

City of Crooks
City Council
End-Of-Year meeting / Special Meeting
Posted agenda
Date: December 30, 2019
Time: 5:30 PM C.S.T.
Location: Crooks Community Center / 701 S West Ave, Crooks, SD

- 1) Call to order
- 2) Pledge of allegiance
- 3) Invocation
- 4) Approve agenda
- 5) Consent calendar items
 - a. Approve End-Of-Year claims
 - b. Adopt Crooks Personnel Policy
 - c. Approve 2020 IT services switch to A&B Business Solutions
 - d. Insurance addendum with SDPAA
- 6) Second reading Ordinance #255
- 7) Resolution 2019-12-02: 2020 Salaries & Wages
- 8) Resolution 2019-12-03: Contingency transfer resolution
- 9) Adjournment



**City of Crooks
2019 End-of-Year Claims**

City of Crooks claims listing

Vendor	Date incur.	Description	Amount
Aflac	12/26/2019	12-2019 premium payable	\$ 138.34
American Stamp	12/3/2019	stamp purchase	\$ 33.25
Anderson Publications	11/30/2019	11-2019 publication fee	\$ 309.60
Black Hills Occupantional Medicine	12/1/2019	drug testing fee	\$ 35.00
Border States Electric	12/11/2019	supplies	\$ 609.85
Concrete Materials	12/2/2019	deicing sand	\$ 1,523.61
Crooks HRC	12/12/2019	return abatement pd to City	\$ 1,619.50
Crooks Municipal Utilities	12/9/2019	utilities	\$ 621.22
DGR Engineering	12/12/2019	Palmira utility improvement engineering	\$ 13,310.16
Dustin Wochnick	12/20/2019	reimbursement CDL testing fee	\$ 105.00
Dustin Wochnick	12/20/2019	reimbursement CDL written test fee	\$ 35.00
Dustin Wochnick	12/27/2019	reimbursement driver's license fee	\$ 35.00
Ecolab	12/12/2019	pest control service	\$ 75.00
Graham Tire	12/11/2019	new tires plow truck	\$ 2,261.50
Great Western Bank	12/27/2019	purchase card payment	\$ 1,587.39
Health Pool of SD	12/26/2019	01-2020 health + life insurance	\$ 2,077.83
Hydro Tech Service	12/24/2019	repair lagoon	\$ 1,555.50
Hydro Tech Service	12/24/2019	Crooks main lift service	\$ 1,346.40
Israel Carrasco	12/9/2019	ccc dmg dep rtn	\$ 175.00
Jason Penning	12/17/2019	reimbursement CDL testing fee	\$ 105.00
Jason Penning	12/20/2019	reimbursement CDL retesting fee	\$ 95.00
Laury Carruthers	12/19/2019	ccc dmg dep rtn	\$ 75.00
Mac's/Blue Tarp	12/16/2019	wire decking	\$ 298.35
Meierhenry Sargent LLP	12/11/2019	legal fees November	\$ 372.00
Melius Manufacturing	12/26/2019	storage Bomag roller 12/19 - 03/20	\$ 140.00
Melius Manufacturing	12/26/2019	water truck repair	\$ 2,720.00
Minnehaha 4-H LEEP	12/9/2019	ccc dmg dep rtn	\$ 175.00
Mitchell Construction, Inc.	12/3/2019	haul snow	\$ 297.50
Nathan Stroschein	12/18/2019	drain tile	\$ 771.41
Nexben	12/26/2019	Dental insurance premium	\$ 120.30
Nexben	12/26/2019	Vision insurance premium	\$ 17.66
Nexben	12/26/2019	Voluntary life insurance premium	\$ 44.00
Nexben	12/26/2019	Spouse life insurance premium	\$ 33.60
Nexben	12/26/2019	Supplemental life insurance premium	\$ 1.70
Pump'N'Stuff	12/18/2019	refill diesel can	\$ 15.79
Pump'N'Stuff	12/18/2019	fuel payloader	\$ 26.26
Q3 Contracting	12/18/2019	new gas services	\$ 6,948.37
Ronning Commercial Construction	12/18/2019	pay application Palmira bathroom	\$ 62,025.00
Sandra Ahrendt	12/26/2019	ccc dmg dep rtn	\$ 75.00
SD DENR	12/20/2019	2020 discharge fees	\$ 1,500.00
SD Dept. of Revenue	12/11/2019	11-2019 sales tax payment	\$ 4,170.79
SD Retirement System	12/19/2019	12-2019 retirement contribution	\$ 1,804.26
SD State Treasurer	12/19/2019	surplus property	\$ 17.97
SDRS Supplemental Retirement Plan	12/6/2019	ROTH contribution	\$ 75.00
SECOG	12/6/2019	2020 Dues	\$ 2,108.00
Sioux Valley Energy	12/13/2019	utilities	\$ 180.33
Sioux Valley Energy	12/13/2019	utilities	\$ 121.29
US Postal Service	12/12/2019	postage gas awareness letters	\$ 404.38
US Postal Service	12/10/2019	postage utility billing card mailing	\$ 238.84
Verizon Wireless	12/10/2019	utilities	\$ 27.88

Xcel Energy	12/5/2019 utilities	\$	380.31
Xcel Energy	12/20/2019 utilities	\$	12.37
		Total claims	\$ 112,852.51

Purchase card payments			
Vendor	Date incur.	Description	Amount
Adobe Acrobat	12/5/2019	2020 license fee	\$ 359.76
Amazon	12/5/2019	2020 Prime charge	\$ 179.00
Campbell Supply	12/13/2019	supplies	\$ 195.20
Crooks Country Corner	12/18/2019	propane thawing chains mini-excavator	\$ 12.00
Crooks Country Corner	12/2/2019	fuel	\$ 42.18
Crooks Country Corner	12/11/2019	fuel	\$ 46.92
Fred the Fixer	12/17/2019	keys for Palmira bathroom	\$ 13.00
Nyberg's Ace Hardware	12/13/2019	supplies	\$ 63.97
Pfeifer Implement	12/13/2019	supplies	\$ 237.14
Pump'N'Stuff	12/17/2019	fuel	\$ 59.63
Pump'N'Stuff	12/12/2019	fuel	\$ 53.62
Pump'N'Stuff	12/26/2019	fuel mini-excavator	\$ 13.59
Pump'N'Stuff	12/17/2019	fuel mini-excavator	\$ 13.48
Pump'N'Stuff	12/27/2019	fuel	\$ 39.44
Pump'N'Stuff	12/27/2019	fuel	\$ 22.13
SD Dept. of Agriculture	12/11/2019	mosquito recertification class	\$ 50.00
Sturdevant's Auto	12/17/2019	lights bulbs	\$ 95.98
US Postal Service	12/20/2019	postage letters	\$ 14.70
The Wooden Nickel	12/12/2019	Lunch gas lunch	\$ 75.65
		Total due	\$ 1,587.39

CITY OF CROOKS PERSONNEL HANDBOOK

Originally adopted:

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POLICY 1: PURPOSE AND USE

1.1 Purpose of Policies and Procedures

The policies and procedures for personnel administration are enacted by the City of Crooks (hereinafter “City”). In the event of a conflict between these any state or federal law, the law shall prevail. The Personnel Policy shall not be applicable to Council Members or the Mayor or Commissioners of Planning and Zoning Commission, except as specifically provided herein.

1.2 Administration of Personnel Policy

The Mayor of the City of Crooks shall administer these personnel practices and procedures through the Finance Officer. In case of a vacancy of Mayor, the City Council President shall administer these practices. Employees shall acknowledge personnel policy after hired by the City. Employee shall acknowledge receipt of personnel policy.

1.3 Revision

The City specifically reserves the right to repeal, modify or amend any of these policies.

1.4 At-Will Employment

The City recognizes that South Dakota is an employment at-will state and the intent of this City is to maintain that employment at-will status of all employees. **This manual does not confer a contract of employment. These policies are provided as a reference of present policies and not a guarantee of employment or specific employment benefits. No at-will employee has any due process rights relative to any termination proceeding.**

1.5 Applicability to Appointed and Elected Officials

All elected and appointed officials shall comply with all laws, including but not limited to discrimination, harassment and non-retaliation.

1.6 Departmental Procedures

These personnel practices and procedures shall not limit the authority of any municipal director or supervisor to make departmental operating standards and procedures. However, such departmental operating standards and procedures shall not conflict with the provisions of these personnel practices and procedures.

1.7 Categories of Employment

The following categories of employment shall exist in the City of Crooks’ work force:

1.7.1 Full-time employment: An employee who is hired to work a predetermined schedule of at least forty (40) hours per work week or a monthly/yearly equivalent thereof and who maintains continuous regular employment status. These employees are eligible for full employment benefits. A full-time salaried employee shall be deemed to work not less than forty (40) hours per week. Employee’s schedule shall be subject to the direct supervision of the Mayor and/or the department supervisor.

1.7.2 Part-time employment: An employee who is hired to work a number of predetermined hours fewer than / up to thirty (30) hours per work week but more than twenty (20) hours per work week or a monthly/yearly equivalent thereof and who maintains continuous regular employment status. Part-time employees are ineligible for benefits.

1.7.3 Temporary/Seasonal employment: An employee who is hired to work, generally fewer than twenty (20) hours per work week or a monthly/yearly equivalent thereof or for a limited period due to the limited nature of the project or the seasonal nature of the work. Temporary/Seasonal employees are not entitled to employment benefits. Temporary/seasonal employees are ineligible for benefits.

1.8 Employee Classifications

The following employee classifications shall exist in the City of Crooks' work force:

1.8.1 Exempt Employees: Those employees that meet the standard of duties test as established by the FLSA. Exempt employees are not eligible for overtime.

1.8.2 Non-Exempt Employees: Employees that do not meet the standard of duties test as defined by the FLSA. Non-exempt employees are eligible for overtime.

POLICY 2: GENERAL POLICIES

2.1 Equal Employment Opportunity

It is the policy and practice at The City to make all employment decisions, policies and practices in accordance with the applicable federal, state and local anti-discrimination laws. The City will not engage in or tolerate unlawful discrimination (including any form of unlawful harassment or retaliation) on account of a person's race, color, religion, creed, age, sex, sexual orientation, pregnancy, genetic information, marital status, national origin, ancestry, citizenship, military status, veteran status, political affiliation, handicap or disability, transsexuality, gender identity or expression, or membership in any other group protected by law from discrimination. If an individual with a disability is in need of a reasonable accommodation in order to perform the essential job functions, the employee should contact the immediate supervisor or higher authority.

This policy also includes all employment practices including but not limited to recruiting, interviewing, hiring, pay, discipline, assignments, evaluations, promotions, coaching, access to benefits and training, termination of employment and layoffs.

Any employee who feels they have been discriminated against according to this policy should notify his/her immediate supervisor or higher authority.

2.2 Sexual Harassment/Discrimination

The City is committed to providing a work environment which is free from

discrimination of any sort as stated in the Equal Employment Opportunity Policy. Additionally, The City will not tolerate sexual or any other form of unlawful harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature if submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Racial harassment and national origin harassment include any verbal, symbolic, or physical behavior that stigmatizes, insults, victimizes, or persecutes and individual based upon race or national origin. Harassment based on an employee's legally protected status is prohibited, even if no specific reference is made to the employee's protected status.

The prohibitions on inappropriate behavior and/or harassment set forth above apply not only in the workplace itself but also to all other work-related settings, such as meetings (in or outside of the office) as well as business trips and business-related social functions.

The prohibitions on inappropriate behavior and/or harassment set forth above also apply to the actions of non-employees (such as vendors, customers, etc.) if such actions relate to an individual and his/her employment. An employee who feels he/she has been treated inappropriately by non-employee should immediately notify his/her supervisor or higher authority.

Violations of the above stated policy by any employee, elected and/or appointed official including the Mayor shall be subject to corrective action up/to and including termination.

- 2.3 Disabilities:** The City does not discriminate against those with disabilities. If an individual with a disability is in need of a reasonable accommodation in order to perform the essential job functions, the employee should contact the Finance Officer to discuss such request.

POLICY 3: RECRUITMENT, HIRING, PROMOTION

3.1 Recruitment and Hiring Policy

It is the policy of the City to recruit and fill job vacancies with the most qualified individual for the position. The City has three methods of recruiting qualified applicants to fill job vacancies in City employment. These are: 1) promotion from within; 2) transfer from within; or 3) open announcement and advertisement. All selections shall be based on merit and fitness to fill the job vacancy. All recruitment efforts are based upon equal employment opportunity and conducted without regards to race, religion, creed, color, national origin, sex, age, disability, political affiliation, and marital or veteran. The Mayor shall hire personnel. In the hiring process, the Mayor may rely on the recommendation of department head.

3.2 Promotion/Transfer

If in the best interest of the City, promotions or transfers of individuals already employed with the City shall be given first consideration. This consideration, however, does not entitle the individual to an automatic promotion or transfer to a higher level of employment.

3.3 Employee classification

The City will determine, on a case-by-case basis, if an employee qualifies as Salaried-exempt personnel. City will comply with the FLSA in classification of employee.

3.4 Retirement/Discharge

3.4.1 Retirement/Resignation:

Any employee intending to retire from the City of Crooks is asked to provide at least two (2) weeks' written notice of such retirement. Any employee desiring to resign from municipal employment is requested to give two (2) weeks' notice. The employee is asked to provide written notice.

3.4.2 Discharge

Employment with the City of Crooks is 'at-will', meaning that both the City and the employee have the right to terminate the employment relationship at any time, without prior notice, and for any reason except as prohibited by law. The City's decision to terminate an individual's employment will generally occur because of performance (as it relates to job requirements) or conduct-related issues but may also occur because of economic reasons or other issues. The decision to discharge a municipal employee shall be made at the discretion of the Mayor

POLICY 4: HOURS OF WORK & COMPENSATION

4.1 General Policy

It is the City's intent to create a standard work week within which an employee is expected to perform City services. The City also realizes that emergency and extenuating circumstances may arise in which an employee is required to work variable hours. Nothing within this policy is meant as a guarantee to the number of hours, either daily or weekly, that an employee may be required to work. The standard 40 hour work week and 8 hour work day applies to employees, unless otherwise stated. Start time will be set by the employing department. If less than a full hour is worked, the amount of time recorded on the timesheet should be rounded to the nearest increment of 5. The City complies with the Fair Labors Standard Act regarding overtime pay.

4.2 Attendance

All City employees are expected to be at work on time and during their regularly scheduled hours. Employees who are unable to report for work on time are required to notify their immediate supervisor or the finance officer prior to their being absent, unless an emergency exists. If an emergency situation exists, the employee is expected to notify the proper authority as soon as reasonably possible. Except in cases of an emergency, if

an employee is absent more than two consecutive days without proper notification, the employee will be considered to have voluntarily resigned their position and/or may be discharged from City service.

4.3 Compensation

The City shall have the authority to establish municipal salaries/wages and other fringe benefits. The City Council may establish a compensation plan based on such criteria as the Council deems necessary. The line scale and salary schedule will be reviewed and updated annually or as deemed necessary by the Council.

4.3.1 Types of Compensation

The City of Crooks has two types of compensation

- a) Salary: pre-determined amount of compensation paid to the employee regardless of hours worked.
- b) Hourly: remuneration based on actual hours worked.

4.4 Pay Period

Employees shall be paid semi-monthly. The pay period shall run from the 1st through the 15th of the month, the 16th through the 30th/ 31st of the month, or the calendar month. Timecards will be turned into the finance office on the 16th and 30th/31st of the month, or the Friday before the regular monthly meeting. Compensation for each pay period will be distributed on the 5th and the 20th, or at the regular monthly meeting. When either falls on a holiday, checks will be distributed at the end of the last working day before the holiday or weekend. Direct deposit is strongly encouraged; however, employee may choose to receive paper check.

4.5 Rate of Pay

All municipal employees shall be paid at the regular rate of pay for all hours worked not exceeding forty (40) hours each week. The regular rate of pay for all municipal workers is that rate per hour which an employee received regardless of whether he or she is paid by the hour, by the piece, on salary, or by any other method. For the purpose of computing hourly rates for annually paid workers, the annual rate shall be divided by two thousand eighty (2080) hours.

4.6 Adjustments in Compensation

The City Council may decide to modify compensation at intervals at its own discretion and pursuant to federal or state law.

4.7 Overtime

It is the policy of the City to discourage overtime whenever possible. Overtime for all employees is time actually worked over forty (40) hours per week. Overtime shall be contingent upon City's need. Except in emergencies and extenuating circumstances, overtime must be preapproved by immediate supervisor and/or Mayor.

4.8 Holiday pay

The City may implement a pay differential for employees required to work on a holiday acknowledged by the City. Such a differential shall be used sparingly and at the discretion of the City. A pay differential on the holiday may be used in-lieu of accrual of vacation time as specified in Section 5.7.1. Full-time employee may choose between differential holiday pay in lieu of accrual. Part-time employees shall receive compensation at differential rate if required to work on holiday.

POLICY 5: LEAVES OF ABSENCE AND BENEFITS

5.1 Leave General Policy

Leaves of absence for vacation and sick leave are considered a benefit and privilege offered by the City. Leaves are not granted automatically but are to be requested by the employee. Employees anticipating a leave of absence are encouraged to apply for such leave as soon as possible. The amount of sick leave and paid time off is determined based on years of service. The City shall treat maternity leave the same as any other temporary disability.

5.1.0 Vacation Time Eligibility

All full-time employees are eligible to for vacation time accrual. Part-time employees and seasonal/temporary employees are ineligible for accrual of vacation time.

5.1.1 Computation Period

All Vacation shall be based on a calendar year.

5.1.2 Vacation Accrual: Vacation time will be accrued on semi-monthly pay period

5.1.3 Vacation Accrual Rate Full-Time Employees: The following schedule demonstrates the rate paid time off is accrued.

Years of service	Accrual rate semi-monthly pay period	Annual PTO accrual
Less than one year	4.00	96 hrs. / 12 days
1-3 years	5.00	120 hrs. / 15 days
4 – 10 years	6.00	144 hrs. / 18 days
More than 10 years	7.50	180 hrs. / 22.50 days

5.1.4 Vacation time: Any fulltime employee may carry over up to one year’s worth of vacation time. If no pay out request has been submitted any vacation time in excess of one year’s worth shall be forfeited.

5.1.6 Paid time off pay out: Full-time employee who has accrued vacation time and does not use it, may request a pay out of vacation time. Pay out of vacation time shall occur

after approval of request. The latest date to submit a payout request shall be December 31 of the calendar year.

5.1.7 Sick Leave: Sick leave is hereby defined to mean the absence from work of a full-time employee because of illness, injury, exposure to a contagious disease, or attendance upon a member of immediate family due to illness. Members of the immediate family shall mean parent, child, brother, sister, spouse, parents of the spouse, grandchild, or wards of the employee.

5.1.7.1 Eligibility: Full-time employees shall be eligible to receive sick leave. Part-time / Temporary / Seasonal employees are not eligible for sick leave.

5.1.7.2 Reporting Illness: Employees are required to notify their immediate supervisors or other City of Crooks staff of illness or immediate family illness or immediate family death/funeral.

5.1.8 Sick Leave schedule and deductions: Any full-time employee shall be granted 80 hours of sick leave on the first day of January. Any full-time employee hired after January 1 shall receive sick leave on a prorated scale.

5.1.9 Sick Leave subject to investigation: The City reserves the right to investigate claims of sick leave taken by an employee. The methods of investigation include, but are not limited to, requiring the employee to furnish a doctor's note and other investigative methods the City deems appropriate and which are in accordance with State and Federal law.

5.1.10 Separation Pay for Accumulated Sick Leave: Any employee, upon separation from City service, except for retirement through the State of South Dakota Retirement System, shall not receive any pay for accumulated sick leave. The pay out of sick leave upon retirement through the State of South Dakota Retirement System shall be at 33% of the hourly rate times the hours of accrued sick leave on the date of retirement.

5.1.11 Donation of Vacation and Sick Leave: Employee may donate sick leave and vacation to another employee. Donations will be deducted from the donating employee's accumulation.

5.2 Military Leave: Any municipal employee who is a member of the military service will be granted a leave of absence without pay by the City. The City will adhere to the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA) and any amendments thereto.

5.3 Leave without pay: The Department Head and Mayor may grant leave without pay to employees needing to be away from their job when other leave options are unavailable. Situations requiring leave without pay may include but is not limited to: family emergencies requiring an employee's attention during probationary periods, extended medical leave when all other leaves are exhausted, and educational leaves. Such leave will

be granted only when it will not adversely affect the departmental operations of the City. Employees shall not accrue sick or annual leave while on leave without pay. Such leave will be granted without compensation.

5.4 FMLA Leave

The City complies with the Family Medical Leave Act (“FMLA”), which is unpaid leave. Any FMLA leave shall, however, run concurrent with any paid or other unpaid leave time, meaning you must first use any available paid leave for any FMLA leave and unpaid leave runs concurrent with FMLA leave. The City applies the following 12-month leave cycle: the calendar year. FMLA leave forms are available from the Finance Officer and FMLA must be authorized by the immediate supervisor or the Mayor or the Council-President. During an approved FMLA leave, the City will maintain your health and other benefits as if you continued to be actively employed. However, you must continue to pay your portion, if any, of the group health plan premiums or your benefits may be cancelled. If you are requesting leave for a serious health condition, whenever possible the medical certification from your healthcare provider should be supplied before leave begins. The City, at no expense to you, may require examination(s) and/or information from your provider as set forth under the FMLA.

5.5 On-the-Job Injury Leave: All medical and hospital expenses for injuries to employees arising out of the course and scope of their employment shall be paid for in accordance with workers’ compensation laws of the State of South Dakota. An employee injured while on-the-job must immediately notify Finance Officer or immediate supervisor. The employee must complete a South Dakota First Report of Injury Form and submit it to the Finance Office.

5.6 Holidays

The City recognizes and observes the following as paid holiday for full-time eligible employees:

- New Year’s Day, January 1
- Martin Luther King Jr. Day, 3rd Monday in January
- Presidents’ Day, 3rd Monday in February
- Memorial Day, Last Monday in May
- Independence Day, July 4
- Labor Day, 1st Monday in September
- Native American Day, 2nd Monday of October
- Veterans’ Day, November 11
- Thanksgiving Day, 4th Thursday in November
- Friday after Thanksgiving Day, 4th Friday in November
- Christmas Day, December 25

When a holiday falls on a Saturday, the preceding Friday is observed as the paid holiday for eligible City employees. If a holiday falls on a Sunday, it is observed on the following Monday. The City may establish floating holidays at its discretion.

5.6.1 Work on a Holiday

Any full-time employee required to work on a paid holiday observed by the City will receive the hours worked added to their vacation accrual.

5.6.2 Administrative Holidays/Administrative Leave

The Mayor shall have the authority and discretion to declare day(s) as administrative holidays. The Mayor shall have the authority and discretion to issue administrative leave.

5.7 Benefits

Benefits provided to employees depend on eligibility and classification (full-time, part-time, and seasonal). Applicable information will be provided separately to you by the City. Benefits may change at any time without prior notice to you and there is no guarantee of continuation of any benefits.

POLICY 6: DRUG AND ALCOHOL ABUSE POLICY

The City has a strong commitment to its employees to provide a safe, healthful, and productive work environment and to promote high standards of employee health, and the City strives to establish and maintain a work environment that is free from the effects of alcohol and drug abuse. The City complies with the Drug-Free Workplace Act of 1988. The unlawful use of alcohol, of marijuana or any controlled drug or substance not obtained pursuant to a valid prescription is prohibited while employees are on the City's property and while conducting business-related activities off the City's premises. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Any employee found to be in violation of this policy or any of the provisions set forth in the plan below will be subject to discipline up to and including termination of employment. The City may conduct drug and alcohol testing of employees where reasonable suspicion exists to suggest the employee is under the influence of drugs or alcohol or where there has been an accident causing personal injury or property damage.

POLICY 7: COMPUTER USAGE

The City may monitor computer, Internet and email usage, including retrieving and reading email messages and other computer files, and monitoring of Internet traffic. Therefore, email messages and other use of City computers are not confidential, and even though you may be issued a private password or other private access code to log in to the computer, you should have no expectation of privacy with regards to your use of City computer network system.

POLICY 8: PHONE USE POLICY

While personal phone calls are not prohibited, their frequency, duration, and volume should not interfere with on-going work nor distract fellow employees. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are therefore asked to make personal calls on non-work time where possible and to ensure that friends and family members are aware of the City's policy. Flexibility will be provided in circumstances demanding immediate attention. Employees are not permitted to make personal long-distance telephone calls using the city's telephones or telephone credit card, except in emergencies. Employees may place personal long-distance calls if they use their personal calling card or call collect.

8.1 Personal Cellular Phones

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of City phones. The City will not be liable for the loss of personal cellular phones brought into the workplace.

8.2 Personal Use of City-Provided Cellular Phones

In its discretion, the City may issue a business cell phone to an employee for work-related communications. Employees are expected to protect such cell phone from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested may be expected to bear the cost of a replacement.

8.3 Safety Issues for Cellular Phone Use

Employees must follow SD State Law regarding cell phone use including that of texting while operating City owned vehicles and equipment. Safety must come before all other concerns. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

POLICY 9: PROCUREMENT POLICY & CONFLICT OF INTEREST POLICY

9.1: General Procurement Policy:

The City of Crooks shall purchase materials, supplies, equipment and services needed, at the best possible value, and maintain appropriate documentation. The Mayor and authorized department heads shall initiate purchases. Purchases are ultimately approved by the City Council. The Finance Officer shall prepare a comprehensive document recording all expenditures and present it at the regular monthly meeting. Checks will not be written and mailed until the City Council has approved the transaction, other than those payments that have to be submitted in order to avoid penalties.

9.2. Credit Card Purchases. Credit card purchases must follow the guidelines outlined in this policy. Use of the City-issued credit card should not lead to additional incurred charges and should only be used when it is advantageous to the City.

9.2.1. All purchases made with a City issued credit card or by electronic transaction shall be accounted for with purchase receipts retained from the point of sale at which the item(s) were purchased. The Supervisor is responsible for submitting detailed receipts and is responsible to ensure that duplicate receipts are obtained if the original receipts are lost. Employee will initiate a purchase request to account for charges made on that Department's credit card. The purchasing employee will advise the vendor that the purchase is tax-exempt. Employees will be issued documentation of sales tax-exempt license as issued by the SD Department of Revenue to be produced at time of purchase. If a City employee uses a vendor which does not produce a receipt from their point of sale system, the City employee shall complete a purchase confirmation form as furnished by the Finance Office.

9.2.2. Proper documentation of each charge must be forwarded to the Finance Office. If proper documentation is not received, the payment of the charge is the responsibility of the employee and will be deducted from the employee's pay.

9.2.3. The Finance Office shall audit the credit card receipts, reconcile the credit card statements and process the charges for payment by the City.

9.2.4. Any transaction must comply with all applicable City policies.

9.2.5. Purchase of alcoholic beverages is prohibited.

9.2.6. Cash advances are prohibited, and the card cannot be used for tips.

9.2.7. City-issued credit cards or any electronic transactions may not be used to pay for any item which does not directly benefit the City of Crooks.

9.2.8. The credit card accounts shall be administered by the Finance Office and a designee from each Department may be assigned to oversee the usage, limits, and processing for that Department.

9.2.9. Personal use of the credit card or any electronic transaction is strictly prohibited. Misuse of a City-issued credit card or any electronic transaction will be considered grounds for disciplinary action up to and including termination. All improper charges are the responsibility of the employee. Employee shall promptly notify Finance Officer of accidental use of card and reimburse City for incurred charge.

9.2.10. Any perks, credits or items of value earned through the use of said City-issued credit card shall only be used for the benefit of the City and not for that of any employee. Additional cardholder responsibilities will be communicated as necessary.

9.3 Use of personal perks/rewards/benefits card/account prohibited.

- 9.3.1 City Employees are prohibited from using personal perks/rewards/benefits card(s) or account(s) when procuring goods, services, and so forth on behalf of the City with a monetary instrument issued by the City.
- 9.3.2. Employees shall immediately report accidental use, so appropriate remedies can be initiated to avoid defraying the City of any accumulated benefits.
- 9.3.3. Employees using personal perks/rewards card with purchase of City goods are subject to disciplinary action as deemed appropriate by the Mayor of the City of Crooks.

POLICY 10: DISCIPLINARY ACTION

The City expects employees to use good judgment and exhibit a sense of responsibility. All employees are responsible for providing their particular City services to the public in a courteous, polite manner. Employees are expected to maintain high standards of conduct and cooperation in their duties for the City, and to conduct themselves in an appropriate manner and maintain a high level of job performance, and to not disclose confidential information learned in the course of employment. The City reserves the right to suspend an employee with pay, however, such action is not deemed to be a disciplinary action.

Disciplinary actions shall be applied when the Mayor determines such actions are necessary. The Mayor may instruct the appropriate department head to execute the disciplinary action. A disciplinary action may be in the form of oral reprimand, written reprimand, suspension, demotion or reassignment, or dismissal as defined below. The City may, but is not required to, apply these actions progressively and for example, suspension or termination of employment may be applied as a first step of discipline. Employment is at-will and this disciplinary policy does not otherwise create any other employment relationship.

Types of discipline include, but are not limited to:

- Oral Reprimand: A verbal statement, which may or may not be documented.
- Written reprimand: A written statement.
- Suspension without Pay: Removal from duties for City for specified period of time, without pay, for up to 10 working days.
- Demotion or Reassignment: May include reduction in pay (possibly including benefits), job duties, placement or into a lower position; change of employee's duties within his/her current position; or use any combination.
- Dismissal: Involuntary termination of employment.

POLICY 11: CONFLICT OF INTEREST POLICY

The city of Crooks follows the provisions of SD Codified Law Chapter 6-1, as well as provision 5-18A and any other applicable law and administrative rule regarding the conflict of interest for municipal officials.

Ordinance #255

An Ordinance of the City of Crooks, South Dakota, providing for a change of the water and sewer rates within the City of Crooks, effective January 2020. Be it ordained by the City Council of the City of Crooks, South Dakota, that:

Section 1. The following rates are hereby established for the water consumers and sewer users connected to the municipal water and sewer systems of the City effective for the Month of January 2020 and as implemented as noted in Section 2.

Water and Sewer Rates

Gallons used	Water	Sewer	Total
2,000	27.05	42.40	69.45
3,000	31.55	44.00	75.55
4,000	36.05	45.60	81.65
5,000	40.55	47.20	87.75
6,000	45.05	48.80	93.85
7,000	49.55	50.40	99.95
8,000	54.05	52.00	106.05
9,000	58.55	53.60	112.15
10,000	63.05	55.20	118.25
11,000	67.55	56.80	124.35
12,000	72.05	58.40	130.45
13,000	76.55	60.00	136.55
14,000	81.05	61.60	142.65
15,000	85.55	63.20	148.75
16,000	90.05	64.80	154.85
17,000	94.55	66.40	160.95
18,000	99.05	68.00	167.05
19,000	103.55	69.60	173.15
20,000	108.05	71.20	179.25

All water in excess of 20,000 gallons shall be at the rate of \$4.40 per 1,000 gallons. All sewer in excess of 20,000 gallons shall be at a rate of \$1.60 per 1,000 gallons. The foregoing rates shall apply to locations within city limits and those outside of city limits for water and sewer consumption for one (1) month period for residential users and commercial users.

Beginning January 2020 and thereafter, the water and sewer rates shall be adjusted annually in conjunction with the State of South Dakota consumer price index (CPI).

Section 2. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

F. Butch Oseby, Mayor

(SEAL)

Attest:

Tobias Schantz, Finance Officer

First Reading:

Second Reading:

Publication:

Published once at the approximate cost of:

RESOLUTION 2019-12-02

WHEREAS, SDCL 9-14-28 requires that the governing body of every municipality shall fix and determine by ordinance or resolution, the amount of salaries and compensation of all municipal officers and the time at which the same shall be paid; and

WHEREAS, the Crooks City Council shall publish the salaries for compliance with the provision of SDCL,

WHEREAS, the Crooks City Council wishes to establish the following wages for the year 2020;

NOW, THEREFORE, BE IT RESOLVED by the Crooks City Council that the following resolution, repealing all prior salary and wage resolutions or motions, be passed, approved and effective pursuant to SDCL. The Mayor, Council members, and Planning and Zoning Commissioners shall be paid after each meeting, the Crooks HRC Commissioners and the Planning and Zoning Director shall be paid monthly, and employees pursuant to the pay schedule established in the Crooks Personnel Policy.

PZ Director – \$125 per month, \$50 per city council meeting & planning and zoning meeting attended, \$25 per special city council meeting & special planning and zoning meeting attended, \$20 per hour worked on behalf of City

PZ Board member – \$50 per regular meeting attended, \$25 per special meeting attended

CHRC Commissioner – \$50 per regular meeting attended, \$25 per special meeting attended

Election workers – \$15.00 per hr.

Election superintendent – \$15.00 per hr.

Thomas Beck – \$18.00 per hr.

Virginia Beck – \$52,654.00/annually

Dan Larson – \$20.00 per hr.

Chad Moller – \$14.00 per hr.

Gary Newman – \$12.67 per hr. for non-snow removal work / \$17.51 per hr. for snow removal work

William Pearson – \$21.75 per hr. / \$30 per inspection

Jason Penning – \$18.00 per hr.

Trevor Ramstad – \$19.00 per hr.

Chad Rezac – \$20.86 per hr.

Larry Rezac – \$14.70 for non-snow removal work / \$15.75 per hr. for snow removal work

Tobias Schantz – \$57,428.00/annually

Dustin Wochnick – \$16.00 per hr.

Ayes:

Nays:

Abstains:

F. Butch Oseby, Mayor

(SEAL)

Attest:

Tobias Schantz, Municipal Finance Officer

Adopted:

Published:

Published once at the approximate cost of:

Effective:

RESOLUTION NO. 2019-12-03

A RESOLUTION OF THE CITY OF CROOKS, SOUTH DAKOTA, TRANSFERRING SPENDING AUTHORITY FROM THE CONTINGENCY FUND TO MEET THE OBLIGATIONS OF THE CITY FOR 2019.

WHEREAS, the City of Crooks did approve a line for contingency transfers in the 2019 annual budget; and,

WHEREAS, the City of Crooks finds it necessary to transfer from said contingency line;

NOW THEREFORE IT IS HEREBY RESOLVED BY THE CROOKS CITY COUNCIL, that the following sums are transferred from the contingency fund to the following departments to meet the obligations of the City:

Dept. – 414.1 – Legal – Object 422.0 Professional Services	\$1,500.00
Dept. – 4411.5 – City Clean-Up – Object 428.0 Utilities	\$1,000.00
Dept. – 470.0 – Debt Service – Object 44.2 Interest	\$586.00
Total transfer from Contingency (411.5) function:	<u>\$3,086.00</u>

Pursuant SDCL 9-19-13 this resolution shall take immediate effect.

Yays:

Nays:

F. Butch Oseby, Mayor of Crooks, SD

ATTEST:

(SEAL)

Tobias Schantz, Finance Officer

Legislative History

Adopted:

Effective:

Published:

Published once at the approximate cost of: