

CITY OF LAKE NORDEN

August 14th, 2023

The council met in regular session at 7:00 PM. Mayor Aho presiding. Members present: Cameron Larson, Janet Andrews, John Layman, Dorene Lemme and Gordon Kangas. Absent: Kim St. John

City employees present: Shari Layman, Dan Koistinen, Roy Hauschildt, and Tony Aas. Absent: James Donnelly, Delores Kangas, and Michael Morgan.

Others present: Alisha Reddig, Samantha Hauschildt, (Deidre Beck and Scot Leddy with Banner Associates)

Motion made by Layman and seconded by Lemme to approve the August 14th agenda, as presented. All voted aye.

Motion made by Larson and seconded by Andrews to approve the July 31st minutes, as presented. All voted aye.

Motion made by Andrews and seconded by Layman to approve the following financial reports: Fund Cash Balance; Budget Expenditure Totals, Fiscal Revenue (Detail) and General Ledger Activity List, as presented. All voted aye.

Motion made by Lemme and seconded by Larson to approve the monthly reconciliation report, as presented. All voted aye.

Motion made by Lemme and seconded by Andrews to approve the itemized credit card payment, as follows:

ASS***6494	APPLE.COM	1.05	SERVICES
HAUSCHILD***2717	BLINK AMZN	106.50	SUPPLIES
ASS***6494	USPS PO	15.00	SERVICES

All Voted Aye. Thus, motion carried.

The finance officer submitted the following bills with verified vouchers for payment:

KYLE NAMKEN	1151.69	SALARY/LESS DEDUCTIONS
JAMES DONNELLY	2931.78	SALARY/LESS DEDUCTIONS
TONY AAS	3882.73	SALARY/LESS DEDUCTIONS
DAN L. KOISTINEN	3647.89	SALARY/LESS DEDUCTIONS
STACY HAKEMAN	773.66	SALARY/LESS DEDUCTIONS
ROY HAUSCHILD	3581.35	SALARY/LESS DEDUCTIONS
DELORES KANGAS	579.02	SALARY/LESS DEDUCTIONS
MICHAEL J. MORGAN	2190.77	SALARY/LESS DEDUCTIONS
DAWSON NOEM	1006.32	SALARY/LESS DEDUCTIONS
JACKSON NOEM	1414.69	SALARY/LESS DEDUCTIONS
SHARI LAYMAN	3098.31	SALARY/LESS DEDUCTIONS
ZACHARY SQUIRES	1761.19	SALARY/LESS DEDUCTIONS
ZAC VANMEETERAN	826.40	SALARY/LESS DEDUCTIONS
BURT TULSON	1902.41	SALARY/LESS DEDUCTIONS
BRAD NOEM	1015.85	SALARY/LESS DEDUCTIONS
KIM ST. JOHN	1662.30	SALARY/LESS DEDUCTIONS
SCOTT WARRINGTON	507.92	SALARY/LESS DEDUCTIONS
JEFF KRUSE	507.92	SALARY/LESS DEDUCTIONS
911INET	2460.00	INV#000080/SERVICES
JASON AHO	937.10	YOUTH UMP (7) GAMES
LAMAR ANDERSON	100.00	WATER DEPOSIT REFUND

BADGER OIL COMPANY	548.40	INV #44931,45454,45424
BANNER ASSOCIATES	30583.56	INV#40423,9048242
BOYD LAW FIRM, PROF.LLC	2115.20	LEGAL FEE
TONY CAMPBELL	550.00	SUMMER BB COACH
CNA SURETY DIRECT BILL	525.00	BOND #66450051
COLONIAL RESEARCH CHEMICAL COR	1046.82	INV#150939/SUPPLIES
COMPLETE COMFORT LLC	362.25	INV#1257/ SERVICES
CONNECTING POINT COMPUTER	37.00	INV#425215
COOK'S WASTEPAPER & RECYCLING	2726.75	MONTHLY SERVICE(199)
CORBON, INC	687.30	INV #CB23-2248,CB22-2801
CORE & MAIN LP	822.35	INV#R955588/SUPPLIES
DAKOTA PORTABLE TOILETS	130.00	INV #17383 / SERVICES
DAKOTA PUMP & CONTROL	17103.78	INV #29134 / SERVICES
DEPARTMENT OF HEALTH	1117.00	INV#10610862/TESTING
DON'S BODY SHOP	3588.50	INV #121890260/SUPPLIES
EFFRAIMSON ELECTRIC INC	244.31	INV#16523/SERVICES
ZACHARY FREEMEN	150.00	WATER DEPOSIT REFUND
TY FULLER	550.00	SUMMER BB COACH
MIKE GEIGER	100.00	WATER DEPOSIT REFUND
GOLDSTAR PRODUCTS INC	3794.30	INV #0078591-IN/SUPPLIES
GREAT AMERICAN FINICIAL SVCS.	143.17	LEASE FEES
HAMLIN BUILDING CENTER	725.34	SUPPLIES
HAMLIN COUNTY PUBLISHING	113.63	PUBLICATIONS
HAMLIN COUNTY FARMERS COOP	1991.11	ID #101569
Hamlin School DISTRICT NO 28-3	45.00	SWIM BUS RENTAL
HD ELECTRIC COOPERATIVE, INC.	1750.92	ACCT#8346/35107/35853
DOUG HERVI	100.00	WATER DEPOSIT REFUND
DENNIS HOMOLA	100.00	WATER DEPOSIT REFUND
ITC	942.11	785-3602/CITY OFFICE
KDM EQUIPMENT, INC.	859.20	INV#36258,36326,36322
KIESLER POLICE SUPPLY	1453.85	INV #IN219910/SUPPLIES
JASON KOISTINEN	100.00	WATER DEPOSIT REFUND
JEFF KRUSE	696.88	BB COACH 2 TEAMS/MILEAGE
LN DEVELOPMENT CORPORATION	1000.00	MONTHLY DONATION
MAGUIRE IRON INC.	333000.00	#23717.00/PAY REQUEST#3 WT
MENARDS	63.31	INV#94504/SUPPLIES
MIDWEST ALARM COMPANY, INC	97.28	INV #350848/SERVICES
KRISTINA MUNSON	100.00	WATER DEPOSIT REFUND
KYLE NAMKEN	19.99	REIMBURSEMENT
NAPA CENTRAL	75.00	INV#530-248167/SUPPLIES
CRYSTAL NELSON	657.10	SB COACH / MILEAGE
NITTEBERG CONSTRUCTION CO	462.40	INV #9413 / SUPPLIES
BRAD NOEM	607.92	MILEAGE FOR BB
OFFICE PEEPS, INCORPORATED	233.00	INV#1033915,1034224
OTTERTAIL POWER COMPANY	5704.79	INV #56692
RON'S SAW SHOP	140.42	INV#200105/SUPPLIES
ROY'S SPORT SHOP	571.95	INV#18136/SUPPLIES
RUNNINGS SUPPLY INC.	519.98	INV#00285765855/SUPPLIES
SD DANR-FISCAL OFFICE	230.00	INV #0000228/0187/SDG860068
SAM SEPPANEN	100.00	WATER DEPOSIT REFUND
SOUTH DAKOTA 811	26.25	INV#SD23-01992/SERVICES
ZACHARY SQUIRES	560.00	YOUTH BB UMP 14 GAMES
STAR LAUNDRY & DRY CLEANERS	428.76	INV#3710:01:02/SERVICES
STEFFENSEN INSURANCE	35.00	CITY POLICE/PERSONAL PROP
TYSON STEVENSON	240.00	YOUTH BB UMP 6 GAMES
JACK STORMO	80.00	YOUTH BB UMP 2 GAMES
TEAM LABORATORY CHEMICAL, LLC.	26144.96	INV#0036906/SUPPLIES
TMRG BROADCASTING	150.00	REF #32224-1/KXLG ON THE RD
TOPKOTE INC	33186.38	INV #6962/SERVICES
TOWN OF HAYTI	446.73	REIMBURSEMENT

TWO WAY SOLUTIONS	1748.93	INV#130092
US POSTAL SERVICE	102.00	UTILITY POSTAGE
USA BLUE BOOK	558.19	INV#00061478/SUPPLIES
WATTS REGULATOR COMPANY	366.21	INV#16213923/SUPPLIES
CHANTEL WEBER	100.00	WATER DEPOSIT REFUND
LEANNE WHEELBORG	10.00	WATER DEPOSIT REFUND
MILBANK WINWATER WORKS	4831.05	INV#18641201/SUPPLIES
ZIP AND STITCH SEWING	12.00	SERVICES

Motion made by Larson and seconded by Layman to issue warrants and pay the bills. All voted aye.

Committee Reports

Community Center: Nothing to report.

Parks: Nothing to report.

Police: Nothing to report.

Street: Kangas reported that the county paved around the curves on the east end of Main Ave.

Summer youth: Nothing to report.

Motion made by Larson and seconded by Layman to appoint Lemme and Andrews to pick out and order 6 new Main Street Christmas Decorations replacing the ones lost in the fire. All voted aye.

Motion made by Larson and seconded by Layman to approve the audit report for the one year ending December 31, 2021. All voted aye.

Motion made by Kangas and seconded by Andrews approving **Resolution 11/08/2023** Giving Approval to Certain Sewer Facilities Improvements, Approving the Form of the Loan Agreement.

RESOLUTION NO. 11/08/2023

RESOLUTION GIVING APPROVAL TO CERTAIN SEWER 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 for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; or any system for the control of floods and drainage; or any combination thereof, 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 Lake Norden (the "City") currently operates a sewer system for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; and for the control of floods and drainage and has determined that improvements to the sewer facilities are necessary for the conduct of its governmental programs and qualifies as an improvement, extension or addition to its sewer system; and,

WHEREAS, the City has determined to issue its revenue bonds to finance the improvements to its sewer system for the purpose of collecting, treating and disposing of sewage and other domestic, commercial and industrial wastes (the "System") and has applied to the South Dakota Conservancy District (the "District") for a Clean 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 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.

3.1. 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 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.

3.2. Approval of Revenue Bond. The issuance of a revenue bond in a principal amount not to exceed \$500,000 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.

3.3. 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 of, 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.

4.1. 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.

4.2. 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.

4.3. 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 of, interest and Administrative Surcharge on the Revenue Bond when due.

4.4. 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.

4.5. 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 sewer system account of the City and shall be used solely for the following respective purposes until payment in full of the principal of and interest 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 Lake Norden, 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 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.

10.1. 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 and interest 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.

10.2. 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.

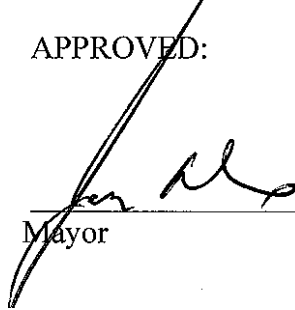
SECTION 14. Repeal of Resolution. At such time as the Revenue Bond is defeased or paid in full, this Resolution and the special charge or surcharge shall automatically be repealed without any further action of the City.

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.

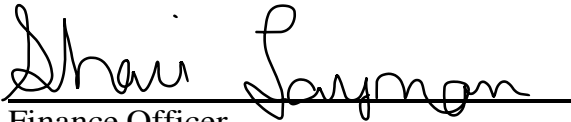
Adopted at Lake Norden, South Dakota, this 14th day of August, 2023.

APPROVED:



Mayor

(SEAL)



Finance Officer

First reading: August 14, 2023

Published: August 23, 2023

Effective: September 12, 2023

All voted aye. Thus, said resolution is passed and adopted.

Motion made by Layman and seconded by Kangas approving **Resolution 12/08/2023** Approving an Amendment to Ordinance #357.

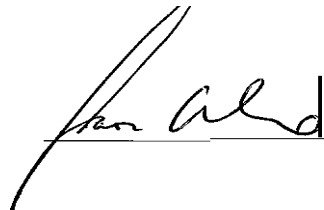
RESOLUTION #12/08/2023

A RESOLUTION APPROVING AN AMENDMENT TO ORDINANCE #357 SECTION VI - RATES AND CHARGES FOR SERVICES OF THE WASTEWATER SYSTEM.

WHEREAS,

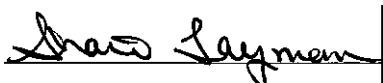
In addition to the other charges, the City hereby establishes **a surcharge of \$7.65** payable by each customer of its system who receives or benefits from the services of the project financed by the CW-04 loan with the borrower bond. The collection of the surcharge shall **start on October 1st, 2023**. 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.

THEREFORE, THIS RESOLUTION IS PASSED AND ADOPTED HIS 14th DAY OF AUGUST 2023.



Jason Aho, Mayor
City of Lake Norden, South Dakota

Attest:
Shari Layman, Finance Officer



City of Lake Norden, South Dakota

All voted aye. Thus, said resolution is passed and adopted.

Motion made by Lemme and seconded by Larson approving **Resolution 13/08/2023** Authorizing the Disbursement of Contingency Funds.

RESOLUTION 13/08/2023

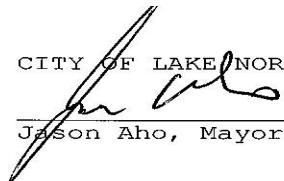
BE IT RESOLVED THAT THE LAKE NORDEN COUNCIL authorizes the disbursement of \$35, 394.00 (thirty-five thousand three hundred ninety-four and zero cents) from

Contingency Funds (101 411.1 411.50) to the following line-item budget:

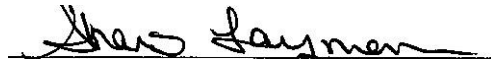
\$35, 394 .00 (thirty - five thousand three hundred ninety-four and zero cents) Government Buildings Capital Outlay (101 419.2 430. 00)

ADOPTED THIS FOURTEENTH DAY OF AUGUST 2023 AT THE MEETING OF THE LAKE NORDEN CITY COUNCIL.

CITY OF LAKE NORDEN


Jason Aho, Mayor

ATTEST:



Shari Layman, Finance Officer

All voted aye. Thus, said resolution is passed and adopted.

Motion made by Layman and seconded by Kangas approving **Resolution 14/08/2023** Authorizing the Mayor to sign and submit the CDBG application.

RESOLUTION# 14/08/2023

WHEREAS, the City of Lake Norden has identified the need to construct a new firehall/ ambulance/police facility to replace the building lost in a fire, and

WHEREAS, the City of Lake Norden proposes to assist with the construction of the new facility, and

WHEREAS, the City of Lake Norden is eligible for Federal assistance for the proposed project, and

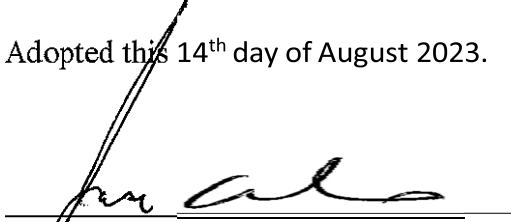
WHEREAS, the City of Lake Norden has held the required public hearing on Monday, July 31, 2023, at 7:00 p.m., and

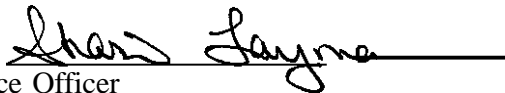
WHEREAS, with the submission of the CDBG application the City of Lake Norden assures and certifies that all CDBG program requirements will be fulfilled, and

THEREFORE, BE IT RESOLVED that the City of Lake Norden duly authorizes the mayor to sign and submit the CDBG application requesting up to \$1,500,000 of funds.

This resolution is effective immediately upon passage.

Adopted this 14th day of August 2023.



Mayor
City of Lake Norden

Finance Officer
City of Lake Norden

All voted aye. Thus, said resolution is passed and adopted.

Motion made by Larson and seconded by Andrews approving **Resolution 15/08/2023**
Approving of Proposed Plat of Tracts 2A and 2B of Memorial Park Addition.

RESOLUTION #15/08/2023

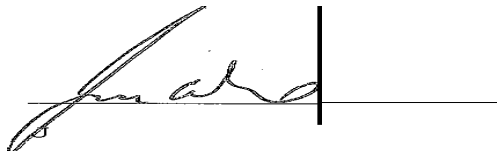
WHEREAS, City of Lake Norden and Lake Norden SD Property Holdings, LLC, owners, have submitted to the governing board a proposed plat of TRACTS 2A AND 2B OF MEMORIAL PARK ADDITION, AN ADDITION TO THE CITY OF LAKE NORDEN, HAMLIN COUNTY, SOUTH DAKOTA, and the

Governing Body of said City having examined the proposed plat and it appearing that all municipal taxes and special assessments, if any, upon said plat and survey, have been executed according to law.

NOW, THEREFORE, BE IT RESOLVED THAT said plat and survey by and are hereby in all things accepted and approved.

DATED THIS 14th DAY OF AUGUST 2023

ATTESTED:



Jason Aho, Mayor
CITY OF LAKE NORDEN



Shari Layman
Finance Officer

Finance Officer

CITY OF LAKE NORDEN

All voted aye. Thus, said resolution is passed and adopted.

Motion made by Layman and seconded by Kangas to approve an automatic supplement to the Police Department Budget to 101 421.0 429.00 \$23,418.00; expense line items with said sources of funding from a \$23,418.00 from Police Donations (101 00.0 367.02).

All voted aye.

Motion made by Kangas and seconded by Layman to approve Contractor's pay application #3 for a total of \$333,000.00 for the Water Tower Project. Contingent upon funding agency's approval. All voted aye.

Motion made by Lemme and seconded by Andrews to approve Contractor's pay application #4 for a total of \$240,138.31 for the Wastewater Project. Contingent upon funding agency's approval. All voted

Motion made by Layman and seconded **by Larson** approving Change order #2 for Wastewater Treatment Facility and North Lift Station improvements with an Increase of \$74,266.75. *All voted aye*

Motion made by Lemme and seconded by Andrews approving a change in Insurance for Employee's families. The employee will pay \$500.00 per month for a family policy. Layman abstained from voting; all others voted aye.

Motion made by Larson and seconded by Lemme approving Police Report as presented. All voted aye

Motion made by Larson and seconded by Layman to go into executive session per SDCL 1-25-2 Section 1&3 at 7:49 PM. All voted aye.

Mayor Aho declared the Council out of executive session at 8:01 PM.

Discussion only on Ottertail easement contracts. It will be added to the agenda for the September 11th meeting.

Motions made by Larson and seconded by Lemme to adjourn at 9:07 PM. All voted aye.

Jason Aho
Mayor

Shari Layman
Finance Officer

 "This institution is an equal opportunity provider, and employer."

Publish once at an approximate cost of _____.

