

City of Crooks  
City Council  
Regular monthly meeting  
Agenda

Date: 05/08/2023

Time: 6:00pm/CST

Location: Crooks Community Center (701 S West Ave, Crooks, SD, 57020)

- 1) Call to order / Roll call
- 2) Pledge of allegiance & Invocation
- 3) Agenda
- 4) Meeting minutes
- 5) Financials
- 6) Claims
- 7) Consent calendar items:
  - i. Abatement property tax request
  - ii. A&B Business Copier Addendum
  - iii. Mosquito Control contract
  - iv. The Wooden Nickel – Special event liquor license 05/13/2023
  - v. Surplus 2011 Swenson sander
  - vi. Garbage hauler license renewal – Garbage’N’More
- 8) Appointments & Swearing in
- 9) 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.]
- 10) Public hearings: None.
- 11) Reports/Other business:
  - a) Capital Improvements & Repairs
  - b) Utility
    - i. Eastside lift station pay application
    - ii. Eastside lift station change order
    - iii. Drainage project pay application
  - c) Economic Development
  - d) Streets
  - e) Planning and Zoning
  - f) Government buildings & IT infrastructure
    - i. City shop possible concepts
    - ii. Electronic data management software
  - g) Parks
    - i. Baseball land complex possible concepts
    - ii. Shuttle service to Colton pool
  - h) Finance
  - i) Code enforcement / animal control
  - j) Other business:
    - i. Contract garbage service
    - ii. Hire residential building inspector

12) Ordinances, resolutions, policies, motions:

- a) First reading of Ordinance #325 – Adopting revised Zoning Regulations for the City of Crooks
- b) Resolution 2023-06 – SRF Funding authorization resolution

13) Adjourn



**Agenda items – staff comments**

**5) Financials.**

Expenditures.

Expenditures have been even concerning operating expenditures, capital expenditures incurred were the acquisition of land for Heritage Park. Future major outflows will be the remaining payment for the drainage improvement project, the dugout repair, the walking path along West Ave, as well as the new greeting sign for the municipality.

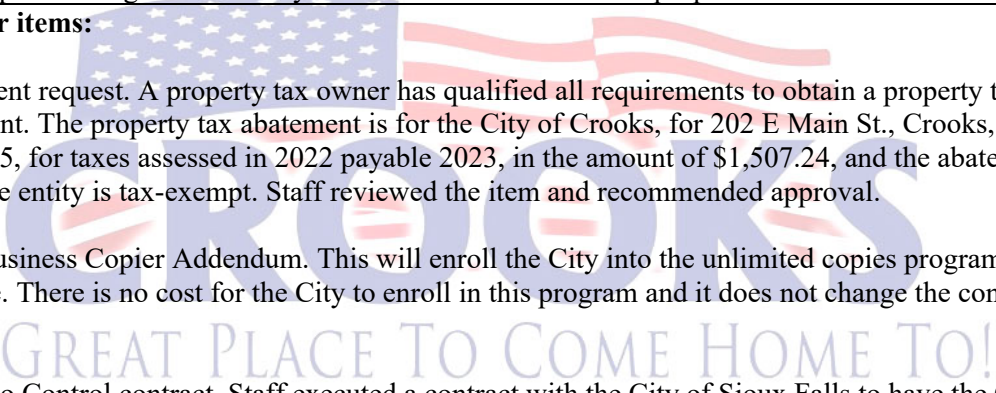
Revenues.

Sales tax revenues are outperforming the anticipated amounts, having generated about 60% YTD, building permits revenue has been consistently positive at approx. 60%, bank franchise tax has exceeded its budgeted amount at 134%, and investment earnings have been positive.

Revenues for the Liquor, Lodging, Dining Fund, the Water Fund, and Sewer Fund are all within regular parameters for operating revenue (Sewer Fund has received substantial grant funds, these amounts need to be excluded from operating revenue). The Natural Gas Fund is performing at expectations. Please be advised that no April utility revenues are included in these financials, as utility bill has not been completed as of 05/05/2023.

**6) Claims.** There are no claims of note or unusual ones. The Land Title Guaranty claims have been previously approved by way of purchase agreement. They are included for information purposes.

**7) Consent calendar items:**

- 
- i. Abatement request. A property tax owner has qualified all requirements to obtain a property tax abatement. The property tax abatement is for the City of Crooks, for 202 E Main St., Crooks, SD, Parcel ID 95435, for taxes assessed in 2022 payable 2023, in the amount of \$1,507.24, and the abatement reason being the entity is tax-exempt. Staff reviewed the item and recommended approval.
  - ii. A&B Business Copier Addendum. This will enroll the City into the unlimited copies program with the machine. There is no cost for the City to enroll in this program and it does not change the contract and its length.
  - iii. Mosquito Control contract. Staff executed a contract with the City of Sioux Falls to have the City of Sioux Falls conduct trapping of mosquitoes. The cost of the contract is approximately \$2,500.
  - iv. Special event license. The Wooden Nickel has made application to host a bar for an event at the Crooks Community Center on May 13, 2023. Staff recommends approval of application.
  - v. Surplus 2011 Swenson sander. The acquisition of the new sander necessitates declaring as surplus the old sander. The intention is to sell the sander, if declared surplus, on Big Iron Auctions.
  - vi. Garbage hauler license renewal – Garbage’N’More. Garbage’N’More made application to have the garbage hauler license renewed for 2023. Staff recommends approval of renewal contingent upon receipt of remaining items outstanding.

**11) Reports/Other business:**

**f) Government Buildings & IT infrastructure**

ii. Electronic data management software. Staff explored the option to use electronic data management software for all records, which can be digitalized. The software proposal and recommendation are attached to the packet.

j) Other business

ii. Hire residential building inspector. The position of residential building inspector was extended to Matt Haynes at \$25/hr. and hour with a starting date of 05/08/2023. Haynes has accepted the position as of 05/04/2023. Council needs to motion to finalize the hire.

**12) Ordinances, resolutions, policies, motions:**

- a) First reading of Ordinance #325 – Adopting revised Zoning Regulations for the City of Crooks. This is the first reading concerning the adoption of new zoning regulations for the City of Crooks. The hearing was held in April.
- b) Resolution 2023-06 – SRF Funding authorization resolution. This resolution will permit the issuance of the bond in connection with the water tower and water storage improvement SRF project. This resolution was prepared by bond counsel and needs to be passed as part of the SRF funding with SD DANR.





**City of Crooks  
Meeting Minutes  
April 10, 2023**

**1) Call to order/Roll Call.** At 6:02pm the meeting was called to order by Mayor Oseby at the Crooks Community Center. Answering roll call were Alderman Harstad, Alderman Beyer, Alderman J. Richardson, and Mayor Oseby. A quorum was present. City staff present were City Administrator/Finance Officer Schantz and City engineers Jake Morris and Jesse Morris (DGR).

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

**3) Approve posted agenda.** Motion by Beyer to amend to include approval of malt beverage license renewals for Pump’N’Stuff and Crooks Country Corner under “Other Business,” seconded by J. Richardson. No discussion. All aye, motion carried. Motion by J. Richardson to approve agenda, seconded by Harstad. No discussion. All aye, motion carried.

**4) Meeting minutes.** Governing body reviewed meeting minutes. Motion by Beyer to approve March 13, 2023 and March 20, 2023 meeting minutes, seconded by J. Richardson. No discussion. All aye, motion carried.

**5) Financials.** Governing body reviewed financials. Motion by J. Richardson to approve financials, seconded by Beyer. No discussion. All aye, motion carried.

**6) Claims.** Governing body reviewed claims and wages for April 2023. Motion by Harstad to approve claims and wages, seconded by J. Richardson. No discussion. All aye, motion carried.

**Approved claims.**

Vendor	Date incur.	Description	Amount
A&B Business Solutions	4/4/2023	copier lease	\$ 290.99
Aflac	3/26/2023	Aflac payable	\$ 138.34
Alliance Communications	4/1/2023	utilities office & sewer	\$ 372.33
Builder's Electric	3/23/2023	repair lights & LED lights	\$ 1,897.01
CC Storage	4/1/2023	storage unit rental fee	\$ 69.00
Clayton Energy	3/13/2023	commodity purchase	\$ 88,943.60
Clayton Energy	4/3/2023	reservation fee & monthly service fee	\$ 40,462.56
Crooks Country Corner	3/7/2023	diesel exhaust fluid	\$ 19.95
Crooks Municipal Utilities	4/6/2023	City shop utilities	\$ 376.30
Crooks Municipal Utilities	4/6/2023	Palmira Park bathroom utilities	\$ 152.23
Crooks Municipal Utilities	4/6/2023	Crooks Comm. Center utilities	\$ 754.80
Crooks Municipal Utilities	4/6/2023	w lift station utilities	\$ 23.35
Crooks Municipal Utilities	4/6/2023	n lift station utilities	\$ 23.35
Crooks Municipal Utilities	4/6/2023	main lift station utilities	\$ 32.77

Crooks Municipal Utilities	4/6/2023	New Hope bathroom utilities	\$ 87.70
Crooks Municipal Utilities	4/6/2023	Sunset irrigation system	\$ 33.00
Dell Rapids Community Ambulance	3/21/2023	2023 ambulance services	\$ 10,000.00
Department of Treasury / EFTPS	4/4/2023	payroll tax deposit	\$ 5,491.41
Department of Treasury / EFTPS	3/16/2023	payroll tax deposit	\$ 2,021.98
DGR Engineering	3/20/2023	east side lift station con. admin.	\$ 3,344.00
Display Sales	3/13/2023	LED lights	\$ 105.00
DocuSign, Inc.	3/31/2023	service fee	\$ 1,725.00
Dudley Laundry d/b/a Appeara	3/29/2023	mat, mop, towel, rag service	\$ 99.20
Ecolab	3/14/2023	pest control services	\$ 97.29
F. Butch Oseby	3/30/2023	per diem & mileage conference	\$ 399.05
First Interstate Bank	3/31/2023	service charge	\$ 7.75
First Interstate Bank	4/7/2023	purchase card payment	\$ 1,851.69
Gas Training Specialties	4/3/2023	OQ training & mileage	\$ 746.47
Glass Doctor - Sioux Falls	3/14/2023	repair windshield plow truck	\$ 286.50
Goebel Printing	4/3/2023	coroplast signs	\$ 854.00
Health Pool of SD	4/1/2023	health + life insurance payable	\$ 3,883.85
Lacey Rentals	4/4/2023	portable restroom rental	\$ 145.00
Meierhenry Sargent LLP	3/8/2023	02-2023 legal fees	\$ 180.00
Menards	3/29/2023	shop supplies & shelving	\$ 150.71
Mid States Audio	3/16/2023	video streaming equipment	\$ 1,542.98
Minnehaha Community Water Corp.	4/4/2023	03-2023 water purchase	\$ 6,242.40
Minnehaha County Treasurer	3/27/2023	duplicate title fee	\$ 10.00
Minnehaha County Treasurer	3/30/2023	title new truck & mailing fee	\$ 27.50
New Century Press	3/17/2023	03/13/23 mtg minutes	\$ 159.51
New Century Press	3/17/2023	Ord 322 publication	\$ 19.60
New Century Press	3/10/2023	hearing notice zoning regulations	\$ 14.00
New Century Press	3/17/2023	Ord 323 publication	\$ 45.36
New Century Press	3/17/2023	Ord 321 publication	\$ 15.68
New Century Press	3/3/2023	state wrestling ad	\$ 20.00
Nyberg's Ace Hardware	3/23/2023	supplies	\$ 54.94
Payment Service Network	4/3/2023	gateway fee	\$ 89.95
Pfeifer Implement	3/15/2023	Kubota tractor & loader	\$ 55,597.41

Q3 Contracting	3/22/2023	barricades district regulator station	\$ 5,966.07
Raztech LLC	4/1/2023	04-2023 managed IT services	\$ 763.75
Revize LLC	4/5/2023	2023 hosting fee	\$ 1,975.00
SD Assoc. of Rural Water Systems	3/27/2023	supplemental life insurance - child	\$ 1.85
SD Assoc. of Rural Water Systems	3/27/2023	supplemental life insurance	\$ 59.00
SD Assoc. of Rural Water Systems	3/27/2023	supplemental life insurance - spouse	\$ 50.40
SD Assoc. of Rural Water Systems	3/27/2023	dental insurance	\$ 226.14
SD Department of Transportation	3/20/2023	Progressing billing West Ave Tr.	\$ 839.69
SD Department of Revenue	3/20/2023	02-2023 sales tax payable	\$ 12,117.60
SD Gov't Finance Officers' Assoc.	4/3/2023	conference fee	\$ 150.00
SD Gov't Human Resource Assoc.	4/3/2023	conference fee	\$ 100.00
SD Public Assurance Alliance	3/15/2023	additional insurable contents	\$ 675.10
SD Retirement System	3/20/2023	monthly retirement contribution	\$ 3,101.82
SDML Workers' Compensation Fund	3/16/2023	2022 payroll audit	\$ 1,000.00
SDRS Supplemental Retirement Plan	3/20/2023	ROTH contribution	\$ 300.00
Shell/Pump'N'Stuff	3/17/2023	fuel skid steer	\$ 41.36
Shell/Pump'N'Stuff	3/21/2023	fuel pay loader	\$ 167.17
Shell/Pump'N'Stuff	3/21/2023	fuel skid steer	\$ 34.77
Shell/Pump'N'Stuff	3/30/2023	fuel white truck	\$ 80.74
Shell/Pump'N'Stuff	2/3/2023	fuel skid steer	\$ 56.52
Shell/Pump'N'Stuff	3/21/2023	fuel Kubota tractor	\$ 17.64
Shell/Pump'N'Stuff	3/12/2023	fuel loader	\$ 122.24
Sioux Falls Area Humane Society	3/7/2023	animal control services	\$ 60.07
Sioux Valley Energy	3/14/2023	sewer utilities	\$ 229.93
Sioux Valley Energy	3/14/2023	469th lift station utilities	\$ 305.20
Sioux Valley Energy	3/14/2023	street light utilities	\$ 254.00
South Dakota 811	3/31/2023	03-2023 message fees	\$ 7.35
Utility Safety and Design, Inc.	3/27/2023	valves	\$ 425.00
US Postal Service	3/29/2023	mailing fee water projects letter	\$ 268.81

US Postal Service	4/6/2023	mailing fee utility billing postcards	\$ 325.84
Verizon Wireless	3/23/2023	new jet pack & utilities	\$ 191.27
Verizon Wireless	3/10/2023	utilities at metering stations	\$ 624.67
Xcel Energy	4/3/2023	utilities	\$ 4,971.72
		<b>Total claims</b>	<b>\$ 264,416.23</b>

**Approved purchase card payments.**

Vendor	Date incur.	Description	Amount
Amazon	3/28/2023	replacement battery APC	\$ 196.00
Amazon	3/20/2023	supplies	\$ 77.15
Dudley Laundry d/b/a Appeara	3/15/2023	mat, mop, towel, rag service	\$ 95.67
Mail Technologies/DocuSend	4/6/2023	ebills Crooks	\$ 6.44
Mail Technologies/DocuSend	4/6/2023	ebills outside of Crooks	\$ 5.06
Matheson Tri-Gas	1/31/2023	gas charts	\$ 35.06
Matheson Tri-Gas	3/31/2023	gas charts	\$ 35.06
Microsoft	3/20/2023	basic subscription	\$ 54.00
Microsoft	3/20/2023	monthly subscription 365	\$ 100.00
Nyberg's Ace Hardware	3/15/2023	supplies Crooks Community Cen.	\$ 37.54
Nyberg's Ace Hardware	3/22/2023	shop supplies	\$ 47.94
ODP Business Solutions	3/29/2023	printer paper	\$ 59.34
Pfeifer Implement	3/14/2023	cutting edge skid steer	\$ 351.97
Pfeifer Implement	3/10/2023	refund overcharges	\$ (170.10)
Pfeifer Implement	3/20/2023	cutting edge + supplies	\$ 304.52
Ramkota - Pierre	3/28/2023	GOED conference room	\$ 82.00
Scooby's Car Wash	3/22/2023	vehicle maintenance	\$ 25.00
Scooby's Car Wash	3/30/2023	vehicle maintenance	\$ 15.75
Shell/Pump'N'Stuff	3/20/2023	fuel black truck	\$ 21.10
Shell/Pump'N'Stuff	3/13/2023	fuel City truck	\$ 47.51
Shell/Pump'N'Stuff	3/15/2023	fuel black truck	\$ 40.21
Shell/Pump'N'Stuff	3/30/2023	fuel black truck	\$ 46.72
US Postal Service	3/10/2023	postage delinquent letters	\$ 337.75
		<b>Total purchase card claims</b>	<b>\$ 1,851.69</b>

**Approved gross wages by department for March 2023**

Council	\$ 525.00
Mayor	\$ 420.00
Planning and Zoning Commission	\$ 308.86
Finance Office	\$ 2,520.31
Government Buildings	\$ 1,329.66
Building Inspector	\$ 938.59

Highway & Streets	\$ 2,024.81
Highway & Streets - Snow Removal	\$ 1,908.53
Solid Waste Collection	\$ 244.74
Code Enforcement	\$ 98.68
Animal Control	\$ 1,019.82
West Nile	\$ 80.18
Parks	\$ 2,305.41
Water	\$ 5,243.98
Sewer	\$ 5,334.16
Gas	\$ 5,286.61
<b>Total wage claims</b>	<b>\$ 29,589.34</b>

## **7) Open comments.**

- a) Eric Schuette – Serve as Alderman Ward II. Eric Schuette introduced himself to the governing body and spoke on his interest to serve as Alderman.
- b) Bob Peterson, Big Sioux/Ducks Unlimited representative, addressed Council on Crooks Community Center rental and obtain exemption from payment for hall rental upon booking. Motion by Beyer to allow hall reservation for Ducks Unlimited with stipulation deposit be paid one month in advance of event, seconded by Harstad. No discussion. All aye, motion carried.

## **8) Public hearings.**

- a) Adoption of revised Zoning Regulations for the City of Crooks. Oseby opened hearing at 6:14pm. Revised Zoning Regulations were reviewed. Floor was opened for comments. No comments were received. Hearing was closed at 6:16pm.
- b) Conditional Use Application for home-based business. Oseby opened hearing at 6:17pm. Kristin Anderson, applicant, spoke to governing body on her petition. Floor was opened for comments. No comments were received. Oseby closed hearing at 6:20pm. Motion by Beyer to approve conditional use, seconded by J. Richardson. No discussion. All aye, motion carried.

## **9) Reports / Other business.**

- a) **Capital Improvements & Repairs.** Governing body discussed ongoing and future projects.
- b) **Utility.** Report was given by Oseby. West Leg 2024 expansion (Natural Gas). Governing body reviewed and discussed purchase of additional natural gas capacity. Motion by J. Richardson to submit bid for an additional 100 units, seconded by Harstad. No discussion. All aye, motion carried.
- c) **Economic development.** Harstad and Oseby gave report.

- d) **Streets.** Oseby gave report. i. Award 2023 Slurry seal. Motion by Harstad to award slurry seal bid to low bidder Asphalt Surfacing Company (ASCO) in the amount of \$74,049.92, seconded by J. Richardson. No discussion. All aye, motion carried.
- e) **Planning and Zoning.** i. Building inspector recommendations. Status of search for new residential building inspector was discussed.
- f) **Government buildings & IT infrastructure.** Beyer gave report.
- g) **Parks.** Harstad gave report. Governing body discussed the cost of the pond excavation at Heritage Park.
- h) **Finance.** J. Richardson gave report. i. Reliabank – loan quotation & deposit relationship. Governing body discussed the loan quotation and potential future deposit relationship. Motion by Harstad to authorize interfund loan from Natural Gas Fund to General Fund for financing of the new utility tractor, seconded by J. Richardson. No discussion. All aye, motion carried.
- i) **Code enforcement/Animal control.** No report.
- j) **Other business:**
  - i. **Sourcewell participation agreement.** Motion by Harstad to approve Sourcewell participation agreement, seconded by J. Richardson. No discussion. All aye, motion carried.
  - ii. **Malt beverage license renewals.** Motion by Harstad to approve malt beverage license renewals for Crooks Country Corner and Pump’N’Stuff, seconded by Beyer. No discussion. All aye, motion carried.

#### **10) Ordinances, resolutions, polices, motions.**

a) Second reading of Ordinance #324 (Pertaining to the regulation of peddlers, solicitors, transient merchants and mobile food vendors) was given by Oseby. Ordinance was reviewed. Motion by Harstad to approve ordinance, seconded by Beyer. No discussion. Roll call vote: Harstad – aye, J. Richardson – aye, Beyer – aye. All aye, motion carried.

b) Resolution 2023-04 (Establishing fees for peddler/solicitor/transient merchant and mobile food vendor permits). The fee structure of resolution for mobile food vendors was discussed. Motion by Harstad to approve resolution and remove section for city sponsored events and remove annual \$50.00 fee for mobile food vendors, seconded by Beyer. No further discussion. All aye, motion carried.

### **CITY OF CROOKS RESOLUTION #2023-04**

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CROOKS, SOUTH DAKOTA, ESTABLISHING FEES FOR PEDDLER/SOLICITOR/TRANSIENT MERCHANT AND MOBILE FOOD VENDOR PERMITS.**

**WHEREAS,** Ordinance #324 establishes that Peddler/Solicitor/Transient Merchant permits and Mobile Food Vendor permits fees shall be established by resolution;

**NOW, THEREFORE, BE IT RESOLVED THAT,** the following rates are hereby established for Peddler/Solicitor/Transient Merchant and Mobile Food Vendor permits as follows:

Permit Type	Duration	Fees
Peddler/Solicitor/Transient Merchant	30 days	\$20.00
Mobile Food Vendor	Calendar Year	\$0.00

Ayes: Harstad, Richardson, Beyer

Nays:

Abstains:

Dated this 10<sup>th</sup> day of April, 2023.

\_\_\_\_\_  
F. Butch Oseby, Mayor

(SEAL)

Attest:

\_\_\_\_\_  
Tobias Schantz, Finance Officer

Passed: 04/10/2023

Published:

Effective:

**11) Adjourn.** Motion by Harstad to adjourn meeting at 7:24pm, 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: \$

A full recording of the meeting can be accessed at  
<https://www.youtube.com/@cityofcrookssd5262/streams>.



**CITY OF CROOKS BUDGET V. ACTUALS**

**As of May 5, 2023**

**Appropriation and Accumulations:**

**101 GENERAL FUND**

**410 GENERAL GOVERNMENT**

	<b>2023 Budget</b>	<b>2023 YTD Actuals</b>	<b>Remaining Balance</b>	<b>% Budget spent</b>
411 Council	\$ 12,483.00	\$ 3,144.87	\$ 9,338.13	25.19%
411.3 Publications	\$ 5,535.00	\$ 1,305.36	\$ 4,229.64	23.58%
411.5 Contingency	\$ 4,827.00	\$ -	\$ 4,827.00	0.00%
412 Mayor	\$ 11,070.00	\$ 3,454.12	\$ 7,615.88	31.20%
412.3 Planning & Zoning	\$ 11,498.00	\$ 2,780.42	\$ 8,717.58	24.18%
413 Elections	\$ 1,980.00	\$ -	\$ 1,980.00	0.00%
414 Attorney	\$ 12,000.00	\$ 1,815.00	\$ 10,185.00	15.13%
414.2 Finance Office	\$ 48,650.00	\$ 14,559.92	\$ 34,090.08	29.93%
419.2 Government Buildings	\$ 51,358.00	\$ 21,595.73	\$ 29,762.27	42.05%
419.6 Engineer	\$ 4,000.00	\$ 812.00	\$ 3,188.00	20.30%
<b>TOTAL GENERAL GOVERNMENT</b>	<b>\$ 163,401.00</b>	<b>\$ 49,467.42</b>	<b>\$ 113,933.58</b>	<b>30.27%</b>

**420 PUBLIC SAFETY**

421 Police	\$ 51,935.00	\$ 25,967.50	\$ 25,967.50	50.00%
422 Fire	\$ 40,000.00	\$ 40,000.00	\$ -	100.00%
423.2 Protective Inspection	\$ 44,471.00	\$ 4,473.47	\$ 39,997.53	10.06%
<b>TOTAL PUBLIC SAFETY</b>	<b>\$ 136,406.00</b>	<b>\$ 70,440.97</b>	<b>\$ 65,965.03</b>	<b>51.64%</b>

**430 PUBLIC WORKS**

431.1 Highway and Streets	\$ 127,179.00	\$ 53,195.35	\$ 73,983.65	41.83%
431.6 Street Lighting	\$ 26,350.00	\$ 13,676.82	\$ 12,673.18	51.90%
431.7 Snow Removal	\$ 99,560.00	\$ 52,806.48	\$ 46,753.52	53.04%
431.8 Sidewalks & Crosswalks	\$ 169,000.00	\$ 839.69	\$ 168,160.31	0.50%
432.3 Solid Waste Collection	\$ 12,337.00	\$ 2,177.86	\$ 10,159.14	17.65%
<b>TOTAL PUBLIC WORKS</b>	<b>\$ 434,426.00</b>	<b>\$ 122,696.20</b>	<b>\$ 86,656.83</b>	<b>28.24%</b>

**440 HEALTH AND WELFARE**

441 Code Enforcement	\$ 5,713.00	\$ 1,460.14	\$ 4,252.86	25.56%
441.2 Animal Control	\$ 883.00	\$ 236.88	\$ 646.12	26.83%
441.3 West Nile	\$ 4,509.00	\$ 643.27	\$ 3,865.73	14.27%
444.0 Humane Society	\$ 650.00	\$ 120.14	\$ 529.86	18.48%
446.0 Ambulance Services	\$ 10,000.00	\$ 10,000.00	\$ -	100.00%
<b>TOTAL HEALTH &amp; WELFARE</b>	<b>\$ 21,755.00</b>	<b>\$ 12,460.43</b>	<b>\$ 9,294.57</b>	<b>57.28%</b>

**450 CULTURE AND RECREATION**

452 Parks	\$ 253,573.00	\$ 178,126.37	\$ 75,446.63	70.25%
<b>TOTAL CULTURE &amp; RECREATION</b>	<b>\$ 253,573.00</b>	<b>\$ 178,126.37</b>	<b>\$ 75,446.63</b>	<b>70.25%</b>

**465 ECONOMIC DEVELOPMENT & ASSIST.**

465.3 Promoting the City	\$ 6,672.00	\$ 4,016.38	\$ 2,655.62	60.20%
<b>TOTAL ECONOMIC DEVELOP'T</b>	<b>\$ 6,672.00</b>	<b>\$ 4,016.38</b>	<b>\$ 2,655.62</b>	<b>60.20%</b>

**470 DEBT SERVICE**

470 Debt Service	\$ 39,957.00	\$ 39,956.00	\$ 1.00	100.00%
<b>TOTAL DEBT SERVICE</b>	<b>\$ 39,957.00</b>	<b>\$ 39,956.00</b>	<b>\$ 1.00</b>	<b>100.00%</b>

<b>TOTAL GENERAL FUNDS</b>	<b>\$ 1,056,190.00</b>	<b>\$ 477,163.77</b>	<b>\$ 353,953.26</b>	<b>45.18%</b>
----------------------------	------------------------	----------------------	----------------------	---------------

<b>211 - Gross Receipts</b>	<b>\$ 25,000.00</b>	<b>\$ 9,629.96</b>	<b>\$ 15,370.04</b>	<b>38.52%</b>
-----------------------------	---------------------	--------------------	---------------------	---------------

<b>220 - Street Maintenance</b>	<b>\$ 93,000.00</b>	<b>\$ -</b>	<b>\$ 93,000.00</b>	<b>0.00%</b>
---------------------------------	---------------------	-------------	---------------------	--------------

<b>602 - Water</b>	<b>\$ 341,161.00</b>	<b>\$ 95,611.46</b>	<b>\$ 245,549.54</b>	<b>28.03%</b>
--------------------	----------------------	---------------------	----------------------	---------------

<b>604 - Sewer</b>	<b>\$ 404,073.00</b>	<b>\$ 97,626.45</b>	<b>\$ 306,446.55</b>	<b>24.16%</b>
--------------------	----------------------	---------------------	----------------------	---------------

<b>617 - Natural Gas</b>	<b>\$ 1,082,903.00</b>	<b>\$ 368,928.34</b>	<b>\$ 713,974.66</b>	<b>34.07%</b>
--------------------------	------------------------	----------------------	----------------------	---------------

# CITY OF CROOKS

## Council Revenue Guideline

05/05/23 8:13 PM

Page 1

Source	Source Descr	2023 Budget	2023 YTD Amt	May 2023 Amt	%YTD Budget
101 GENERAL FUND					
31110	GEN PROP TAXES CURRENT YEAR	\$284,790.00	\$26,395.33	\$0.00	9.27%
31130	GEN PROP TAXES PRIOR YR	\$2,000.00	\$1,763.05	\$0.00	88.15%
31300	GEN SALES AND USE TAXES	\$200,000.00	\$119,961.58	\$0.00	59.98%
31500	AMUSEMENT TAXES	\$0.00	\$0.00	\$0.00	0.00%
31900	PENALTIES & INTEREST DELINQ.	\$200.00	\$46.45	\$0.00	23.23%
32001	CITY LIQUOR LICENSE	\$4,000.00	\$0.00	\$0.00	0.00%
32002	CITY MALT BEVERAGE LICENSE	\$300.00	\$150.00	\$0.00	50.00%
32003	CITY VIDEO LOTTERY FEE	\$900.00	\$0.00	\$0.00	0.00%
32004	BUILDING PERMITS	\$40,000.00	\$24,309.71	\$4,294.40	60.77%
32005	GARBAGE LICENSES	\$600.00	\$300.00	\$0.00	50.00%
32006	PET LICENSES	\$0.00	\$7.00	\$0.00	0.00%
32007	PEDDLERS LICENSE	\$0.00	\$0.00	\$0.00	0.00%
32008	CONTRACTORS LICENSE	\$500.00	\$300.00	\$100.00	60.00%
32200	SALE OF SURPLUS PROPERTY	\$0.00	\$0.00	\$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	\$9,000.00	\$12,042.50	\$0.00	133.81%
33530	LIQUOR TAX REVERSION	\$8,000.00	\$4,605.93	\$0.00	57.57%
33540	MOTOR VEHICLE TAX 5%	\$8,000.00	\$4,848.52	\$0.00	60.61%
33550	PRORATE LICENSE FEES	\$750.00	\$426.84	\$0.00	56.91%
33580	LOCAL GOV HWY AND BRIDGE FUND	\$9,650.00	\$2,207.89	\$0.00	22.88%
33830	COUNTY WHEEL TAX	\$1,450.00	\$870.45	\$0.00	60.03%
33900	OTH. INTERGOVERNMENTAL REV	\$0.00	\$93,600.00	\$0.00	0.00%
34103	HEARING FEES	\$0.00	\$50.00	\$0.00	0.00%
34110	ZONING AND SUBDIVISION FEES	\$0.00	\$100.00	\$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	\$50.00	\$0.00	0.00%
35100	COURT FINES AND FORFEITS	\$0.00	\$97.50	\$97.50	0.00%
36100	INVESTMENT EARNINGS	\$50.00	\$7,063.58	\$0.00	14127.16%
36201	RENTALS	\$5,000.00	\$4,080.00	\$0.00	81.60%
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%

# CITY OF CROOKS

## Council Revenue Guideline

05/05/23 8:13 PM

Page 2

Source	Source Descr	2023 Budget	2023 YTD Amt	May 2023 Amt	%YTD Budget
36700	CONTRI & DONATION PRIVATE SOUR	\$0.00	\$0.00	\$0.00	0.00%
36900	OTHER MISCELLANEOUS REVENUE	\$1,500.00	\$796.60	\$0.00	53.11%
36901	CABLE TELEVISION FRANCHISE FEE	\$5,500.00	\$1,745.11	\$0.00	31.73%
36903	RECOVERY PR YR EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%
36904	Dividend income	\$1,500.00	\$1,422.30	\$0.00	94.82%
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	\$74.25	\$0.00	0.00%
39140	COMP FOR LOSS OR DAM GEN FIX A	\$0.00	\$1,039.03	\$0.00	0.00%
101 GENERAL FUND		\$583,690.00	\$308,353.62	\$4,491.90	
201 SPECIAL PARK FUND					
34698	Open Space Fee	\$0.00	\$0.00	\$0.00	0.00%
201 SPECIAL PARK FUND		\$0.00	\$0.00	\$0.00	
211 LIQUOR, LODGING, DINING					
31300	GEN SALES AND USE TAXES	\$10,000.00	\$4,588.38	\$0.00	45.88%
36700	CONTRI & DONATION PRIVATE SOUR	\$0.00	\$0.00	\$0.00	0.00%
211 LIQUOR, LODGING, DINING		\$10,000.00	\$4,588.38	\$0.00	
220 SPECIAL MAINTENANCE FUND					
36401	SPECIAL MAINTENANCE FEE	\$93,000.00	\$12,453.00	\$0.00	13.39%
220 SPECIAL MAINTENANCE FUND		\$93,000.00	\$12,453.00	\$0.00	
221 SPECIAL PARK GIFT FUND					
36700	CONTRI & DONATION PRIVATE SOUR	\$0.00	\$1,410.00	\$0.00	0.00%
221 SPECIAL PARK GIFT FUND		\$0.00	\$1,410.00	\$0.00	
272 FEDERAL GRANT FUND					
33100	FEDERAL GRANTS	\$0.00	\$0.00	\$0.00	0.00%
33199	ARPA - CFDA 21027	\$0.00	\$0.00	\$0.00	0.00%
272 FEDERAL GRANT FUND		\$0.00	\$0.00	\$0.00	
602 WATER FUND					

# CITY OF CROOKS

## Council Revenue Guideline

05/05/23 8:13 PM

Page 3

Source	Source Descr	2023 Budget	2023 YTD Amt	May 2023 Amt	%YTD Budget
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	\$10,000.00	\$0.00	0.00%
36100	INVESTMENT EARNINGS	\$0.00	\$428.10	\$0.00	0.00%
36201	RENTALS	\$2,280.00	\$950.55	\$190.11	41.69%
36900	OTHER MISCELLANEOUS REVENUE	\$0.00	\$0.00	\$0.00	0.00%
36903	RECOVERY PR YR EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%
36904	Dividend income	\$0.00	\$515.39	\$0.00	0.00%
37200	MONTHLY BASE CHARGE	\$190,000.00	\$54,100.22	\$0.00	28.47%
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	\$145,000.00	\$26,541.50	\$0.00	18.30%
38104	TAP FEE	\$0.00	\$1,250.00	\$0.00	0.00%
38105	Hydrant hookup	\$0.00	\$0.00	\$0.00	0.00%
38120	WATER PENALTY REVENUE	\$0.00	\$644.25	\$0.00	0.00%
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	\$250.00	\$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%
602 WATER FUND		\$337,280.00	\$94,680.01	\$190.11	
604 SEWER FUND					
33100	FEDERAL GRANTS	\$0.00	\$0.00	\$0.00	0.00%
33199	ARPA - CFDA 21027	\$0.00	\$254,026.04	\$0.00	0.00%
33400	STATE GRANT	\$0.00	\$4,404.09	\$0.00	0.00%
33404	SD DANR Grants	\$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	\$428.10	\$0.00	0.00%
36900	OTHER MISCELLANEOUS REVENUE	\$0.00	\$0.00	\$0.00	0.00%
36903	RECOVERY PR YR EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%
36904	Dividend income	\$0.00	\$978.04	\$0.00	0.00%
37100	CW-04SURCH AS SECURITY OF DEBT	\$56,304.00	\$14,446.67	\$0.00	25.66%
37101	CW-05SURCH AS SECURITY OF DEBT	\$24,480.00	\$6,281.16	\$0.00	25.66%
37200	MONTHLY BASE CHARGE	\$230,000.00	\$67,162.86	\$0.00	29.20%
38040	OTHER SALES	\$0.00	\$0.00	\$0.00	0.00%
38300	SEWER METERED REVENUE	\$53,000.00	\$12,515.00	\$0.00	23.61%
38304	TAP FEE	\$0.00	\$1,250.00	\$0.00	0.00%

# CITY OF CROOKS

## Council Revenue Guideline

05/05/23 8:13 PM

Page 4

Source	Source Descr	2023 Budget	2023 YTD Amt	May 2023 Amt	%YTD Budget
38310	RECONNECT FEES	\$0.00	\$0.00	\$0.00	0.00%
38320	SEWER PENALTY REVENUE	\$1,000.00	\$644.25	\$0.00	64.43%
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%
604	SEWER FUND	\$364,784.00	\$362,136.21	\$0.00	
617	NATURAL GAS FUND				
36600	GAIN ON SALE OF FIXED ASSETS	\$0.00	\$0.00	\$0.00	0.00%
36903	RECOVERY PR YR EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%
37901	Gas metered revenue	\$784,000.00	\$526,314.05	\$0.00	67.13%
37903	Gas customer service charge	\$141,000.00	\$36,940.10	\$0.00	26.20%
37904	Gas penalty	\$1,000.00	\$1,991.50	\$0.00	199.15%
37905	Gas returned checks/NSF pmts	\$0.00	\$90.00	\$0.00	0.00%
37906	Gas reconnect fees	\$0.00	\$300.00	\$0.00	0.00%
37907	Dividend income	\$0.00	\$38.80	\$0.00	0.00%
37908	Interest income	\$0.00	\$0.00	\$0.00	0.00%
37909	CIAC	\$0.00	\$1,000.00	\$0.00	0.00%
37910	Other income	\$14,000.00	\$13,792.32	\$0.00	98.52%
39101	TRANSFERS IN (SDCL 9-21-26.1)	\$0.00	\$0.00	\$0.00	0.00%
39140	COMP FOR LOSS OR DAM GEN FIX A	\$0.00	\$0.00	\$0.00	0.00%
617	NATURAL GAS FUND	\$940,000.00	\$580,466.77	\$0.00	
		\$2,328,754.00	\$1,364,087.99	\$4,682.01	

(([Fund] Not In ("600", "755")))

CITY OF CROOKS  
MONTHLY FUND CASH BALANCE REPORT  
As of April 30, 2023

Fund Accounting FUND DESCRIPTION	Cash Balance
101 General	\$ 499,253.77
201 Special Park Fund	\$ -
211 Gross Receipts	\$ 15,162.40
220 Street Maintenance Fund	\$ 14,132.05
221 Special Park Gift Fund	\$ 6,080.00
272 Federal Grant Fund (21.027)	\$ -
602 Water	\$ 241,823.34
604 Sewer	\$ 418,959.62
617 Gas	\$ 1,025,358.72
101 SD Fit - 102	\$ 1,109.17
SD Fit - 104	\$ 20,481.64
602 SD Fit - 103	\$ 36,724.62
604 SD Fit - 103	\$ 36,724.59
617 SD Fit - 102	\$ 193.54
Totals	<u>\$ 2,316,003.46</u>

Bank Accounts	Cash Balance
38	\$ 5,016.14
206	\$ 254,769.69
916	\$ 1,985,666.33
SD Fit Utility	\$ 1,302.71
SD Fit Palmira SRF reserve	\$ 73,449.21
SD Fit USDA pay loader reserve	\$ 20,481.64
Totals	<u>\$ 2,340,685.72</u>

	Deposits in transit	\$ 1,130.21
	Outstanding checks	\$ (25,812.47)
Book versus Bank	+/- difference	\$ (24,682.26)

**City of Crooks**  
**May 2023 claims**

**Gross wages by department for month of April 2023**

Council	\$	525.00
Mayor	\$	420.00
Planning and Zoning Commission	\$	684.56
Finance Office	\$	2,689.07
Government Buildings	\$	1,463.14
Building Inspector	\$	-
Highway & Streets	\$	2,227.51
Highway & Streets - Snow Removal	\$	1,482.78
Solid Waste Collection	\$	269.27
Code Enforcement	\$	98.68
Animal Control	\$	49.34
West Nile	\$	88.25
Parks	\$	2,536.37
Water	\$	5,504.74
Sewer	\$	5,603.99
Gas	\$	5,625.18
<b>Total wage claims</b>	<b>\$</b>	<b>29,267.88</b>

**City of Crooks claims listing**

Vendor	Date incur.	Description	Amount
A&B Business Solutions	5/4/2023	copier lease + printing overage	\$ 336.21
Aflac	4/27/2023	Aflac payable	\$ 138.34
Alliance Communications	5/1/2023	utilities office & sewer	\$ 378.41
Alliant Insurance Services	4/17/2023	public official bond	\$ 657.00
Automotive Services, Inc.	4/20/2023	maintenance Chevrolet Silverado	\$ 369.99
Border States Electric	4/18/2023	butt fusions	\$ 183.44
Border States Electric	4/19/2023	1/1" plex pipe	\$ 431.00
CC Storage	5/1/2023	storage unit rental fee	\$ 69.00
City of Sioux Falls	4/11/2023	bacteria testing water	\$ 87.00
City of Sioux Falls	5/2/2023	landfill charges	\$ 50.40
Clayton Energy	4/13/2023	commodity purchase	\$ 57,722.89
Clayton Energy	5/1/2023	reservation fee & monthly service fee	\$ 6,995.28
Crooks Country Corner	4/20/2023	oil	\$ 15.90
Dakota Supply Group	4/17/2023	metal detector	\$ 650.03
Department of Treasury / EFTPS	4/18/2023	payroll tax deposit	\$ 1,850.59
Department of Treasury / EFTPS	5/5/2023	payroll tax deposit	\$ 5,106.45
DGR Engineering	4/18/2023	sanitary sewer expansion con.	\$ 1,785.00
DGR Engineering	4/18/2023	Eastside lift station con.	\$ 5,725.20
DGR Engineering	4/18/2023	03-2023 engineering services	\$ 2,031.00
Ecolab	4/24/2023	pest control services	\$ 97.29
Ferguson Waterworks	4/10/2023	cover key pad	\$ 3.28
First Interstate Bank	4/26/2023	returned item fee	\$ 3.00
First Interstate Bank	4/28/2023	stop order	\$ 17.00
First Interstate Bank	4/30/2023	service charge	\$ 25.25
First Interstate Bank	5/5/2023	purchase card payment	\$ 3,599.73
Fred the Fixer	3/15/2023	rekeying office & program key pad	\$ 108.00
Frisbee Plumbing, Heating, Air, Electrical	4/6/2023	repair mini-split	\$ 441.67
Garbage-N-More	4/1/2023	garbage service	\$ 240.00
Goebel Printing	4/20/2023	self sealing envelopes	\$ 278.18
Groeber	5/4/2023	meter set & valve box	\$ 636.09
Health Pool of SD	5/1/2023	health + life insurance payable	\$ 3,883.85



HydroKlean	4/28/2023	clean lift stations	\$	2,200.00
Lacey Rentals	4/12/2023	portable restroom rentals	\$	200.00
Lacey Rentals	4/12/2023	portable restroom rentals	\$	240.00
Lacey Rentals	5/2/2023	portable restroom rental	\$	145.00
Land Title Guaranty	4/10/2023	Tract 1 Heritage Park	\$	23,106.11
Land Title Guaranty	4/10/2023	Tract 2 Heritage Park	\$	116,652.13
Meierhenry Sargent LLP	4/5/2023	03-2023 legal fees	\$	315.00
Meierhenry Sargent LLP	5/2/2023	04-2023 legal fees	\$	690.00
Minnehaha Co. Sheriff	4/7/2023	Q2 law enforcement services	\$	12,983.75
Minnehaha Community Water Corp.	5/1/2023	04-2023 water purchase	\$	6,127.65
New Century Press	3/24/2023	Board of Equalization mtg. mins.	\$	68.32
New Century Press	3/24/2023	NoH conditional use	\$	15.68
New Century Press	3/24/2023	NoH revised zoning regulations	\$	13.44
New Century Press	4/26/2023	Spring clean-up ad - 2nd run	\$	76.31
New Century Press	4/7/2023	sports ad support	\$	15.00
New Century Press	4/7/2023	Notice of sale - 1st	\$	10.64
New Century Press	4/14/2023	Notice of sale - 2nd	\$	9.45
New Century Press	4/14/2023	Ord. 324 publication	\$	104.16
New Century Press	4/19/2023	Spring clean-up ad - 1st run	\$	76.32
New Century Press	4/21/2023	NoH special event liquor license	\$	17.36
New Century Press	4/21/2023	NoH special event liquor license	\$	17.36
New Century Press	4/21/2023	04/10/2023 mtg mins	\$	138.88
New Century Press	4/21/2023	Annual Report publication	\$	132.72
New Century Press	4/21/2023	special events NOH	\$	17.92
New Century Press	4/26/2023	Spring clean-up ad - 2nd run	\$	76.31
Novak Sanitary	5/1/2023	delivery roll off Spring Clean-Up	\$	190.00
Payment Service Network	5/2/2023	gateway fee	\$	89.95
Q3 Contracting	4/13/2023	2023 retainer fee	\$	4,000.00
Q3 Contracting	5/3/2023	restoration work	\$	949.32
Raztech LLC	5/1/2023	managed IT services	\$	763.75
Riteway	4/13/2023	blank utility post cards	\$	860.61
Samantha Jacobs Photography	4/28/2023	photography services community	\$	1,500.00
SD Assoc. of Rural Water Systems	4/20/2023	supplemental life insurance - child	\$	1.85
SD Assoc. of Rural Water Systems	4/20/2023	supplemental life insurance	\$	59.00
SD Assoc. of Rural Water Systems	4/20/2023	supplemental life insurance - spouse	\$	50.40
SD Assoc. of Rural Water Systems	4/20/2023	dental insurance	\$	226.14
SD Department of Revenue	4/13/2023	03-2023 sales tax payable	\$	8,771.20
SD Retirement System	4/18/2023	monthly retirement contribution	\$	3,316.58
SDRS Supplemental Retirement Plan	4/6/2023	ROTH contribution	\$	300.00
SDRS Supplemental Retirement Plan	4/21/2023	ROTH contribution	\$	300.00
Shell/Pump'N'Stuff	4/19/2023	fuel white truck	\$	84.44
Shell/Pump'N'Stuff	4/27/2023	fuel mower	\$	44.20
Sioux Valley Energy	4/13/2023	sewer utilities	\$	249.22
Sioux Valley Energy	4/13/2023	469th lift station utilities	\$	305.20
Sioux Valley Energy	4/13/2023	street light utilities	\$	254.00
South Dakota 811	4/30/2023	message fees	\$	96.60
U Drive Technology	3/31/2023	text message fees	\$	200.08
U Drive Technology	5/1/2023	message fees	\$	232.64
US Postal Service	4/20/2023	imprint fee	\$	290.00
US Postal Service	5/4/2023	PO Box annual fee	\$	146.00
Verizon Wireless	4/10/2023	utilities at metering stations	\$	247.36
Verizon Wireless	4/23/2023	utilities	\$	91.25
Xcel Energy	5/3/2023	utilities	\$	5,186.66
			<b>Total claims</b>	<b>\$ 286,172.43</b>

Purchase card payments & returns			
Vendor	Date incur.	Description	Amount
ABC Rentals	4/25/2023	deposit stage rental	\$ 154.96
Argus Leader	3/10/2023	water rights application notice	\$ 49.41
Crooks Country Corner	4/6/2023	fuel	\$ 58.91
Crooks Country Corner	4/20/2023	fuel	\$ 63.89
Crooks Country Corner	3/27/2023	fuel	\$ 55.52
Crooks Country Corner	5/4/2023	fuel	\$ 61.80
Dauby's / Mr G Sport and Promo	4/28/2023	pitcher rubbers	\$ 36.00
Dudley Laundry d/b/a Appeara	4/12/2023	mat, mop, towel, rag service	\$ 75.05
Dudley Laundry d/b/a Appeara	4/27/2023	mat, mop, towel, rag service	\$ 95.67
Glass Doctor - Sioux Falls	4/17/2023	repair windshield white truck	\$ 300.18
JCL Solutions	4/19/2023	kitchen towel rolls	\$ 46.60
Karl's	4/28/2023	microwave	\$ 139.99
Mac's	4/14/2023	supplies	\$ 40.96
Mac's	4/25/2023	supplies	\$ 28.91
Mac's	4/15/2023	plow bolts	\$ 50.31
Matheson Tri-Gas	4/30/2023	gas charts	\$ 34.25
Microsoft	4/20/2023	basic subscription	\$ 54.00
Microsoft	4/20/2023	monthly subscription 365	\$ 100.00
Nyberg's Ace Hardware	4/17/2023	Parks supplies	\$ 92.72
Nyberg's Ace Hardware	4/18/2023	Parks supplies	\$ 25.70
Pfeifer Implement	4/19/2023	shop supplies	\$ 87.56
Schoeneman's	4/19/2023	field marker grid lime	\$ 225.00
Scooby's Car Wash	4/17/2023	wash black truck	\$ 8.25
Scooby's Car Wash	4/17/2023	wash plow end of season	\$ 9.25
Scooby's Car Wash	4/18/2023	wash plow after sander removal	\$ 12.00
Scooby's Car Wash	4/20/2023	wash skid steer for tire swap	\$ 9.25
Scooby's Car Wash	4/27/2023	wash snow blower & new tractor	\$ 5.50
Shell/Pump'N'Stuff	5/4/2023	fuel	\$ 92.79
Shell/Pump'N'Stuff	5/1/2023	fuel black truck	\$ 52.08
Shell/Pump'N'Stuff	4/25/2023	fuel tractor	\$ 28.67
Shell/Pump'N'Stuff	4/28/2023	fuel pay loader	\$ 141.28
Shell/Pump'N'Stuff	4/24/2023	fuel black truck	\$ 52.75
Shell/Pump'N'Stuff	4/12/2023	fuel black truck	\$ 52.39
The Wooden Nickel	4/27/2023	gas class lunch	\$ 137.65
Tractor Supply	5/1/2023	sprayer parts	\$ 52.97
US Postal Service	4/13/2023	stamp purchase	\$ 632.20
US Postal Service	3/17/2023	postage delinquent letters	\$ 2.46
US Postal Service	4/12/2023	postage delinquent letters	\$ 270.20
US Specialty Coatings	4/20/2023	marking paint	\$ 162.65
Total purchase card claims			<u><u>\$ 3,599.73</u></u>



# Business Solutions

## A&B Lease Agreement Addendum

The changed below have been agreed to by applicable parties and will be implemented, effective, the next billing cycle after the date of signing by the Lessee.

- Customer Name: City of Crooks
- Equipment Location: 701 S. West Ave.  
Crooks, SD 57020
- Equipment on Lease: Toshiba 3015AC Serial: CNAL40403
- **Terms to be Changed:**
  - The current Toshiba 3015AC is covered for 13,500 black prints and 3,000 color prints on a quarterly basis. With overages being calculated at 0.0128 for black and 0.0559 for color.
  - Which makes the current monthly lease and maintenance payment \$290.99.
  - Moving forward on this contract allowances will transition to Print As A Service. Which will be unlimited prints and copies moving forward .
  - Effective the next billing cycle after the date of signing by the customer.
- All other terms to remain the same, other than those listed above.

Agreed to by Customer: \_\_\_\_\_ (signature)

\_\_\_\_\_ (printed name)

\_\_\_\_\_ (date)

A&B Representative: \_\_\_\_\_ (signature)

\_\_\_\_\_ (printed name)

\_\_\_\_\_ (date)



Vector Control Program  
900 W Cherokee Street  
Sioux Falls, SD 57104

*Cooperative Agreement Contract 2023*

This agreement made and entered into this 26<sup>th</sup> day of April, 2023 by and between The City of Crooks and the City of Sioux Falls Vector Control Program. This agreement will include the following services:

Spraying: NA

Trapping: Trapping M-F each week, maintenance, CO2 and reporting of thresholds.

Treatment: NA

Testing: \*Please indicate here if you would like us to perform testing for WNV antibodies in 2023 N/A

Other: Identification and enumeration of trap contents, staff time and mileage

Estimated costs to employ these services is \$2,500.00 based on last year's totals. This cost is inclusive of all applicable expenses, including, but not limited to, mileage (\$0.66/mile), staff time, equipment, and/or chemicals.

The Mosquito Control Program is a seasonal program running from approximately Mid May – Mid October. Staff are trained on best practices as they relate to an Integrated Pest Control Program. This includes Source Reduction measures, Surveillance, Treatment and Educational options.

This contract will be executed under the direction of the Vector Control Program Coordinator and a report and summary provided to you at the end of the season. Please relay any special considerations in the space below.

N/A

---

---

---

---

Signature of Authorized Representative

DocuSigned by:  
*Chad Rezac*  
EE630649AFAD4F2...  
chad rezac

5/1/2023

City of Crooks  
701 S West Ave / PO Box 785  
Crooks, SD 57020  
Tel 605-543-5238 Fax 605-543-6438  
www.crookssd.org



## Special Event Liquor License

This application must be typewritten or printed in ink. In order to process the application, it must be submitted with the required documents.

### Applicant information

Name: Stacy Blow  
Address: 306 N west  
City: crooks State: SD Zip: 57020 Phone number: 6056106090  
Email: stacy.blow@k12.sd.us

### Organization/Business information

Name: The wooden Nickel  
Address: 306 N west Ave  
City: crooks State: SD Zip: 57020 Phone number: 6056106090  
Email: thewoodennickel605@outlook.com

Check which license you currently hold (check applicable):

☒ Malt Beverage    ☒ Liquor    ☐ Wine    ☐ Not applicable

Check which license is requested for special event:

☒ Malt Beverage    ☒ Liquor    ☐ Wine    ☐ Not applicable

### About the event

Date(s) of event: 05/13/2023

Description of event: Flora's Quincerina

Location of event: Crooks Community Center

Do you own or lease the property?    ☐ Yes    ☒ No

Is the event location on City-owned property or in the right-of-way?    ☒ Yes    ☐ No

### Please include the following documents:

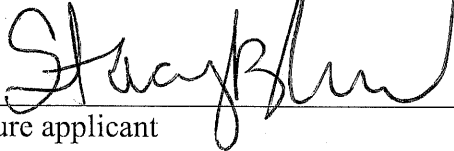
- Copy of any current license(s) held
- Proof of insurance naming City of Crooks as additionally insured party
- Lease agreement if premises are leased
- Map of premises where alcohol sales will occur (not required if event held at Crooks Community Center)

The City of Crooks is an equal opportunity provider.

City of Crooks  
701 S West Ave / PO Box 785  
Crooks, SD 57020  
Tel 605-543-5238 Fax 605-543-6438  
www.crookssd.org



**Certificate:** The undersigned applicant certifies under the penalties of perjury, by law provided that all statements herein are true and correct; that said application complies with all of the statutory requirements for the license being applied for; that this application shall constitute a contract between applicant and the City of Crooks, entitling the same or any peace officer to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35, SDCL, as amended.

  
Signature applicant

5/1/23  
Date

---

### Decision of Governing Body

The governing body by majority vote ☐ recommends/☐ rejects the approval and granting of this license. Approval of the application certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota Law.

SEAL

\_\_\_\_\_  
Mayor-City of Crooks

Date issued \_\_\_\_\_

---

Date application received: \_\_\_\_\_ Requisite documents received: Y / N

Staff comments:

---

---

---

---



605-543-5238 – [financeoffice@cityofcrooks.net](mailto:financeoffice@cityofcrooks.net) – [www.cityofcrooks.net](http://www.cityofcrooks.net)

# Application for Commercial Garbage Hauler License

## Section 1.0 “General Hauler Information”

Applicant Name/	JUDD SOPOCI
Trade Business Name*	GARBAGE-N-MORE
Address*	708 NORDSTROM AVENUE
City	GARRETSON
County	MINNEHAHA
State	SOUTH DAKOTA
Phone	(605) 941-0476

## Section 2.0 “Description of collection operations”\*

Please provide a detailed description of the collection operations including: trade area, frequency of collection, routes of travel and hours of operation.

[illegible]



Section 3.0 "Supplemental Information"

- Proof of Certification by the Sioux Falls Health Department that the applicant will be allowed to deposit solid waste collected from the City of Crooks, SD in the Sioux Falls Landfill (please attach copy).
- State of South Dakota Sales Tax Number (please attach copy).
- Proof of insurance (please attach document).
- Proposed rate structure (please attach a detailed schedule).
- Payment of application fee in accordance with the following schedule:

New License	\$	_____
Renewal	\$	_____
Transfer	\$	_____



Applicant's Signature or/ Date  
Designated Representative.

FEBRUARY 28, 2023

\_\_\_\_\_  
Mayor's Signature/Approval

- ☐ Approved
- ☐ Rejected, please see attached reason

## **2023 APPOINTMENT TEMPLATE**

**Appointment City Council Member** – Eric Schuette (Ward II) & Allan Beyer (Ward II)

**Council President** – Jana Richardson

**Vice-President** – Allan Beyer

**Public Safety Director** – Ginny Beck

**Planning and Zoning Director/PZ Chairman** – Scott Richardson

**Parks and Recreation Chairperson** – Mike Harstad

**Public Facilities Chairperson** – Allan Beyer

**Finance Chairperson** – Jana Richardson

**Street Chairperson** – Eric Schuette

**City Attorney** – Patrick Glover / Meierhenry Sargent

**Finance Officer** – Tobias Schantz

**City Engineer** -- DGR Engineering

### **City Financial Institution**

Mayor Oseby recommends the appointment of First Interstate Bank and Reliabank, as City's depository institutions. Authorized signers on the account being F. Butch Oseby, Jana Richardson, Sara Smith, and Tobias Schantz

**CHRC Member** – Mike Harstad, 5-year term

**Planning and Zoning** – Martha Masgai, 3-term expiring

**Parks and Recreation Board** – Travis Zenk, Scott Reith, Rick Tupper

## APPLICATION AND RECOMMENDATION FOR PAYMENT

Contract for Crooks, Eastside Lift Station Improvements DGR Project No. 671125

Application No. 3 Dated May 4, 2023

For work accomplished through the date of April 30, 2023

Contractor H&W Contracting, LLC 3416 Hovland Drive, Sioux Falls, SD 57107

Original Contract Price	<u>\$1,000,867.50</u>	Amount Due to Date	<u>\$693,233.20</u>
Net Change Orders		Materials Stored	<u>\$0.00</u>
No. <u>1</u> through <u>1</u>	<u>\$116,820.00</u>	Less Retainage ( <u>10</u> %)	<u>\$69,323.32</u>
Current Contract Price	<u>\$1,117,687.50</u>	Less Previous Payments	<u>\$427,239.18</u>
		Amount Due This Application	<u>\$196,670.70</u>

### 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 3 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).

H&W Contracting, LLC  
Contractor

Dated: \_\_\_\_\_ 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: \_\_\_\_\_ By: \_\_\_\_\_

The Owner concurs with this application for payment.

City of Crooks  
Owner

Dated: \_\_\_\_\_ By: \_\_\_\_\_

## APPLICATION FOR PAYMENT DETAIL SHEET

APPLICATION DATE: May 4, 2023

APPLICATION NO. 3

PROJECT: Crooks, Eastside Lift Station Improvements

CONTRACTOR: H&amp;W Contracting, LLC

ENGINEER: DGR Engineering

APPLICATION PERIOD

FROM: December 3, 2022

THRU: April 30, 2023

						PAST APPLICATION		THIS APPLICATION		TOTAL TO DATE		
ITEM NO.	ITEM DESCRIPTION	PLAN QTY	UNIT	UNIT PRICE	CONTRACT PRICE	QTY	EARNED	QTY	EARNED	QTY	EARNED	REMARKS
1	Mobilization	1	LS	119,800.00	119,800.00	0.50	59,900.00	0.25	29,950.00	0.75	89,850.00	
2	Unclassified Excavation	9,560	CY	4.50	43,020.00	1,000.00	4,500.00	8,560.00	38,520.00	9,560.00	43,020.00	
3	Strip, Salvage, & Place Topsoil	3,260	CY	4.00	13,040.00	1,500.00	6,000.00			1,500.00	6,000.00	
4	Scarify & Recompact Subgrade	2,530	SY	1.00	2,530.00							
5	Aggregate Base Course	1,160	TON	27.30	31,668.00							
6	Asphalt Concrete Composite	400	TON	128.00	51,200.00							
7	Gravel Surfacing	730	TON	30.50	22,265.00							
8	Remove & Salvage Pipe Culvert	161	LF	10.00	1,610.00							
9	Remove Fence	236	LF	2.20	519.20							
10	Tubular Frame Gate	1	LS	1,080.00	1,080.00							
11	Permanent Seed Mix	720	LB	7.40	5,328.00							
12	Fertilizer	1,310	LB	0.95	1,244.50							
13	Mulch	8.8	TON	216.00	1,900.80							
14	Soil Stabilizer	4.4	AC	325.00	1,430.00							
15	Silt Fence	1,220	LF	3.35	4,087.00	1,220.00	4,087.00			1,220.00	4,087.00	
16	Horseshoe Filter	1	EA	2,500.00	2,500.00							
17	Type B Drainage Fabric	225	SY	3.00	675.00							
18	Class B Rip Rap	190	TON	45.00	8,550.00							
19	6" C900 PVC Force Main w/ Bedding	2,051	LF	45.00	92,295.00	2,051.00	92,295.00			2,051.00	92,295.00	
20	6" MJ Bend 22.5/45	7	EA	700.00	4,900.00	3.00	2,100.00			3.00	2,100.00	
21	6" MJ Sleeve	1	EA	700.00	700.00	2.00	1,400.00			2.00	1,400.00	
22	8" PVC Sanitary Sewer Pipe w/ Bedding	1,265	LF	52.00	65,780.00	1,265.00	65,780.00			1,265.00	65,780.00	
23	10" PVC Sanitary Sewer Pipe w/ Bedding	14	LF	60.00	840.00	14.00	840.00			14.00	840.00	
24	10" PVC Sewer Cap/Plug	1	EA	250.00	250.00	1.00	250.00			1.00	250.00	
25	12" PVC Sanitary Sewer Pipe w/ Bedding	30	LF	70.00	2,100.00	30.00	2,100.00			30.00	2,100.00	
26	48" Manhole (8'-10' Deep)	1	EA	3,450.00	3,450.00	1.00	3,450.00			1.00	3,450.00	
27	48" Manhole (10'-12' Deep)	2	EA	3,700.00	7,400.00	2.00	7,400.00			2.00	7,400.00	
28	48" Manhole (14'-16' Deep)	1	EA	4,500.00	4,500.00	1.00	4,500.00			1.00	4,500.00	
29	48" Manhole (18'-20' Deep)	1	EA	5,600.00	5,600.00	1.00	5,600.00			1.00	5,600.00	
30	Manhole Drop Section	1	EA	1,500.00	1,500.00							
31	Air Release Manhole	2	EA	17,500.00	35,000.00	2.00	35,000.00			2.00	35,000.00	
32	Manhole Frame & Cover (Frost)	2	EA	1,400.00	2,800.00							
33	Manhole Frame & Cover (Bolt Down)	5	EA	700.00	3,500.00							
34	Manhole Marker - Type 2	4	EA	250.00	1,000.00							
35	Tracer Wire Terminal Box	3	EA	225.00	675.00							
36	Manhole Exfiltration/Vacuum Test	7	EA	200.00	1,400.00							
37	PVC Sewer Pipe Deflection Test	1,309	LF	1.00	1,309.00							
38	PVC Sewer Pipe Exfiltration Test	1,309	LF	1.00	1,309.00							
39	PVC Sewer Pipe Post Cleaning & Televising	1,309	LF	2.00	2,618.00							
40	12" Extra Depth Bedding Material	400	LF	8.00	3,200.00							
41	Trench Stabilization Material	100	TON	30.00	3,000.00							
42	Dewatering	1	LS	1.00	1.00	1.00	1.00			1.00	1.00	
43	Locating Utilities	2	EA	150.00	300.00							
44	Incidental Work	1	LS	1,500.00	1,500.00							
45	42" RCAP, Class 3, Furnish	80	LF	158.85	12,708.00	80.00	12,708.00			80.00	12,708.00	
46	42" RCAP, Install	80	LF	50.00	4,000.00	80.00	4,000.00			80.00	4,000.00	
47	48" RCAP, Class 3, Furnish	120	LF	197.80	23,736.00	104.00	20,571.20			104.00	20,571.20	
48	48" RCAP, Install	120	LF	50.00	6,000.00	104.00	5,200.00			104.00	5,200.00	
49	42" Storm Pipe Bedding Material	80	LF	9.50	760.00	80.00	760.00			80.00	760.00	
50	48" Storm Pipe Bedding Material	120	LF	10.50	1,260.00	104.00	1,092.00			104.00	1,092.00	
51	42" RCAP, Flared End, Furnish & Install	4	EA	2,000.00	8,000.00	4.00	8,000.00			4.00	8,000.00	
52	48" RCAP, Flared End, Furnish & Install	2	EA	2,300.00	4,600.00	1.00	2,300.00			1.00	2,300.00	
53	Lift Station, Including Controls	1	LS	249,752.00	249,752.00	0.50	124,876.00	0.25	62,438.00	0.75	187,314.00	
54	Control Building, Including Electrical	1	LS	44,100.00	44,100.00							
55	Standby Generator, Including Foundation	1	LS	65,100.00	65,100.00							
56	Chain Link Fence	347	LF	51.00	17,697.00							
57	Chain Link Sliding Gate (15')	1	EA	3,780.00	3,780.00							
CCO1-1	On-Site Borrow Excavation for Pipe Embankment	25,960	CY	4.50	116,820.00			19,470.00	87,615.00	19,470.00	87,615.00	
TOTAL CONTRACT PRICE:					1,117,687.50							
TOTAL IMPROVEMENTS:						474,710.20		218,523.00		693,233.20		
MATERIALS STORED:						-		-		-		
RETAINAGE:						(47,471.02)		(21,852.30)		(69,323.32)		

ITEM NO.	ITEM DESCRIPTION	PLAN QTY	UNIT	UNIT PRICE	CONTRACT PRICE	<u>PAST APPLICATION</u>		<u>THIS APPLICATION</u>		<u>TOTAL TO DATE</u>		REMARKS
						QTY	EARNED	QTY	EARNED	QTY	EARNED	
	LIQUIDATED DAMAGES:						-		-		-	
	<b>TOTAL DUE:</b>						<b>427,239.18</b>		<b>196,670.70</b>		<b>623,909.88</b>	

Change Order No. 2

Date of Issuance: May 8, 2022	Effective Date: May 8, 2022
Owner: City of Crooks	Owner's Contract No.: N/A
Contractor: H&W Contracting, LLC	Contractor's Project No.: N/A
Engineer: DGR Engineering	Engineer's Project No.: 671125
Project: Eastside Lift Station Improvements	Contract Name: Eastside Lift Station Improvements

The Contract is modified as follows upon execution of this Change Order:

Description: Additional on-site excavation to obtain borrow material suitable for necessary pipe embankment. Control building installation and lift station start-up are no longer required for substantial completion, but required for final completion. All other contract time requirements remain.

Attachments: *See attached spreadsheet itemizing the change order.*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price:  \$ <u>1,000,867.50</u>	Original Contract Times: Substantial Completion: <u>December 2, 2022</u> Ready for Final Payment: <u>June 3, 2023</u> days or <b>dates</b>
<b>[Increase] [Decrease]</b> from previously approved Change Orders No. <u>1</u> to No. <u>1</u> :  \$ <u>116,820.00</u>	<b>[Increase] [Decrease]</b> from previously approved Change Orders No. <u>  </u> to No. <u>  </u> : Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>                    </u> days or <b>dates</b>
Contract Price prior to this Change Order:  \$ <u>1,117,687.50</u>	Contract Times prior to this Change Order: Substantial Completion: <u>December 2, 2022</u> Ready for Final Payment: <u>June 3, 2023</u> days or <b>dates</b>
<b>[Increase] [Decrease]</b> of this Change Order:  \$ <u>33,644.50</u>	<b>[Increase] [Decrease]</b> of this Change Order: Substantial Completion: <u>No Change</u> Ready for Final Payment: <u>No Change</u> days or <b>dates</b>
Contract Price incorporating this Change Order:  \$ <u>1,151,332.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>December 2, 2022</u> Ready for Final Payment: <u>June 3, 2023</u> days or <b>dates</b>

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: _____	By: _____	By: _____	By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)		Contractor (Authorized Signature)		
Title: <u>Project Engineer</u>	Title: _____		Title: _____		
Date: _____	Date: _____		Date: _____		

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

# CHANGE ORDER NO. 2

DATE: May 8, 2023

PROJECT: Crooks, Eastside Lift Station Improvements

CONTRACTOR: H&W Contracting, LLC

ENGINEER: DGR Engineering

ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT PRICE	CURRENT CONTRACT		PROPOSED CHANGES		NEW CONTRACT	
				QTY	AMOUNT	QTY	AMOUNT	QTY	AMOUNT
1	Mobilization	LS	119,800.00	1	119,800.00			1	119,800.00
2	Unclassified Excavation	CY	4.50	9,560	43,020.00			9,560	43,020.00
3	Strip, Salvage, & Place Topsoil	CY	4.00	3,260	13,040.00			3,260	13,040.00
4	Scarify & Recompact Subgrade	SY	1.00	2,530	2,530.00			2,530	2,530.00
5	Aggregate Base Course	TON	27.30	1,160	31,668.00			1,160	31,668.00
6	Asphalt Concrete Composite	TON	128.00	400	51,200.00			400	51,200.00
7	Gravel Surfacing	TON	30.50	730	22,265.00			730	22,265.00
8	Remove & Salvage Pipe Culvert	LF	10.00	161	1,610.00			161	1,610.00
9	Remove Fence	LF	2.20	236	519.20			236	519.20
10	Tubular Frame Gate	LS	1,080.00	1	1,080.00	1.00	1,080.00	2	2,160.00
11	Permanent Seed Mix	LB	7.40	720	5,328.00			720	5,328.00
12	Fertilizer	LB	0.95	1,310	1,244.50			1,310	1,244.50
13	Mulch	TON	216.00	8.8	1,900.80			8.8	1,900.80
14	Soil Stabilizer	AC	325.00	4.4	1,430.00			4.4	1,430.00
15	Silt Fence	LF	3.35	1,220	4,087.00			1,220	4,087.00
16	Horseshoe Filter	EA	2,500.00	1	2,500.00			1	2,500.00
17	Type B Drainage Fabric	SY	3.00	225	675.00			225	675.00
18	Class B Rip Rap	TON	45.00	190	8,550.00			190	8,550.00
19	6" C900 PVC Force Main w/ Bedding	LF	45.00	2,051	92,295.00			2,051	92,295.00
20	6" MJ Bend 22.5/45	EA	700.00	7	4,900.00			7	4,900.00
21	6" MJ Sleeve	EA	700.00	1	700.00			1	700.00
22	8" PVC Sanitary Sewer Pipe w/ Bedding	LF	52.00	1,265	65,780.00			1,265	65,780.00
23	10" PVC Sanitary Sewer Pipe w/ Bedding	LF	60.00	14	840.00			14	840.00
24	10" PVC Sewer Cap/Plug	EA	250.00	1	250.00			1	250.00
25	12" PVC Sanitary Sewer Pipe w/ Bedding	LF	70.00	30	2,100.00			30	2,100.00
26	48" Manhole (8'-10' Deep)	EA	3,450.00	1	3,450.00			1	3,450.00
27	48" Manhole (10'-12' Deep)	EA	3,700.00	2	7,400.00			2	7,400.00
28	48" Manhole (14'-16' Deep)	EA	4,500.00	1	4,500.00			1	4,500.00
29	48" Manhole (18'-20' Deep)	EA	5,600.00	1	5,600.00			1	5,600.00
30	Manhole Drop Section	EA	1,500.00	1	1,500.00			1	1,500.00
31	Air Release Manhole	EA	17,500.00	2	35,000.00			2	35,000.00
32	Manhole Frame & Cover (Frost)	EA	1,400.00	2	2,800.00			2	2,800.00
33	Manhole Frame & Cover (Bolt Down)	EA	700.00	5	3,500.00			5	3,500.00
34	Manhole Marker - Type 2	EA	250.00	4	1,000.00			4	1,000.00
35	Tracer Wire Terminal Box	EA	225.00	3	675.00			3	675.00
36	Manhole Exfiltration/Vacuum Test	EA	200.00	7	1,400.00			7	1,400.00
37	PVC Sewer Pipe Deflection Test	LF	1.00	1,309	1,309.00			1,309	1,309.00
38	PVC Sewer Pipe Exfiltration Test	LF	1.00	1,309	1,309.00			1,309	1,309.00
39	PVC Sewer Pipe Post Cleaning & Televising	LF	2.00	1,309	2,618.00			1,309	2,618.00
40	12" Extra Depth Bedding Material	LF	8.00	400	3,200.00			400	3,200.00
41	Trench Stabilization Material	TON	30.00	100	3,000.00			100	3,000.00
42	Dewatering	LS	1.00	1	1.00			1	1.00
43	Locating Utilities	EA	150.00	2	300.00			2	300.00
44	Incidental Work	LS	1,500.00	1	1,500.00			1	1,500.00
45	42" RCAP, Class 3, Furnish	LF	158.85	80	12,708.00			80	12,708.00
46	42" RCAP, Install	LF	50.00	80	4,000.00			80	4,000.00
47	48" RCAP, Class 3, Furnish	LF	197.80	120	23,736.00			120	23,736.00
48	48" RCAP, Install	LF	50.00	120	6,000.00			120	6,000.00
49	42" Storm Pipe Bedding Material	LF	9.50	80	760.00			80	760.00
50	48" Storm Pipe Bedding Material	LF	10.50	120	1,260.00			120	1,260.00
51	42" RCAP, Flared End, Furnish & Install	EA	2,000.00	4	8,000.00			4	8,000.00
52	48" RCAP, Flared End, Furnish & Install	EA	2,300.00	2	4,600.00			2	4,600.00
53	Lift Station, Including Controls	LS	249,752.00	1	249,752.00			1	249,752.00
54	Control Building, Including Electrical	LS	44,100.00	1	44,100.00			1	44,100.00
55	Standby Generator, Including Foundation	LS	65,100.00	1	65,100.00			1	65,100.00
56	Chain Link Fence	LF	51.00	347	17,697.00			347	17,697.00
57	Chain Link Sliding Gate (15')	EA	3,780.00	1	3,780.00			1	3,780.00
CCO1-1	On-Site Borrow Excavation for Pipe Embankment	CY	4.50	25,960	116,820.00			25,960	116,820.00
CCO2-1	Outlet Structure	LS	22,150.00			1	22,150.00	1	22,150.00
CCO2-2	15" RCP, Furnish & Install	LF	75.00			16	1,200.00	16	1,200.00
CCO2-3	15" RCP Flared End, Furnish & Install	EA	800.00			1	800.00	1	800.00
CCO2-4	Type 2 Barbed Fence	LF	4.15			630	2,614.50	630	2,614.50
CCO2-5	18" Culvert	LF	70.00			70	4,900.00	70	4,900.00
CCO2-6	18" Culvert Flared End	EA	2.00			450	900.00	450	900.00
TOTAL:					1,117,687.50		33,644.50		1,151,332.00



## APPLICATION AND RECOMMENDATION FOR PAYMENT

Contract for Crooks, 2022 Drainage Improvements DGR Project No. 672045

Application No. 2 and Final Dated May 4, 2023

For work accomplished through the date of April 30, 2023

Contractor H&W Contracting, LLC 3416 W. Hovland Drive, Sioux Falls, SD 57107

Original Contract Price	<u>\$92,748.09</u>	Gross Amount Due	<u>\$90,353.99</u>
Net Change Orders No. <u>0</u> through <u>0</u>	<u>\$0.00</u>	Materials Stored	<u>\$0.00</u>
		Less Retainage ( <u>0</u> %)	<u>\$0.00</u>
Current Contract Price	<u>\$92,748.09</u>	Less Previous Payments	<u>\$69,829.02</u>
Net Deviation in Contract Quantities	<u>(\$2,394.10)</u>	Amount Due This Final Application	<u>\$20,524.97</u>

### 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 2 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).

H&W Contracting, LLC  
Contractor

Dated: \_\_\_\_\_ 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: \_\_\_\_\_ By: \_\_\_\_\_

The Owner concurs with this application for payment.

City of Crooks  
Owner

Dated: \_\_\_\_\_ By: \_\_\_\_\_

# APPLICATION FOR PAYMENT DETAIL SHEET

APPLICATION DATE: May 4, 2023

APPLICATION NO. 2

PROJECT: Crooks, 2022 Drainage Improvements

CONTRACTOR: H&W Contracting, LLC

ENGINEER: DGR Engineering

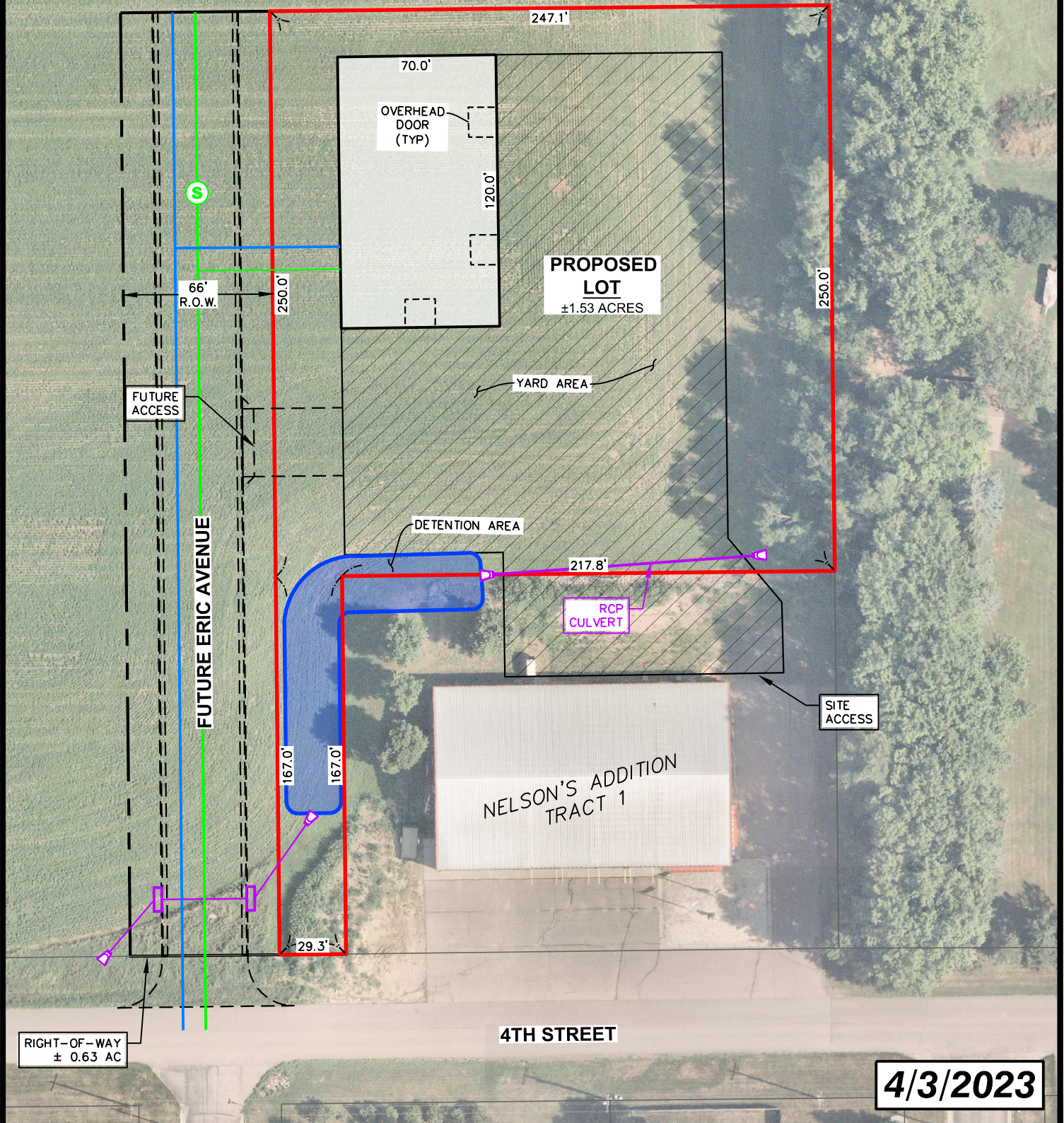
APPLICATION PERIOD

FROM: November 5, 2022

THRU: April 30, 2023

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	1	LS	19,800.00	19,800.00	1.00	19,800.00			1.00	19,800.00	
2	Traffic Control	1	LS	1,080.00	1,080.00	1.00	1,080.00			1.00	1,080.00	
3	Remove Asphalt Pavement	249	SY	5.10	1,269.90	58.00	295.80			58.00	295.80	
4	Remove Concrete Pavement	27	SY	8.00	216.00	27.00	216.00			27.00	216.00	
5	Remove Existing Pipe	142	LF	10.00	1,420.00							
6	Inlet Protection	2	EA	93.50	187.00	2.00	187.00			2.00	187.00	
7	Seed, Fertilize, and Hydromulch	1,202	SY	1.43	1,718.86			1,202.00	1,718.86	1,202.00	1,718.86	
8	Contractor Furnished Topsoil	203	CY	25.81	5,239.43			203.00	5,239.43	203.00	5,239.43	
9	Silt Fence	155	LF	4.60	713.00			155.00	713.00	155.00	713.00	
10	Aggregate Base Course	187	Ton	22.70	4,244.90			187.00	4,244.90	187.00	4,244.90	
11	6" PVC Pipe	21	LF	75.00	1,575.00	21.00	1,575.00			21.00	1,575.00	
12	12" Inline Drain with Casting	1	EA	1,200.00	1,200.00	1.00	1,200.00			1.00	1,200.00	
13	15" RCP Pipe, Class 3, F&I	32	LF	110.00	3,520.00	32.00	3,520.00			32.00	3,520.00	
14	15" RCP Flared End, F&I	2	EA	800.00	1,600.00	2.00	1,600.00			2.00	1,600.00	
15	18" RCP Pipe, Class 3, F&I	416	LF	104.00	43,264.00	416.00	43,264.00			416.00	43,264.00	
16	18" RCP Flared End, F&I	2	EA	800.00	1,600.00	2.00	1,600.00			2.00	1,600.00	
17	2'x2' Catch Basin	1	EA	2,500.00	2,500.00	1.00	2,500.00			1.00	2,500.00	
18	2'x2' Frame and Grate (Neenah 3402-E)	1	EA	850.00	850.00			1.00	850.00	1.00	850.00	
19	Connect to Existing Roof Drain System	1	EA	750.00	750.00	1.00	750.00			1.00	750.00	
					TOTAL CONTRACT PRICE:		92,748.09					
					TOTAL IMPROVEMENTS:		77,587.80		12,766.19		90,353.99	
					MATERIALS STORED:		-		-		-	
					RETAINAGE:		(7,758.78)		7,758.78		-	
					LIQUIDATED DAMAGES:		-		-		-	
					TOTAL DUE:		69,829.02		20,524.97		90,353.99	





4/3/2023



### **Enterprise Content Management Software Proposal:**

An electronic enterprise content management system will facilitate faster and more accurate records retrieval, retention and destruction leading to reduced administrative time and storage needs. After comparing Active Data Systems' FileDirector and Century Business Products' Square9 software for their features and pricing, I (Sara Smith, Deputy Finance Officer) recommend the City Council authorize a contract with Active Data Systems for their FileDirector Cloud ECM service.

#### **One time start up fees – Total up to \$1300:**

\$400.00 for basic set up and training

Up to \$500.00 for more advanced process management setup

Approximately \$400.00 for a dedicated stand-alone scanner

#### **Monthly fees – Total \$101 a month/\$1212 annually:**

\$69 a month per concurrent scan user. I recommend we start with one concurrent user and potentially expand to more users later if necessary.

\$32 a month for 50 GB of cloud data storage

#### **Potential future fees if we expand use:**

\$47 a month per concurrent non-scan user (read only)

## City of Crooks (Exhibit A)

City of Crooks  
Attn: Sara Smith



6209 E. Silver Maple Circle #3  
Sioux Falls, SD 57110  
605.335.5906

May 3, 2023

This quotation is valid for 30 days.

We thank you for the opportunity to submit the following prices and specifications.

Item	Description	Options	Subtotal
	<b>FileDirector Cloud ECM</b>		
	1 Scan Concurrent User -		\$69/monthly
	1 Non-Scan Concurrent User -		\$47/monthly
	One Time Set-up/Training Fee -		\$400/one time
	40 additional GB for a total of 50GB		\$32/month
	(Software comes with OCR + BPM if BPM is needed there will be a separate Set-up fee based on the complexity of the processes, not to exceed \$500)		Tbd/one time

**ESTIMATED TOTAL**

**TBD**

All taxes / shipping excluded - This is not an invoice.  
Estimated project total does not include optional items.

**THANK YOU FOR YOUR BUSINESS!**

**PROPOSAL ACCEPTANCE:**

\_\_\_\_\_  
Authorized Signature

Date \_\_\_\_\_

PO # \_\_\_\_\_



## SUPPORT AGREEMENT TERMS AND CONDITIONS

This SUPPORT AGREEMENT (the "Agreement") by and between THREE IN ONE, INC. d/b/a ACTIVE DATA SYSTEMS ("ADS") and customer ("Customer") to provide Cloud solutions, including off-site, remote backup solutions and other services as further described herein (the "Services") for a period of THREE YEARS, beginning on the date of installation and shall automatically renew for successive one-year periods, until terminated by either party as provided herein.

**1. Connectivity.** Customer expressly acknowledges that the Services provided hereunder may include remote, cloud based services that require active, reliable, and continuous connectivity to the internet and any interruption in connectivity to the internet will likely cause interruption in the Services performed pursuant to this Agreement. Customer is solely responsible for the maintenance and repair of Customer's hardware, software, modems, networking and routing equipment ("Third Party Equipment") necessary to ensure the continuous connectivity to the internet and ADS shall not be responsible for any temporary or permanent failure or interruption of the Third Party Equipment.

**2. Fees.** Customer shall remit to ADS on a monthly or annual basis, the fees outlined on Exhibit A, attached hereto and incorporated herein by this reference ("Fees"), which Fees may be adjusted by ADS in its sole and absolute discretion. Customer shall be responsible for any and all State and Federal taxes that may be due and payable as a result of the performance of the Services, including any sales or use tax.

**3. Software Upgrades.** During the term of this Agreement, Customer shall receive product upgrades, patches, bug fixes and other minor upgrades, as determined by ADS in its sole and absolute discretion, for no additional charges.

**4. Support.** ADS shall provide remote support coverage for the Services in the event of outage or interruption in Services ("Support"). Customer shall be responsible for initiating Support requests ("Support Request") to ADS and ADS shall make all reasonable effort to respond to Customer's Support Request within two (2) business hours to determine what action is necessary to resolve the outage or interruption, and shall make all reasonable effort to deploy remote resources necessary to complete reasonable repairs and maintenance and restore the Services. In the event that the Support Request are related to third-party products and not the Services provided by ADS, ADS reserves the right to charge Customer for the time and expense incurred in identifying and correcting the issues related to the third-party products, in ADS's sole and absolute discretion. Presence by Customer's Systems Administrator is required at all times during Support as Customer may need access network infrastructure including but not limited to passwords, servers, and hardware. Support will be provided between the hours of 8:00 A.M. and 5:00 P.M. CST, Monday through Friday, excluding holidays, unless other arrangements are made with ADS.

**5. Failure to Maintain or Replace.** In the event that ADS is unable to resolve the Support Request because of a failure by Customer to maintain or resolve hardware, software, network, or routing issues, ADS shall provide Customer with a list of hardware and software, necessary to resolve the Support Request and restore the Services. In the event Customer does not resolve the hardware, software, network or routing issues within fourteen (14) days from the delivery of said request to Customer, the obligations by ADS to provide Support shall terminate until the issues identified are resolved, but all obligations of Customer shall remain in full force and effect, including but not limited to the payment of Fees outlined in Section 2.

**6. Training.** ADS shall provide Customer with no more than two (2) hours of on-site or remote training, as determined by ADS in its sole and absolute discretion. The cost and expense associated with any additional or subsequent training shall be billed to Customer by ADS at ADS's standard training rate, which rate is subject to change without notice in ADS's sole and absolute discretion.

**7. Special Support.** Between the hours of 5:00 P.M. and 8:00 A.M. CST, Monday through Friday and at all times on Saturday and Sunday, Support will be charged at the rate of \$350.00 per hour. Phone or remote support required during weekends or on holidays will be charged at the rate of \$350.00 per hour. If on-site support is necessary or requested the travel time will be charged at the rate of \$350.00 per hour plus all travel expenses.

**8. Termination.** Upon the termination of this Agreement, whether by expiration of this Agreement or termination by Customer, Customer may, within sixty (60) days of the termination of this Agreement request a copy of the information stored by ADS. ADS shall make reasonable efforts to timely deliver a copy of the stored information to Customer, the cost of which shall be paid by Customer and is included on Exhibit A.

**9. Disclaimer of Warranties; Limitations on Liability.** Neither ADS, nor its agents, representatives or assigns shall be responsible for any loss of revenue or profits, expense, inconvenience or for any other special, incidental or consequential damages resulting from the use, misuse or inability to use the Services described herein, whether on account of negligence or otherwise. ADS shall make reasonable efforts to restore the Services in the event of an outage, but ADS expressly disclaims any and all warranties of merchantability and fitness for a particular purpose associated with the performance of the Services or any Support provided pursuant to this Agreement. In no event shall ADS be responsible for any lost, stolen, misplaced, deleted, or removed data, or any business interruption or any other direct, indirect, incidental, special or consequential damages associated with the use of the Service.

**10. Entire Agreement; Waiver.** This Agreement, including the recital provisions, which are incorporated herein by this reference, contains the entire agreement of the parties in regard to the subject matter addressed herein and supersedes all prior written and oral agreements, and may not be amended, except in writing, and signed by both Customer and ADS. A waiver of any term or provision of this of this Agreement shall not be construed as a waiver of any other term or provisions or as a waiver of subsequent performance of the same provision of this Agreement.

**11. Assignment.** This Agreement may only be assigned by Customer with the express written consent of ADS, which consent shall not be unreasonably withheld. ADS may assign this Agreement without notice to Customer, so long as the assignee continues to perform the services outlined in this Agreement without interruption to Customer.

**12. Governing Law; Forum.** This Agreement and all obligations created hereunder shall be governed, construed and enforced in accordance with the laws of the State of South Dakota, without regard to its conflict of law provisions. Any disputes having their origins in the provisions of this Agreement shall be heard in the courts of the State of South Dakota, Second Judicial Circuit, Minnehaha County, South Dakota.

**13. Indemnification.** Customer shall indemnify and hold harmless ADS, its employees, agents and directors from and against all liability, damages, costs and expenses, including reasonable attorney fees, of any kind from any third party, relating to the services performed pursuant to this Agreement.

**14. Limited Relationship.** This Agreement shall not create a joint venture, partnership or any other formal business relationship or legal entity of any kind, or an obligation to form any such relationship or entity. Each party will act as a contractor and not as an agent of the other party for any purpose, and neither will have the authority to bind the other.

**15. Force Majeure.** Except as otherwise provided herein, neither party shall be responsible for any material breach of its obligations under this Agreement due to strikes, wars, revolutions, acts of terrorism, fires, floods, explosions, earthquakes, government regulations, or other causes beyond its reasonable control.

Dated this \_\_\_ day of \_\_\_\_\_, 201\_\_

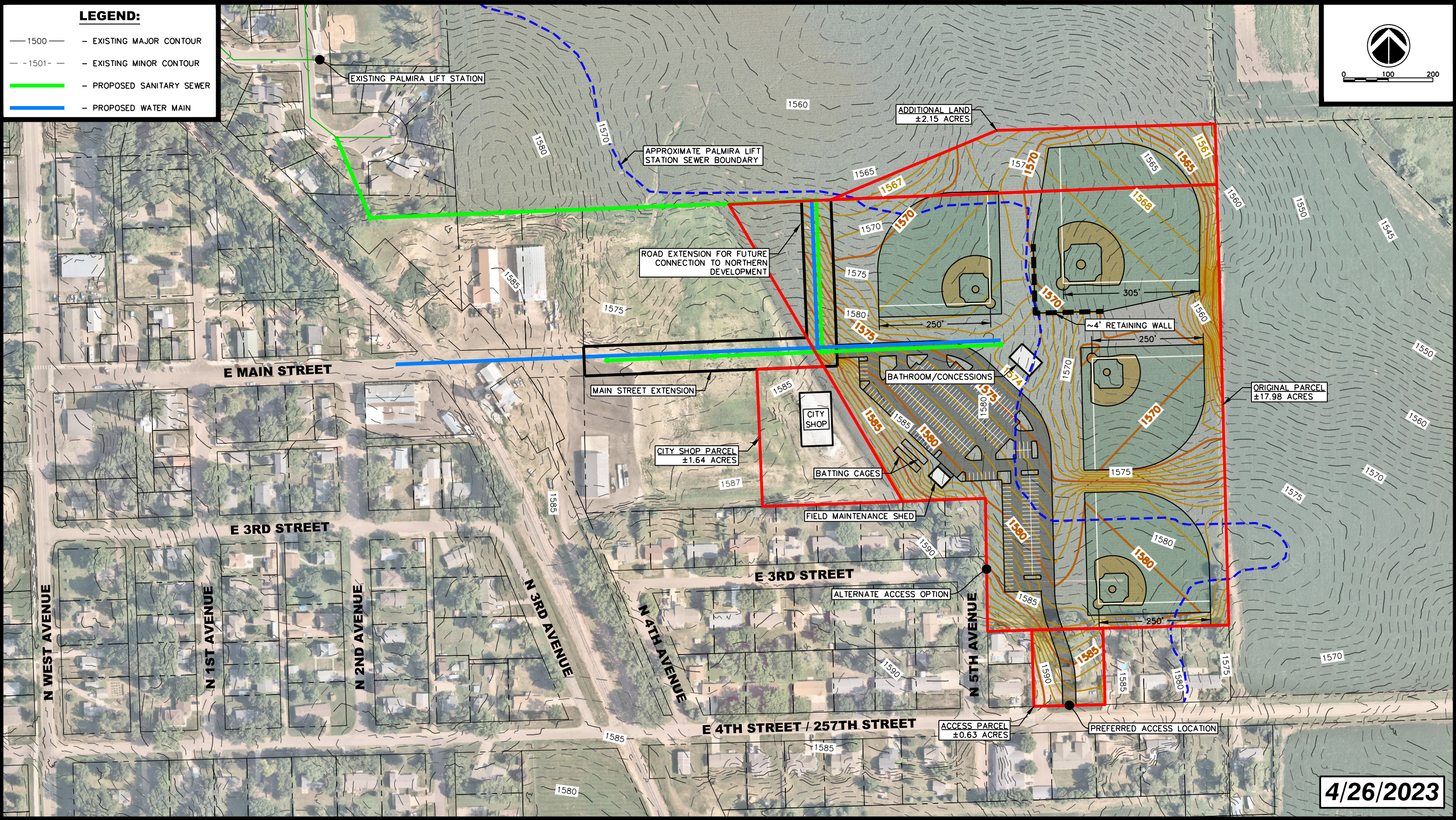
THREE IN ONE, INC.  
d/b/a Active Data Systems

CUSTOMER

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_





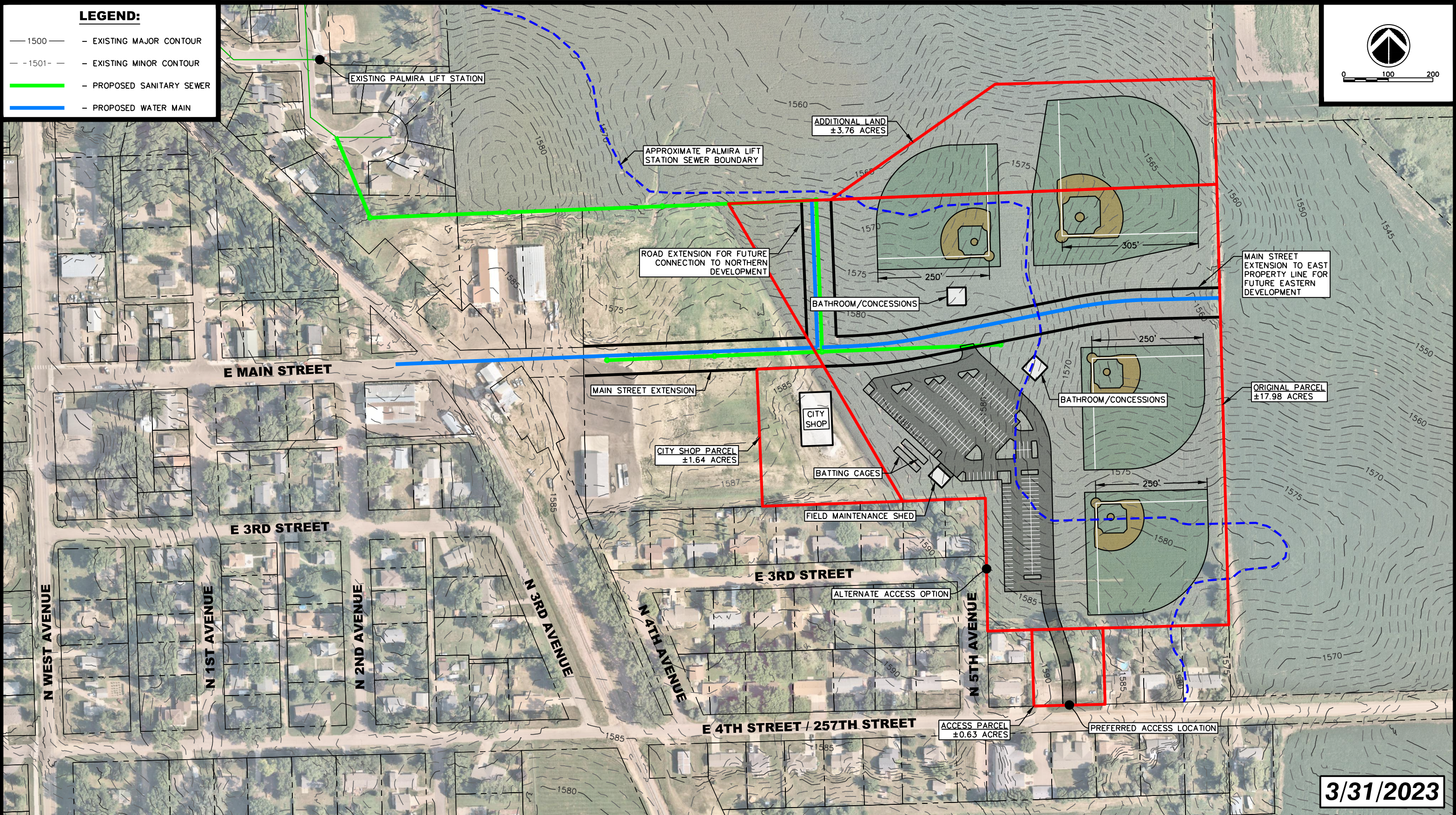
## Potential Baseball Complex - Concept A

### Crooks, South Dakota

**DGR**  
ENGINEERING

DGR ENGINEERING  
1300 S HIGHLINE AVENUE  
SIOUX FALLS, SD 57110  
(605) 339-4157 office  
(605) 339-4175 fax  
dgr.com





**LEGEND:**

- 1500 — - EXISTING MAJOR CONTOUR
- - 1501 - - EXISTING MINOR CONTOUR
- - - - - PROPOSED SANITARY SEWER
- - - - - PROPOSED WATER MAIN



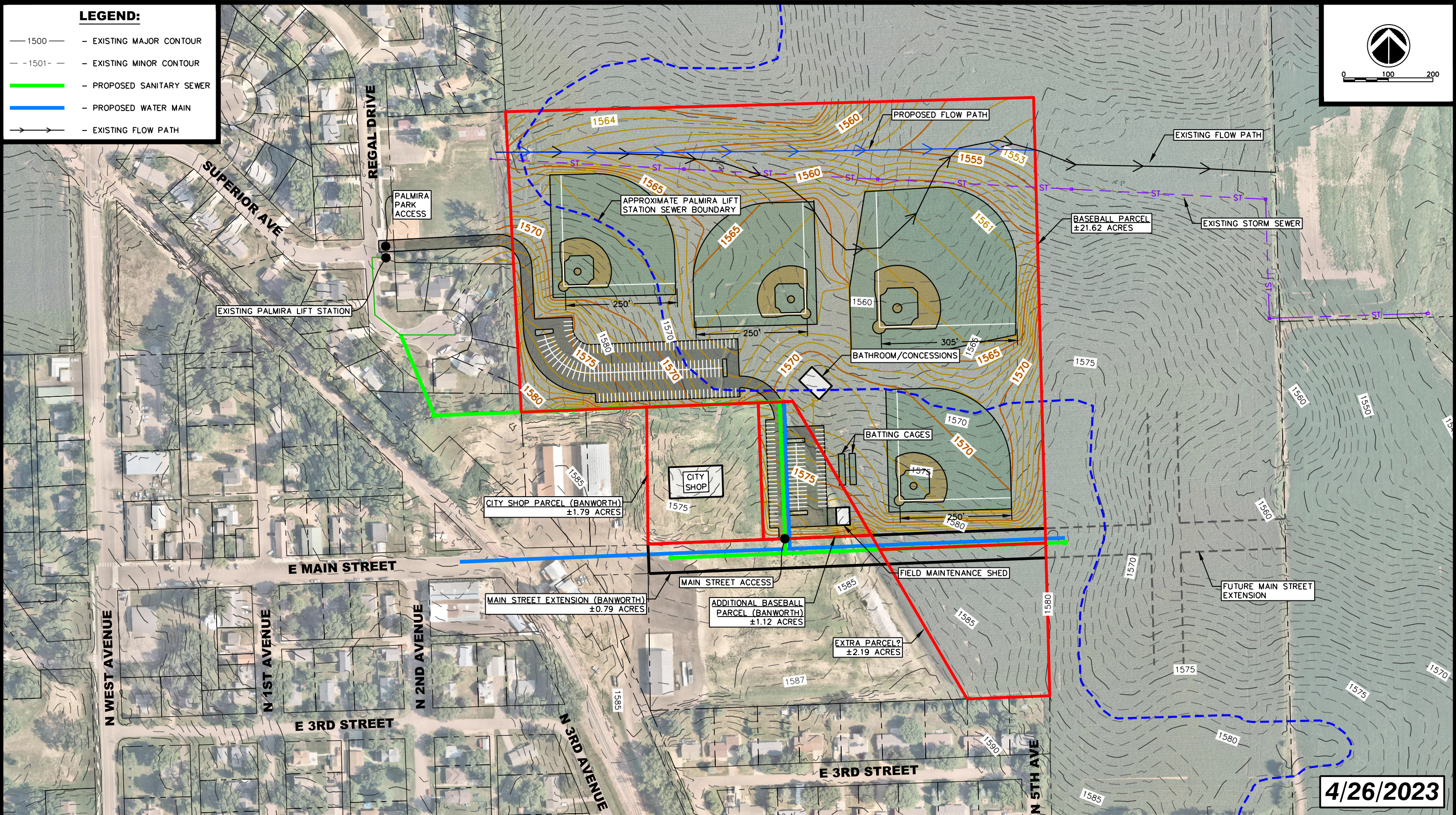
**3/31/2023**



**Potential Baseball Complex - Option B**  
**Crooks, South Dakota**

**DGR**  
**ENGINEERING**  
DGR ENGINEERING  
1300 S HIGHLINE AVENUE  
SIOUX FALLS, SD 57110  
(605) 339-4157 office  
(605) 339-4175 fax  
dgr.com





4/26/2023



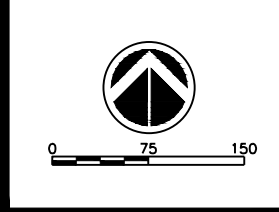
# Potential Baseball Complex - Concept C

## Crooks, South Dakota

**DGR**  
ENGINEERING

DGR ENGINEERING  
1300 S HIGHLINE AVENUE  
SIOUX FALLS, SD 57110  
(605) 339-4157 office  
(605) 339-4175 fax  
dgr.com





4/26/2023



# Potential Baseball Complex - Concept D

## Crooks, South Dakota

**DGR**  
ENGINEERING

DGR ENGINEERING  
1300 S HIGHLINE AVENUE  
SIOUX FALLS, SD 57110  
(605) 339-4157 office  
(605) 339-4175 fax  
dgr.com



**CITY OF CROOKS  
ORDINANCE #325**

AN ORDINANCE OF THE CITY OF CROOKS, SOUTH DAKOTA, ADOPTING REVISED ZONING REGULATIONS FOR THE CITY OF CROOKS, SOUTH DAKOTA.

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

**Section 1. Ordinance adopted.** That the document titled as “2023 Revised Crooks Zoning Regulations”, as set forth in the attached document, provides for zoning regulations for the municipality, establishes district boundaries and a zoning map, provides for the administration, enforcement, and amendment of this Ordinance.

**Section 2. Ordinances in conflict.** All ordinances or parts thereof in conflict with this Ordinance shall be repealed.

Aye:

Nay:

Abstain:

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 202\_.

\_\_\_\_\_  
F. Butch Oseby, Mayor

(SEAL)

Attest:

\_\_\_\_\_  
Tobias Schantz, Finance Officer

**Legislative History:**

Planning and Zoning Commission public hearing: 03/27/2023

City Council public hearing: 04/10/2023

First reading:

Second reading:

Amendment:

P:\Council\Legals\Ordinances WIP\2023 - Ord 325 - Revised Zoning Regulations City of Crooks\Ord 325 - 2023 - Adopting revised Zoning Regulations FNL.docx

Additional reading due to substantial amendment:

Passage & adoption:

Publication dates of notices of adoption:

Effective date:

Published once at the approximate cost of:

**CITY OF CROOKS  
RESOLUTION #2023-06**

**RESOLUTION GIVING APPROVAL TO CERTAIN DRINKING WATER FACILITIES IMPROVEMENTS; GIVING APPROVAL TO THE ISSUANCE AND SALE OF A REVENUE BOND TO FINANCE, DIRECTLY OR INDIRECTLY, THE IMPROVEMENTS TO THE FACILITIES; APPROVING THE FORM OF THE LOAN AGREEMENT AND THE REVENUE BOND AND PLEDGING PROJECT REVENUES AND COLLATERAL TO SECURE THE PAYMENT OF THE REVENUE BOND; AND CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF FUNDS FOR OPERATION OF THE SYSTEM AND RETIREMENT OF THE REVENUE BOND AND PROVIDING FOR A SEGREGATED SPECIAL CHARGE OR SURCHARGE FOR THE PAYMENT OF THE BONDS.**

**WHEREAS**, one of the purposes of SDCL Chapter 9-40 (the “Act”) as found and determined by the Legislature is to provide for financing the acquisition, maintenance, operation, extension or improvement of any system or part of any system of waterworks for the purpose of providing water and water supply for domestic, municipal, together with extensions, additions, and necessary appurtenances; and,

**WHEREAS**, a municipality is authorized by Section 6 of the Act to issue revenue bonds to defray the cost of extensions, additions and improvements to any utility previously owned without pledging its credit and is authorized to pledge the net income or revenues from the Project in accordance with Section 15 of the Act; and,

**WHEREAS**, the City of Crooks (the “City”) currently operates a water distribution system to supply municipal, industrial and domestic water to its inhabitants and has determined that improvements to the drinking water facilities are necessary for the conduct of its governmental programs and qualifies as an improvement, extension or addition to its drinking water system; and,

**WHEREAS**, the City has determined to issue its revenue bonds to finance the improvements to its system of waterworks for the purpose of providing water and water supply for domestic, municipal, and industrial purposes (the “System”) and has applied to the South Dakota Conservancy District (the “District”) for a Drinking Water State Revolving Fund Loan to finance the improvements;

**WHEREAS**, the City shall adopt special rates or surcharges for the improvements to be pledged, segregated and used for the payment of the Bonds.

**NOW THEREFORE BE IT RESOLVED** by the City as follows:

**SECTION 1. Definitions.** The terms when used in this Resolution shall have the following meanings set forth in this section unless the context clearly requires otherwise. All terms used in this

Resolution which are not defined herein shall have the meanings assigned to them in the Loan Agreement unless the context clearly otherwise requires.

**“Act”** means South Dakota Codified Laws Chapter 9-40.

**“Loan”** means the Loan made by the South Dakota Conservancy District to the City pursuant to the terms of the Loan Agreement and as evidenced by the Revenue Bond.

**“Project”** means the City of Crooks Water Tower and Water System Improvements Project.

**“Revenue Bond”** means the revenue bond or bonds issued the date of the Loan Agreement by the City to the South Dakota Conservancy District to evidence the City’s obligation to repay the principal of and pay interest and Administrative Expense Surcharge on the Loan.

**“System”** means the City’s system of waterworks used for the purpose of providing water and water supply for domestic, municipal, and industrial purposes.

## **SECTION 2. Declaration of Necessity and Findings.**

**2.1. Declaration of Necessity.** The City hereby declares and determines it is necessary to construct and finance improvements to its drinking water facilities within its System described as the Project.

**2.2. Findings.** The City does hereby find as follows:

**2.2.1.** The City hereby expressly finds that if the Project is not undertaken, the System will pose a health hazard to the City and its inhabitants, and will make the City unable to comply with state and federal law.

**2.2.2.** Because of the functional interdependence of the various portions of the System, the fact that the System may not lawfully operate unless it complies with State and federal laws, including SDCL Chapter 34A-3A, and the federal Safe Drinking Water Act, and the nature of the improvements financed, the City hereby finds and determines that the Project will substantially benefit the entire System and all of its users within the meaning of Sections 15 and 17 of the Act.

**2.2.3.** The City hereby determines and finds that for the purposes of the Act, including, in particular, Sections 15 and 17 of the Act, that only the net income from the Project financed by the Revenue Bond be pledged for its payment.

**SECTION 3. Authorization of Loan, Pledge of Revenue and Security.**

**3.1. Authorization of Loan.** The City hereby determines and declares it necessary to finance up to \$1,575,000 of the costs of the Project through the issuance of bonds payable from the revenue of the Project and other funds secured by the City. The City hereby determines that because the Revenue Bond is issued in connection with a financing agreement described in SDCL 46A-1-49, pursuant to Section 15 of the Act no election is required to issue the Revenue Bond.

**3.2. Approval of Loan Agreement.** The execution and delivery of the Revenue Obligation Loan Agreement (the "Loan Agreement"), the form of which is on file with the City Finance Officer (the "Finance Officer") and open to public inspection, between the City as Borrower and the District, is hereby in all respects authorized, approved and confirmed, and the Mayor and Finance Officer are hereby authorized and directed to execute and deliver the Loan Agreement in the form and content attached hereto, with such changes as the Attorney for the City deems appropriate and approves, for and on behalf of the City. The Mayor and Finance Officer are hereby further authorized and directed to implement and perform the covenants and obligations of the City set forth in or required by the Loan Agreement. The Loan Agreement herein referred to and made a part of this Resolution is on file in the office of the Finance Officer and is available for inspection by any interested party.

**3.3. Approval of Revenue Bond.** The issuance of a revenue bond in a principal amount not to exceed \$1,575,000 as determined according to the Loan Agreement in the form and content set forth in Appendix B attached to the form of Loan Agreement (the "Revenue Bond") shall be and the same is, in all respects, hereby authorized, approved, and confirmed and the Mayor, Finance Officer, and other appropriate officials shall be and are hereby authorized and directed to execute and seal the Revenue Bond and deliver the Revenue Bond to the District, for and on behalf of the City, upon receipt of the purchase price, and to use the proceeds thereof in the manner set forth in the Loan Agreement. The Mayor and Finance Officer are hereby authorized to approve the final terms of the Revenue Bond and their execution and delivery thereof shall evidence that approval. The Revenue Bond shall be issued under the authority of SDCL Chapter 9-40 and SDCL Chapter 6-8B, and the provisions of the Act are hereby expressly incorporated herein as provided in Section 19 of the Act.

**3.4. Pledge of Revenues.** The Revenue Bond together with the interest thereon, shall not constitute a charge against the City's general credit or taxing power, but shall be a limited obligation of the City payable solely out of the Project Debt Service Account, which payments, revenues and receipts are hereby and in the Loan Agreement pledged and assigned for the equal and ratable payments of the Revenue Bond and shall be used for no

other purpose than to pay the principal, interest and Administrative Surcharge on the Revenue Bond, except as may be otherwise expressly authorized in the Loan Agreement (including the purpose of securing Additional Bonds issued as permitted by the terms thereof). The City covenants and agrees to charge rates for all services from the Project or establish special charges or surcharges which will be sufficient to provide for the payments upon the Revenue Bond issued hereunder as and when the same become due, and as may be necessary to provide for the operation and maintenance and repairs of the Project, and depreciation, and the Rate Resolution shall be revised from time to time so as to produce these amounts. The City hereby reserves the right to determine on a periodic basis the appropriate allocation of operation and maintenance expenses, depreciation, repair and reserves associated with the facilities financed with the Revenue Bond, provided that such determination of allocable operation and maintenance expenses shall in no event abrogate, abridge or otherwise contravene the covenant of the City set forth in this Section 3 or any other covenant or agreement in the Loan Agreement.

**SECTION 4. Special Charge or Surcharge for Revenue Bond.** The City does hereby create the Revenue Bond Special-Surcharge District (the “Surcharge District”) which shall include all users which benefit from the Project. There shall be charged a special charge or surcharge pursuant to Section 15 of the Act for the services provided by Project financed by the Revenue Bond. The special charge or surcharge shall be segregated from other revenues of the System and shall be used for the payment of the Revenue Bond. The special charge or surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements and operation, sufficient to fund interest, reserve and debt service fund annual requirements and shall be 110% of the debt service requirements on the Revenue Bond.

**4.1. Rates and collection.** The rate herein specific will be collected as a special charge or surcharge for the Project. This special charge or surcharge shall remain in effect until such time as the Revenue Bond is defeased or paid in full.

**4.2. Initial Surcharge.** The initial special charge or surcharge shall be set by resolution and collected at the same time as other charges of the utility. All users within the Surcharge District which benefit from the Project, current and future, shall be charged the special charge or surcharge. The special charge or surcharge is found to be equitable for the services provided by the Project. The special charge or surcharge shall begin at such time as will produce sufficient revenue to pay principal, interest and Administrative Surcharge on the Revenue Bond when due.

**4.3. Segregation.** The Finance Officer shall set up bookkeeping accounts in accordance with South Dakota Legislative Audit guidelines for the segregation of the revenue, special charges and surcharges.



**4.4. Periodic review.** The amount of the surcharge shall be reviewed from time to time, not less than yearly, and shall be modified in order to produce such funds as are necessary and required to comply with the Loan Agreement's rate covenant and to pay principal of, interest and Administrative Surcharge on the Revenue Bond when due. The surcharge may be set by resolution in accordance with this Section. The rate resolution shall be necessary for the support of government and shall be effective upon passage.

**SECTION 5. Additional Bonds.** As permitted by Sections 8 and 9 of the Act, Additional Bonds payable from revenues and income of the System or Project may be issued, as permitted in the Loan Agreement, and no provision of this Resolution shall have the effect of restricting the issuance of, or impairing the lien of, such additional parity bonds with respect to the net revenues or income from the extensions, additions or improvements. The City shall have the right to issue additional bonds secured by a lien subordinate to the lien from the Revenue Bond pursuant to the Loan Agreement.

**SECTION 6. Project Fund Accounts.** For the purpose of application and proper allocation of the income of the Project and to secure the payment of principal, Administrative Surcharge and interest on the Revenue Bond, the following mandatory asset segregations shall be included in the water system account of the City and shall be used solely for the following respective purposes until payment in full of the principal, interest and Administrative Surcharge on the Revenue Bond:

**6.1. Project Revenue Account.** There shall be deposited periodically into the Project Revenue Account the net revenues as defined in Section 17 of the Act derived from the operation of the Project collected pursuant to the resolutions and ordinances of the City of Crooks, South Dakota (collectively the "Rate Resolution"). Moneys from the Project Revenue Account shall be transferred periodically into separate funds and accounts as provided below.

**6.2. Project Debt Service Account.** Out of the revenues in the Project Revenue Account, there shall be set aside no later than the 25<sup>th</sup> day of each month into the account designated Project Debt Service Account, a sum sufficient to provide for the payment as the same become due of the next maturing principal of, interest and Administrative Surcharge on the Revenue Bonds and any reserve determined by the City's governing body to be necessary. The amount set aside monthly shall be not less than one-third of the total principal, interest, and Administrative Surcharge payable on the following February 15, May 15, August 15 or November 15 and if there shall be any deficiency in the amount previously set aside, then the amount of such deficiency shall be added to the current requirement.

**6.3. Depreciation Account.** There shall be established a General Depreciation Account. Out of the revenues of the Project Revenue Account there shall be set aside each

month into the General Depreciation Account an amount determined by the Common Council to be a proper and adequate amount for repair and depreciation of the Project.

**6.4. Project Surplus Account.** There shall be established the Project Surplus Account. Revenues remaining in the Project Revenue Account at the end of any fiscal year after all periodic transfers have been made therefrom as above required, shall be deemed to be surplus and shall be transferred to the Project Surplus Account. If at any time there shall exist any default in making any periodic transfer to the Project Debt Service Account, the Common Council shall authorize the City Finance Officer to rectify such default so far as possible by the transfer of money from the Project Surplus Account. If any such default shall exist as to more than one account or fund at any time, then such transfer shall be made in the order such funds and accounts are listed above.

When not required to restore a current deficiency in the Project Debt Service Account, moneys in the Project Surplus Account from time to time may be used for any of the following purposes and not otherwise:

- (a) To redeem and prepay the Revenue Bond when and as such Revenue Bond becomes prepayable according to its terms;
- (b) To pay for repairs of or for the construction and installation of improvements or additions to the System; and, if the balances in the Project Debt Service Account and the Project Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made there from prior to the end of the then current fiscal year, then:
- (c) To be held as a reserve for redemption and prepayment of any bonds of the System which are not then but will later be prepayable according to their terms; or
- (d) To be used for any other authorized municipal purpose designated by the Common Council.
- (e) No moneys shall at any time be transferred from the Project Surplus Account or any other account of the Fund to any other fund of the City, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvements bonds or other obligations payable from other funds, except as provided in this Section.

**SECTION 7. Approval of Paying Agent/Registrar.** The Revenue Bond shall be payable at the office of U.S. Bank National Association, St. Paul, Minnesota, hereby designated as paying agent and registrar.

**SECTION 8. Approval of Bond Counsel.** Meierhenry Sargent LLP is hereby retained as Bond Counsel with respect to the Revenue Bond.

**SECTION 9. Tax Matters.** The Interest on the Revenue Bond shall be excludable from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (“the Code”) and applicable Treasury Regulations (the “Regulations”).

**SECTION 10. Covenants.** The City hereby covenants and agrees with the District and other owners of the Revenue Bond as follows:

**10.1.** The City will punctually perform all duties with reference to the Project, the System and the Revenue Bond required by the constitution and laws of the State of South Dakota and by this Resolution.

**10.2.** The City agrees and covenants that it will promptly construct the improvements included in the Project.

**10.3.** The City covenants and agrees that pursuant to Sections 25 through 27 of the Act, the lawful holders of the Revenue Bond shall have a statutory mortgage lien upon the Project and the extensions, additions and improvements thereto acquired pursuant to the Act, until the payment in full of the principal, interest and Administrative Surcharge on the Revenue Bond, and the City agrees not to sell or otherwise dispose of the System, the Project, or any substantial part thereof, except as provided in the Loan Agreement and shall not establish, authorize or grant a franchise for the operation of any other utility supplying like products or services in competition therewith, or permit any person, firm or corporation to compete with it in the distribution of water for municipal, industrial, and domestic purposes within the City.

**10.4.** The City covenants and agrees with the District and other owners of the Revenue Bond that it will maintain the System in good condition and operate the same in an efficient manner and at a reasonable cost, so long as any portion of the Revenue Bond remains outstanding; that it will maintain insurance on the System for the benefit of the holders of the Revenue Bond in an amount which usually would be carried by private companies in a similar type of business; that it will prepare, keep and file records, statements and accounts as provided for in this Resolution and the Loan

Agreement. The Revenue Bond shall refer expressly to this Resolution and the Act and shall state that it is subject to all provisions and limitations thereof pursuant to Section 19 of the Act.

**SECTION 11. Depositories.** The Finance Officer shall cause all moneys pertaining to the Funds and Accounts to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of SDCL Ch. 4-6A, in a deposit account or accounts, which shall be maintained separate and apart from all other accounts of the City, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No money shall at any time be withdrawn from such deposit accounts except for the purposes of the Funds and Accounts as authorized in this Resolution; except that moneys from time to time on hand in the Funds and Accounts may at any time, in the discretion of the City's governing body, be invested in securities permitted by the provisions of SDCL 4-5-6; provided, however, that the Depreciation Fund may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the Fund or Account from whose moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys therein.

**SECTION 12. Consent to Appointment.** In the event of mismanagement of the Project, a default in the payment of the principal or interest of the Revenue Bond, or in any other condition thereof materially affecting the lawful holder of the Revenue Bond, or if the revenues of the Project are dissipated, wasted or diverted from their proper application as set forth in the Loan Agreement, Revenue Bond, or herein, the City hereby consents to the appointment of a receiver pursuant to Section 33 of the Act, and agrees that the receiver will have the powers set forth therein, and in Sections 34 and 35 of the Act to operate and administer the Project, and charge and collect rates as described therein.

**SECTION 13. Severability.** If any section, paragraph, clause or provision of this Resolution, the Loan Agreement, the Revenue Bond, or any other Loan Document shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution or said Loan Agreement, Revenue Bond, or any other Loan Document.

**SECTION 14. Repeal of Resolution.** At such time as the Project Revenue Bond is defeased or paid in full, this Resolution and the special charge or surcharge shall automatically be repealed without any further action of the City.

**SECTION 15. Authorization of City Officials.** The Mayor, Finance Officer, City Attorney and City officials shall be and they are hereby authorized to execute and deliver for and on behalf of the City any and all other certificates, documents or other papers and to perform such other acts as they may deem necessary or appropriate in order to implement and carry out the actions authorized herein.

**SECTION 16. Effective Date.** This Resolution shall take effect on the 20<sup>th</sup> day following its publication, unless suspended by a referendum.

Ayes:

Nays:

Abstains:

Adopted at Crooks, South Dakota, this \_\_\_\_ day of \_\_\_\_\_ 2023.

**APPROVED:**

\_\_\_\_\_  
F. Butch Oseby, Mayor

(SEAL)

Attest: \_\_\_\_\_  
Tobias Schantz, Finance Officer

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective: \_\_\_\_\_