

City of Crooks
City Council
Regular monthly meeting
Posted agenda
Date: 09/12/2022
Time: 7:00pm / CST
Location: Crooks Community Center (701 S West Ave, Crooks, SD, 57020)

- 1) Call to order / Roll call
- 2) Pledge of allegiance & Invocation
- 3) Approve posted agenda
- 4) Consent calendar items:
 - a) Approve meeting minutes
 - b) Approve financials
 - c) Approve claims
 - d) Tri-Valley Facility Use Agreement
- 5) Open comments [The opportunity for anyone not listed on the agenda to speak to the council, speaking times will be limited to three (3) minutes. No action will be taken on questions or items not on the agenda.]
 - a) Tri-Valley Baseball Association – 2023 Update
- 6) Reports / Other business
 - a) Capital improvement projects
 - b) Crooks HRC
 - c) Parks
 - i. Purchase agreement baseball complex land
 - ii. Discussion on naming football fields at Sunset Park
 - d) Economic Development
 - i. SMGA proposal
 - ii. Crooks Development Corporation
 - e) Streets
 - i. Slurry Seal pay application request
 - f) Planning and Zoning
 - g) Government buildings & IT infrastructure
 - i. Rentals Crooks Community Center
 - h) Finance
 - i. Purchase Card Policy
 - ii. Interfund loan from General Fund to Special Maintenance Assessment Fund
 - i) Utility
 - j) Code enforcement / animal control
 - k) Other business:
 - i. Hire FT maintenance personnel
 - ii. Surplus property
- 7) Ordinances, resolution, policy, motions
 - a) Second reading of Ordinance #307: Supplemental appropriations
 - b) Second reading of Ordinance #308: Tobacco free Policy
 - c) Second reading of Ordinance #309: 2023 Appropriations
 - d) First reading of Ordinance #310: Regulating consumption of alcohol in City parks
 - e) First reading of Ordinance #311: Supplemental appropriations
 - f) Resolution 2022-20: Adopting a Limited English Proficiency Plan
- 8) Adjourn

City of Crooks
City Council
Regular Monthly Meeting Minutes
August 8, 2022

Mayor Oseby called the meeting to order at 7:01pm at the Crooks Community Center. Answering roll call were Alderman Harstad, Alderman Richardson, Alderman Beyer, and Mayor Oseby. City staff present were City engineer Jesse Morris (DGR), City Administrator/Finance Officer Schantz, Superintendent Beck, and PZ Director S. Richardson.

Pledge of allegiance was recited by those present. Oseby led invocation.

Approve agenda. Motion by Beyer to approve agenda. Motion died for lack of second. Motion by Richardson to approve agenda and add item for “Executive Session pursuant to SDCL 1-25-2(1)”, seconded by Harstad. No discussion. All aye, motion carried.

Approve meeting minutes. Schantz stated clerical error had been made on July 11, 2022, meeting minutes with Brendan Newman’s wage being stated as \$16/hr. instead of \$15/hr. Motion by Harstad to approve July 11, 2022 meeting minutes with correction, seconded by Richardson. No discussion. All aye, motion carried. Motion by Harstad to approve August 3, 2022 meeting minutes, seconded by Richardson. No discussion. All aye, motion carried.

Consent calendar items. Motion by Richardson to approve consent calendar items, seconded by Beyer. Assurance agreement and Dell Rapids Ambulance FY2022 request were discussed. No further discussion. All aye, motion carried.

Approved consent calendar items:

- a) Financials
- b) Claims (full listing following below)
- c) Recurring rental agreement for Kix for Kids
- d) Assurance agreement for Heritage Pond Ph. 1
- e) Dell Rapids Ambulance – FY 2022 budget request

Approved claims.

Vendor	Date incur.	Description	Amount
A&B Business Solutions	8/1/2022	monthly managed IT	\$ 841.97
A&B Business Solutions	8/4/2022	copier lease	\$ 290.99
Aflac	7/26/2022	Aflac payable	\$ 138.34
AG United for South Dakota	8/4/2022	CCC deposit return	\$ 250.00
Alliance Communications	8/1/2022	utilities - sewer & office	\$ 376.47
American Engineering Testing	7/27/2022	analytical chemistry testing	\$ 410.00
Appearra	8/3/2022	mat, mop, towel, rag service	\$ 81.36
Appearra	7/20/2022	mat, mop, towel, rag service	\$ 81.36
Banyon Data Systems	8/1/2022	UB email bills support	\$ 195.00
Brenda Centes	7/18/2022	CCC deposit & rent refund	\$ 850.00
Builders Electric	7/15/2022	replacement of siren batteries	\$ 2,908.00
CHS	7/31/2022	chemical purchase	\$ 551.50
CHS	8/4/2022	chemical purchase	\$ 557.20

August 8, 2022 – Regular monthly meeting minutes.

City of Sioux Falls	7/18/2022	bacteria testing water	\$ 87.00
Clayton Energy	8/1/2022	reservation fee & monthly service fee	\$ 2,018.00
Clayton Energy	7/14/2022	commodity purchase	\$ 8,555.11
Country Corner	8/3/2022	portella oil	\$ 125.65
Country Corner	8/1/2022	storage unit rental fee	\$ 69.00
DGR Engineering	7/18/2022	06-022 engineering services	\$ 1,742.00
Display Sales	7/22/2022	replacement banners	\$ 2,015.53
Ecolab	7/27/2022	pest control services	\$ 89.41
Ferguson Waterworks	7/25/2022	registers	\$ 1,479.41
First Interstate Bank	8/5/2022	purchase card payment	\$ 3,469.62
First Interstate Bank	7/29/2022	service charge	\$ 16.50
First Interstate Bank	7/28/2022	returned item fee	\$ 3.00
First Interstate Bank	7/20/2022	deposit ticket book	\$ 20.00
Fred the Fixer	7/13/2022	re-key door	\$ 125.00
Goebel Printing	7/14/2022	business cards	\$ 44.50
Health Pool of SD	8/1/2022	health + life insurance payable	\$ 2,249.52
Internal Revenue Service / EFTPS	7/20/2022	payroll tax deposit	\$ 3,296.65
Internal Revenue Service / EFTPS	8/2/2022	payroll tax deposit	\$ 3,495.59
Interstate Power Systems	8/2/2022	maintenance main lift station	\$ 350.00
Interstate Power Systems	8/2/2022	maintenance north lift station	\$ 380.00
Lacey Rentals	7/27/2022	portable restroom rental at Sunset Park	\$ 185.00
Lacey Rentals	7/26/2022	portable restroom rental at shop	\$ 185.00
Lodes Tree Service	7/22/2022	storm damage tree removal	\$ 5,600.00
Mac's	7/21/2022	supplies	\$ 54.94
Maria Christensen	7/25/2022	CCC deposit refund	\$ 450.00
Matheson Tri-Gas, Inc.	7/31/2022	gas charts	\$ 35.06
Melius Manufacturing	7/22/2022	wheels on table racks	\$ 675.00
Minnehaha Comm. Water Corp.	8/1/2022	monthly water purchase	\$ 12,940.80
National Fire Protection Assoc.	7/4/2022	annual dues	\$ 175.00
New Century Press	7/1/2022	Fireworks FAQ	\$ 80.00
New Century Press	7/1/2022	Independence Day ad	\$ 18.00
New Century Press	6/17/2022	06/10/22 mtg mins	\$ 10.64
New Century Press	6/17/2022	05/31/22 mtg mins	\$ 39.76
New Century Press	6/17/2022	Res. 2022-13	\$ 29.12
New Century Press	7/22/2022	07/11/22 mtg mins	\$ 216.72
New Century Press	7/22/2022	Ord 303 publication	\$ 30.24
Nexben	8/1/2022	supplemental life insurance - child	\$ 1.70
Nexben	8/1/2022	supplemental life insurance - spouse	\$ 50.40
Nexben	8/1/2022	supplemental life insurance	\$ 59.00
Nexben	8/1/2022	dental insurance	\$ 169.02
Nexben	8/1/2022	vision insurance	\$ 20.42
Northern Truck Equipment	7/8/2022	repair liftgate	\$ 192.79

August 8, 2022 – Regular monthly meeting minutes.

Northern Truck Equipment	7/26/2022	refund overread meter	\$ 797.75
Nyberg's Ace Hardware	7/29/2022	supplies	\$ 17.78
Payment Service Network	8/2/2022	gateway fee	\$ 89.95
Q3 Contracting	7/13/2022	lowering gas line	\$ 2,473.92
Q3 Contracting	8/3/2022	installation of gas service	\$ 860.78
R&S Construction	7/27/2022	wall municipal office	\$ 11,016.00
Riteway	7/28/2022	blank utility bills	\$ 856.25
SD Dept of Revenue	7/11/2022	sales tax payable	\$ 2,059.84
SD Dept of Revenue	7/11/2022	excise tax payable	\$ 193.40
SD One Call	7/31/2022	07-22 message fees	\$ 115.50
SD Retirement System	7/20/2022	07-22 retirement contribution	\$ 2,564.94
SD Secretary of State	7/11/2022	UCC continuation statement	\$ 25.00
SDRS Supplemental Retirement Plan	7/22/2022	ROTH contribution	\$ 150.00
Shell / Pump'N'Stuff	7/15/2022	fuel	\$ 30.56
Shell / Pump'N'Stuff	7/19/2022	fuel	\$ 28.38
Shell / Pump'N'Stuff	7/11/2022	fuel	\$ 33.49
Shell / Pump'N'Stuff	7/19/2022	fuel	\$ 52.14
Shell / Pump'N'Stuff	7/27/2022	fuel	\$ 42.97
Shell / Pump'N'Stuff	7/27/2022	fuel	\$ 47.10
Shell / Pump'N'Stuff	7/26/2022	fuel	\$ 30.67
Shell / Pump'N'Stuff	7/6/2022	fuel	\$ 54.53
Shell / Pump'N'Stuff	7/12/2022	fuel	\$ 52.27
Shell / Pump'N'Stuff	6/17/2022	fuel	\$ 46.08
Shell / Pump'N'Stuff	8/2/2022	batteries	\$ 7.34
Shell / Pump'N'Stuff	8/3/2022	fuel	\$ 31.59
Sioux Falls Humane Society	7/11/2022	06-22 animal control services	\$ 8.60
Sioux Metro Growth Alliance	8/3/2022	2023 dues	\$ 3,745.50
Sioux Valley Energy	7/14/2022	street light utilities	\$ 254.00
Sioux Valley Energy	7/14/2022	sewer utilities	\$ 133.39
SoDak Striping	8/3/2022	striping services	\$ 617.75
Tricia Gomulinski	7/25/2022	CCC deposit refund	\$ 550.00
U Drive Technology	8/1/2022	06-22 message fees	\$ 270.06
USDA - Rural Development	8/20/2022	pay loader note payment	\$ 1,663.00
Vantek Communications	8/1/2022	pager utilities	\$ 15.00
Verizon	8/2/2022	utilities metering station	\$ 27.87
Verizon	7/23/2022	utilities	\$ 91.52
Xcel Energy	7/18/2022	electric east side lift station	\$ 55,479.63
Xcel Energy	8/1/2022	electric utilities	\$ 3,878.53
		Total claims	\$ 146,795.37

Approved purchase card payments.

Vendor	Date incur.	Description	Amount
Amazon	7/12/2022	wireless doorbell & office signs	\$ 38.96
Amazon	7/18/2022	locks for Crooks Comm. Cen.	\$ 119.97

August 8, 2022 – Regular monthly meeting minutes.

Amazon	7/21/2022	gopher poison	\$ 45.89
Amazon	7/28/2022	display case	\$ 47.99
Amazon	8/4/2022	office supplies	\$ 24.51
Automotive Services	7/22/2022	repair Tahoe	\$ 289.80
C&R Supply, Inc.	7/28/2022	supplies	\$ 480.46
Crooks Country Corner	7/21/2022	oil change & wiper blade replacement	\$ 80.85
Crooks Country Corner	7/19/2022	fuel	\$ 93.31
Fred the Fixer	8/3/2022	keys for shed by Community Center	\$ 8.00
JCL Solutions	8/2/2022	buff pad	\$ 37.25
Maximum Promotions	7/20/2022	replacement US flags	\$ 220.50
Nyberg's Ace Hardware	7/21/2022	supplies	\$ 70.13
Nyberg's Ace Hardware	7/13/2022	pest repellent	\$ 29.95
ODP Business Solutions	7/8/2022	rolls of stamps	\$ 580.00
ODP Business Solutions	8/4/2022	office supplies	\$ 57.24
Office Depot/OfficeMax	7/28/2022	office chair & chair mat	\$ 251.98
Pfeifer Implement	8/2/2022	oil & filter	\$ 44.95
Shell / Pump'N'Stuff	7/28/2022	fuel	\$ 95.10
Shell / Pump'N'Stuff	7/25/2022	fuel	\$ 63.76
Shell / Pump'N'Stuff	7/19/2022	fuel	\$ 17.47
Shell / Pump'N'Stuff	7/20/2022	fuel	\$ 24.36
Shell / Pump'N'Stuff	7/8/2022	fuel	\$ 72.77
Shell / Pump'N'Stuff	7/11/2022	fuel	\$ 27.50
Shell / Pump'N'Stuff	7/19/2022	fuel	\$ 31.67
Shell / Pump'N'Stuff	7/15/2022	fuel	\$ 62.38
Shell / Pump'N'Stuff	7/13/2022	fuel	\$ 12.28
Shell / Pump'N'Stuff	7/14/2022	fuel	\$ 32.35
Shell / Pump'N'Stuff	8/1/2022	fuel	\$ 34.69
Shell / Pump'N'Stuff	8/3/2022	fuel	\$ 56.21
US Postal Service	7/21/2022	delinquency letters	\$ 92.00
US Postal Service	7/22/2022	certified letter landlord delinquent utilities tenant	\$ 7.25
US Postal Service	7/19/2022	postage code enforcement letter	\$ 25.75
US Postal Service	8/4/2022	certified letters	\$ 15.70
US Specialty Coatings	4/21/2022	marking paint	\$ 276.64
		Total purchase card claims	\$ 3,469.62

Approved salaries/wage claims.

Council	\$ 525.00
Mayor	\$ 420.00
Planning and Zoning Commission	\$ 690.00
Finance Office	\$ 2,490.38
Government Buildings	\$ 1,157.23

Building Inspector	\$ 1,721.25
Highway & Streets	\$ 1,473.09
Highway & Streets - Snow Removal	\$ 913.20
Code Enforcement	\$ 95.82
Clean-Up	\$ 276.93
Animal Control	\$ 47.90
West Nile	\$ 81.62
Parks	\$ 3,380.54
Economic Development	\$ 294.05
Gas	\$ 4,477.87
Water	\$ 4,975.48
Sewer	\$ 5,067.28
Total wage claims	\$ 28,087.64

Opens comments.

Jim Van Hunnicks, resident, asked about the replacement of street light in front of his residence and if the City will place speed limit sign at entrance to town. Concern was discussed by those present.

Reports/Other business.

- a. **Capital improvement projects.** Oseby spoke on the CIP list presented to council; Oseby requested aldermen consider list and provide input.
- b. **Crooks HRC.** Harstad gave report. Six foundations are being poured in the Heritage Pond development. The utility tie in from Willie Dr. to Willie Cir. was reviewed. The CHRC will need to negotiate with developer on the use of dirt from Heritage Pond as it was used in the development.
- c. **Parks.** Harstad gave report. Flag Football season is commencing. The turf at Sunset Park looks good. The dugouts and fence improvements at New Hope Park are underway. The potential installation of electric to the south field at New Hope Park was discussed. Beck spoke on a resident's use of a motorized vehicle at Sunset Park, while concurrently allowing the resident's dog to run off-leash. Council members noted a resident's request for a handicap swing for Sunset Park.
- d. **Economic development.** Harstad gave report. i. SMGA proposal. Harstad spoke on the SMGA proposal presented. No action was taken on the item.
- e. **Streets.** Oseby gave report. The hydrant on 4th St. has been replaced and the area will need additional road repairs. A portion of the slurry seal project has been completed. The asphalt patches along W 5th St. will need to be repaired as they have been sinking after the moving of utility lines. i. SD DOT agreement for 2nd Phase of West Ave Trails. Motion by Beyer to approve agreement, seconded by Harstad. No discussion. All aye, motion carried.
- f. **Planning and Zoning.** S. Richardson gave report. A variety of violations are currently addressed by staff; some of the violations involve tall grass and permitting camping at a residence in town.
- g. **Government buildings & IT infrastructure.** Beyer gave report. Staff recommendations for Crooks Community Center rentals were presented and discussed. Staff was asked to resolve IT issues regarding council member's email.
- h. **Finance.** Richardson gave report. FY 2023 budget meeting was discussed.

- i. **Utility.** Beck gave report. A status update of the water tower repair was provided. The moving of the district regulator was discussed.
- j. **Code enforcement/Animal control.** Pertinent items were discussed under Parks.
- k. **Other business.**
 - i. CIP list. Oseby asked Council to keep CIP list in mind.
 - ii. Award bid for drainage. Morris spoke on the bids received for drainage improvements in town. The item was discussed. Motion by Harstad to award project to H&W Contracting, LLC., \$92,748.09, with Richardson and Schantz to determine finding funding source, seconded by Richardson. The project timeline and ensuring project gets completed this year were discussed. No further discussion. All aye, motion carried.

Ordinances, resolution, policy, motion.

- a) Second reading of Ordinance #304 (Setting regular meetings, times and dates, and, setting the procedure for calling special meetings). Oseby gave second reading. Motion by Harstad to approve ordinance, seconded by Richardson. No discussion. Roll call vote: Harstad – aye, Richardson – aye, Beyer – aye. All aye, motion carried.
- b) Second reading of Ordinance #305 (Establishing a procedure for the collection of utility bills & collections procedures for disconnection of utility services). Oseby gave second. Motion by Harstad to approve ordinance, seconded by Beyer. No discussion. Roll call vote: Harstad – aye, Richardson – aye, Beyer – aye. All aye, motion carried.
- c) Second reading of Ordinance #306 (Amendment of Ordinance #275). Oseby gave second reading. Motion by Harstad to approve ordinance, seconded by Richardson. No discussion. Roll call vote: Harstad – aye, Richardson – aye, Beyer – aye. All aye, motion carried.
- d) First reading of Ordinance #307 (Supplemental appropriations). Oseby gave first reading.
- e) First reading of Ordinance #308 (Tobacco Free Policy). Oseby gave first reading.
- f) First reading of Ordinance #309 (2023 Appropriations). Oseby gave first reading.
- g) First reading of Ordinance #310 (Regulating consumption of alcohol in City Parks). Motion by Harstad to table item, seconded by Richardson. Item was tabled as no ordinance has been reviewed by Harstad prior to meeting. No further discussion. All aye, motion carried.
- h) Resolution 2022-17 (“Street maintenance assessment”). Oseby gave first reading. Motion by Richardson to approve resolution, seconded by Harstad. No discussion. All aye, motion carried.

CITY OF CROOKS

RESOLUTION #2022-17

A RESOLUTION OF THE CITY OF CROOKS TO LEVY A SPECIAL MAINTENANCE ASSESSMENT FOR THE ANNUAL MAINTENANCE OR REPAIRING OF PUBLIC IMPROVEMENTS AS PROVIDED FOR IN SDCL § 9-43-138.

WHEREAS, SDCL § 9-43-138 provides for the assessment of maintaining or repairing public improvements; and

WHEREAS, the City of Crooks maintains and repairs public improvements within the city limits, and improvements pursuant to Resolution 2020-07-01;

NOW THEREFORE BE IT RESOLVED, that the assessment of annual maintenance and repair of public improvements shall be levied as follows:

- 1. Designation of lots to be assessed. Pursuant to SDCL § 9-43-138, all lots in the City of Crooks fronting a street shall be assessed at one hundred eighty dollars (\$180.00) per parcel.

2. Assessment. The City Finance Officer is directed to add such assessment to the general assessment against the property and certify the assessment together with the regular assessment to the county auditor to be collected in the same manner as municipal taxes for general purposes.
3. Assessment subject to review. The assessment is subject to review and equalization the same as assessments or taxes for general purposes.

Ayes: Harstad, Richardson, Beyer

Nays:

Abstain:

F. Butch Oseby
Mayor
City of Crooks

ATTEST:

Tobias Schantz
Finance Officer
City of Crooks

Legislative History:

Adopted: 08/08/2022

Published:

Effective:

- i) Resolution 2022-18 ("Gas Hook-Up Charge/Fee"). Oseby gave first reading. Motion by Beyer to approve resolution, seconded by Harstad. No discussion. All aye, motion carried.

**CITY OF CROOKS
RESOLUTION #2022-18**

**A RESOLUTION OF THE CITY OF CROOKS TO ESTABLISHING A CONTRIBUTION IN AID OF
CONSTRUCTION FOR THE INSTALLATION OF GAS SERVICE LINES.**

WHEREAS, the City of Crooks operates a municipal gas system; and,
WHEREAS, the City of Crooks installs commercial and residential gas services within its service system;
and,

WHEREAS, the City of Crooks wishes to establish a gas hook up charge or contribution in aid of
construction for the installation of gas services;

NOW THEREFORE BE IT RESOLVED, that:

Section 1. Contribution in aid of construction ("CIAC"). The City of Crooks requires a contribution in aid of construction when gas services are installed, residential or commercial, at the request of the property owner or developer or authorized agent. The contribution in aid of construction shall not apply for gas main lines installed; said lines shall be installed at the discretion of the City of Crooks.

Section 2. Amount. The construction aid in contribution shall be \$500 per service installed and is due prior to installation of the service. Amounts shall be remitted and deposited into the Gas (617) fund.

Section 3. Waiving of contribution in aid of construction. The City of Crooks reserves the right to waive the CIAC; however, waiving of the CIAC shall only occur after application has been made and approval given by the Crooks City Council.

Ayes: Harstad, Richardson, Beyer

Nays:

Abstain:

F. Butch Oseby
Mayor
City of Crooks

ATTEST:

Tobias Schantz
Finance Officer
City of Crooks

Legislative History:

Adopted: 08/08/2022

Published:

Effective:

- j) Resolution 2022-19 (“Discretionary formula resolution”). Oseby gave first reading. Motion by Beyer to approve resolution, seconded by Richardson. Item was discussed. No further discussion. All aye, motion carried.

**CITY OF CROOKS
RESOLUTION #2022-19**

A RESOLUTION CLARIFYING DISCRETIONARY FORMULA DESIGNATION FOR REDUCED TAXATION FOR CERTAIN NEW STRUCTURES AND ADDITIONS WITHIN THE CITY OF CROOKS, SD.

WHEREAS, SDCL § 10-6-137 allows for the establishment of a discretionary formula of taxation for certain structures specially classified for the purpose of taxation; and
WHEREAS, the City of Crooks desires to establish a discretionary formula for reduced taxation for certain new structures and additions within the City of Crooks in the event that such structures are not granted discretionary formula treatment by Minnehaha County; and
WHEREAS, to date, the Minnehaha County Board of Commissioners has not adopted a formula pursuant to SDCL § 10-6-137 or 10-6-137.1;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF CROOKS, MINNEHAHA COUNTY, SOUTH DAKOTA AS FOLLOWS:

Pursuant to the authority granted to the City of Crooks under SDCL §§ 10-6-137 and 10-6-137.1, all new structures and additions which are specially classified for the purpose of taxation under SDCL §§ 10-6-137(1), and SDCL 10-6-137(4) and located within the City of Crooks shall be assessed as follows for real estate taxes:

- A. 0% of the assessed value for the first year following construction;
- B. 25% of the assessed value for the second year following construction;
- C. 50% of the assessed value for the third year following construction;
- D. 75% of the assessed value for the fourth and fifth years following construction; and

E. 100% of the assessed value for the sixth year and all years thereafter.
All previous resolutions adopted by the City of Crooks authorizing discretionary formula shall remain in effect for qualifying structures until Resolution #2022-19 is effective.

Ayes: Harstad, Richardson, Beyer

Nays:

Abstains:

Dated this 8th day of August, 2022.

Mayor

ATTEST:

Finance Officer

Published:

Effective:

Executive session pursuant to SDCL 1-25-2(1): Personnel matters. Motion by Harstad to enter into executive session at 8:24PM, seconded by Richardson. No discussion. Roll call vote: Harstad – aye, Richardson – aye, Beyer – aye. All aye, motion carried. Oseby called meeting back to order at 8:34PM. Motion by Richardson to reconvene meeting at 8:34PM, seconded by Beyer. No discussion. All aye, motion carried. Motion by Richardson to hire Sara Smith as full-time employee at a rate of \$24/her with benefits and at thirty-two hours a week, seconded by Beyer. No discussion. All aye, motion carried.

Adjourn. Motion by Harstad to adjourn meeting at 8:35PM, seconded by Richardson. No discussion. All aye, motion carried.

Respectfully submitted,
Tobias Schantz
City Administrator/Finance Officer
City of Crooks, SD

Published:

Published once at the approximate cost of \$

City of Crooks
Crooks City Council
Meeting minutes
August 25, 2022

Mayor Oseby called the meeting to order at 5:00pm at the Crooks Community Center. Answering roll call were Alderman Richardson (on phone), Alderman Beyer (on phone), and Mayor Oseby. City staff present were City Administrator/Finance Officer Schantz and City Attorney Glover (joined at 5:03pm). Absent: Alderman Harstad (with notice).

Approve posted agenda. Motion by Richardson to approve agenda, seconded by Beyer. No discussion. All aye, motion carried.

Executive session SDCL 1-25-2(3) – Consulting with legal counsel. Oseby explained the executive session was to discuss a permanent easement and potential payment for easement due to the moving of the district regulator station. Motion by Richardson to enter into executive session at 5:15PM, seconded by Beyer. No discussion. All aye, motion carried. Motion by Richardson to reconvene meeting at 5:22PM, seconded by Beyer. No discussion. All aye, motion carried. Motion by Beyer to proceed with permanent easement for district regulatory station and authorize payment of \$12,000 to obtain easement from Kevin and Deborah Boysen, seconded by Richardson. The location of easement was discussed. No further discussion. All aye, motion carried.

Adjourn. Motion by Richardson to adjourn meeting at 5:24pm, seconded by Beyer. No discussion. All aye, motion carried.

Respectfully submitted,
Tobias Schantz
City Administrator/Finance Officer
City of Crooks, SD

Published:
Published once at the approximate cost of: \$

CITY OF CROOKS BUDGET V. ACTUALS

As of August 31, 2022

Appropriation and Accumulations:	2022 Budget	2022 YTD Actuals	Remaining Balance	% Budget spent
101 GENERAL FUND				
410 GENERAL GOVERNMENT				
411 Council	\$ 12,240.00	\$ 6,592.58	\$ 5,647.42	53.86%
411.3 Publications	\$ 5,535.00	\$ 4,340.76	\$ 1,194.24	78.42%
411.5 Contingency	\$ 18,000.00	\$ -	\$ 18,000.00	0.00%
412 Mayor	\$ 13,259.00	\$ 5,031.04	\$ 8,227.96	37.94%
412.3 Planning & Zoning	\$ 14,592.00	\$ 6,733.93	\$ 7,858.07	46.15%
413 Elections	\$ 1,770.00	\$ 22.31	\$ 1,747.69	1.26%
414 Attorney	\$ 12,000.00	\$ 7,260.00	\$ 4,740.00	60.50%
414.2 Finance Office	\$ 31,111.00	\$ 26,485.12	\$ 4,625.88	85.13%
419.2 Government Buildings	\$ 56,559.00	\$ 47,951.58	\$ 8,607.42	84.78%
419.6 Engineer	\$ 5,000.00	\$ 4,341.00	\$ 659.00	86.82%
TOTAL GENERAL GOVERNMENT	\$ 170,066.00	\$ 108,758.32	\$ 61,307.68	63.95%
420 PUBLIC SAFETY				
421 Police	\$ 48,100.00	\$ 36,026.25	\$ 12,073.75	74.90%
422 Fire	\$ 40,500.00	\$ 40,000.00	\$ 500.00	98.77%
423.2 Protective Inspection	\$ 31,827.00	\$ 29,285.97	\$ 2,541.03	92.02%
429.0 Other Protection	\$ -	\$ 2,908.00	\$ (2,908.00)	#DIV/0!
TOTAL PUBLIC SAFETY	\$ 120,427.00	\$ 108,220.22	\$ 15,114.78	89.86%
430 PUBLIC WORKS				
431.1 Highway and Streets	\$ 266,914.00	\$ 42,073.98	\$ 224,840.02	15.76%
431.6 Street Lighting	\$ 29,000.00	\$ 16,998.24	\$ 12,001.76	58.61%
431.7 Snow Removal	\$ 32,189.00	\$ 19,577.37	\$ 12,611.63	60.82%
TOTAL PUBLIC WORKS	\$ 328,103.00	\$ 78,649.59	\$ 236,841.78	23.97%
440 HEALTH AND WELFARE				
441 Code Enforcement	\$ 5,517.00	\$ 1,999.68	\$ 3,517.32	36.25%
441.1 City Cleanup	\$ 9,148.00	\$ 5,491.00	\$ 3,657.00	60.02%
441.2 Animal Control	\$ 1,484.00	\$ 691.93	\$ 792.07	46.63%
441.3 West Nile	\$ 5,895.00	\$ 1,539.49	\$ 4,355.51	26.12%
446.0 Ambulance Services	\$ 7,500.00	\$ 7,500.00	\$ -	100.00%
TOTAL HEALTH & WELFARE	\$ 29,544.00	\$ 17,222.10	\$ 12,321.90	58.29%
450 CULTURE AND RECREATION				
452 Parks	\$ 98,624.00	\$ 79,999.93	\$ 18,624.07	81.12%
TOTAL CULTURE & RECREATION	\$ 98,624.00	\$ 79,999.93	\$ 18,624.07	81.12%
465 ECONOMIC DEVELOPMENT & ASSIST.				
465.3 Promoting the City	\$ 6,867.00	\$ 5,425.34	\$ 1,441.66	79.01%
TOTAL ECONOMIC DEVELOPMENT & ASSIST.	\$ 6,867.00	\$ 5,425.34	\$ 1,441.66	79.01%
470 DEBT SERVICE				
470 Debt Service	\$ 23,830.00	\$ 13,329.00	\$ 10,501.00	55.93%
TOTAL DEBT SERVICE	\$ 23,830.00	\$ 13,329.00	\$ 10,501.00	55.93%
TOTAL GENERAL FUNDS	\$ 777,461.00	\$ 411,604.50	\$ 356,152.87	52.94%
211 - Gross Receipts	\$ 12,500.00	\$ 8,418.01	\$ 4,081.99	67.34%
220 - Street Maintenance	\$ 93,000.00	\$ 4,652.96	\$ 88,347.04	5.00%
617 - Natural Gas	\$ 966,475.00	\$ 741,273.09	\$ 225,201.91	76.70%
602 - Water	\$ 281,269.00	\$ 316,378.09	\$ (35,109.09)	112.48%
604 - Sewer	\$ 341,887.00	\$ 1,146,973.85	\$ (805,086.85)	335.48%

CITY OF CROOKS

Council Revenue Guideline

Source	Source Descr	2022 Budget	2022 YTD Amt	August 2022 Amt	%YTD Budget
Fund 101 GENERAL FUND					
31110	GEN PROP TAXES CURRENT YEAR	\$266,953.00	\$149,291.78	\$1,084.86	55.92%
31130	GEN PROP TAXES PRIOR YR	\$0.00	\$763.09	\$0.00	0.00%
31300	GEN SALES AND USE TAXES	\$190,000.00	\$224,547.72	\$36,684.86	118.18%
31500	AMUSEMENT TAXES	\$108.00	\$0.00	\$0.00	0.00%
31900	PENALTIES & INTEREST DELINQ.	\$0.00	\$236.82	\$0.00	0.00%
32001	CITY LIQUOR LICENSE	\$4,000.00	\$0.00	\$0.00	0.00%
32002	CITY MALT BEVERAGE LICENSE	\$300.00	\$300.00	\$0.00	100.00%
32003	CITY VIDEO LOTTERY FEE	\$900.00	\$0.00	\$0.00	0.00%
32004	BUILDING PERMITS	\$20,000.00	\$57,682.83	\$4,150.79	288.41%
32005	GARBAGE LICENSES	\$600.00	\$600.00	\$0.00	100.00%
32006	PET LICENSES	\$50.00	\$11.00	\$1.00	22.00%
32007	PEDDLERS LICENSE	\$0.00	\$0.00	\$0.00	0.00%
32008	CONTRACTORS LICENSE	\$0.00	\$1,040.00	\$0.00	0.00%
32200	SALE OF SURPLUS PROPERTY	\$0.00	\$32.20	\$0.00	0.00%
33100	FEDERAL GRANTS	\$0.00	\$0.00	\$0.00	0.00%
33401	STATE GRANT - PARKS	\$0.00	\$0.00	\$0.00	0.00%
33402	STATE GRANTS - COMM CENTER	\$0.00	\$0.00	\$0.00	0.00%
33403	STATE GRANT - PUBLIC HEALTH	\$0.00	\$0.00	\$0.00	0.00%
33510	BANK FRANCHISE TAX	\$0.00	\$0.00	\$0.00	0.00%
33530	LIQUOR TAX REVERSION	\$9,000.00	\$10,485.50	\$0.00	116.51%
33540	MOTOR VEHICLE TAX 5%	\$7,800.00	\$6,980.67	\$0.00	89.50%
33550	PRORATE LICENSE FEES	\$7,650.00	\$4,398.11	\$0.00	57.49%
33580	LOCAL GOV HWY AND BRIDGE FUND	\$750.00	\$391.47	\$0.00	52.20%
33820	CTY HWY AND BRIDGE RESERVE TAX	\$9,650.00	\$7,740.24	\$0.00	80.21%
33830	COUNTY WHEEL TAX	\$0.00	\$0.00	\$0.00	0.00%
33900	OTH. INTERGOVERNMENTAL REV	\$1,450.00	\$4,227.16	\$3,444.94	291.53%
34103	HEARING FEES	\$0.00	\$71,429.30	\$71,429.30	0.00%
34110	ZONING AND SUBDIVISION FEES	\$0.00	\$250.00	\$0.00	0.00%
34203	PROTECTIVE INSPECTION FEES	\$0.00	\$0.00	\$0.00	0.00%
34399	HIGHWAY & STREETS OTHER	\$0.00	\$0.00	\$0.00	0.00%
34530	ANIMAL CONTROL FINES COLLECTED	\$0.00	\$0.00	\$0.00	0.00%
35000	FINES AND FORFEITS	\$0.00	\$178.61	\$0.00	0.00%
35100	COURT FINES AND FORFEITS	\$0.00	\$0.00	\$0.00	0.00%
36000	MISCELLANEOUS REVENUE	\$0.00	\$0.00	\$0.00	0.00%
36010	REVENUE CHRISTMAS MARKET	\$0.00	\$0.00	\$0.00	0.00%
36050	DONATIONS	\$0.00	\$0.00	\$0.00	0.00%
36100	INVESTMENT EARNINGS	\$50.00	\$1,453.35	\$1,300.73	2906.70%

CITY OF CROOKS

Council Revenue Guideline

Source	Source Descr	2022 Budget	2022 YTD Amt	August 2022 Amt	%YTD Budget
36120	FIT INTEREST	\$0.00	\$0.00	\$0.00	0.00%
36201	RENTALS	\$3,500.00	\$8,575.00	\$2,300.00	245.00%
36300	SPECIAL ASSESSMENTS	\$0.00	\$0.00	\$0.00	0.00%
36401	SPECIAL MAINTENANCE FEE	\$0.00	\$0.00	\$0.00	0.00%
36600	GAIN ON SALE OF FIXED ASSETS	\$0.00	\$0.00	\$0.00	0.00%
36700	CONTRI & DONATION PRIVATE SOUR	\$0.00	\$0.00	\$0.00	0.00%
36900	OTHER MISCELLANEOUS REVENUE	\$1,500.00	\$58.00	\$0.00	3.87%
36901	CABLE TELEVISION FRANCHISE FEE	\$6,500.00	\$3,851.97	\$470.63	59.26%
36903	RECOVERY PR YR EXPENDITURES	\$0.00	\$178.60	\$0.00	0.00%
36904	Dividend income	\$1,500.00	\$2,585.45	\$0.00	172.36%
37200	MONTHLY BASE CHARGE	\$0.00	\$0.00	\$0.00	0.00%
37600	UNEMPLOYMENT INSURANCE	\$0.00	\$0.00	\$0.00	0.00%
38040	OTHER SALES	\$0.00	\$0.00	\$0.00	0.00%
39000	OTHER SOURCES	\$0.00	\$0.00	\$0.00	0.00%
39101	TRANSFERS IN (SDCL 9-21-26.1)	\$0.00	\$0.00	\$0.00	0.00%
39107	CAPITAL CONTRIBUTIONS	\$0.00	\$0.00	\$0.00	0.00%
39110	OPERATING TRANSFERS IN	\$0.00	\$0.00	\$0.00	0.00%
39129	OTHER LONG TERM DEBT ISSUED	\$0.00	\$0.00	\$0.00	0.00%
39130	SALES OF MUNICIPAL PROPERTY	\$0.00	\$4,402.50	\$0.00	0.00%
39140	COMP FOR LOSS OR DAM GEN FIX A	\$0.00	\$0.00	\$0.00	0.00%
Fund 101 GENERAL FUND		\$532,261.00	\$561,691.37	\$120,867.11	
Fund 201 SPECIAL PARK FUND					
36900	OTHER MISCELLANEOUS REVENUE	\$0.00	\$0.00	\$0.00	0.00%
Fund 201 SPECIAL PARK FUND		\$0.00	\$0.00	\$0.00	
Fund 211 LIQUOR, LODGING, DINING					
31300	GEN SALES AND USE TAXES	\$9,000.00	\$9,356.09	\$1,312.84	103.96%
31400	GROSS RECEIPTS BUSINESS TAXES	\$0.00	\$0.00	\$0.00	0.00%
Fund 211 LIQUOR, LODGING, DINING		\$9,000.00	\$9,356.09	\$1,312.84	
Fund 220 SPECIAL MAINTENANCE FUND					
36401	SPECIAL MAINTENANCE FEE	\$93,000.00	\$54,173.55	\$360.00	58.25%
Fund 220 SPECIAL MAINTENANCE FUND		\$93,000.00	\$54,173.55	\$360.00	
Fund 272 FEDERAL GRANT FUND					
33100	FEDERAL GRANTS	\$0.00	\$1,339.82	\$0.00	0.00%
Fund 272 FEDERAL GRANT FUND		\$0.00	\$1,339.82	\$0.00	
Fund 600 GAS FUND					

CITY OF CROOKS

Council Revenue Guideline

Source	Source Descr	2022 Budget	2022 YTD Amt	August 2022 Amt	%YTD Budget
33100	FEDERAL GRANTS	\$0.00	\$0.00	\$0.00	0.00%
33900	OTH. INTERGOVERNMENTAL REV	\$0.00	\$0.00	\$0.00	0.00%
36025	CAPACITY FEE	\$13,500.00	\$10,079.10	\$0.00	74.66%
36100	INVESTMENT EARNINGS	\$0.00	\$0.00	\$0.00	0.00%
36600	GAIN ON SALE OF FIXED ASSETS	\$0.00	\$0.00	\$0.00	0.00%
36900	OTHER MISCELLANEOUS REVENUE	\$0.00	\$12,013.71	\$0.00	0.00%
36903	RECOVERY PR YR EXPENDITURES	\$0.00	\$76.00	\$0.00	0.00%
36904	Dividend income	\$0.00	\$262.46	\$0.00	0.00%
37902	BULK SALES	\$0.00	\$0.00	\$0.00	0.00%
38200	GAS METERED REVENUE	\$570,000.00	\$659,375.77	\$11,832.44	115.68%
38205	UNOBLIGATED FUNDS	\$0.00	\$0.00	\$0.00	0.00%
38210	GAS CUSTOMER CHARGE	\$160,000.00	\$110,708.00	\$12,091.50	69.19%
38220	GAS PENALTY	\$6,500.00	\$568.82	\$40.40	8.75%
38230	GAS DEPOSIT-CUSTOMER	\$0.00	\$0.00	\$0.00	0.00%
38280	GAS SALES OF SUP & MATERIALS	\$0.00	\$0.00	\$0.00	0.00%
38290	GAS OTHER REVENUE	\$0.00	\$0.00	\$0.00	0.00%
38295	RETURNED CHECK PAID/NSF FEES	\$0.00	\$210.00	\$30.00	0.00%
38310	RECONNECT FEES	\$0.00	\$650.00	\$50.00	0.00%
38400	CITY TAX - not used	\$0.00	\$0.00	\$0.00	0.00%
38402	STATE TAX - not used	\$0.00	\$0.00	\$0.00	0.00%
39110	OPERATING TRANSFERS IN	\$0.00	\$0.00	\$0.00	0.00%
39140	COMP FOR LOSS OR DAM GEN FIX A	\$0.00	\$2,901.30	\$0.00	0.00%
Fund 600 GAS FUND		\$750,000.00	\$796,845.16	\$24,044.34	
Fund 602 WATER FUND					
33100	FEDERAL GRANTS	\$0.00	\$0.00	\$0.00	0.00%
33400	STATE GRANT	\$0.00	\$0.00	\$0.00	0.00%
33900	OTH. INTERGOVERNMENTAL REV	\$0.00	\$0.00	\$0.00	0.00%
36100	INVESTMENT EARNINGS	\$0.00	\$67.00	\$33.70	0.00%
36200	RENTALS	\$0.00	\$0.00	\$0.00	0.00%
36201	RENTALS	\$2,280.00	\$1,749.04	\$218.63	76.71%
36900	OTHER MISCELLANEOUS REVENUE	\$0.00	\$0.00	\$0.00	0.00%
36903	RECOVERY PR YR EXPENDITURES	\$0.00	\$60.80	\$0.00	0.00%
36904	Dividend income	\$0.00	\$561.05	\$0.00	0.00%
37200	MONTHLY BASE CHARGE	\$185,196.00	\$131,352.28	\$16,577.20	70.93%
37902	BULK SALES	\$0.00	\$0.00	\$0.00	0.00%
38040	OTHER SALES	\$0.00	\$0.00	\$0.00	0.00%
38100	WATER METERED REVENUE	\$92,793.00	\$95,927.26	\$14,879.38	103.38%
38104	TAP FEE	\$0.00	\$6,250.00	\$0.00	0.00%

CITY OF CROOKS

Council Revenue Guideline

Source	Source Descr	2022 Budget	2022 YTD Amt	August 2022 Amt	%YTD Budget
38105	Hydrant hookup	\$0.00	\$0.00	\$0.00	0.00%
38120	WATER PENALTY REVENUE	\$1,000.00	\$136.00	\$25.46	13.60%
38180	WATER SALES OF SUP & MATERIALS	\$0.00	\$0.00	\$0.00	0.00%
38190	WATER OTHER REVENUE	\$0.00	\$0.00	\$0.00	0.00%
38205	UNOBLIGATED FUNDS	\$0.00	\$0.00	\$0.00	0.00%
38310	RECONNECT FEES	\$0.00	\$650.00	\$50.00	0.00%
39101	TRANSFERS IN (SDCL 9-21-26.1)	\$0.00	\$0.00	\$0.00	0.00%
39124	Other bonds issued	\$0.00	\$0.00	\$0.00	0.00%
Fund 602 WATER FUND		\$281,269.00	\$236,753.43	\$31,784.37	
Fund 604 SEWER FUND					
33100	FEDERAL GRANTS	\$0.00	\$0.00	\$0.00	0.00%
33400	STATE GRANT	\$0.00	\$0.00	\$0.00	0.00%
33404	SD DANR Grants	\$0.00	\$422,604.99	\$0.00	0.00%
33900	OTH. INTERGOVERNMENTAL REV	\$0.00	\$0.00	\$0.00	0.00%
36100	INVESTMENT EARNINGS	\$0.00	\$66.99	\$33.70	0.00%
36900	OTHER MISCELLANEOUS REVENUE	\$0.00	\$55,541.41	\$55,541.41	0.00%
36903	RECOVERY PR YR EXPENDITURES	\$0.00	\$64.60	\$0.00	0.00%
36904	Dividend income	\$0.00	\$946.60	\$0.00	0.00%
37100	CW-04SURCH AS SECURITY OF DEBT	\$55,200.00	\$37,618.80	\$4,747.20	68.15%
37101	CW-05SURCH AS SECURITY OF DEBT	\$0.00	\$2,062.40	\$2,062.40	0.00%
37200	MONTHLY BASE CHARGE	\$235,593.00	\$165,523.58	\$20,891.65	70.26%
38040	OTHER SALES	\$0.00	\$0.00	\$0.00	0.00%
38300	SEWER METERED REVENUE	\$50,094.00	\$34,040.03	\$5,280.54	67.95%
38304	TAP FEE	\$0.00	\$6,250.00	\$0.00	0.00%
38310	RECONNECT FEES	\$0.00	\$0.00	\$0.00	0.00%
38320	SEWER PENALTY REVENUE	\$1,000.00	\$126.91	\$23.63	12.69%
38350	SEWER OTHER REVENUE	\$0.00	\$0.00	\$0.00	0.00%
38380	SEWER SALES OF SUP & MATERIALS	\$0.00	\$0.00	\$0.00	0.00%
39101	TRANSFERS IN (SDCL 9-21-26.1)	\$0.00	\$0.00	\$0.00	0.00%
39124	Other bonds issued	\$0.00	\$0.00	\$0.00	0.00%
Fund 604 SEWER FUND		\$341,887.00	\$724,846.31	\$88,580.53	
([Fund] Not In ("603", "755"))		\$2,007,417.00	\$2,385,005.73	\$266,949.19	

City of Crooks
September 2022 claims

Gross wages by department for month of August 2022

Council	\$ 525.00
Mayor	\$ 420.00
Planning and Zoning Commission	\$ 345.50
Finance Office	\$ 2,418.88
Government Buildings	\$ 1,036.25
Building Inspector	\$ 2,369.25
Highway & Streets	\$ 1,340.68
Highway & Streets - Snow Removal	\$ 875.28
Code Enforcement	\$ 95.82
Clean-Up	\$ 260.65
Animal Control	\$ 47.90
West Nile	\$ 78.47
Parks	\$ 2,313.90
Economic Development	\$ 275.54
Gas	\$ 4,331.14
Water	\$ 4,823.74
Sewer	\$ 4,912.01

Total wage claims \$ 26,470.01

City of Crooks claims listing

Vendor	Date incur.	Description	Amount
3D Security	9/1/2022	cloud storage cameras	\$ 600.00
A&B Business Solutions	9/1/2022	monthly managed IT	\$ 841.97
A&B Business Solutions	9/2/2022	copier lease	\$ 290.99
Aflac	8/26/2022	Aflac payable	\$ 138.34
Alliance Communications	9/1/2022	utilities - sewer & office + outlet	\$ 662.59
Appearra	8/17/2022	mat, mop, towel, rag service	\$ 81.36
Asphalt Surfacing Co.	7/29/2022	asphalt & tack oil delivery	\$ 811.55
Automatic Door Group	8/18/2022	repair Crooks Comm Cen door	\$ 175.00
Automotive Services	8/9/2022	repair blue truck	\$ 279.51
Beacon Athletics	8/30/2022	temporary fence	\$ 3,380.00
Belinda Pineda	8/8/2022	CCC deposit return	\$ 550.00
Border States Electric	8/16/2022	gas supplies	\$ 159.12
Border States Electric	8/31/2022	plex pipe	\$ 419.80
BX Civil & Construction	8/18/2022	Dust control at Sunset Park	\$ 3,500.00
CAWT	9/8/2022	Crooks Comm. Days invoice	\$ 5,238.72
Clayton Energy	9/1/2022	reservation fee & monthly service fee	\$ 2,018.00
Clayton Energy	8/11/2022	commodity purchase	\$ 6,614.30
Country Corner	9/1/2022	storage unit rental fee	\$ 69.00
Crooks Municipal Utilities	8/8/2022	Palmira bathroom utilities	\$ 104.34
Crooks Municipal Utilities	8/8/2022	City shop utilities	\$ 25.00
Crooks Municipal Utilities	8/8/2022	Crooks Comm. Cen. utilities	\$ 244.27
Crooks Municipal Utilities	8/8/2022	w lift station utilities	\$ 29.00
Crooks Municipal Utilities	8/8/2022	N lift station utilities	\$ 29.00
Crooks Municipal Utilities	9/8/2022	Palmira bathroom utilities	\$ 104.34
Crooks Municipal Utilities	9/8/2022	City shop utilities	\$ 21.00
Crooks Municipal Utilities	9/8/2022	Crooks Comm. Cen. utilities	\$ 112.78
Crooks Municipal Utilities	9/8/2022	w lift station utilities	\$ 26.63
Crooks Municipal Utilities	9/8/2022	N lift station utilities	\$ 26.63
Crooks Municipal Utilities	9/8/2022	New Hope bathroom	\$ 83.34
Crooks Volunteer Fire Department	9/6/2022	fireworks invoice	\$ 5,000.00

David & Jan Buehner	8/23/2022	refund street maintenance levy	\$	90.00
Dell Rapids Community Ambulance	6/10/2022	FY2022 budget request	\$	7,500.00
DGR Engineering	8/16/2022	Construction admin. Sewer project	\$	937.00
DGR Engineering	8/16/2022	July engineering services	\$	3,095.60
DGR Engineering	8/16/2022	drainage projects	\$	8,121.66
Ecolab	8/23/2022	pest control services	\$	89.41
Ferguson Waterworks	8/25/2022	mud plugs	\$	183.04
Ferguson Waterworks	9/7/2022	meter sets	\$	5,490.32
First Interstate Bank	9/10/2022	purchase card payment	\$	1,937.88
First Interstate Bank	8/31/2022	service charge	\$	33.50
First Interstate Bank	8/30/2022	returned item fee	\$	4.00
First Interstate Bank	8/30/2022	returned item fee	\$	3.00
First Interstate Bank	8/29/2022	returned item fee	\$	3.00
First Interstate Bank	8/5/2022	returned item fee	\$	4.00
Fred the Fixer	8/8/2022	programmable lock office	\$	691.30
Garbage'N'More	9/1/2022	garbage service	\$	200.00
GBAO Atteemo	7/10/2022	CCC deposit return	\$	450.00
Goebel Printing	8/15/2022	business cards employees	\$	148.50
Groebner	8/10/2022	meter sets	\$	2,480.11
Health Pool of SD	9/1/2022	health + life insurance payable	\$	2,993.36
Hubers, LLC.	8/15/2022	unit heater & installation at water twr.	\$	911.94
Internal Revenue Service / EFTPS	8/18/2022	payroll tax deposit	\$	3,350.75
Internal Revenue Service / EFTPS	9/1/2022	payroll tax deposit	\$	3,962.92
Jamie Martinez	8/29/2022	CCC deposit return	\$	550.00
Jen McKenna	8/8/2022	Ut dep return	\$	22.08
Julio Salazar	8/29/2022	CCC deposit return	\$	550.00
K&W Coatings LLC	8/12/2022	water tower repair	\$	96,175.00
Kevin & Deborah Boysen	8/25/2022	permanent easement payment	\$	12,000.00
Kristi Shuck	8/8/2022	Ut dep return	\$	115.38
Lacey Rentals	8/23/2022	portable restroom rental at shop	\$	138.00
Lacey Rentals	8/24/2022	portable restroom Sunset Park	\$	185.00
Larry Rezac	8/3/2022	made change for customer	\$	2.50
Lodes Tree Service	8/20/2022	remove tree limb of building	\$	900.00
Matheson Tri-Gas, Inc.	8/31/2022	gas charts	\$	35.06
Matt Graff	9/8/2022	Ut dep return	\$	26.47
Meierhenry Sargent	8/12/2022	June & July legal services	\$	2,730.00
Michaels Fence	8/15/2022	new fence at New Hope Park	\$	18,467.00
Midwest Washing LLC	8/8/2022	Ut dep return	\$	4.10
Minnehaha Comm. Water Corp.	9/1/2022	monthly water purchase	\$	12,004.80
Minnehaha County Register of Deeds	8/31/2022	filing fee temporary easement	\$	30.00
Minnehaha County Register of Deeds	8/31/2022	filing fee permanent easement	\$	30.00
Mitchell Construction Inc	8/19/2022	rip rap for lagoon + delivery	\$	546.52
New Century Press	8/5/2022	back to school ad	\$	18.00
New Century Press	8/12/2022	Tri-Valley programs ad	\$	60.00
New Century Press	8/12/2022	Tri-Valley calendar ad	\$	60.00
New Century Press	8/19/2022	tri-Valley sports previews	\$	15.00
New Century Press	8/12/2022	Ord 302 publication	\$	22.96
New Century Press	8/12/2022	Ord 305 publication	\$	34.16
New Century Press	8/12/2022	08/08/22 mtg mins	\$	225.12
New Century Press	8/12/2022	Ord 306 publication	\$	11.20
New Century Press	8/12/2022	Ord 304 publication	\$	18.48
New Century Press	8/19/2022	08/03/22 mtg mins	\$	11.20
New Century Press	8/19/2022	Minnehaha Messenger subscription	\$	32.00
New Century Press	7/22/2022	1st surplus notice crack seal trailer	\$	8.96
New Century Press	7/29/2022	2nd surplus notice crack seal trailer	\$	7.96

The City of Crooks is an equal opportunity provider

New Century Press	8/5/2022	CATEX publication	\$	30.80
Nexben	9/1/2022	supplemental life insurance - child	\$	1.70
Nexben	9/1/2022	supplemental life insurance - spouse	\$	50.40
Nexben	9/1/2022	supplemental life insurance	\$	59.00
Nexben	9/1/2022	dental insurance	\$	169.02
Nexben	9/1/2022	vision insurance	\$	20.42
Nyberg's Ace Hardware	8/16/2022	additional keys lagoon	\$	8.37
Payment Service Network	9/2/2022	gateway fee	\$	89.95
Q3 Contracting	8/24/2022	new gas services	\$	3,835.24
Q3 Contracting	9/8/2022	lowering gas services	\$	3,092.40
SD Dept of Revenue	8/11/2022	sales tax payable	\$	1,517.03
SD One Call	8/31/2022	08-22 message fees	\$	119.70
SD Retirement System	8/18/2022	08-22 retirement contribution	\$	2,487.94
SDRS Supplemental Retirement Plan	8/5/2022	ROTH contribution	\$	150.00
SDRS Supplemental Retirement Plan	8/22/2022	ROTH contribution	\$	150.00
SDRS Supplemental Retirement Plan	9/6/2022	ROTH contribution	\$	300.00
Shell / Pump'N'Stuff	8/8/2022	fuel	\$	26.84
Shell / Pump'N'Stuff	8/9/2022	fuel	\$	23.59
Shell / Pump'N'Stuff	8/26/2022	fuel	\$	22.50
Shell / Pump'N'Stuff	8/17/2022	fuel	\$	51.93
Shell / Pump'N'Stuff	8/23/2022	fuel	\$	45.12
Shell / Pump'N'Stuff	8/31/2022	fuel	\$	22.01
Sign Design & Labeling	8/23/2022	park wayfinding signs	\$	708.00
Sioux Falls Humane Society	8/9/2022	07-22 animal control services	\$	52.78
Sioux Valley Energy	8/11/2022	street light utilities	\$	254.00
Sioux Valley Energy	8/11/2022	sewer utilities	\$	124.05
Tim Oyen	8/8/2022	Ut dep return	\$	39.83
Tobias Schantz	8/29/2022	copy fees for deed information	\$	5.00
Tobias Schantz	8/18/2022	reimbursement filing fee Res. 2022-08	\$	30.00
Tobias Schantz	8/3/2022	made change for customer	\$	0.25
U Drive Technology	9/1/2022	08-22 message fees	\$	386.36
US Postal Service	8/10/2022	mailing fee postcards	\$	311.36
US Postal Service	9/9/2022	postage mailing utility postcards	\$	310.99
USDA - Rural Development	8/20/2022	pay loader note payment	\$	1,663.00
Verizon	8/10/2022	utilities metering station	\$	23.18
Verizon	8/23/2022	utilities	\$	91.46
Viking Sheet Metal	9/7/2022	cover for old HVAC unit office	\$	90.00
Xcel Energy	8/31/2022	electric utilities	\$	3,549.99
Total claims			\$	239,269.03

Purchase card payments			
Vendor	Date incur.	Description	Amount
Amazon	8/15/2022	telescoping magnetic pick up tool	\$ 23.11
Amazon	8/24/2022	electronic keypad door	\$ 33.99
Amazon	8/25/2022	laptop chargers	\$ 41.37
Amazon	9/6/2022	"No swimming" - signs	\$ 62.07
Amazon	9/6/2022	"Deep Water" - signs	\$ 32.97
Crooks Country Corner	8/3/2022	fuel	\$ 85.21
Crooks Country Corner	8/31/2022	fuel	\$ 64.70
Crooks Country Corner	8/19/2022	fuel	\$ 81.16
Dakota Supply Group	8/23/2022	supplies	\$ 118.09
Dakota Supply Group	9/1/2022	water supplies	\$ 35.46
DocuSend/Mail Technologies	8/8/2022	mailing eBills non-Crooks	\$ 4.67
DocuSend/Mail Technologies	8/8/2022	mailing eBills Crooks	\$ 6.44
DocuSend/Mail Technologies	9/8/2022	mailing eBills non-Crooks	\$ 4.91
DocuSend/Mail Technologies	9/8/2022	mailing eBills Crooks	\$ 6.32
Interstate All Battery Center	8/31/2022	battery mosquito sprayer	\$ 136.95
Nyberg's Ace Hardware	8/12/2022	toolbox & key set	\$ 39.98
Nyberg's Ace Hardware	8/19/2022	supplies	\$ 95.95
Pfeifer Implement	9/6/2022	parts mower	\$ 105.63
Pump'N'Stuff / Shell	8/22/2022	fuel	\$ 33.52
Pump'N'Stuff / Shell	8/10/2022	fuel	\$ 64.54
Pump'N'Stuff / Shell	8/15/2022	fuel	\$ 91.65
Pump'N'Stuff / Shell	8/18/2022	fuel	\$ 55.68
Pump'N'Stuff / Shell	8/23/2022	fuel	\$ 32.46
Pump'N'Stuff / Shell	8/29/2022	fuel	\$ 33.82
Pump'N'Stuff / Shell	8/25/2022	fuel	\$ 29.68
Pump'N'Stuff / Shell	8/30/2022	fuel	\$ 23.21
Pump'N'Stuff / Shell	8/29/2022	fuel	\$ 57.14
Pump'N'Stuff / Shell	9/1/2022	fuel	\$ 78.37
Pump'N'Stuff / Shell	9/9/2022	fuel	\$ 53.00
Pump'N'Stuff / Shell	9/1/2022	fuel	\$ 50.18
Scooby's Car Wash	6/23/2022	washing of garbage cans	\$ 8.25
Scooby's Car Wash	7/21/2022	vehicle maintenance	\$ 10.25
Sioux Falls Outdoor Equipment	8/24/2022	maintenance/repairs chain saw	\$ 66.99
Sioux Falls Outdoor Equipment	8/25/2022	maintenance/repair trimmer	\$ 75.46
US Postal Service	8/23/2022	certified postage	\$ 7.85
US Postal Service	8/18/2022	certified postage	\$ 7.85
US Postal Service	8/16/2022	delinquent letters	\$ 179.00
Total purchase card claims			\$ 1,937.88

FACILITY USE AGREEMENT

This is a Facility Use Agreement (hereinafter “Agreement”) by and between the City of Crooks, South Dakota, a South Dakota municipal corporation, 701 S. West Ave, Crooks, South Dakota 57020 (hereinafter “Crooks”) and Tri-Valley School District 49-6, a South Dakota school district, 46450 252nd Street, Colton, SD 57018 (hereinafter “Tri-Valley”) (collectively “Parties”), for the use of Crook’s property identified herein, on the terms and conditions set forth hereafter.

RECITALS

WHEREAS, Crooks is the owner of certain public parks within and/or without the municipal boundaries of the City of Crooks, Minnehaha County, South Dakota, commonly referred to as Sunset Park, New Hope Park, and Palmira Park (hereinafter “City Parks”); and

WHEREAS, Tri-Valley desires to use the City Parks for the purpose of holding school sanctioned sporting events (hereinafter “Activities”); and

WHEREAS, Tri-Valley agrees that the City Parks shall be used for the Activities only upon the terms and conditions set forth herein; and

WHEREAS, the Parties are empowered by South Dakota codified law to enter into this Agreement;

NOW THEREFORE, in consideration of the covenants and agreements hereinafter set forth, Crooks and Tri-Valley agree as follows:

AGREEMENT

1. Use of the Public Parks. Upon commencement of this Agreement, Crooks does hereby permit Tri-Valley to use the City Parks to perform Tri-Valley’s Activities. Tri-Valley shall have use of the City Parks at all times said City Parks are open to the public to perform Tri-Valley’s Activities, subject to mutually agreed upon modification by the Parties in writing, until the expiration date of this Agreement unless terminated sooner in accordance with the provisions in this Agreement.
2. Condition of City Parks. The City Parks are provided to Tri-Valley on an “AS IS” basis. Crooks shall not be required to make or construct any alterations including structural changes, additions or improvements to the City Parks, or any of the buildings, fences, facilities, or other buildings and/or attachments thereto. By entry and use of the City Parks pursuant to this Agreement, Tri-Valley accepts the City Parks in “AS IS” condition. Tri-Valley acknowledges that neither Crooks nor Crooks’ agents have made any representation or warranty as to the suitability of the City Parks to the conduct of the Tri-Valley’s Activities. Any agreements, warranties or representations not expressly contained herein shall in no way bind either Crooks or Tri-Valley, and Crooks and Tri-Valley expressly waive all claims for damages by reason of any statement, representation, warranty, promise or agreement, if any, not contained in this Agreement. Upon the end of

each of Tri-Valley's Activities at the City Parks, Tri-Valley will ensure that the City Parks will be in the same condition as upon entry.

3. Term. The term of this Agreement shall be for the 2022-2023 academic year (hereinafter "Term"). The commencement date shall be the first day of the academic year and the termination date shall be the last day of the academic year.
4. Use of City Parks. Tri-Valley shall use the City Parks solely for its Activities during the Term of this Agreement. Tri-Valley shall be responsible for obtaining any use permits, licenses or other permission for its Activities from Crooks or other governmental agencies having jurisdiction. Tri-Valley represents that it is qualified to administer and operate its Activities. Tri-Valley shall be solely responsible for the administration and operation of its Activities, including the hiring of all employees. Tri-Valley shall be responsible for verifying the qualifications, credentials, certificates, and licenses of its staff, agents, consultants and/or subcontractors who may provide services in conjunction with Tri-Valley's Activities at the City Parks.
5. Permits and Licenses. Tri-Valley shall be solely responsible for obtaining all necessary permits or licenses for Tri-Valley's Activities.
6. Security and Supervision. Tri-Valley shall be solely responsible for providing appropriate security and supervision for Tri-Valley's Activities held in the City Parks.
7. Tri-Valley's Property and Rights. Crooks shall have no duty or responsibility for the protection, safeguarding, care or storage of any personal property, nor shall Crooks be liable for any damage to personal property used or left at the City Parks or any surrounding Crooks property by Tri-Valley or its employees, agents, contractors, customers, guests, or invitees.
8. Indemnification. Tri-Valley shall indemnify, defend and hold harmless Crooks, its governing board, employees, consultants, volunteers, and agents ("indemnified parties") from and against any and all claims, damages, losses, suits, verdicts, judgments, costs and liability of any nature or kind, including reasonable attorneys' fees, arising from or in any way connected with the conduct of Tri-Valley's Activities or from any activity, work or things done, permitted or suffered by Tri-Valley ("Claims") unless such Claims are caused solely by the negligence or willful misconduct of indemnified parties. If any Claims be brought against indemnified parties, Tri-Valley shall defend indemnified parties at Tri-Valley's expense, provided that indemnified parties promptly notify Tri-Valley of any such claim, judgment or proceeding in writing and tenders its defense to Tri-Valley. Crooks shall have the right to accept or reject any legal representation Tri-Valley proposes to defend the indemnified parties. Crooks agrees to cooperate with Tri-Valley as may be reasonably necessary in settlement or defense of any such claim, judgment or proceeding.
9. Insurance. Tri-Valley shall, at Tri-Valley's expense, obtain and keep in force at all times during the Term of this Agreement a policy of commercial general liability insurance

insuring against claims and liabilities arising out of the operation, condition, use, or occupancy of the City Parks and all areas appurtenant thereto, including parking areas. Said policy shall be issued by an insurance company licensed to conduct business in South Dakota and shall name Crooks as an additional insured. Tri-Valley's commercial general liability insurance policy limits shall be at least one million dollars (\$1,000,000.00) per occurrence.

10. Assignment, Subletting and Subcontracting. Tri-Valley shall not voluntarily or by operation of law assign, license, transfer, mortgage, sublet or otherwise encumber all or any part of Tri-Valley's interest, rights, duties, or privileges in this Agreement or in the City Parks without obtaining the prior written consent of Crooks in each instance, and any attempt to do so without such consent being first had and obtained shall be wholly void and, at the option of Crooks, shall immediately terminate this Agreement; provided, however, that Crooks shall not unreasonably withhold, condition or delay its consent. Notwithstanding the foregoing, no assignment which violates the use provisions of this Agreement will be approved. No subcontracting, subletting or assignment, even with consent of Crooks, shall relieve Tri-Valley of its obligation to make payments and to perform all of the other obligations to be performed by Tri-Valley hereunder. The acceptance of payment by Crooks from any other person shall not be deemed to be a waiver by Crooks of any provisions of this Agreement or consent of any assignment, subletting, subcontracting or other transfer. Consent to one assignment, subletting, subcontracting, or other transfer shall not be deemed to constitute consent to any subsequent assignment, subletting, subcontracting or other transfer
11. Signs. Any sign or label Tri-Valley wishes to place at the City Parks in relation to its Activities will require prior written approval from Crooks before placement. Tri-Valley shall provide Crooks with a rendition of said sign or label in a reasonable amount of time prior to the proposed placement to allow Crooks to assess and discuss such sign or label. Any sign or label approved by Crooks to be placed at the City Parks shall be removed promptly after the completion of the specific Activity or at the end of the Term of this Agreement.
12. Notices. All notices or demands of any kind required or desired to be given by Crooks or Tri-Valley hereunder shall be in writing and shall be deemed delivered (a) when received if hand-delivered; (b) within one (1) business day if sent via electronic mail; or within five (5) business days after mailing, if sent by first class mail. All notices shall be sent to the following:

City of Crooks, South Dakota
Attn: Tobias Schantz
tschantz@crookssd.org
PO Box 785
Crooks, SD 57020

Tri-Valley School District
Attn: _____
[[email address]]
46450 252nd Street
Colton, SD 57018

13. Entire Agreement of Parties. This Agreement constitutes the entire agreement between the Parties and supersedes all prior discussions, negotiations and agreements, whether

oral or written. This Agreement may be amended or modified only by a written instrument executed by both Parties.

14. South Dakota Law. This Agreement shall be governed by, and the rights, duties and obligations of the Parties shall be determined and enforced in accordance with the laws of the State of South Dakota. The Parties further agree that any action or proceeding brought to enforce the terms and conditions of this Agreement shall be maintained in Minnehaha County, South Dakota.
15. Compliance with all Laws and District Policies. Tri-Valley shall comply with all requirements of governmental authorities, in force either now or in the future, affecting the City Parks and shall observe in Tri-Valley's use of the City Parks all laws, regulations and ordinance of all authorities, in force either now or in the future including, without limitation, all applicable federal, state and local laws, regulations, and ordinances.
16. Cooperation with other Occupants of the City Parks. Tri-Valley understands and recognizes that the City Parks may be used by other parties while Tri-Valley's Activities are being held. Tri-Valley agrees not to limit access to areas appurtenant to where Tri-Valley's Activities are being held. Areas appurtenant include, but are not limited to, parking areas, playgrounds, and other common areas.
17. Discrimination. Tri-Valley agrees not to discriminate against anyone on any basis protected under South Dakota and/or federal law.
18. Waiver. The waiver by either of the Parties of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant, condition or any subsequent breach of the same or any other term covenant or condition herein contained.
19. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, legal representatives, successors and assigns.
20. Counterparts. This Agreement and all amendments and supplements to it may be executed by the Parties in counterparts, and all counterparts together shall be construed as one document and an original copy.
21. Captions. The captions contained in this Agreement are for convenience only and shall not in any way affect the meaning or interpretation hereof nor serve as evidence of the interpretation hereof, or of the intention of the Parties hereto.
22. Severability. Should any provision of this Agreement be determined to be invalid, illegal or unenforceable in any respect, such provision shall be severed, and the remaining provisions shall continue as valid, legal and enforceable.
23. Council and Board Approval. This Agreement is subject to the approval of the City Council of Crooks and the Board of Tri-Valley.

IN WITNESS WHEREOF, Crooks and Tri-Valley have executed this Agreement on this _____ day of _____, 2022.

CITY OF CROOKS,
SOUTH DAKOTA

TRI-VALLEY VALLEY
SCHOOL DISTRICT 49-6

F. Butch Oseby
Mayor

Ryan Fods
School Board Chairman

ATTEST:

ATTEST:

Municipal Finance Officer

Board Secretary

Current projects & repairs & major upcoming commitments

Future outlay by fund											
#	Item	Budget year(s)	Fund	Type (A = Asset, C = Contract, O = Other, R = Repair)	Total cost	Funds expended	Potential future outlay	General (101)	Gas (617)	Water (602)	Sewer (604)
1	Sidewalk to library	2023	General	A	\$ 169,000	\$ -	\$ 169,000	\$ 169,000	\$ -	\$ -	\$ -
2	Sidewalk to new school	2023	General	A	\$ 71,478	\$ -	\$ 71,478	\$ 71,478	\$ -	\$ -	\$ -
3	TBS upgrade - initial	2022	Gas	A	\$ 80,352	\$ 80,352	\$ -	\$ -	\$ -	\$ -	\$ -
4	TBS upgrade - true up cost	2023	Gas	A	\$ 12,053	\$ -	\$ 12,053	\$ -	\$ 12,053	\$ -	\$ -
5	West leg expansion - initial CIAC	2022	Gas	C	\$ 80,583	\$ 80,583	\$ -	\$ -	\$ -	\$ -	\$ -
6	West leg expansion - true up cost	2023	Gas	C	\$ 12,088	\$ -	\$ 12,088	\$ -	\$ 12,088	\$ -	\$ -
7	District regulator station	2022	Gas	O	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
8	City office	2022	General, Gas, Water, Sewer	A	\$ 30,000	\$ 16,000	\$ 14,000	\$ -	\$ 6,000	\$ 4,500	\$ 4,500
9	Irrigation system	2021 & 2022	General	A	\$ 37,625	\$ 37,625	\$ -	\$ -	\$ -	\$ -	\$ -
10	Mold mitigation	2022	General	R	\$ 10,000	\$ -	\$ 10,000	\$ 10,000	\$ -	\$ -	\$ -
11	Repair Crooks Comm Cen repair	2022	General	R	\$ 10,000	\$ -	\$ 10,000	\$ 10,000	\$ -	\$ -	\$ -
12	Water tower repair	2022	Water	R	\$ 96,500	\$ -	\$ 96,500	\$ -	\$ -	\$ 96,500	\$ -
13	East side lift station improvements	2022	Sewer	A	\$ 1,117,000	\$ -	\$ 1,117,000	\$ -	\$ -	\$ -	\$ 1,117,000
14	Repair water break 4th St	2022	Water	R	\$ 22,500	\$ 4,600	\$ 17,900	\$ -	\$ -	\$ 17,900	\$ -
15	Water Study	2022	Water	O	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -	\$ 20,000	\$ -
16	Sanitary sewer expansion	2021-2022	Sewer	A	\$ 1,823,000	\$ 1,385,101	\$ 437,899	\$ -	\$ -	\$ -	\$ 437,899
17	Capacity purchase - 2019 thru 2014	2022, 2023, 2024	Gas	C	\$ 101,097	\$ 60,660	\$ 40,437	\$ -	\$ 40,437	\$ -	\$ -
18	Capacity purchase - 2020 thru 2025	2022, 2023, 2024	Gas	C	\$ 36,100	\$ 15,471	\$ 20,629	\$ -	\$ 20,629	\$ -	\$ -
18	Capacity purchase - 2020 thru 2025	2022, 2023, 2024	Gas	C	\$ 5,332	\$ 2,133	\$ 3,199	\$ -	\$ 3,199	\$ -	\$ -
19	Capacity SM - thru 2025	2022, 2023, 2024, 2025	Gas	C	\$ 1,400	\$ 896	\$ 504	\$ -	\$ 504	\$ -	\$ -
20	Capacity	2022, 2023, 2024, 2025	Gas	C	\$ 1,280	\$ 1,024	\$ 256	\$ -	\$ 256	\$ -	\$ -
21	Utility tractor	2022	General, Sewer	A	\$ 40,000	\$ -	\$ 40,000	\$ -		\$ -	\$ -
22	GIS mapping water vales	2022	Water	Contract	\$ 7,600	\$ -	\$ 7,600	\$ -	\$ -	\$ -	\$ -
23	Drainage repairs - Winterberry, 1st Ave, Cit	2022	General	R	\$ 100,870	\$ -	\$ 100,870	\$ 100,870	\$ -	\$ -	\$ -
					\$ 3,935,858	\$ 1,684,445	\$ 2,251,413	\$ 361,348	\$ 145,166	\$ 138,900	\$ 1,559,399

Projects applied for, no funding secured yet but City commitment if funding is awarded

#	Item	Amount	Comment
1	Heritage play set	\$ 75,283.00	pledged by resolution
2	Drainage repair Winterberry to Andrew	\$ 70,000.00	estimated by engineer, quotes being obtained
3	Drainage repairs City shop & first Ave	n/a	quotes being obtained
4	Moving of gas line by 471st	n/a	n/a
5	Upgrade regulator station in industrial area by interstate exit	n/a	n/a
6	fire hydrant replacements	n/a	n/a
7	Willie Dr finish	n/a	n/a
8	E 4th St	n/a	solicited info from engineers
9	New Water tower	\$3,500,000	potentially needed

Capital improvement list - tentatively identified

#	Item	Added by
1	Sewer improvement to pump sewage to Hartford or Sioux Falls	BO
2	Water tower	BO
3	Water tower upgrades	BO
4	New City shop	BO
5	Land for park improvements - 8 acres for Heritage pond	BO
6	Heritage play set	BO
7	Bathrooms at Sunset	BO
8	Park land - 20 acres for baseball diamonds	BO
9	Street improvements	BO
10	Sidewalk from library crossing to archery park	BO
11	Park & Street equipment	BO
12	Upgrade current pay loader	TS
13	Add new pay loader w/ plowing capacity	TS
14	New accounting system, utility billing system	TS
15	Water/sewer infrastructure replacements	TS
16	Moving of steel - highway expansion	TS



August 4, 2022

Mike Harstad
City Council
City of Crooks

SENT VIA EMAIL

RE: Professional Services for Economic Development and Non-profit Management

Councilman Harstad:

The Sioux Metro Growth Alliance (SMGA) has counted Crooks as one of its investor organizations since the beginning of our regional partnership. SMGA has been fortunate to be involved with a variety of projects in Crooks. On behalf of SMGA, thank you for your continued support of our organization. SMGA wants to see your community thrive and we feel we are positioned to play an integral role in your progress. Much has changed since the 1990's but our commitment to your growth has only strengthened.

A changing world requires the ability to adapt. Strengthened economic development groups, both regionally and nationally, have "upped the stakes" for organizations everywhere and created intense competition. Well-trained and experienced professionals are in higher demand than ever before due to an economy transforming in complexity and rapid acceleration in change at all turns. The same economic development practices of 1993 no longer offer similar returns in 2022. Due to this evolution, governing bodies and economic development organizations (EDOs) need to adapt to be competitive.

Due to this increased competition and a tightening workforce, SMGA has a proposal for your consideration. SMGA feels it can provide a valuable service to the City of Crooks and the Crooks Economic Development program. This service would be the employment of the Crooks economic development professional by SMGA. SMGA would hire, employ, and manage the professional and contract out its services to the City of Crooks and Crooks Economic Development programming for duties relating to the successful execution of your economic development goals.

In this scenario, SMGA would manage and train the employee which will then be contracted out to the Crooks Economic Development Corporation or a similar entity to serve as the Director. SMGA would ask that the City of Crooks or Development Corp provide space two or three days per week so that its staff can office out of Crooks when not meeting with industry leaders, prospects, and the community. Below is a draft of the services SMGA would provide in a possible contractual relationship.



SIoux METRO
GROWTH ALLIANCE

SMGA Responsibilities & Services include but are not limited to the following	City of Crooks Responsibilities
Employ individual including salary, benefits, travel, training, supervision, and technology requirements for successful execution of project. Manage performance of individual.	Provide space for contracted employee for a minimum of 16 hours per week. Office space includes desk, access to internet, and area for confidential conversations
Serve as Executive Director for the CDC and develop book of prospects	Provide feedback on performance of contracted employee
Advise City of Crooks on economic development strategy	Prepare and oversee budget of economic development program and approve expenses
Respond to Requests for Information (RFIs) from Governor's Office of Economic Development (GOED), brokers, or companies	Fulfill contractual monetary obligation
Create and execute local business retention and expansion program	Approve marketing plan developed by SMGA employee
Manage economic development budget with oversight from CDC Board of Directors	
Develop and execute marketing plan	
Execute industrial park planning and expansion	
Provide monthly written report on activities to both City Council and CDC Board	
Track number of hours dedicated to position	
Act in Crooks's best interest like a fiduciary	

Thank you for your consideration to this preliminary proposal. SMGA will work with you and your stakeholders to execute your economic development plan. Exposure to the projects SMGA works and its partners will be an additional benefit to this individual as they learn more about economic development and master its requirements. This proposal can be adjusted as conversations progress. We project that this service will cost \$39,655 per year (every twelve months) with a 3% increase annually starting in 2024 over the 3-year contract.

I look forward to hearing from you and receiving your feedback,

Jesse Fonkert, President/CEO
Sioux Metro Growth Alliance

APPLICATION AND RECOMMENDATION FOR PAYMENT

Contract for Crooks, 2022 Slurry Seal

DGR Project No. 671135

Application No. 1 and Final

Dated August 29, 2022

For work accomplished through the date of August 22, 2022

Contractor Asphalt Surfacing Company 1205 W. Russell Street, Sioux Falls, SD 57104

Original Contract Price \$79,537.80

Gross Amount Due \$79,537.80

Net Change Orders

No. 0 through 0 \$0.00

Materials Stored \$0.00

Less Retainage (0 %) \$0.00

Current Contract Price \$79,537.80

Less Previous Payments \$0.00

Net Deviation in

Contract Quantities \$0.00

Amount Due This Final

Application \$79,537.80

Contractor's Certification

The undersigned Contractor certifies that (1) all previous progress payments received from Owner on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of Contractor incurred in connection with Work covered by prior Application and Recommendation for Payments numbered 1 through 1 inclusive; and (2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Application will pass to Owner at time of payment free and clear of all liens, claims, security interests or encumbrances (except such as are covered by Bond acceptable to Owner).

Asphalt Surfacing Company

Contractor

Dated: 9/7/2022

By: 

This application meets the requirements of the Contract Documents.

In accordance with the contract, the undersigned recommends payment to the contractor of the amount due as shown above.

DGR Engineering

Engineer

Dated: 9/7/2022

By: 

The Owner concurs with this application for payment.

City of Crooks

Owner

Dated: _____

By: _____

APPLICATION FOR PAYMENT DETAIL SHEET

APPLICATION DATE: August 29, 2022

APPLICATION NO. 1

PROJECT: Crooks, 2022 Slurry Seal
CONTRACTOR: Asphalt Surfacing Company
ENGINEER: DGR Engineering

APPLICATION PERIOD
FROM: June 27, 2022
THRU: August 22, 2022

ITEM NO.	ITEM DESCRIPTION	PLAN QTY	UNIT	UNIT PRICE	CONTRACT PRICE	PAST APPLICATION		THIS APPLICATION		TOTAL TO DATE		REMARKS
						QTY	EARNED	QTY	EARNED	QTY	EARNED	
1	Mobilization	0.05	LS	50,000.00	2,500.00			0.05	2,500.00	0.05	2,500.00	
2	Polymer Modified Slurry Seal as specified Type III	30,310	SQYD	2.40	72,744.00			30,310.00	72,744.00	30,310.00	72,744.00	
14	Traffic Control	130	SQFT	0.55	71.50			130.00	71.50	130.00	71.50	
18	Traffic Control Miscellaneous - Salem	1	LS	4,000.00	4,000.00			1.00	4,000.00	1.00	4,000.00	
26	Type 3 Barricade, 8' Double Sided	39	EA	5.70	222.30			39.00	222.30	39.00	222.30	
TOTAL CONTRACT PRICE:					79,537.80							
TOTAL IMPROVEMENTS:									79,537.80		79,537.80	
MATERIALS STORED:									-		-	
RETAINAGE:									-		-	
LIQUIDATED DAMAGES:									-		-	
TOTAL DUE:									79,537.80		79,537.80	

City of Crooks Purchase Card Policies and Guidelines

General Procurement Policy:

The City shall purchase materials, supplies, equipment, and repairs/services needed at the best possible value and maintain appropriate documentation. The Mayor and authorized department heads shall initiate purchases. The City Council approves all purchases. The Finance Officer shall prepare a comprehensive document recording all expenditures and present it at the regular monthly meeting.

General Overview of Purchase Card:

The City of Crooks, through its financial institution (First Interstate Bank), has Mastercard credit cards issued ("purchase card"), which are provided to authorized City personnel for City purposes only. The purchase card is designed to permit purchases of such items for which the regular procurement process is inefficient and in instances of which the issuance of a check or other form of legal tender is not possible; furthermore, exigent circumstances may arise during which the purchase card will provide an opportunity to satisfy charges. The use of the purchase card is for the benefit of the municipality and its designated users in the execution of City functions.

Administration of Purchase Cards:

The municipality's Finance Officer, or designated Finance Office personnel, is tasked with the administration of City purchase cards. The Finance Officer shall ensure proper application and documentation is submitted by the issuer of purchase cards, and appropriate authorization has been given prior to submission of the requisite documents. The Finance Officer shall furnish appropriate form(s) to employee prior to issuance of purchase card such as the purchase card acknowledgment form. The City established a maximum credit limit of \$5,000 per purchase card, the credit limit will be determined on a case-by-case basis and may be adjusted if necessary. The Finance Officer is responsible for the monthly reconciliation of the purchase card statement and receipts submitted for purchases prior to payment to card-issuer.

Purchase Cardholder's Liability and Responsibility:

Employees ("Cardholders"), whom have been issued a purchase card have been granted a privilege by the City of Crooks and entrusted to use the purchase card for City purposes only. Cardholders are expected to safeguard the purchase card and avoid unnecessary risks that could result in loss, damage, or misuse of the City-issued purchase card. Cardholders in the course of conducting transactions with the purchase card are responsible for all charges incurred against the purchase card in his/her/their possession. Cardholders are required to submit receipts for purchases to the Finance Officer. Cardholders are required to produce duplicate receipts from vendor if missing. Cardholders are required to advise vendors of City's tax-exempt status prior to purchase and furnish the appropriate documentation; if sales tax is assessed, cardholder is responsible for obtaining a refund or credit from the vendor. Cardholders are required to notify Finance Officer if vendor failed to issue a receipt and complete a form demonstrating validity of purchase. Cardholders are required to ensure all transactions comply with applicable laws and City-established policies.

Cardholders are required to immediately notify the Finance Officer of accidental use of the purchase card and reimburse the municipality for the charges. Cardholders are strictly prohibited from obtaining cash refunds for returned items. Cardholders shall not permit unauthorized use of purchase card.

Misuse of the purchase card may result in revocation of purchase card privileges and disciplinary action.

Procurement with a Purchase Card:

Cardholders may make purchases in person, by phone, mail, or electronically. Purchases should only be made from reputable merchants/vendors; merchants/vendors may be restricted. Purchases shall be made only in connection with the execution of official duties by employee. Prior to placement of purchase, cardholder shall inquire about total amount including freight and handling.

Permissible uses of Purchase Card:

- Office, educational, and operating supplies
- Equipment, furniture, furnishings
- Maintenance, grounds, and custodial supplies
- Books and materials
- Hotel and transportation to a conference in coordination with Finance Office

Non-permissible uses of Purchase Card:

- Procurement of items in excess of the cardholder limit
- Travel incidentals
- Cash advances
- Personal items
- Prizes
- Alcohol
- Items subject to bid laws of the State of South Dakota
- Computers, laptops, tables, phones, and etc.
- Tips of any kind
- Any item not directly purchased for the benefit of the City
- Any purchase combining multiple cardholder limits to circumvent the credit limit (“splitting”)

Uses of Purchase Card requiring prior authorization:

- Cards
- Flowers
- Software
- Food and refreshments
- Conference fees/registrations
- Meals during travel

Purchase Card Policies and Guidelines Acknowledgement

I, _____ (Print name), certify and acknowledge that I have been furnished a copy of the City of Crooks' Purchase Card Policies and Guidelines. I will adhere to these policies and guidelines.

Signature

Date

City of Crooks
Ordinance #307
SUPPLEMENTAL APPROPRIATIONS ORDINANCE

Be it ordained by the City of Crooks that the following sum is supplementally appropriated to meet the obligations of the municipality for the fiscal year of 2022.

		101 General Fund
Section 1.		
Dept.	Object	
429.0 Other Protection	425.0 Repairs & Maintenance	\$ 2,850.98
429.0 Other Protection	429.0 Other Current Expense	\$ 57.02
Total Appropriations		<u><u>\$ 2,908.00</u></u>

Sources of Funding / Means of Finance	
262 Unreserved Fund Balance	<u>\$ 2,908.00</u>
Total means of finance	<u><u>\$ 2,908.00</u></u>

Section 2.

The Finance Officer is hereby directed to transfer the said amount and to show such action on the proper records of the City.

F. Butch Oseby, Mayor Date

(SEAL)

Tobias Schantz, Finance Officer Date

First reading: 08/08/2022

Amendment:

Second reading:

Adopted & Passed:

Published:

Published once at the approximate cost: \$

Effective:

**CITY OF CROOKS
ORDINANCE #308**

AN ORDINANCE OF THE CITY OF CROOKS, SOUTH DAKOTA, ADOPTING A TOBACCO-FREE POLICY FOR THE MUNICIPALITY.

WHEREAS, the City of Crooks (“City”) finds tobacco product use is unhealthy and when consumed in the proximity of children, youth, and adults is detrimental to the health of others;

WHEREAS, tobacco products, smokeless and combusting, are associated with many health problems;

WHEREAS, the City’s personnel finds tobacco products are often consumed in public areas and discarded on the grounds, posing a danger of ingestion by children and wildlife, and causing a litter problem and environmental harm;

WHEREAS, the City of Crooks finds that it is in the best interest of the public health, safety, and welfare to adopt a Tobacco-Free Policy;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROOKS, SOUTH DAKOTA, THAT:

Section 1. – Definitions. The following definitions shall apply unless the context clearly indicates or requires a different meaning:

Tobacco Product. Any product made or derived from tobacco that is intended for human use, including any component part, or accessory of a tobacco product. A tobacco product includes, but is not limited to, cigarettes, cigars, pipes, electronic smoking devices, cigarette tobacco, roll-your-own tobacco, smokeless tobacco, and dissolvable tobacco.

Electronic Smoking Device. Any device that can be used to deliver an aerosolized solution that may or may not contain nicotine to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, e-hookah, or other simulated smoking device. Nicotine products approved by the United States Food and Drug Administration for tobacco cessation shall be allowed.

Youth Activities. Activities in which the intended participants are those under 18 years of age.

Section 2. – Prohibited conduct. No person shall smoke or carry lighted tobacco in any form in any building or upon any premises or portion thereof where the owner or persons in charge thereof have posted signs declaring the building or premises or portion thereof to be smoke free or otherwise stating that smoking is prohibited.

Section 3. – Locations declared to be tobacco free. The use of tobacco products and electronic smoking devices is hereby prohibited in all vehicles owned, leased, or operated by the City; all City parks; all City buildings and facilities; and all City land.

Section 4. – Fines for violation. A violation of this Ordinance shall be punishable by a fine of not more than \$100. Any person in violation of this Ordinance may be ejected from any facility, building and/or park at which youth activities take place.

Section 5. – Public notice. City staff shall post signs in conspicuous places to notify the public of the areas declared to be tobacco free.

Ayes:

Nays:

Abstain:

Adopted this ____ day of _____, 2022.

F. Butch Oseby, Mayor

ATTEST:

(MUNICIPAL SEAL)

Tobias Schantz,
Municipal Finance Officer

Legislative History

First Reading: 08/08/2022

Second Reading:

Passage & Adoption:

Publication Date:

Effective Date:

Published once at the approximate cost of: \$

City of Crooks
Ordinance #309
2023 Appropriations Ordinance

An ordinance providing for the annual appropriation of the City of Crooks, South Dakota, for the purpose of defraying the expenses and liabilities of the municipality for the fiscal year 2023. Be it ordained by the Crooks City Council that the following sums are appropriated to meet the obligations of the municipality:

Section I.	General Fund (101)	Entertainment Tax Fund (211)	Special Maintenance Fund (220)	Total Governmental Funds
101 Governmental Funds				
410 General Government				
411 Legislative	\$ 12,483.00	\$ -	\$ -	\$ 12,483.00
411.3 Ordinances/Resolutions/Proceedings	\$ 5,535.00	\$ -	\$ -	\$ 5,535.00
411.5 Contingency	\$ 4,800.00	\$ -	\$ -	\$ 4,800.00
412.1 Mayor	\$ 11,070.00	\$ -	\$ -	\$ 11,070.00
412.3 Planning & Zoning	\$ 11,498.00	\$ -	\$ -	\$ 11,498.00
413 Elections	\$ 1,980.00	\$ -	\$ -	\$ 1,980.00
414.1 Legal	\$ 12,000.00	\$ -	\$ -	\$ 12,000.00
414.2 Financial Administration	\$ 48,650.00	\$ -	\$ -	\$ 48,650.00
419.2 Government Buildings	\$ 51,358.00	\$ -	\$ -	\$ 51,358.00
419.6 Engineer	\$ 4,000.00	\$ -	\$ -	\$ 4,000.00
Total General Government	\$ 163,374.00	\$ -	\$ -	\$ 163,374.00
420 Public Safety				
421.0 Police	\$ 51,935.00	\$ -	\$ -	\$ 51,935.00
422.0 Fire	\$ 40,000.00	\$ -	\$ -	\$ 40,000.00
423.2 Protective Inspection	\$ 44,471.00	\$ -	\$ -	\$ 44,471.00
Total Public Safety	\$ 136,406.00	\$ -	\$ -	\$ 136,406.00
430 Public Works				
431 Highways and Streets	\$ 277,179.00	\$ -	\$ -	\$ 277,179.00
431.2 Front Footage	\$ -	\$ -	\$ 93,000.00	\$ 93,000.00
431.6 Street Lighting	\$ 26,350.00	\$ -	\$ -	\$ 26,350.00
431.7 Snow Removal	\$ 57,560.00	\$ -	\$ -	\$ 57,560.00
Total Public Works	\$ 361,089.00	\$ -	\$ 93,000.00	\$ 454,089.00
440 Health and Welfare				
441.1 Code Inspection	\$ 5,713.00	\$ -	\$ -	\$ 5,713.00
441.15 City Clean-Up	\$ 12,337.00	\$ -	\$ -	\$ 12,337.00
441.2 Animal Control	\$ 1,533.00	\$ -	\$ -	\$ 1,533.00
441.3 West Nile	\$ 4,509.00	\$ -	\$ -	\$ 4,509.00
446 Ambulance	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
Total Health and Welfare	\$ 34,092.00	\$ -	\$ -	\$ 34,092.00
450 Culture and Recreation				
452.0 Parks	\$ 160,073.00	\$ -	\$ -	\$ 160,073.00
Total Culture and Recreation	\$ 160,073.00	\$ -	\$ -	\$ 160,073.00
465 Economic Development				
465.0 Economic Development	\$ 46,672.00	\$ -	\$ -	\$ 46,672.00
465.3 Promoting the City	\$ -	\$ 25,000.00	\$ -	\$ 25,000.00
Total Economic Development	\$ 46,672.00	\$ 25,000.00	\$ -	\$ 71,672.00
470 Debt Service	\$ 19,957.00	\$ -	\$ -	\$ 19,957.00
Total Debt Service	\$ 19,957.00	\$ -	\$ -	\$ 19,957.00
Total 2023 Appropriations	\$ 921,663.00	\$ 25,000.00	\$ 93,000.00	\$ 1,039,663.00
Total Appropriations and Accumulations	\$ 921,663.00	\$ 25,000.00	\$ 93,000.00	\$ 1,039,663.00

The following designates the fund or funds that money derived from the following sources is applied to.

	General Fund (101)	Entertainment Tax Fund (211)	Special Maintenance Fund (220)	Total Governmental Funds
Governmental Funds				
264 Restricted Fund Balance	\$ -	\$ 15,000.00	\$ -	\$ 15,000.00
267 Unassigned Fund Balance	\$ 338,000.00	\$ -	\$ -	\$ 338,000.00
310 Taxes	\$ 486,963.00	\$ 10,000.00	\$ -	\$ 496,963.00
320 Licenses and Permits	\$ 46,300.00	\$ -	\$ -	\$ 46,300.00
330 Intergovernmental Revenue	\$ 36,850.00	\$ -	\$ -	\$ 36,850.00
340 Charges for Goods and Services	\$ -	\$ -	\$ -	\$ -
350 Fines and Forfeits	\$ -	\$ -	\$ -	\$ -
360 Miscellaneous Revenue	\$ 5,050.00	\$ -	\$ 93,000.00	\$ 98,050.00
390 Other Sources/Transfer In	\$ 8,500.00	\$ -	\$ -	\$ 8,500.00
Total Means of Finance	<u>\$ 921,663.00</u>	<u>\$ 25,000.00</u>	<u>\$ 93,000.00</u>	<u>\$ 1,039,663.00</u>

Section II.

	Water Fund	Sewer Fund	Gas Fund
Proprietary and Fiduciary Funds			
Beginning Unrestricted Net Position Applied	\$ 3,881.00	\$ 6,789.00	\$ 142,903.00
Estimated Revenue	\$ 337,280.00	\$ 364,784.00	\$ 940,000.00
TOTAL AVAILABLE	<u>\$ 341,161.00</u>	<u>\$ 371,573.00</u>	<u>\$ 1,082,903.00</u>
Less Appropriations (Expenses)	\$ 341,161.00	\$ 371,573.00	\$ 1,082,903.00
ESTIMATED SURPLUS	\$ -	\$ -	\$ -
Less Revenue for Repayment of Debt	\$ -	\$ -	\$ -
Less Depreciation Reserve (SDCL 9-21-12)	\$ -	\$ -	\$ -
Less Estimated Surplus Retained	\$ -	\$ -	\$ -
ESTIMATED SURPLUS TO BE TRANSFERRED	\$ -	\$ -	\$ -
TO GOVERNMENTAL FUNDS	\$ -	\$ -	\$ -
Estimated Net Position Retained	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Section III.

The finance officer is directed to certify the following dollar amount of tax levies made in this ordinance to the County Auditor.

General Fund Property Tax Request of \$ 284,763.00

Adopted this ____ th day of _____, 2022

Approved

F. Butch Oseby, Mayor

(SEAL)

Attest

First Reading: 08/08/2022

Second Reading:

Amendment:

Adoption:

Effective:

Publication:

Published once at the approximate cost of:

**CITY OF CROOKS
ORDINANCE # 310**

AN ORDINANCE OF THE CITY OF CROOKS, SOUTH DAKOTA, PERTAINING
TO THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC PARKS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROOKS, SOUTH
DAKOTA, THAT:

Section 1. – Alcoholic Beverages Prohibited.

It shall be unlawful for any person to drink or consume any alcoholic beverage within the following areas in City Parks: playground areas and bathrooms. The consumption of alcohol shall be prohibited in any area of a City-owned park during school-sanctioned activities and youth events occurring in the park.

Section 2. – Fee for violation.

The fee for a violation of this ordinance shall be \$25.

Ayes:

Nays:

Abstain:

Adopted this ____ day of _____, 2022.

F. Butch Oseby, Mayor

ATTEST:

(MUNICIPAL SEAL)

Tobias Schantz,
Municipal Finance Officer

Legislative History

First Reading:

Second Reading:

Passage & Adoption:

Publication Date:

Effective Date:

Published once at the approximate cost of: \$

CITY OF CROOKS
RESOLUTION # 2022-20

A RESOLUTION ADOPTING A LANGUAGE ACCESS PLAN FOR LIMITED ENGLISH PROFICIENCY PERSONS IN THE CITY OF CROOKS

WHEREAS, Title VI of the Civil Rights Act of 1964 and specifically 42 U.S.C. 2000d provides “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”; and

WHEREAS, the City of Crooks receives Federal funds for various programs; and

WHEREAS, the City of Crooks wishes to be in accordance with Title VI non-discrimination laws regarding the provision of appropriate access to services and activities provided by federal agencies and recipients of federal assistance; and

NOW THEREFORE BE IT RESOLVED, that the City of Crooks does hereby adopt the attached Language Access Plan for Limited English Proficiency Persons (LAP).

BE IT FURTHER RESOLVED that City Administrator/Finance Officer located at 701 S West Ave / PO Box 785, Crooks, SD, 57020, is named LAP Coordinator. The LAP Coordinator is the first point of contact for any complaints or appeals.

BE IT FURTHER RESOLVED that the LAP will be updated as new Census Data regarding Limited English Proficiency Persons is presented or if a Federal grant is rewarded that required the LAP to be updated or revised.

BE IT FURTHER RESOLVED that the City shall publish the resolution without the attached Language Access Plan for Limited English Proficiency Persons (LAP). The document shall be provided for public inspection at the municipal office during regular business hours.

Ayes:

Nays:

Abstains:

Dated this ____ day of _____, 2022.

F. Butch Oseby, Mayor

ATTEST:

Tobias Schantz, Finance Officer

(SEAL)

Adopted:

Approved:

Published:

Effective:

Published once at the approximate cost of _____.

LIMITED ENGLISH PROFICIENCY **4-FACTOR ANALYSIS AND LANGUAGE ACCESS PLAN**

CITY OF CROOKS, SOUTH DAKOTA

*-Prepared by the South Eastern Council of Governments for
the City of Crooks*

Adopted _____, 2022

Background and Purpose

This 4-Factor Analysis and resulting Language Access Plan (LAP) has been prepared and adopted by the City of Crooks in accordance with Title VI of the Civil Rights Act of 1964 as well as Executive Order 13166 titled *“Improving Access to Services for Persons with Limited English Proficiency.”* This document is a requirement of the City as a recipient of various Federal funds. This document has been prepared for the City-as-a-whole regardless of whether every individual municipal program, department or activity utilizes Federal funds.

The overall purpose of this document is to ascertain the extent and needs of the local limited English proficient (LEP) population as well as identify recommended actions to ensure discrimination does not occur to persons receiving municipal services who do not speak English at all or very well. The end result of implementation of these actions will be to eliminate the language barriers that prevent eligible persons from having meaningful access to Federally-funded programs in the City of Crooks. “Meaningful access” must result in LEP individuals being afforded the opportunity to obtain the same benefits and services as other non-LEP individuals and also must result in no added cost to the LEP person.

Strategies for Providing Meaningful Access

The City has developed these strategies to help identify reasonable steps to provide language assistance to LEP persons who wish to access services provided by the City. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

To identify the demand for language assistance, the City used the four-factor LEP analysis which considers the following factors:

1. The number of LEP persons in the City who may be served or are likely to require services from the City.
2. The frequency with which LEP persons come in contact with City officials and services.
3. The nature and importance of services provided by the City to the LEP population.
4. The resources available to the City and overall cost to provide LEP assistance.

A summary of the results of the 4-factor analysis is in the following section.

4-Factor Analysis

- *Factor 1. The number of LEP persons in the City who may be served or are likely to require services from the City:*

The City reviewed 2020 American Community Survey 5-Year Estimates and determined that 7 individuals ages five years and over in the City (0.5% of the population ages five years and over) speak a language other than English, with those 7 individuals speaking Spanish. Of those 7 individuals, all of them speak English very well.

Table 1. LEP Persons in the City of Crooks

<u>Language Group</u>	<u>Estimate</u>	<u># Persons</u>
Entire City Pop.	1,304	1304
Speak Language Other Than English	0.5%	7
Speak English "Very Well"	0.5%	7
Speak English Less Than "Very Well"	0.0%	0

According to the American Community Survey estimates in Table 1, no persons in the City of Crooks were classified as an LEP persons.

- *Factor 2. The frequency with which LEP persons come in contact with the City officials and services:*

There is no large geographic concentration of any type of LEP persons within the City of Crooks. Based on the 2020 American Community Survey 5-Year Estimates, 100% of the City's population ages five years and over either speak English as their primary language or speak English "very well." As a result, there are few social, service, or professional and leadership organizations within the City of Crooks that focus on outreach to LEP persons.

City staff held discussions with each applicable City Department to determine the past frequency of contacts with LEP persons through such interactions as phone calls, walk-in

inquiries, or requests for interpretation services or translation of documents. After looking back many years and holding discussions with applicable City departments, the City has no documented experiences with LEP persons. However, the City occasionally interacts with individuals that speak a language other than English when renting out the Crooks Community Center and during the operations of its municipal utilities. In those limited cases, the residents or visitors renting the property have primarily spoken Spanish but possessed sufficient English language skills to communicate effectively with City staff.

Interactions between the City and LEP persons occur rarely. Therefore, it is expected that, notwithstanding any significant demographic changes in the community, any future contacts with LEP persons will continue to be infrequent.

➤ *Factor 3. The nature and importance of services provided by the City to LEP persons:*

The City provides many services, such as: public works (water, sewer, streets, etc.), parks and recreation, tourism, law enforcement, city planning, building inspections, finance and administration, etc. Within each of these broad areas, numerous individual programs, services, and facilities are provided to the public. While not all City services receive Federal funding, many do. For example, one common area of Federal assistance in the City has been with construction of various types of infrastructure projects including City natural gas, sewer, water, and road systems.

➤ *Factor 4. The resources available to the City and overall costs to provide LEP assistance:*

As there have been few past LEP requests or needs, there are currently no dedicated municipal staff or resources in the City for LEP assistance. The City will utilize cost-effective strategies to assist LEP persons and will use telephone interpreters when necessary. The City will continue to review the needs of the LEP persons within the community and adjust as necessary.

Language Access Plan

A person who does not speak English as their primary language and who has limited ability to read, write, speak, or understand English may be a Limited English Proficient (LEP) person and may be entitled to language assistance with respect to City services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language, or translation, which means the written transfer of a message from one language into another language.

➤ *Identifying LEP persons:*

City staff may identify an LEP person who needs language assistance through the following strategies:

- City staff will be identified as the primary contact in case of LEP inquiries or contacts outside of the various City Departments.
- City staff can be provided with language assistance cards or “I Speak” cards to identify languages.
- Signs notifying public of language assistance availability will be posted at City Hall in English and Spanish.

➤ *Language assistance provided:*

The type of language assistance provided to LEP persons in the City will vary depending upon the mode of communication – as follows:

- Face-to-Face Interaction: It is anticipated that the majority of cases involving LEP persons will involve face-to-face interactions. In these cases, City staff will utilize the following resources as needed: “I Speak” cards will be used to determine language type, and on-line language interpretation websites and/or telephone language interpretation services will be used for interpretation.
- Telephone Interaction: In the case of telephone contact being made with an LEP person, either an on-line language interpretation website or telephone language interpretation service will be used for interpretation.
- Written Communication: In the event that written communication is received from an LEP person, then an on-line language interpretation website shall be utilized for interpretation.

➤ *Staff training and dedicated departments:*

The majority of contacts with LEP persons will likely occur as face-to-face interactions at various City Departments. Therefore, the City will provide the following training to appropriate staff:

- Where to find and how to use needed communication services or devices (such as language assistance cards, internet interpretation websites, and telephone interpretation services).
- Proper procedures in how to assist LEP persons and resources available.
- Contact information of City officials that can provide further assistance for LEP persons and assist staff with appropriate procedures to help.
- Documentation of language assistance requests.

➤ *Vital documents translation:*

In accordance with adopted LEP guidance (i.e. – “Safe Harbor Provisions”) because the number and proportion of LEP persons in the City is less than 5% of the total population

and less than 1,000 in number then no written translation of vital documents is required. Translation of a document can be provided to LEP persons upon request.

➤ *Monitoring and updating the 4-Factor analysis and LAP:*

The City will reassess its strategies for providing meaningful access for LEP persons. At a minimum, the plan will be reviewed and updated when new U.S. Census data is available, or when it is clear that higher concentrations of LEP individuals are present in the City. Updates will include the following:

- Number of documented LEP person contacts encountered annually.
- Needs of LEP persons have been addressed.
- Current LEP population in the City.
- Current deed for translation services.
- Local language assistance programs effectiveness to meet the needs of the population.
- City's financial resources to fund language assistance resources as needed.
- Any complaints received concerning the City's failure to meet the needs of LEP persons.