

City of Crooks
City Council
Regular monthly meeting
Agenda

Date: 06/12/2023

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) Appointment City Council member & oath of office
- 5) Meeting minutes
- 6) Financials
- 7) Claims
- 8) Consent calendar items:
 - a) Tri-Valley – facility use agreement New Hope Park for softball
- 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.]
 - a) Damon Durick – sump pump discharge into City sewer
- 10) Public hearings:
 - a) Conditional Use Application – detached garage / Applicant: Dan Larson / Property: 101 S Susan Ave, Crooks, SD
- 11) Reports/Other business:
 - a) Capital Improvements & Repairs
 - b) Utility
 - c) Economic Development
 - d) Streets
 - e) Planning and Zoning
 - f) Government buildings & IT infrastructure
 - i. Security cameras at government facilities
 - g) Parks
 - h) Finance
 - i) Code enforcement / animal control
 - j) Other business:
 - i. Floodplain ordinance
 - ii. Sales tax refund options
 - iii. Opt Out
 - iv. E. Main St. extension
- 12) Ordinances, resolutions, policies, motions:
 - a) First reading of Ordinance #326 – Authorizing and regulating the operation of golf carts on City streets in and for the City of Crooks, South Dakota
 - b) First reading of Ordinance #327 – Water & sewer rates for the City of Crooks
 - c) First reading of Ordinance #328 – Supplemental appropriations

d) Resolution 2023-07 – Building permit fees

e) Resolution 2023-08 – Annexation of property upon receipt of a voluntary petition

13) Adjourn



**City of Crooks
Meeting Minutes
May 8, 2023**

1) Call to order/Roll Call. At 6:03pm 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 engineer Jake Morris (DGR).

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

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

4) Meeting minutes. Governing body reviewed meeting minutes. Motion by Beyer to approve April 10, 2023 meeting minutes, seconded by Harstad. No discussion. All aye, motion carried.

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

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

Approved claims.

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
Groebner	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
		Total claims	\$ 286,172.43

Approved purchase card payments.

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	\$ 2.64
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	\$ 3,599.91

Approved gross wages by department for April 2023.

Council	\$ 525.00
Mayor	\$ 420.00
Planning and Zoning Commission	\$ 684.56
Finance Office	\$ 2,689.07
Government Buildings	\$ 1,463.14
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
Total wage claims	\$ 29,267.88

7) Consent calendar items. Governing body reviewed and discussed the items. Motion by Richardson to approve consent calendar items, seconded by Beyer. No discussion. All aye, motion carried.

Approved consent calendar items:

i.	Abatement property tax request. Abatement number 2023-0065, Parcel ID #95435, Property owner name: City of Crooks, property address: 202 E Main St, Crooks, SD, abatement amount: \$1,507.24, levy year: 2022 payable 2023. The reason for the abatement request is the property is tax-exempt.
ii.	A&B Business Copier Addendum.
iii.	Mosquito control contract.
iv.	The Wooden Nickel – special event license for 05/13/2023.
v.	Surplus 20-11 Swenson sander.
vi.	Garbage hauler license renewal – Garbage'N'More.

8) Appointments & swearing in. Oseby recommended the following appointments: Allan Beyer as alderman for Ward II vacant position, Jana Richardson as Council-President, Allan Beyer as Council Vice-President, Ginny Beck as Public Safety Director, Scott Richardson as Planning and Zoning Director/Chairman, Mike Harstad as Parks and Recreation Chairperson, Allan Beyer as Public Facilities Chairperson, Jana Richardson as Finance Chairperson, Patrick Glover (Meierhenry Sargent) as City attorney, Tobias Schantz as Finance Officer, DGR Engineering as City Engineer, designate First Interstate Bank and Reliabank as City depository institution with authorized signers being Butch Oseby, Jana Richardson, Sara Smith, and Tobias Schantz; Mike Harstad as Crooks Housing and Redevelopment Commissioner, Martha Masgai as Planning and Zoning Commissioner and Travis Zenk, Scott Reith, and Rick Tupper as members of the Parks and Recreation Board. Motion by Richardson to approve appointments, seconded by Beyer. No discussion. All aye, motion carried.

9) Open comments.

- a) Jim Van Hunnick, resident, asked about the replacement of speed sign leading into town.

10) Public hearings. – No public hearings.

11) Reports / Other business.

- a) **Capital Improvements & Repairs.** Oseby spoke on budget and expending funds for appropriated items only.
- b) **Utility.**
 - i. **Eastside lift station pay application.** Governing body reviewed the application. Morris stated contractor had yet to concur with the application. Schantz stated contractor needed to supply payroll to planning district. Motion by J. Richardson to approve pay application in the amount of \$196,670.70 with the stipulation of contractor's concurrence and submission of payroll to the planning district, seconded by Harstad. No discussion. All aye, motion carried.
 - ii. **Eastside lift station change order.** Governing body reviewed the change order. Morris spoke on the change order and its scope. Change order was discussed. Motion by Beyer to approve change order for the Eastside lift station (CCO#2) in the amount of \$33,644.50 in addition to original change order amount, seconded by Harstad. No further discussion. All aye, motion carried.
 - iii. **Drainage project pay application.** Governing body reviewed the drainage project pay application. The application was discussed, per Morris final contract documents need to be received. Motion by J. Richardson to approve pay application contingent upon receipt of final contract documents, seconded by Harstad. No further discussion. All aye, motion carried.
- c) **Economic development.** Harstad and Oseby gave report. Items discussed were the commercial area in the Willow Creek Ridge development, the status of the funeral home along West Ave, and the CDC North addition construction activity.

- d) **Streets.** Oseby gave report. Spots along W 5th St. need to be patched by Tom's Backhoe, after the utility work was completed in the area.
- e) **Planning and Zoning.** No report.
- f) **Government buildings & IT infrastructure.** Beyer gave report.
 - i. City shop possible concepts. Governing body reviewed concept for City shop with a location behind Crooks Fire Hall. Discussion ensued about cost for project. Alternative site for the shop was discussed and its associated costs.
 - ii. Electronic data management software. Governing body reviewed the proposal. Schantz spoke on the item. Motion by Beyer to proceed with electronic data management software as presented in proposal, seconded by Richardson. No discussion. All aye, motion carried.
- g) **Parks.** Harstad gave report. A baseball tournament is scheduled for weekend of May 13-14 at New Hope Park. Softball games are underway at parks. The second Parks and Recreation Board meeting of the year was held; staff is presently working on ordinance to codify Parks and Recreation Board at city level. Heritage Park developments were discussed. The plan for the Veterans' Memorial Park project was discussed.
 - i. Baseball land complex possible concepts. Governing body reviewed baseball land complex concepts. Discussion ensued about concepts.
 - ii. Shuttle service to Colton pool. City of Colton offered to arrange for transport to Colton pool during summer months for children. The idea was discussed by governing body. A townhall will be held concerning the program with more details to follow then.
- h) **Finance.** J. Richardson gave report. Upcoming expenditures were discussed. The timeline for the new Crooks welcome sign was discussed.
- i) **Code enforcement/Animal control.** No report.
- j) **Other business:**
 - i. **Contract garbage service.** Governing body discussed the idea of contracting garbage service out city-wide.
 - ii. **Hire residential building inspector.** Schantz stated Matt Haynes had accepted offer of serving as residential building inspector at a rate of \$25/hr. with a start date of May 8, 2023. Motion by Harstad to approve hire, seconded by J. Richardson. No discussion. All aye, motion carried.

10) Ordinances, resolutions, policies, motions.

- a) First reading of Ordinance #325 (Adopting revised Zoning Regulations for the City of Crooks) was given by Oseby.
- b) Reading of Resolution 2023-06 (SRF) was given by Oseby. Motion by J. Richardson to approve resolution, seconded by Beyer. No discussion. All aye, motion carried (3-0).

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 25th 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 20th day following its publication, unless suspended by a referendum.

Ayes: Harstad, Richardson, Beyer

Nays:

Abstains:

Adopted at Crooks, South Dakota, this 8th day of May 2023.

APPROVED:

F. Butch Oseby, Mayor

(SEAL)

Attest: _____
Tobias Schantz, Finance Officer

Adopted: 05/08/2023
Published: _____
Effective: _____

13) Adjourn. Motion by Harstad to adjourn meeting at 7:32pm, seconded by J. 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
Special Meeting Minutes
June 5, 2023**

1) Call to order/Roll Call. At 5:30pm the meeting was called to order by Mayor Oseby at the Crooks Community Center. Answering roll call were Alderman Beyer, Alderman J. Richardson (on phone), and Mayor Oseby. A quorum was present. Absent: Alderman Harstad (with notice) City staff present was City Administrator/Finance Officer Schantz.

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

3) Second reading of Ordinance #325 – Adopting Revised Zoning Regulations. Oseby gave second reading of ordinance. Motion by Beyer to approve ordinance, seconded by J. Richardson. No discussion. Roll call vote: Beyer – aye, Richardson – aye. All aye, motion carried.

4) Adjourn. Motion by Beyer to adjourn meeting at 5:33pm, seconded by J. Richardson. No discussion. All aye, motion carried.

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

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

CITY OF CROOKS BUDGET V. ACTUALS

As of June 10, 2023

Appropriation and Accumulations:	2023 Budget	2023 YTD Actuals	Remaining Balance	% Budget spent
101 GENERAL FUND				
410 GENERAL GOVERNMENT				
411 Council	\$ 12,483.00	\$ 4,922.72	\$ 7,560.28	39.44%
411.3 Publications	\$ 5,535.00	\$ 1,681.12	\$ 3,853.88	30.37%
411.5 Contingency	\$ 4,827.00	\$ -	\$ 4,827.00	0.00%
412 Mayor	\$ 11,070.00	\$ 5,219.68	\$ 5,850.32	47.15%
412.3 Planning & Zoning	\$ 11,498.00	\$ 3,804.30	\$ 7,693.70	33.09%
413 Elections	\$ 1,980.00	\$ -	\$ 1,980.00	0.00%
414 Attorney	\$ 12,000.00	\$ 3,030.00	\$ 8,970.00	25.25%
414.2 Finance Office	\$ 48,650.00	\$ 22,637.28	\$ 26,012.72	46.53%
419.2 Government Buildings	\$ 51,358.00	\$ 28,039.77	\$ 23,318.23	54.60%
419.6 Engineer	\$ 4,000.00	\$ 2,045.00	\$ 1,955.00	51.13%
TOTAL GENERAL GOVERNMENT	\$ 163,401.00	\$ 71,379.87	\$ 92,021.13	43.68%
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	\$ 18,070.36	\$ 26,400.64	40.63%
TOTAL PUBLIC SAFETY	\$ 136,406.00	\$ 84,037.86	\$ 52,368.14	61.61%
430 PUBLIC WORKS				
431.1 Highway and Streets	\$ 127,179.00	\$ 61,361.73	\$ 65,817.27	48.25%
431.6 Street Lighting	\$ 26,350.00	\$ 17,755.18	\$ 8,594.82	67.38%
431.7 Snow Removal	\$ 99,560.00	\$ 70,350.94	\$ 29,209.06	70.66%
431.8 Sidewalks & Crosswalks	\$ 169,000.00	\$ 878.00	\$ 168,122.00	0.52%
432.3 Solid Waste Collection	\$ 12,337.00	\$ 4,936.18	\$ 7,400.82	40.01%
TOTAL PUBLIC WORKS	\$ 434,426.00	\$ 155,282.03	\$ 74,412.09	35.74%
440 HEALTH AND WELFARE				
441 Code Enforcement	\$ 5,713.00	\$ 1,678.60	\$ 4,034.40	29.38%
441.2 Animal Control	\$ 883.00	\$ 336.48	\$ 546.52	38.11%
441.3 West Nile	\$ 4,509.00	\$ 803.57	\$ 3,705.43	17.82%
444.0 Humane Society	\$ 650.00	\$ 521.04	\$ 128.96	80.16%
446.0 Ambulance Services	\$ 10,000.00	\$ 10,000.00	\$ -	100.00%
TOTAL HEALTH & WELFARE	\$ 21,755.00	\$ 13,339.69	\$ 8,415.31	61.32%
450 CULTURE AND RECREATION				
452 Parks	\$ 253,573.00	\$ 196,384.64	\$ 57,188.36	77.45%
TOTAL CULTURE & RECREATION	\$ 253,573.00	\$ 196,384.64	\$ 57,188.36	77.45%
465 ECONOMIC DEVELOPMENT & ASSIST.				
465.3 Promoting the City	\$ 6,672.00	\$ 4,022.37	\$ 2,649.63	60.29%
TOTAL ECONOMIC DEVELOP'T	\$ 6,672.00	\$ 4,022.37	\$ 2,649.63	60.29%
470 DEBT SERVICE				
470 Debt Service	\$ 39,957.00	\$ 39,956.00	\$ 1.00	100.00%
TOTAL DEBT SERVICE	\$ 39,957.00	\$ 39,956.00	\$ 1.00	100.00%
TOTAL GENERAL FUNDS	\$ 1,056,190.00	\$ 564,402.46	\$ 287,055.66	53.44%
211 - Gross Receipts	\$ 25,000.00	\$ 12,096.97	\$ 12,903.03	48.39%
220 - Street Maintenance	\$ 93,000.00	\$ 91.21	\$ 92,908.79	0.10%
602 - Water	\$ 341,161.00	\$ 137,818.49	\$ 203,342.51	40.40%
604 - Sewer	\$ 404,073.00	\$ 114,371.00	\$ 289,702.00	28.30%
617 - Natural Gas	\$ 1,082,903.00	\$ 537,629.00	\$ 545,274.00	49.65%

CITY OF CROOKS
Budget v Actuals - Revenue

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Account Descr	2023 YTD Budget	2023 YTD Amt	2023 YTD Balance	%YTD Budget	2023 % of Budget Remain
101 GENERAL FUND					
R 101-31110 GEN PROP TAXES CURRENT YEAR	\$284,790.00	\$136,101.96	\$148,688.04	47.79%	52.21%
R 101-31130 GEN PROP TAXES PRIOR YR	\$2,000.00	\$1,890.62	\$109.38	94.53%	5.47%
R 101-31300 GEN SALES AND USE TAXES	\$200,000.00	\$140,468.31	\$59,531.69	70.23%	29.77%
R 101-31900 PENALTIES & INTEREST DELINQ.	\$200.00	\$51.77	\$148.23	25.89%	74.12%
R 101-32001 CITY LIQUOR LICENSE	\$4,000.00	\$0.00	\$4,000.00	0.00%	100.00%
R 101-32002 CITY MALT BEVERAGE LICENSE	\$300.00	\$150.00	\$150.00	50.00%	50.00%
R 101-32003 CITY VIDEO LOTTERY FEE	\$900.00	\$0.00	\$900.00	0.00%	100.00%
R 101-32004 BUILDING PERMITS	\$40,000.00	\$32,412.09	\$7,587.91	81.03%	18.97%
R 101-32005 GARBAGE LICENSES	\$600.00	\$300.00	\$300.00	50.00%	50.00%
R 101-32006 PET LICENSES	\$0.00	\$7.00	-\$7.00	0.00%	0.00%
R 101-32007 PEDDLERS LICENSE	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-32008 CONTRACTORS LICENSE	\$500.00	\$600.00	-\$100.00	120.00%	-20.00%
R 101-33403 STATE GRANT - PUBLIC HEALTH	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-33499 STATE GRANTS - OTHER	\$0.00	\$366.32	-\$366.32	0.00%	0.00%
R 101-33510 BANK FRANCHISE TAX	\$9,000.00	\$12,042.50	-\$3,042.50	133.81%	-33.81%
R 101-33530 LIQUOR TAX REVERSION	\$8,000.00	\$4,605.93	\$3,394.07	57.57%	42.43%
R 101-33540 MOTOR VEHICLE TAX 5%	\$8,000.00	\$4,848.52	\$3,151.48	60.61%	39.39%
R 101-33550 PRORATE LICENSE FEES	\$750.00	\$426.84	\$323.16	56.91%	43.09%
R 101-33580 LOCAL GOV HWY AND BRIDGE FUND	\$9,650.00	\$6,283.46	\$3,366.54	65.11%	34.89%
R 101-33830 COUNTY WHEEL TAX	\$1,450.00	\$870.45	\$579.55	60.03%	39.97%
R 101-33900 OTH. INTERGOVERNMENTAL REV	\$0.00	\$93,600.00	-\$93,600.00	0.00%	0.00%
R 101-34103 HEARING FEES	\$0.00	\$200.00	-\$200.00	0.00%	0.00%
R 101-34110 ZONING AND SUBDIVISION FEES	\$0.00	\$100.00	-\$100.00	0.00%	0.00%
R 101-34203 PROTECTIVE INSPECTION FEES	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-34399 HIGHWAY & STREETS OTHER	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-34530 ANIMAL CONTROL FINES COLLECTED	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-35000 FINES AND FORFEITS	\$0.00	\$50.00	-\$50.00	0.00%	0.00%
R 101-35100 COURT FINES AND FORFEITS	\$0.00	\$97.50	-\$97.50	0.00%	0.00%

CITY OF CROOKS
Budget v Actuals - Revenue

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Account Descr	2023 YTD Budget	2023 YTD Amt	2023 YTD Balance	%YTD Budget	2023 % of Budget Remain
R 101-36100 INVESTMENT EARNINGS	\$50.00	\$9,051.21	-\$9,001.21	18102.42%	18002.42%
R 101-36201 RENTALS	\$5,000.00	\$5,930.00	-\$930.00	118.60%	-18.60%
R 101-36300 SPECIAL ASSESSMENTS	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-36700 CONTRI & DONATION PRIVATE SOUR	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-36900 OTHER MISCELLANEOUS REVENUE	\$1,500.00	\$1,371.85	\$128.15	91.46%	8.54%
R 101-36901 CABLE TELEVISION FRANCHISE FEE	\$5,500.00	\$2,216.84	\$3,283.16	40.31%	59.69%
R 101-36903 RECOVERY PR YR EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-36904 DIVIDEND INCOME	\$1,500.00	\$1,422.30	\$77.70	94.82%	5.18%
R 101-39101 TRANSFERS IN (SDCL 9-21-26.1)	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-39110 OPERATING TRANSFERS IN	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-39129 OTHER LONG TERM DEBT ISSUED	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 101-39130 SALES OF MUNICIPAL PROPERTY	\$0.00	\$1,023.45	-\$1,023.45	0.00%	0.00%
R 101-39140 COMP FOR LOSS OR DAM GEN FIX A	\$0.00	\$1,039.03	-\$1,039.03	0.00%	0.00%
101 GENERAL FUND	\$583,690.00	\$457,527.95	\$126,162.05	78.39%	21.61%
211 LIQUOR, LODGING, DINING					
R 211-31300 GEN SALES AND USE TAXES	\$10,000.00	\$5,645.65	\$4,354.35	56.46%	43.54%
R 211-36700 CONTRI & DONATION PRIVATE SOUR	\$0.00	\$0.00	\$0.00	0.00%	0.00%
211 LIQUOR, LODGING, DINING	\$10,000.00	\$5,645.65	\$4,354.35	56.46%	43.54%
220 SPECIAL MAINTENANCE FUND					
R 220-36401 SPECIAL MAINTENANCE FEE	\$93,000.00	\$48,996.75	\$44,003.25	52.68%	47.32%
220 SPECIAL MAINTENANCE FUND	\$93,000.00	\$48,996.75	\$44,003.25	52.68%	47.32%
221 SPECIAL PARK GIFT FUND					
R 221-36700 CONTRI & DONATION PRIVATE SOUR	\$0.00	\$1,410.00	-\$1,410.00	0.00%	0.00%
221 SPECIAL PARK GIFT FUND	\$0.00	\$1,410.00	-\$1,410.00	0.00%	0.00%
602 WATER FUND					
R 602-33900 OTH. INTERGOVERNMENTAL REV	\$0.00	\$10,000.00	-\$10,000.00	0.00%	0.00%
R 602-36100 INVESTMENT EARNINGS	\$0.00	\$573.64	-\$573.64	0.00%	0.00%
R 602-36201 RENTALS	\$2,280.00	\$1,140.66	\$1,139.34	50.03%	49.97%

CITY OF CROOKS
Budget v Actuals - Revenue

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Account Descr	2023 YTD Budget	2023 YTD Amt	2023 YTD Balance	%YTD Budget	2023 % of Budget Remain
R 602-36900 OTHER MISCELLANEOUS REVENUE	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 602-36904 DIVIDEND INCOME	\$0.00	\$515.39	-\$515.39	0.00%	0.00%
R 602-37200 MONTHLY BASE CHARGE	\$190,000.00	\$90,334.22	\$99,665.78	47.54%	52.46%
R 602-37902 BULK SALES	\$0.00	\$8.42	-\$8.42	0.00%	0.00%
R 602-38100 WATER METERED REVENUE	\$145,000.00	\$51,384.50	\$93,615.50	35.44%	64.56%
R 602-38104 TAP FEE	\$0.00	\$1,250.00	-\$1,250.00	0.00%	0.00%
R 602-38105 HYDRANT HOOKUP	\$0.00	\$200.00	-\$200.00	0.00%	0.00%
R 602-38120 WATER PENALTY REVENUE	\$0.00	\$994.25	-\$994.25	0.00%	0.00%
R 602-38310 RECONNECT FEES	\$0.00	\$450.00	-\$450.00	0.00%	0.00%
R 602-39101 TRANSFERS IN (SDCL 9-21-26.1)	\$0.00	\$0.00	\$0.00	0.00%	0.00%
602 WATER FUND	\$337,280.00	\$156,851.08	\$180,428.92	46.50%	53.50%
604 SEWER FUND					
R 604-33199 ARPA - CFDA 21027	\$0.00	\$254,026.04	-\$254,026.04	0.00%	0.00%
R 604-33400 STATE GRANT	\$0.00	\$4,404.09	-\$4,404.09	0.00%	0.00%
R 604-33404 SD DANR Grants	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 604-33900 OTH. INTERGOVERNMENTAL REV	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 604-36100 INVESTMENT EARNINGS	\$0.00	\$573.64	-\$573.64	0.00%	0.00%
R 604-36900 OTHER MISCELLANEOUS REVENUE	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 604-36904 DIVIDEND INCOME	\$0.00	\$978.04	-\$978.04	0.00%	0.00%
R 604-37100 CW-04SURCH AS SECURITY OF DEBT	\$56,304.00	\$24,115.87	\$32,188.13	42.83%	57.17%
R 604-37101 CW-05SURCH AS SECURITY OF DEBT	\$24,480.00	\$10,485.16	\$13,994.84	42.83%	57.17%
R 604-37200 MONTHLY BASE CHARGE	\$230,000.00	\$112,107.36	\$117,892.64	48.74%	51.26%
R 604-38300 SEWER METERED REVENUE	\$53,000.00	\$24,015.00	\$28,985.00	45.31%	54.69%
R 604-38304 TAP FEE	\$0.00	\$1,250.00	-\$1,250.00	0.00%	0.00%
R 604-38310 RECONNECT FEES	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 604-38320 SEWER PENALTY REVENUE	\$1,000.00	\$994.25	\$5.75	99.43%	0.58%
R 604-39101 TRANSFERS IN (SDCL 9-21-26.1)	\$0.00	\$0.00	\$0.00	0.00%	0.00%
604 SEWER FUND	\$364,784.00	\$432,949.45	-\$68,165.45	118.69%	-18.69%

CITY OF CROOKS
Budget v Actuals - Revenue

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Account Descr	2023 YTD Budget	2023 YTD Amt	2023 YTD Balance	%YTD Budget	2023 % of Budget Remain
617 NATURAL GAS FUND					
R 617-37901 GAS METERED REVENUE	\$784,000.00	\$617,394.47	\$166,605.53	78.75%	21.25%
R 617-37903 GAS CUSTOMER SERVICE CHARGE	\$141,000.00	\$61,646.10	\$79,353.90	43.72%	56.28%
R 617-37904 GAS PENALTY	\$1,000.00	\$2,941.50	-\$1,941.50	294.15%	-194.15%
R 617-37905 GAS RETURNED CHECKS/NFS	\$0.00	\$150.00	-\$150.00	0.00%	0.00%
R 617-37906 GAS RECONNECT FEE	\$0.00	\$650.00	-\$650.00	0.00%	0.00%
R 617-37907 DIVIDEND INCOME	\$0.00	\$38.80	-\$38.80	0.00%	0.00%
R 617-37908 INTEREST INCOME	\$0.00	\$0.00	\$0.00	0.00%	0.00%
R 617-37909 CIAC	\$0.00	\$1,500.00	-\$1,500.00	0.00%	0.00%
R 617-37910 OTHER INCOME	\$14,000.00	\$15,028.65	-\$1,028.65	107.35%	-7.35%
R 617-39101 TRANSFERS IN (SDCL 9-21-26.1)	\$0.00	\$0.00	\$0.00	0.00%	0.00%
617 NATURAL GAS FUND	\$940,000.00	\$699,349.52	\$240,650.48	74.40%	25.60%

CITY OF CROOKS
MONTHLY FUND CASH BALANCE REPORT
As of May 31, 2023

Fund Accounting FUND DESCRIPTION	Cash Balance
101 General	\$ 601,378.01
201 Special Park Fund	\$ -
211 Gross Receipts	\$ 14,410.60
220 Street Maintenance Fund	\$ 50,675.80
221 Special Park Gift Fund	\$ 6,080.00
272 Federal Grant Fund (21.027)	\$ -
602 Water	\$ 226,793.45
604 Sewer	\$ 353,682.57
617 Gas	\$ 1,082,879.15
101 SD Fit - 102	\$ 1,114.42
SD Fit - 104	\$ 193.54
602 SD Fit - 103	\$ 36,870.16
604 SD Fit - 103	\$ 36,870.13
617 SD Fit - 102	\$ 20,562.81
Totals	<u>\$ 2,431,510.64</u>

Bank Accounts	Cash Balance
38	\$ 5,017.95
206	\$ 274,989.25
916	\$ 2,054,130.80
SD Fit Utility	\$ 1,307.96
SD Fit Palmira SRF reserve	\$ 73,740.29
SD Fit USDA pay loader reserve	\$ 20,562.81
Totals	<u>\$ 2,429,749.06</u>

	Deposits in transit	\$ 20,743.82
	Outstanding checks	\$ (18,982.24)
Book versus Bank	+/- difference	\$ 1,761.58

City of Crooks
June 12, 2023 Claims

Gross wages by department for month of May 2023

Council	\$	525.00
Mayor	\$	420.00
Planning & Zoning Commission	\$	308.86
Finance Office	\$	2,565.62
Government Buildings	\$	1,517.94
Building Inspector	\$	300.00
Highway & Streets	\$	2,239.13
Snow Removal	\$	1,455.71
Solid Waste Collection	\$	329.48
Code Enforcement	\$	98.68
Animal Control	\$	49.34
West Nile	\$	87.75
Parks	\$	2,693.31
Water	\$	5,330.18
Sewer	\$	5,428.92
Gas	\$	5,378.08
Total wage claims	\$	<u>28,728.00</u>

Claims listing

Vendor	Date incur.	Description	Amount
A&B Business Solutions	6/5/2023	copier lease	\$ 290.99
Active Data Systems	5/17/2023	cloud storage & document mgmt. services	\$ 602.00
Aflac	5/26/2023	Aflac payable	\$ 138.34
Alliance Communications	6/1/2023	utilities office & sewer	\$ 375.97
Appeara	6/5/2023	mat, mop, towel, rug service	\$ 99.20
Avera McKennan	5/11/2023	EAP contract	\$ 1,050.00
Banyon Data Systems, Inc.	6/1/2023	Payroll, UB meter device, Fund support	\$ 2,075.00
Basepoint Building Automations	6/1/2023	Repair door municipal office - arm bent	\$ 385.51
Border States Electric	5/26/2023	3/4" pipe	\$ 347.90
Border States Electric	5/31/2023	tracer wire	\$ 525.45
Border States Electric	5/12/2023	2" pipe	\$ 9,903.60
Border States Electric	5/12/2023	butt fusion tee	\$ 91.80
Border States Electric	5/11/2023	tracer wire	\$ 1,576.35
Border States Electric	5/12/2023	butt fusions	\$ 881.52
Border States Electric	6/6/2023	tracer wire	\$ 693.38
Border States Electric	6/5/2023	1/2" pipe	\$ 207.40
Builders Electric	5/23/2023	new outlet at Sunset Park	\$ 3,290.00
Builders Electric	5/23/2023	Replace wall lights at New Hope Park	\$ 800.00
Butch Oseby	5/30/2023	Per diem & mileage reimbursement	\$ 370.64
CAWT	6/1/2023	Crooks Community Days contribution	\$ 4,000.00
CC Storage	6/1/2023	storage unit rental	\$ 69.00
CHS INC.	5/10/2023	Strike 3 Winfield chemical	\$ 301.20
City of Sioux Falls	5/31/2023	landfill fees for Spring clean up	\$ 539.32
Clayton Energy Corporation	5/11/2023	commodity purchase	\$ 14,270.76
Clayton Energy Corporation	6/1/2023	reservation & monthly service fee	\$ 2,204.59

Crooks Country Corner	5/16/2023 fuel	\$	42.84
Crooks Municipal Utilities	5/9/2023 utilities	\$	1,006.76
Crooks Municipal Utilities	6/7/2023 utilities	\$	1,030.30
Custom Truck Equipment	4/25/2023 new sander	\$	14,594.71
D3 Handyman Service	5/24/2023 repair Sunset north walking trail	\$	3,600.00
Dakota Supply Group	5/22/2023 gaskets	\$	134.00
Dept. of Treasury / EFTPS	5/18/2023 payroll tax deposit	\$	2,170.30
Dept. of Treasury / EFTPS	6/5/2023 payroll tax deposit	\$	5,567.85
DGR Engineering	5/17/2023 04-2023 engineering services	\$	2,535.00
Ecolab	5/18/2023 pest control services	\$	97.29
Ferguson Waterworks	5/8/2023 water registers	\$	5,640.00
Ferguson Waterworks	5/11/2023 water registers	\$	5,675.62
Ferguson Waterworks	5/19/2023 meter couplings	\$	162.30
Ferguson Waterworks	5/22/2023 meter couplings	\$	227.22
Ferguson Waterworks	6/7/2023 water registers	\$	1,425.00
First Interstate Bank	5/9/2023 returned item fee	\$	4.00
First Interstate Bank	5/30/2023 returned item fee	\$	3.00
First Interstate Bank	6/9/2023 purchase card payment	\$	5,185.54
First Rate Excavate	5/11/2023 116 N 1st Ave curb stop repair	\$	3,923.48
Garbage'N'More	5/1/2023 garbage service at parks	\$	100.00
Gas Training Specialties	5/11/2023 training & mileage	\$	439.12
Gas Training Specialties	2/5/2023 training & mileage	\$	254.78
Goebel Printing	5/25/2023 Building official business cards	\$	52.00
Goebel Printing	5/25/2023 Slurry seal door hangers	\$	88.96
Goebel Printing	5/30/2023 Promotional pens	\$	642.01
Health Pool of SD	6/1/2023 health + life insurance	\$	3,883.85
Heiman Fire Equipment	5/19/2023 fire extinguisher maintenance	\$	282.00
Hilman Fleischhacker	5/10/2023 CCC deposit Return	\$	550.00
Jackie Benson	5/19/2023 Community Center deposit refund	\$	550.00
Jana Richardson	5/20/2023 Crooks Comm Cen deposit return	\$	450.00
Jeff Nelson	6/9/2023 commercial building official services	\$	12,893.64
Judi Person	5/11/2023 Reimbursement supplies for flower beds	\$	62.25
Judi Person	5/8/2023 Reimbursement supplies for flower beds	\$	5.59
Koons Gas Measurement	5/30/2023 shut-off valve with butt fusion	\$	2,183.27
Lacey Rentals, Inc.	5/10/2023 Portable restroom rental	\$	200.00
Lacey Rentals, Inc.	5/30/2023 Portable restroom rental	\$	1,140.00
Lacey Rentals, Inc.	5/30/2023 Portable restroom rental	\$	145.00
Lacey Rentals, Inc.	6/7/2023 Portable restroom rental	\$	200.00
Marlene Ahlers Estate	6/6/2023 utility deposit refund	\$	12.59
Matthew Schwich	5/9/2023 Utility deposit return	\$	56.59
Meierhenry Sargent LLP	6/1/2023 05-2023 legal services	\$	1,215.00
Minnehaha Comm. Water Corp.	6/1/2023 05-2023 water purchase	\$	10,363.20
New Century Press	5/12/2023 Graduation ad	\$	50.00
New Century Press	5/12/2023 05/08/2023 mtg mins publication	\$	360.08
New Century Press	5/26/2023 Crooks Community Days ad	\$	25.00
New Century Press	5/12/2023 Sports previews ad	\$	15.00
New Century Press	5/26/2023 NoH - conditional use garage at 101 S Susan Ave	\$	15.68
Novak Sanitary	5/1/2023 delivery roll off dumpsters Spring clean up	\$	190.00
Novak Sanitary	6/1/2023 dumpsters Spring clean up	\$	1,555.00

Nyberg's Ace Hardware, Inc.	6/1/2023	Supplies for shop & Crooks Comm Cen	\$	63.92
Payment Service Network, Inc.	6/2/2023	monthly service fee	\$	89.95
Pfeifer Implement	6/2/2023	Kubota mower 50hr maintenance	\$	463.24
Prairie Grass Irrigation	5/11/2023	service call repair sprinkler system at Sunset Park	\$	204.00
Pump'N'Stuff	5/10/2023	fuel	\$	28.58
Pump'N'Stuff	5/9/2023	fuel	\$	35.75
Pump'N'Stuff	6/5/2023	fuel	\$	36.02
Pump'N'Stuff	6/6/2023	fuel	\$	38.49
Q3 Contracting	5/17/2023	Dianne St. main installation	\$	28,152.33
Q3 Contracting	5/24/2023	barricades & Dianne St. main	\$	25,564.17
Q3 Contracting	5/11/2023	new services & service retirement	\$	3,514.85
Raztech LLC	6/1/2023	Managed IT services	\$	763.75
Sara Smith	6/9/2023	Per Diem & mileage reimbursement	\$	422.66
SD Assoc. of Rural Water Systems	5/19/2023	supplemental insurance	\$	337.39
SD DANR	6/1/2023	Drinking Water Permit fee	\$	340.00
SD DANR	6/1/2023	Surface Water fee	\$	50.00
SD DANR	6/7/2023	Operator examination fee	\$	60.00
SD Dept. of Revenue	5/10/2023	sales tax payable	\$	4,309.67
SD Dept. of Transportation	5/22/2023	West Ave Trails Ph 2 progress billing	\$	38.31
SD Municipal League	5/10/2023	Budget training registration fee	\$	90.00
SD One Call	5/31/2023	05-2023 message fees	\$	153.30
SD Public Utilities Commission	5/11/2023	CY2022 Pipeline safety assessment	\$	1,405.37
SD Retirement System	5/18/2023	05-2023 retirement contribution	\$	3,205.72
SDRS Supplemental Retirement	4/21/2023	ROTH contribution	\$	300.00
SDRS Supplemental Retirement	5/5/2023	ROTH contribution	\$	300.00
SDRS Supplemental Retirement	6/6/2023	ROTH contribution	\$	300.00
SDRS Supplemental Retirement	5/22/2023	ROTH contribution	\$	300.00
SF Area Humane Society	5/4/2023	monthly animal control services	\$	186.09
SF Area Humane Society	5/18/2023	monthly animal control services	\$	214.81
Shellum, Mark	6/5/2023	Comm. Days - tractor pull sled & insurance	\$	1,800.00
Sioux Valley Energy	5/14/2023	street light utilities	\$	254.00
Sioux Valley Energy	5/14/2023	sewer utilities	\$	195.87
Sioux Valley Energy	5/14/2023	sewer utilities	\$	330.85
U Drive Technology	6/1/2023	monthly txt msg fees	\$	128.80
US Postal Service	5/9/2023	postage - April Utility Billing	\$	325.44
US Postal Service	6/1/2023	postage - gas awareness mailing - June 2023	\$	487.35
US Postal Service	6/7/2023	mailing fee utility bills	\$	324.26
Utility Safety and Design, Inc.	5/31/2023	moving DRS at 471st St.	\$	36,308.50
Verizon Wireless	5/23/2023	bldg. ins phone & jetpack	\$	91.25
Wigham Trucking, Inc.	5/2/2023	street sweeping	\$	2,960.00
Xcel Energy	6/2/2023	utilities	\$	5,206.45
Total claims			\$	<u><u>255,476.88</u></u>

Purchase card payments & returns			
Vendor	Date incur.	Description	Amount
Amazon	5/16/2023	AED battery & pad	\$ 214.99
Amazon	5/15/2023	striping paint	\$ 85.95
Amazon	5/10/2023	document scanner & supplies	\$ 355.10
Amazon	5/5/2023	dog waste station	\$ 380.38
City of Sioux Falls	5/17/2023	parking fee	\$ 2.25
Crooks Country Corner	6/7/2023	fuel	\$ 56.85
Crooks Country Corner	6/2/2023	fuel	\$ 81.86
Crooks Country Corner	5/31/2023	fuel	\$ 41.04
Crooks Country Corner	5/24/2023	fuel	\$ 91.46
Crooks Country Corner	5/22/2023	fuel	\$ 8.24
Crooks Country Corner	5/15/2023	fuel	\$ 19.90
Crooks Country Corner	5/26/2023	fuel	\$ 23.38
Crooks Country Corner	5/30/2023	fuel	\$ 42.03
Crooks Country Corner	5/24/2023	fuel	\$ 37.24
Crooks Country Corner	5/26/2023	fuel	\$ 56.20
DocuSend	6/7/2023	ebills non-Crooks mailing	\$ 5.03
DocuSend	6/7/2023	ebills Crooks mailing	\$ 6.44
DocuSend	5/9/2023	ebills non-Crooks mailing	\$ 5.03
DocuSend	5/9/2023	ebills Crooks mailing	\$ 6.41
Dudley Laundry d/b/a Appeara	6/7/2023	mat, mop, towel, rag service	\$ 99.20
Dudley Laundry d/b/a Appeara	5/10/2023	mat, mop, towel, rag service	\$ 95.67
Flagshooter	5/26/2023	marking flags	\$ 310.15
Interstate Power Systems	4/10/2023	service call new main lift station	\$ 480.00
JCL Solutions	6/7/2023	bath tissue	\$ 79.50
JCL Solutions	5/23/2023	garbage bags Comm. Cen	\$ 126.68
JCL Solutions	5/15/2023	supplies waxing & stripping floor	\$ 507.12
Matheson Tri-Gas	5/31/2023	gas charts	\$ 35.06
Maximum Promotions	6/1/2023	US flags	\$ 283.50
Microsoft	5/20/2023	Basic 365 subscription	\$ 54.00
Microsoft	5/20/2023	Business standard 365 subscription	\$ 100.00
Nyberg's Ace Hardware	5/13/2023	marking paint	\$ 29.97
Nyberg's Ace Hardware	5/8/2023	supplies	\$ 102.94
ODP Business Solutions	5/30/2023	printing paper & labels	\$ 71.42
Pfeifer Implement	6/7/2023	parts machinery maintenance	\$ 162.27
Phonetics/Sensaphone	5/12/2023	subscription renewal	\$ 299.40
Pump'N'Stuff	5/31/2023	fuel	\$ 18.64
Pump'N'Stuff	6/7/2023	fuel	\$ 50.50
Pump'N'Stuff	6/5/2023	fuel	\$ 39.64
Pump'N'Stuff	6/1/2023	fuel	\$ 25.17
Pump'N'Stuff	6/1/2023	fuel	\$ 26.73
Pump'N'Stuff	5/9/2023	fuel	\$ 27.46
Pump'N'Stuff	5/8/2023	fuel	\$ 21.86
Renner Corner	5/31/2023	fuel	\$ 67.96
Renner Corner	5/23/2023	fuel	\$ 62.78
Renner Corner	5/18/2023	fuel	\$ 44.68
Stan Houston	5/8/2023	shop supplies	\$ 71.75
Tractor Supply	5/16/2023	elbow nozzle sprayer	\$ 7.98
US Postal Service	5/11/2023	delinquency mailing fee	\$ 299.15
US Postal Service	5/24/2023	postage	\$ 2.46
US Postal Service	5/16/2023	postage	\$ 9.65
US Postal Service	5/15/2023	postage	\$ 17.10
US Postal Service	5/10/2023	postage	\$ 9.65
US Postal Service	5/9/2023	postage	\$ 1.74
Walmart	5/23/2023	return monitory adapter	\$ (15.88)
Walmart	5/22/2023	monitor adapter & trash bags	\$ 39.86

Total purchase card	\$	5,185.54
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Date: 06/10/2023

Prepared by: Tobias Schantz, City Administrator/Finance Officer

Agenda item: 8a) Tri-Valley – facility use agreement New Hope Park for softball

Narrative:

The Tri-Valley School District asked for an official agreement to conduct school-sponsored activities at New Hope Park (softball). The City and Tri-Valley School District had an agreement in place for the academic year of 2022-2023. The school district reached out for a renewed agreement, which has been prepared by staff and was reviewed by the City's attorney and forwarded to the school district.

Previous Council action:

Previous agreement was approved in 2022.

Possible action:

- 1) Approve as presented.
- 2) Approve with conditions/amendments.
- 3) Disapprove.

Staff recommendation:

Staff recommends the approval of the agreement.

Misc. comment:

Agreement is included in packet.



FACILITY USE AGREEMENT

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

RECITALS

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

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

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

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

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

AGREEMENT

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

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

3. Term. The term of this Agreement shall be for the 2023-2024 academic year (hereinafter "Term"). The commencement date shall be the first day of the academic year and the termination date shall be the last day of the academic year.
4. Use of City Parks. Tri-Valley shall use the City Parks solely for its Activities during the Term of this Agreement. Tri-Valley shall be responsible for obtaining any use permits, licenses or other permission for its Activities from Crooks or other governmental agencies having jurisdiction. Tri-Valley represents that it is qualified to administer and operate its Activities. Tri-Valley shall be solely responsible for the administration and operation of its Activities, including the hiring of all employees. Tri-Valley shall be responsible for verifying the qualifications, credentials, certificates, and licenses of its staff, agents, consultants and/or subcontractors who may provide services in conjunction with Tri-Valley's Activities at the City Parks.
5. Permits and Licenses. Tri-Valley shall be solely responsible for obtaining all necessary permits or licenses for Tri-Valley's Activities.
6. Security and Supervision. Tri-Valley shall be solely responsible for providing appropriate security and supervision for Tri-Valley's Activities held in the City Parks.
7. Tri-Valley's Property and Rights. Crooks shall have no duty or responsibility for the protection, safeguarding, care or storage of any personal property, nor shall Crooks be liable for any damage to personal property used or left at the City Parks or any surrounding Crooks property by Tri-Valley or its employees, agents, contractors, customers, guests, or invitees.
8. Indemnification. Tri-Valley shall indemnify, defend and hold harmless Crooks, its governing board, employees, consultants, volunteers, and agents ("indemnified parties") from and against any and all claims, damages, losses, suits, verdicts, judgments, costs and liability of any nature or kind, including reasonable attorneys' fees, arising from or in any way connected with the conduct of Tri-Valley's Activities or from any activity, work or things done, permitted or suffered by Tri-Valley ("Claims") unless such Claims are caused solely by the negligence or willful misconduct of indemnified parties. If any Claims be brought against indemnified parties, Tri-Valley shall defend indemnified parties at Tri-Valley's expense, provided that indemnified parties promptly notify Tri-Valley of any such claim, judgment or proceeding in writing and tenders its defense to Tri-Valley. Crooks shall have the right to accept or reject any legal representation Tri-Valley proposes to defend the indemnified parties. Crooks agrees to cooperate with Tri-Valley as may be reasonably necessary in settlement or defense of any such claim, judgment or proceeding.
9. Insurance. Tri-Valley shall, at Tri-Valley's expense, obtain and keep in force at all times during the Term of this Agreement a policy of commercial general liability insurance

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

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

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

Tri-Valley School District
Attn: Rob Grady
rob.grady@k12.sd.us
46450 252nd Street
Colton, SD 57018

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

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

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

IN WITNESS WHEREOF, Crooks and Tri-Valley have executed this Agreement on this _____ day of _____, 2023.

CITY OF CROOKS,
SOUTH DAKOTA

TRI-VALLEY VALLEY
SCHOOL DISTRICT 49-6

F. Butch Oseby
Mayor

Ryan Fods
School Board Chairman

ATTEST:

ATTEST:

Municipal Finance Officer

Board Secretary

City of Crooks
Crooks City Council
Notice of Hearing upon receipt of an application for a conditional use

Notice is hereby given that a hearing will be held before the Crooks City Council, sitting as Board of Adjustment, at 6:00pm/CST on the 12th day of June 2023 at the Crooks Community Center (701 S West Ave, Crooks, SD, 57020) upon receipt of an application for a conditional use by Dan Larson for the property located at 101 S Susan Ave, Crooks, SD with the legal description: Lot 1 in Block 3 of Gloses West Addition to the City of Crooks, South Dakota; County parcel: 73054. The conditional use application is for a detached garage.

Notice is further given that at the time and place of aforesaid any person may appear and be heard upon all matters pertaining to said application. Interested parties may appear personally or through their designated agent(s), attorney(s), or representative(s). Anyone unable to attend may submit written comments prior to the hearing.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this hearing, please contact the Crooks Finance Officer at (605) 543-5238. Anyone who is deaf, hard-of-hearing or speech-disabled may utilize Relay South Dakota at (800) 877-1113 (TTY/Voice). Notification 48 hours prior to the hearing will enable the City to make reasonable arrangements to ensure accessibility to this hearing.

Tobias Schantz
City Administrator/Finance Officer

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

with a \$50 for the hearing fee for the application.

CITY OF CROOKS

Please check appropriate box

(Print or Type)

APPLICATION #: 03-2023

NAME: Dan Larson

ADDRESS: 101 S Susan Ave

DAYTIME PHONE#: 605-940-0334

PROPERTY ADDRESS: Same as address

CONDITIONAL USE ☒REZONING ☐VARIANCE ☐LEGAL: ☐ Lot 1 Block 3 GLOES WEST ADDN

DATE OF BUILDING PERMIT REQUEST: June 1st

DATE OF DENIAL: _____

REASON FOR BUILDING PERMIT DENIAL: _____

EXISTING USE OF PROPERTY: single family residential

PRESENT ZONING CLASSIFICATION R-1

PROPOSED ZONING CLASSIFICATION N/A

SECTION OF CODE _____

REASON FOR REQUEST: Would like to put the Camper. Behind the house. And also get all the vehicles off the street.

LIST SPECIFIC HARDSHIPS: _____

Applications for Conditional Use Permits and/or Rezoning Requests will not be accepted until the following information has been provided by the applicant:

- A) Detailed Site Plan (Refer to handout)
- B) Location and Use of Adjacent Structures
- C) Application Fee

SCHEDULED FOR PLANNING COMMISSION ACTION (Date): _____

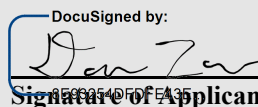
SCHEDULED FOR BOARD OF ADJUSTMENT ACTION (Date): _____

*TENTATIVE DATE (IF APPEALED): Final date announced at Planning Commission Meeting: _____

APPLICATION FEE: _____ CHECK #: _____ RECEIPT #: _____

The undersigned acknowledges/declares that all the facts and representations stated in this application are true and by signing, acknowledges the cost and the procedure for the processing of the application and certifies that the property described by the provided legal description, is not tax delinquent.

Dan Larson 5/9/23
 Name of Applicant/Owner Date

DocuSigned by: 5/10/2023

 Signature of Applicant/Owner Date

June 1, 2023



**RE: 101 S Susan Ave
Garage Placement & Drainage
Crooks, South Dakota**

Dear Tobias:

Acting in the capacity of City Engineer, and at the request of the City of Crooks, DGR Engineering performed a site visit at 101 S Susan Ave on May 31, 2023. The purpose of the site visit was to examine the site of a proposed detached garage, as seen in the submitted site plan on Exhibit A, and the potential impacts to drainage.

It was observed that the topography generally slopes from east to west within the property's backyard and along the adjacent 4th Street, as seen in the pictures on Exhibit A. It is our opinion that the construction of a detached garage as planned will not have a negative impact on the drainage of the property in question, surrounding properties, or the adjacent right-of-way if proper measures take place, to include:

1. Installation of a culvert beneath the new driveway approach off 4th Street. DGR recommends a minimum culvert diameter of 18", the inclusion of flared end sections, and the culvert to be of concrete material. The culvert shall be adequately sloped to drain from east to west. Minor regrading of the ditch may be necessary to accommodate the culvert installation.
2. The east side of the proposed structure is adequately sloped to convey backyard runoff around the structure to avoid pooling or standing water along the structure foundation.
3. Erosion and sediment control measures are put in place on the downstream (west) side of the property during construction and until grass is established. Measures may include but are not limited to silt fence, straw wattles, or similar.

We trust that this information will be helpful as the City considers issuance of a building permit. If you have any questions or need further information, please do not hesitate to contact us.

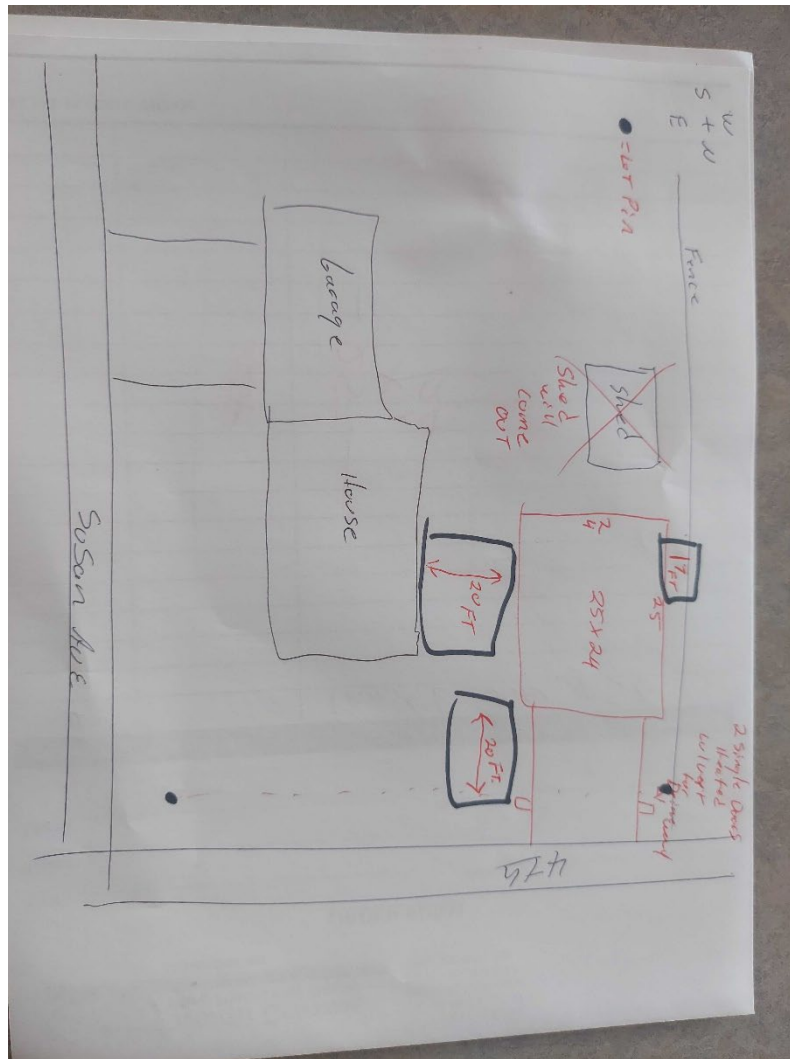
Sincerely,

A handwritten signature in blue ink, appearing to read "Jacob Morris".

Jacob Morris, PE
DGR Engineering
jacob.morris@dgr.com
605-339-4157

cc: Scott Richardson, City of Crooks Planning & Zoning

Exhibit A



Date: 06/10/2023

Prepared by: Tobias Schantz, City Administrator/Finance Officer

Agenda item: 12a) Ord #326 – Golf cart operation on City streets

Narrative:

Staff was instructed by an elected official to compile ordinance to permit the operation of golf carts within City limits. Staff conducted review of ordinances of municipalities in area, review of applicable state law, and discussion with elected officials and City attorney on the matter. Ordinance was compiled by staff and City attorney. The ordinance will allow the legal operation of golf carts in the municipality, as per state law it requires an affirmative act by the municipality to do so. Without an ordinance, golf cart operators could potentially be subject to ticketing and potential fines, as the operation is presently not permitted under state law.

Previous Council action:

N/A

Possible action:

- 1) First reading by mayor.
- 2) Table reading.
- 3) No action.

Staff recommendation:

Staff recommends a first reading of ordinance.

Misc. comment:

Ordinance is included in packet for review.

CITY OF CROOKS
ORDINANCE #326

AN ORDINANCE OF THE CITY OF CROOKS, SOUTH DAKOTA, AUTHORIZING AND REGULATING THE OPERATION OF GOLF CARTS ON CITY STREETS IN AND FOR THE CITY OF CROOKS, SOUTH DAKOTA.

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

Section 1. – Permit required.

It shall be unlawful to operate a golf cart on the public streets, alleys and other roadways within the City unless the owner thereof has received a permit from the City of Crooks. The proper application form shall be furnished and prepared by the City Finance Office. Upon submittal of proper application, the City Finance Office shall issue a permit sticker that shall be displayed in a readily identifiable location upon the golf cart. Permits shall be issued for a one (1) year period, beginning on January 1st and ending on December 31st. Any permit issued after January 1 shall only be effective for that calendar year. New permits need to be obtained by January 1 of each successive year. If the ownership of the vehicle changes, the new owner shall be required to apply for a permit.

Section 2. – Golf cart operation.

Golf carts shall not be allowed to operate within the City except as authorized by state statute or by this ordinance. Golf carts properly permitted pursuant to this ordinance shall be allowed to travel on the roadway portion of public streets, alleys and other roadways within the City except those highways where golf carts are prohibited by state statute, any roadway with a speed limit in excess of 25 miles per hour, and any sidewalk, recreational trail, and bike trail; a golf cart may cross County Highway 137 under the jurisdiction of the City of Crooks. A golf cart may cross the highway at a right angle but only after stopping and yielding the right-of-way to all approaching traffic and crossing as closely as possible to an intersection or approach.

An operator of a golf cart shall comply with all City and state traffic rules and regulations applying to vehicles generally, except that a golf cart shall be required to have lights, a rear-view mirror, and a slow-moving vehicle sign, but shall not be required to have a bell, horn, or directional signals. Golf carts may only be operated from dawn until dusk. All occupants of the golf cart must be seated at all times. There cannot be more people in or on said vehicle than the vehicle seating capacity.

Section 3. – Revocation.

Any permit issued under this section may be revoked by the City Finance Office for the violation by licensee of any applicable provisions of this code, state law or city ordinance or for good cause. Notice of revocation shall be given to the owner in person or by mail via US Postal Service. The suspension period for a permit shall be one (1) year upon revocation.

Section 4. – Operator’s license and insurance required.

No person may operate a golf cart on the streets, alleys, roadways, or other public places within the City limits unless the operator has a valid driver’s license and maintains proof that the golf cart is covered by a policy of liability insurance; instructed or restricted minor’s permits will not be allowed or accepted.

Section 5. – Fee.

The fee for a golf cart permit shall be established by Council resolution as determined from time to time. Fees shall not be prorated based upon the date when a permit will be issued.

Section 6. – Penalty for violation.

A violation of this ordinance is a petty offence punishable by a fine in the amount of one hundred dollars (\$100.00). Each violation shall constitute a separate offense.

Aye:

Nay:

Abstain:

Adopted this _____ day of _____, 202__.

F. Butch Oseby, Mayor

(SEAL)

Attest:

Tobias Schantz, Finance Officer

Legislative History:

Public hearing:

First reading:

Second reading:

Amendment:

Additional reading due to substantial amendment:

Passage & adoption:

Publication date:

Effective date:

P:\Council\Legals\Ordinances WIP\2023 - Ord 326 - Golf cart permitted\Ord 326 - golf carts permitted FNL.docx

Published once at the approximate cost of:

Date: 06/10/2023

Prepared by: Tobias Schantz, City Administrator/Finance Officer

Agenda item: 12b) Ordinance #327 – Water & Sewer rates for the City of Crooks

Narrative:

The City needs to adopt a surcharge for the water tower SRF project (DW #03) as part of the bond issuance. Staff compiled a new ordinance establishing procedures for the adoption of water and sewer base rates, rates for metered gallons, and DANR-required surcharges. Rather than amending the previous ordinance, for clarity and simplicity, a new ordinance has been compiled containing the surcharge for the water tower project. The DANR requires an ordinance explicitly containing the surcharge. The ordinance was reviewed by bond counsel.

Possible action:

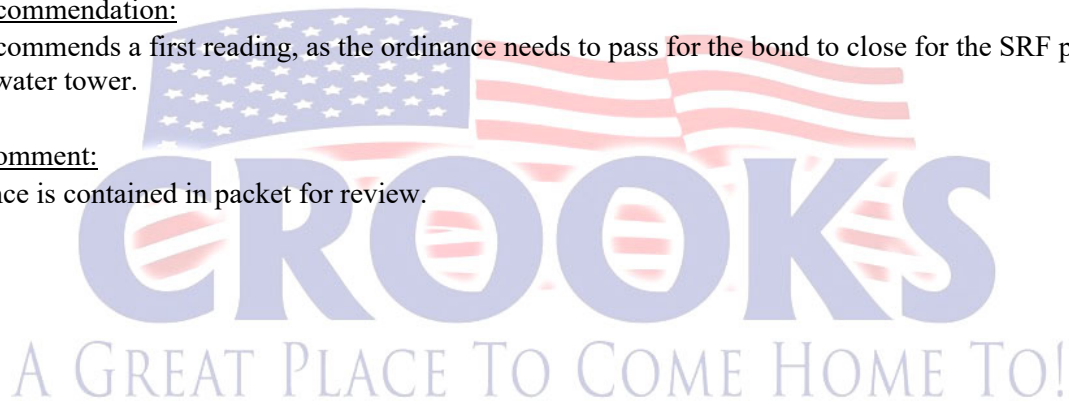
- 1) First reading by mayor.
- 2) Table reading.
- 3) No action.

Staff recommendation:

Staff recommends a first reading, as the ordinance needs to pass for the bond to close for the SRF project for the water tower.

Misc. comment:

Ordinance is contained in packet for review.



CITY OF CROOKS ORDINANCE #327

AN ORDINANCE OF THE CITY OF CROOKS, SOUTH DAKOTA, ESTABLISHING A PROCEDURE FOR THE ADOPTION OF WATER AND SEWER BASE RATES AND RATES FOR METERED GALLONS OF WATER AND SEWER FOR CUSTOMERS CONNECTED TO THE CITY OF CROOKS'S WATER AND SEWER SYSTEM.

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

Section 1 – Rates. The Crooks City Council shall establish rates and the base rate for water consumers and sewer user connected to the municipal water and sewer systems of the City by resolution. Sewer metered gallons shall be based on water metered gallons.

Section 2 – Surcharges:

Clean Water – 04 (“CW-04”): In addition to the normal sewer system user fee, the City hereby establishes a surcharge of \$9.20 payable by all users of the Sewer System for the project financed by CW-04 loan with the borrower bond Series 2021. The collection of the surcharge shall start on September 10, 2021. The surcharge shall remain in effect until such time as the borrower bond is paid in full, it shall be collected at the same time as other charges of the system, and establish a surcharge account to segregate the income from other system income for bookkeeping purpose to be pledged to the South Dakota Conservancy District. The surcharge shall be reviewed from year to year and modified in order to provide the required 110 percent debt coverage.

Clean Water – 05 (“CW-05”): In addition to the normal sewer system user fee, the City hereby establishes a surcharge of \$4.00 payable by all users of the Sewer System for the project financed by CW-05 loan with the borrower bond Series 2022. The collection of the surcharge shall start on August 5, 2022. The surcharge shall remain in effect until such time as the borrower bond is paid in full, it shall be collected at the same time as other charges of the system, and establish a surcharge account to segregate the income from other system income for bookkeeping purpose to be pledged to the South Dakota Conservancy District. The surcharge shall be reviewed from year to year and modified in order to provide the required 110 percent debt coverage.

Drinking Water – 03 (“DW-03”): In addition to the other charges, the City hereby establishes a surcharge of \$14.25 payable by each customer of its system who receives or benefits from the services of the project financed by the DW-03 loan with the borrower bond. The collection of the surcharge shall start on January 1, 2024. The surcharge shall remain in effect until such time as the borrower bond is paid in full, it shall be collected at the same time as other charges of the system, and establish a surcharge account to segregate the income from other system income for bookkeeping purposes to be pledged to the South Dakota Conservancy District. The surcharge shall be reviewed from year to year and modified in order to provide the required 110 percent debt coverage.

Section 3 – Base rate charged. The base rate shall be charged regardless of metered gallons. The base charge shall apply to each unit in those structures with multiple units.

Section 4 – CPI and commodity cost adjustments. The water and sewer rates shall be adjusted annually in conjunction with the State of South Dakota consumer price index (CPI). The water and sewer rates shall be adjusted annually for increases in cost for the base commodity as communicated by the City's water supplier(s); the increase shall be added to the metered gallons

Section 5 – Ordinances in conflict. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

F. Butch Oseby, Mayor

(SEAL)

Attest:

Tobias Schantz, Finance Officer

Legislative History:

Public hearing: ---

First reading:

Second reading:

Amendment:

Additional reading due to substantial amendment:

Passage & adoption:

Publication date:

Effective date:

Published once at the approximate cost of: \$

Date: 06/10/2023

Prepared by: Tobias Schantz, City Administrator/Finance Officer

Agenda item: 12c) Ordinance #328 – Supplemental appropriations

Narrative:

The City needs to establish appropriate spending authority for upcoming projects and needs to adopt a supplemental appropriations ordinance. The ordinance will establish spending authority for the West Ave Trails Ph. 2 due to the increased cost of approximately \$31,000, the remaining amounts outstanding for the drainage improvements made in 2022 of \$23,525 (approved at previous meeting contingent upon receipt of all requisite paperwork from contractor), and the repair of the dugout roofs at New Hope Park for \$8,000 (budgeted for FY2022 but no funds expended).

Previous Council action:

N/A

Possible action:

- 1) First reading by mayor.
- 2) Table reading.
- 3) No action.

Staff recommendation:

State law requires appropriate spending authority be established for expenditures. Staff recommends a first reading of Ordinance #328.

Misc. comment:

Ordinance is contained in packet.

**City of Crooks
Ordinance #328
Supplemental Appropriations Ordinance**

Be it ordained by the City of Crooks that the following sum is supplementally appropriated to meet the obligations of the municipality for the fiscal year of 2023.

Section 1.

	101 General Fund
	<hr/>
430 Public works	
431.8 Sidewalks & Crosswalks	
433.0 Improvement Other Than Buildings	\$ 31,000.00
431.5 Storm Drainage	
425.0 Repairs and Maintenance	\$ 23,525.00
450 Culture-Recreation	
452 Parks	
425.0 Repairs and Maintenance	\$ 8,000.00
Total appropriations	<hr/> \$ 62,525.00 <hr/>

Sources of Funding / Means of Finance

262 Unreserved Fund Balance	\$ 62,525.00
Total means of finance	<hr/> \$ 62,525.00 <hr/>

Section 2.

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

F. Butch Oseby, Mayor

(SEAL)

Attest:

Tobias Schantz, Finance Officer

Legislative history:

First reading:

Amendment:

Second reading:

Date: 06/10/2023

Prepared by: Tobias Schantz, City Administrator/Finance Officer

Agenda item: 12d) Resolution 2023-07 – Building permit fees

Narrative:

The City adopted a building permit fee schedule at the end of 2021 and has since operated under said schedule. After reviewing the present schedule, several items were noted, which should be removed/consolidated upon discussions between administrative staff and the City's building officials. The updated resolution consolidated and removed fees.

Previous Council action:

N/A

Possible action:

- 1) Give first and only reading of resolution by mayor.
- 2) Table reading of resolution.
- 3) No action.

Staff recommendation:

Staff recommends reading and approval of resolution.

Misc. comment:

Resolution is contained in packet.



**CITY OF CROOKS
RESOLUTION #2023-07**

A RESOLUTION OF THE CITY OF CROOKS, SOUTH DAKOTA, ESTABLISHING BUILDING PERMIT FEES FOR THE MUNICIPALITY.

BE IT RESOLVED, by the City Council of the City of Crooks, South Dakota that pursuant to and in conformance with Section 16.02 of the 2023 Revised Crooks Zoning Regulations of the City of Crooks South Dakota that the following building permit fee schedule be adopted as follows:

Residential Building Permit Valuation/Fee Schedule

The base valuation to determine permit fees is based upon a dollar per square foot schedule in accordance with the following. The bid price must be quoted for renovations or remodels. Work done by the resident will be valued at square foot valuation.

Dwellings – Single Family, duplexes, townhouses:

Finished habitable space	\$107.00 per square foot
Finished basements	\$64.00 per square foot
Attached/detached garages	\$33.00 per square foot
Interior Remodeling	Contractor’s estimate or \$28.00 per square foot
Patios/Deck	\$12.00 per square foot
Concrete flatwork	\$5.00 per square foot

Apartment buildings and pole or storage sheds are commercial permits.

Residential Building Permit Fee Schedule

<u>TOTAL VALUATION</u>	<u>FEE</u>
1 – 2,000	\$10.00 for the first \$500 plus \$1.50 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 - 25,000	\$32.50 for the first \$2,000 plus \$6.00 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 - 50,000	\$170.50 for the first \$25,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 - 100,000	\$283.00 for the first \$50,000 plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 and up	\$433.00 for the first \$100,000 plus \$2.50 for each additional \$1,000 or fraction thereof.

Certain 'non-valued' fees for residential projects are adopted as follows:

Fence	\$20.00	Razing	\$15.00
Reshingling	\$40.00		
Residing	\$40.00		
Moving building	\$30.00		
Building demolition	\$50.00		

Other Inspection Fees – minimum charge one hour, not prorated:

Inspections outside normal business hours	\$70.00 per hour
Re-Inspection Fees	\$70.00 per hour

COMMERCIAL PERMIT FEE SCHEDULE

The value to be used in computing the building permit fee for all commercial construction, remodeling, renovation, and repairs shall be the **total value** of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire extinguishing systems, and other permanent equipment exclusive of site improvements and parking lots costs.

<u>TOTAL VALUATION</u>	<u>FEE</u>
\$1 - 2,000	\$15.00 for the first \$500 plus \$2.00 for each additional \$100 or fraction thereof, to and including \$2,000.
\$ 2,001 - 25,000	\$45.00 for the first \$2,000 plus \$9.00 for each additional \$1,000 or fraction thereof, to and including \$25,000.
\$ 25,001 - 50,000	\$252.00 for the first \$25,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000.
\$50,001 - 100,000	\$414.50 for the first \$50,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000.
\$100,001 - 500,000	\$639.50 for the first \$100,000 plus \$3.50 for each additional \$1,000 or fraction thereof, to and including \$500,000.
\$500,001 and up	\$2,039.50 for the first \$500,000 plus \$3.00 for each additional \$1,000 or fraction thereof.

Aye:

Nay:

Abstain:

Passed and Adopted this ____ day of _____ 202__.

ATTEST:

Butch Oseby
Mayor

Tobias Schantz
Municipal Finance Officer

Legislative history:

Passed: _____

Published: _____

Effective: _____

Date: 06/10/2023

Prepared by: Tobias Schantz, City Administrator/Finance Officer

Agenda item: 12e) Resolution 2023-08 – Annexation of property upon receipt of a voluntary petition

Narrative:

The City acquired the two parcels for Heritage Park and needs to annex said parcels into City limits.

Previous Council action:

City Council approved the annexation of parcels in previous years.

Possible action:

- 1) Give first and only reading of resolution by mayor.
- 2) Table reading of resolution.
- 3) No action.

Staff recommendation:

Staff recommends reading and approval of resolution.

Misc. comment:

Resolution is contained in packet.



**CITY OF CROOKS
RESOLUTION #2023-08**

**A RESOLUTION TO ANNEX PROPERTY CONTIGUOUS TO THE CITY OF CROOKS
UPON RECEIPT OF A PETITION FOR VOLUNTARY ANNEXATION.**

WHEREAS, there has been presented to the City Council of the City of Crooks a written petition signed by the owners and otherwise in compliance with the provisions of SDCL Chapter 9-4 requesting voluntary annexation of certain real property into the municipal boundaries of the City of Crooks. Such real properties being legally described as:

Tract 1 of Heritage Pond 2nd Addition in the North ½ of the South ½ Section 11, Township 102 North, Range 50 West of the 5th P.M., Minnehaha County, South Dakota, and Tract 2 of Heritage Pond 2nd Addition in the North ½ of the South ½ Section 11, Township 102 North, Range 50 West of the 5th P.M., Minnehaha County, South Dakota.

WHEREAS, the property to be annexed is contiguous to the municipal boundaries of the City of Crooks; and,

WHEREAS, said petition having been signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the property sought to be annexed;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Crooks, Minnehaha County, South Dakota, grants the relief sought in the aforementioned petition for annexation pursuant to SDCL 9-4-1 and shall extend its boundaries to include the aforementioned and described real property, and that the Municipal Finance Officer of the City of Crooks shall cause a duly certified transcript of this Resolution to be filed with the Register of Deeds, Minnehaha County, South Dakota.

Aye:
Nay:
Abstain:

Dated this ____th day of _____, 202____.

F. Butch Oseby, Mayor

(SEAL)

Attest:

Tobias Schantz, Finance Officer

Passed:

P:\Council\Legals\Resolutions\2023\2023-08 - Voluntary Annexation resolution - Heritage Park
Land\2023-08 Voluntary annexation petition Heritage Park land FNL.docx

Published:

Effective: