordyke reported the City received a response from the SD Department of Revenue Business Tax Division. Per the Division Director, to the extent retailers remit municipal tax to the state, the SD-DOR must redirect funds to City as required by SDCL 10-52-5.

The Division Director further said the SD-DOR cannot provide guidance regarding the City's authority to assess or administer its proposed municipal tax ordinances and advised the City to refer to the city attorney or state's attorney for guidance. Discussion occurred. Penfield agreed to make an inquiry with the SD Attorney General Office.

9) NEW BUSINESS

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

The Board reviewed and discussed a draft lease agreement between the Cheyenne River Sioux Tribe Telephone Authority (CRST-TA) and the City. It is noted the draft agreement has been reviewed by the city attorney. This agreement details the terms and conditions regarding CRST-TA's placement of a central office hut on City property located at 903 Rodeo Avenue. The Board indicated two minor edits are necessary. The Board discussed the Duration clause, which states the City agrees to grant use of the Premises to the Telephone Authority for one-hundred and twenty (120) months without paying rent; automatic renewal unless terminated by either party with six (6) months advance notice. Schlosser motioned the use of the premises has a value of not less than \$100 per month (or \$1,200 per year). Koenig seconded. Motion carried. The Board directed Nordyke to present an edited draft agreement to CRST-TA including the City's counteroffer.

B) Right-of-Way Easement (Timber Lake and Area Development Corporation)

Joe Scherer requested this matter be on the agenda but was not present for discussion. Some discussion occurred. The Board agreed more information was needed so no action was taken. This matter is tabled pending the Timber Lake and Area Development Corporation providing details of their intent and request to utilize the City's right-of-way.

C) Ordinance #2024-02-01: 2024 Supplemental Ordinance – Second Reading and Adoption

The Board reviewed and discussed the need to supplement the 2024 budget as detailed in Ordinance #2024-02-01. It was agreed the supplement is necessary and it meets the City's financial needs. Schlosser motioned to approve and adopt Ordinance #2024-02-01 on its second reading. Biegler seconded. Motion carried (5-yes; 0-no).

D) Personnel Matter(s) – Executive Session

Pursuant to SDCL 1-25-2-(1 and 4), Schlosser motioned to enter executive (closed) session to discuss personnel matter(s). Biegler seconded. Motion carried. Board entered executive session at 6:20 PM. Present were Board members, Penfield, Garon, and Nordyke; LaCompte confirmed no person(s) were present with him by telephone. Board President Hermes returned the Board to open session at 6:50 PM. Action taken in open session: None. The Board directed Nordyke to include wage increase and

commitment agreement on the next regularly scheduled meeting for two positions (Maintenance Manager and Finance Officer).

10) Department Reports:

A) Custodial (Char Boysen)

Char was not present. No discussion.

B) Maintenance (Jerimiah Garon)

- i) Streets: Jerimiah reported the recent snow removal went well. No further discussion.
- ii) Water: Jerimiah reported he needed to replace a chemical feed pump in one of the well-houses. He is scheduling maintenance for Well 5. It is only pumping about 12.5 gallons per minute; the pump needs pulled and cleaned. Jerimiah is planning to flush hydrants on April 10-11, 2024.
- iii) Sewer: Jerimiah reported the sewer system is functioning effectively. No further discussion.
- iv) Landfill: Jerimiah reported the landfill is functioning effectively. No further discussion.
- v) Park: No report. No discussion.
- vi) Other Matter(s): None

C) Law Enforcement Activity Report (Sheriff Arpan)

Sheriff Ashley Arpan presented the Dewey County Sheriff Office's monthly report for the month of February. The Board reviewed said report and discussion occurred. Sheriff Arpan reports the following services were provided to Timber Lake: 35 incident records and 115.16 hours.

D) Finance (Karla Nordyke)

- i) Personnel Policy/Employee Handbook Update (Discussion): The Board reviewed and discussed several personnel policies drafted by Karla. These policies are intended to be an appendix to the manual reviewed last month. Much discussion occurred. Karla said she will make the edits and present a full personnel manual for the Board's consideration at the next meeting. She will also request Penfield's comprehensive review prior to the next meeting.
- ii) Project(s) Funding and Next Steps – Update: Karla reported the water and sewer project plans and specifications have been submitted to the SD Department of Agriculture and Natural Resources (SD-DANR); confirmation of receipt has been received. Their action notice is expected in April. Karla also reported she is working on the supplemental information needed for the memorandum of understanding (MOU) regarding the water storage tank. Roger Lawien has taken pictures. Karla and historical society staff are researching archived records for any information on the

- water tower's history. Once all the documentation is compiled in compliance with SD-DANR/MOU requirements, the environmental review process can be completed.
- iii) 2024 Election – Update
- (1) Petitions Filed – Karla reported the status of filed petitions.
- (a) 3-Year Term Vacancies: There were two (2) vacancies noticed. Two valid petitions were filed before the deadline. One petitioner withdrew before the deadline. Therefore, there is no contest. One seat will be filled by elected status (Brent Biegler). One seat is to filled by appointment.
- (b) 2-Year Term Vacancy: There was one (1) vacancy noticed. There were two (2) valid petitions filed before the deadline. Neither petitioner withdrew. Therefore, there is a contest for the 2-year trustee seat and an election is scheduled.
- (2) Draw for Candidate Order on Ballot: Pursuant to SDCL 9-13-21, the candidate's name position on the ballot was drawn by lot (Sandy Koenig – First; Tanner Kraft – Second).
- (3) Appoint Election Board: Pursuant to SDCL 9-13-16.1, the governing board must appoint the Election Board. Hermes motioned to approve poll workers as recommended by Karla. Schlosser seconded. Motion carried. The Board appointed the 2024 Election Board consisting of Jean Tehle (Superintendent); Ann Crance (Deputy); Janet Gill (Deputy); and Kacey Long (Deputy Bank-Up). Karla reported poll workers are to be compensated and she requested the Board consider an amount equal to the County's rates. Schlosser motioned to compensate the Superintendent \$275 and each Deputy \$225 for voting day and each poll worker an additional \$25 to attend a mandatory poll worker training session. Biegler seconded. Motion carried.
- iv) Homeland Security Grant Application – Update: Karla reported she and Della Dearborn submitted the grant application for funding a generator at the Community Center sufficient to support the entire building and the designated Dewey County Emergency Operations Center. Total funds requested was \$81,656.33 which funded the cost of a generator (60 kW), installation, transfer switch, electrician services, dedicated propane tank, and concrete pad. She reported the grant application has passed the initial review and is forwarded for Regional Review. The Regional Committee met today (March 6, 2024) and Karla reported she has been (unofficially) informed the grant application was not funded. She presented information about an upcoming opportunity to request mitigation funding available through the SD Department of Public Safety; May 1 submission deadline. Discussion occurred about pursuing funding for this project. It was agreed to table this matter and further consult with Dewey County Emergency Management.

- v) SDML District 7 Annual Meeting (Mobridge): Karla reported the SD Municipal League (SDML) has scheduled their annual District 7 meeting in Mobridge, on March 19, 2024 at the Great Plains Family Restaurant; cost is \$30. She shared the agenda. None of the Board members expressed an interest in attending. Karla requested approval to attend and the Board agreed.
- vi) Delinquent Accounts – Update and Action: Karla reported the following information regarding customer accounts.
 - (1) Late Payment Charges & Disconnect Warnings (31-60 days past due) – 10 accounts were assessed a \$10 late payment charge and 8 accounts were assessed a \$10.00 late payment charge with disconnection warning.
 - (2) Disconnections – 3 service disconnections are scheduled if not paid by deadline.
 - (3) Due Process Notice(s) – 2 customers received a first notice. 2 customers 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 (\$414.09).
- vii) Uncollectable Debt and Board Write-Off – None

11) Schedule Next Meeting:

The next regularly scheduled meeting is set for Wednesday, April 10, 2024; at 6:00 PM in the City Finance Office.

12) Adjourn:

At 7:53 PM, Biegler motioned the meeting be adjourned. Schlosser seconded. Motion carried.



APPROVED: Tom Hermes
Tom Hermes, Board President

Karla Nordyke
Karla Nordyke, City Finance Officer

Recorded: March 7, 2024

Published: March 14, 2024

Published at an approximate cost of _____

CITY OF TIMBER LAKE

ACCOUNTS/CLAIMS PAYABLE: FEBRUARY 2024

APPROVED: MARCH 6, 2024

GENERAL GOVERNMENT

SD Dept of Revenue	267.82	Already Paid: 02/15/24; EFT	Sales Tax Liability (January)
VISA	824.55	Already Paid: 02/22/24; Check #32515	Office Supplies: Microsoft & Adobe & VIPRE; Checks
SD Retirement System	556.08	Already Paid: 02/23/24; Check #32514	Employee Benefits: Retirement (Payroll Liabilities & Employer Match)
US Treasury (Internal Revenue Service)	1,344.91	Already Paid: 02/26/24; EFT	Payroll Liabilities & Employer Payroll Taxes (February)
Postalia	400.00	Already Paid: 02/29/24; EFT	Postage
A&B Business Solutions	110.06		Printer Maintenance (February)
American Solutions for Business	135.55		Office Supplies
Century Link	224.68		Telephone & Fax Lines
Country Market	21.90		Library: Cleaning Supplies
CRST Telephone Authority	146.90		Internet
Dewey County Treasurer	5,000.00		Law Enforcement Services (March)
ELO Prof.	80.00		Cloud Fees (January)
G&O Paper and Supplies	78.40		Library: Building Maintenance & Supplies
Health Pool of SD	882.34		Employee Benefits: Health & Life Insurance
House of Glass	57.32		Library: Building Maintenance (Door Lock Cylinders)
Mobridge Gas	636.00		Community Center: Propane
Moreau Grand Electric Coop.	757.71		Electricity: Community Center, Fire Hall
Penfield Law Firm	600.00		Legal Services (January & February)
Servall Uniform & Linen Supply	403.66		Mats & Mops & Linens
Three Seasons Construction	41,596.66		Fire Hall: Building Maintenance (Roof Replacement)
Timber Lake Topic	254.65		Publishing (February): Notice, Minutes
	<u>54,379.19</u>		

STREETS/PARK/LANDFILL/SANITATION

SD Retirement System	215.40	Already Paid: 02/23/24; Check #32514	Employee Benefits: Retirement (Payroll Liabilities & Employer Match) 40%
US Treasury (Internal Revenue Service)	382.24	Already Paid: 02/26/24; EFT	Payroll Liabilities & Employer Payroll Taxes (February) 40%
AT&T Mobility	38.20		iPad Connectivity (40%)
Biegler Equipment	2,777.27		Supplies, Equipment Maintenance; Grease/Oil
Biegler's Timber Lake Service	154.75		Fuel (January)
Health Pool of SD	353.78		Employee Benefits: Health & Life Insurance 40%
Heartland Waste Management	4,500.00		Garbage Collection (February)
Mobridge Gas	302.10		Propane: City Shop
Moreau Grand Electric Coop.	1,514.53		Electricity: Airport, City Shop, Street Lights, Camper Site
Western Dakota Bank	1,605.35		Loan Payment #39/60 (Blade): Principal (1,498.48) & Interest (106.87)
	<u>11,843.62</u>		

WATER/SEWER

SD Retirement System	323.10	Already Paid: 02/23/24; Check #32514	Employee Benefits: Retirement (Payroll Liabilities & Employer Match) 60%
US Treasury (Internal Revenue Service)	873.23	Already Paid: 02/26/24; EFT	Payroll Liabilities & Employer Payroll Taxes (February) 60%
AT&T Mobility	57.30		iPad Connectivity (60%)
Biegler Equipment	48.95		Well-House Maintenance
Biegler's Timber Lake Service	232.12		Fuel (January)
Country Market	10.38		Lift-Station Maintenance
Hawkins	2,016.55		Chemical Pump
Health Pool of SD	530.66		Employee Benefits: Health & Life Insurance 60%
IMEG	48,000.00		Engineering Fees: Sewer Project (to 02/18/24)
IMEG	75,780.00		Engineering Fees: Water Project (to 02/18/24)
IMEG	22,550.00		Engineering Fees: Storage Tank Project (to 02/18/24)

Milbank Winwater Works
Moreau Grand Electric Coop.
ND Dept of Health
SD Federal Property Agency

142.59
1,060.44
46.00
333.00
152,004.32

Grand Total

218,227.13

Materials: Meter Gaskets
Electricity: Well Houses & Lift Stations
Water Analysis
Lift-Station Maintenance

PAYROLL & BENEFITS SUMMARY -- BY DEPARTMENT
February 2024

	Board Trustees	Board President	Financial Administration	General Government	Streets, Parks, Landfill	Water	Sewer	Total
Gross Pay	0.00	0.00	4,181.71	659.22	1,795.03	1,346.27	1,346.27	9,328.51
SD Retirement System								
Employee Contribution	0.00	0.00	250.90	27.14	107.70	80.78	80.78	547.29
Employer Contribution	0.00	0.00	250.90	27.14	107.70	80.78	80.78	547.29
Federal Tax Withholding								
Employee Contribution	0.00	0.00	525.00	79.23	107.60	80.70	80.70	873.23
Employer Contribution	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Social Security Tax Withholding								
Employee Contribution	0.00	0.00	259.26	40.88	111.29	83.47	83.47	578.37
Employer Contribution	0.00	0.00	259.26	40.88	111.29	83.47	83.47	578.37
Medicare Tax								
Employee Contribution	0.00	0.00	60.64	9.56	26.03	19.52	19.52	135.27
Employer Contribution	0.00	0.00	60.64	9.56	26.03	19.52	19.52	135.27
Medical & Life Insurance								
Employee Contribution	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	353.78	265.33	265.33	1,766.78
SD Reemployment Assistance Tax (Employer)								
Workers' Compensation Insurance (Employer)								
Other Payroll Liabilities (Employee)								
	0.00	0.00	6,730.65	893.61	2,746.45	2,059.83	2,059.83	14,490.38