

September 18, 2017

Mayor Frank Finney called a meeting of the Winner City Council to order at 6:30 PM, September 18th, 2017 at the Council Chambers at 325 S. Monroe St. Councilmen attending were Meyer, Baker, Schramm, Curtis, Sherman and Brozik. Also attending were City Attorney Paul Jensen, Police Chief Paul Schueth, Brent Gill Public Works Director, Mike Brown Planning and Zoning Director and Finance Officer Rhonda Augspurgen.

The meeting was opened with the Pledge of Allegiance.

Motion by Curtis, second by Meyer to approve the minutes of the previous meeting; motion carried.

Motion by Sherman, second by Curtis to approve the meeting agenda with additions; motion carried.

Bids were opened on Thursday September 7th at 2:00pm for the Force Main & Wastewater treatment Improvement Project and results are: Northern Plains LLC at \$441,180.50 and Premier Construction from Huron SD for \$516,810.55.

Motion by Meyer, second by Baker to enter into board of adjustment: motion carried.

A public hearing was tabled for Mike Allibone for a conditional use permit at wagon wheel trailer court for a storage building.

A public hearing was held for the plat approval of East 9th St. in Tract 1 in the new hospital addition.

RESOLUTION

RESOLUTION APPROVING PLAT OF EAST NINTH STREET AND TRACT 1 OF NEW HOSPITAL ADDITION TO THE CITY OF WINNER, TRIPP COUNTY, SOUTH DAKOTA

WHEREAS, it appears that the City Planning Commission of the City of Winner, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of September, 2017; and

WHEREAS, it appears from an examination of the plat of EAST NINTH STREET AND TRACT 1 OF NEW HOSPITAL ADDITION TO THE CITY OF WINNER, TRIPP COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Winner, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Winner, South Dakota, that the plat of EAST NINTH STREET AND TRACT 1 OF NEW HOSPITAL ADDITION TO THE CITY OF WINNER, TRIPP COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Passed, approved and adopted this 18th day of September, 2017, on a motion by Sherman, seconded by Curtis, with a roll call vote resulting in 6 Aye, 0 Nay. Motion carried.

ATTEST: _____

Rhonda Augspurgen, Finance Officer

Frank Finney, Mayor

A public hearing was held for the plat of Tract 1-A a subdivision of Tract 1 & 2 Winner Northside Addition.

RESOLUTION

RESOLUTION APPROVING PLAT OF TRACT 1-A, A SUBDIVISION OF TRACTS 1 AND 2 OF WINNER NORTHSIDE ADDITION IN THE NE1/4 OF SECTION 20, T 99 N, R 76 W OF THE 5TH P.M., CITY OF WINNER, TRIPP COUNTY, SOUTH DAKOTA

WHEREAS, it appears that the City Planning Commission of the City of Winner, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11th day of September, 2017; and

WHEREAS, it appears from an examination of the plat of TRACT 1-A, A SUBDIVISION OF TRACTS 1 AND 2 OF WINNER NORTHSIDE ADDITION IN THE NE1/4 OF SECTION 20, T 99 N, R 76 W OF THE 5TH P.M., CITY OF WINNER, TRIPP COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Winner, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Winner, South Dakota, that the plat of TRACT 1-A, A SUBDIVISION OF TRACTS 1 AND 2 OF WINNER NORTHSIDE ADDITION IN THE NE1/4 OF SECTION 20, T 99 N, R 76 W OF THE 5TH P.M., CITY OF WINNER, TRIPP COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Passed, approved and adopted this 18th day of September, 2017, on a motion by Schramm, seconded by Baker, with a roll call vote resulting in 6 Aye, 0 Nay. Motion carried.

ATTEST: _____
Rhonda Augspurger, Finance Officer Frank Finney, Mayor

Motion by Meyer second by Sherman to exit the board of adjustment and enter into regular council; motion carried.

Darryl and Earla Klein addressed the council on a concern that the dumpster for the Dairy Queen was going to be placed only 19ft from his house and he had documented all the other commercial dumpsters in the City of Winner for eating establishments and the closest one was 55ft. Council asked Public Works Director Brent Gill to discuss issue with the DQ owners and work out a solution that would make the alley be a spot for the dumpster. Gill explained that the ground is soft and some repairs to that area will need to be made.

Dave Howard reported to the council on the Airport project that is going on now and also that the new straps had been installed in the big hangar. Hunting season is fast approaching and the pappy lights had been struck by lightning again and he had to order another board to fix them.

Randy Stainbrock from the electrical union came to the council and asked them to consider raising the on-call pay per week from \$100 to \$200 for the contract of 2018.

Craig Sargent addressed the council on the possibility of building a skeet range at the current trap shooting area at the Rosebud Gun club. This would support the 4-H shooting sports and also the high school shooting club. Motion by Meyer, second by Baker to approve this request; motion carried.

Police Chief Schueth gave a report on the Law enforcement center 102 inmate count today; all departments have been very busy.

Public Works Director Brent Gill gave a report on 6th street project and said a lot of his departments have been using vacation days the last two weeks.

Motion by Meyer, second by Sherman to place on second reading for passage and approval of budget ordinance #883 for the fiscal year of 2018; motion carried with the following amendments made.

a). Motion by Schramm, second by Baker to change the amount given to South Central Economic Development from \$50,000 to \$30,000; roll call: Baker aye; Brozik aye; Meyer nay; Curtis aye; Sherman aye; Schramm aye; motion carried.

b). Motion by Brozik, second by Baker to allocate the \$30,000 for node replacement on Main Street to equipment in the Parks Department for purchasing a machine for the ball fields to groom and maintain the infields of the baseball and softball fields. Roll call: Baker aye; Brozik aye; Meyer nay; Curtis aye; Sherman aye; Schramm aye; motion carried.

c). Motion by Sherman, second by Schramm to change the on call pay per week for all departments from \$100 per week to \$200 per week starting January 1st 2018; Roll call vote Baker aye; Brozik aye; Meyer aye; Curtis aye; Sherman aye; Schramm aye; motion carried.

Councilman Brozik was concerned that the City was giving a blanket 3% raise across the board for all employees when the CPI is only 1.9% it was explained that the raises are given based on the employee evaluation and not just done across the board.

Motion by Schramm, second by Brozik to approve the August 2017 financial statement showing \$242,513.24 in restrictive funds and \$4,285,663.74 in the bank; motion carried.

Motion by Meyer, second by Schramm to accept grant funds from the South Dakota Department of Health for the Healthier Vending & Snack Bar Policy Grant; motion carried.

Motion by Schramm, second by Brozik to accept the bid of \$441,580.50 from Northern Plains LLC for the Force Main and Wastewater treatment Improvement project; motion carried.

Discussion on fall cleanup was held and council approved that it will be held on Tuesday October 10th 2017 and things to be picked up must be in place by 8 AM and sorted into piles of treated lumber, untreated lumber and metal.

Motion by Brozik, second by Baker to advance water/sewer technician Troy Krueger two steps for completing Class 1 & 2 Wastewater collection certifications with the State of SD to \$19.00 per hour; motion carried.

Motion by Sherman, second by Curtis to end the six month probation of Shanelle Herman a corrections officer/jailer and advance to \$16.24 per hour; motion carried.

RESOLUTION OF CODE OF CONDUCT FOR GRANT REQUIREMENTS

WHEREAS, it is the duty of the City of Winner to ensure the efficient, fair, and professional administration of Federal grant funds in compliance with Federal Office of Management and Budget (OMB) Circular A-102, Attachment O, Paragraph 7 and other applicable Federal and State standards, regulations, and laws; and

WHEARAS, this Code of Conduct applies to all officers, employees, or agents of the City of Winner engaged in the award or administration of contracts supported by Federal grant funds;

THEREFORE, BE IT RESOLVED that the following procedures will be used to accomplish the purpose of the aforementioned resolution:

1. No officer, employee, or agent of the City of Winner will participate in the selection, award, or administration of a contract supported by Federal grant funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:
 - a. The employee, officer, or agent;
 - b. Any member of his / her immediate family;
 - c. His / her partner; or
 - d. An organization which employs, or is about to employ any of the above;

Has a financial or other interest in the firm selected for the award.
2. The City officers, employees, or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or subcontractors, or their agents.
3. To the extent permitted by Federal, State or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against the city's officers, employees, or agents or the contractors, potential contractors, subcontractors, or their agents.

Passed, approved and adopted this 18th day of September, 2017, on a motion by Brozik, seconded by Meyer, with a roll call vote resulting in 6 Aye, 0 Nay. Motion carried.

Frank Finney, Mayor

ATTEST: _____
Rhonda Augspurger, Finance Officer

Motion by Baker, second by Curtis to set a public hearing on October 2nd at 6:35 pm for Shirley Fast at 326 Lamro for a variance request for a car port or a garage; motion carried.

Motion by Schramm second by Baker to set a public hearing on October 2nd at 6:35 pm for a conditional use permit for Brenda Brook at 233 Adams for placing a manufactured home in a R-3 Zoning District; motion carried.

Motion by Sherman second by Schramm to set a public hearing on October 2nd at 6:35 pm for Mike Allibone for a conditional use permit at wagon wheel trailer court for a storage building; motion carried.

Motion by Sherman second by Baker to set a public hearing on October 2nd at 6:35 pm for Mike Allibone for a variance request to construct the storage building in Wagon Wheel trailer court; motion carried.

RESOLUTION

ADOPTING DISTRIBUTED GENERATION WORKBOOK

WHEREAS, the Public Utilities Regulatory Policy Act of 1978 (PURPA), as amended, requires a utility to buy power and sell power to Qualifying Facilities (QF);

WHEREAS, the City of Winner owns and operates a public utility that is subject to PURPA;

WHEREAS, the City of Winner and Missouri River Energy Services (MRES) filed a Petition of Waiver, which specifies the obligations of the City of Winner and MRES to a QF, with the Federal Energy Regulatory Commission (FERC) on Section 2010 of PURPA, and have been granted such waiver by the FERC;

WHEREAS, the City of Winner and MRES agreed to comply with “Rules of Compliance” as part of the Waiver;

WHEREAS, the City of Winner has drafted guidelines and documents to implement the Rules of Compliance known as the “Distributed Generation Workbook” to accommodate QFs in interconnection and power purchase arrangements, which are subject to be updated periodically;

NOW, THEREFORE, BE IT RESOLVED that in recognition of the above statements, the City of Winner hereby adopts the Distributed Generation Workbook as the “Small Power Production and Co-Generation Policy.”

Passed, approved and adopted this 18th day of September, 2017, on a motion by Curtis, seconded by Brozik, with a roll call vote resulting in 6 Aye, 0 Nay. Motion carried.

ATTEST:

Mayor Frank Finney

Finance Officer, Rhonda Augspurger

Discussion was held on the motion that was made at the last council meeting regarding the two-way change of Main Street. The motion that was made was to let the State of SD know to design a 4-way lighted stop light. The ordinance will need to be addressed by the council in 2020-2021 when the project is completed.

Motion by Sherman, second by Meyer to accept and pay claims as presented and to instruct Finance Officer to issue warrants on the respective funds; motion carried.

Mayor & Council-4,500.00; Finance Office-5,084.01; Police-21,649.53; Jail-51,365.62; Street-7,628.00; Cemetery-1,261.60; Parks-5,861.89; Planning & Zoning-2,346.00; 911-17,521.37; Water-5,220.03; Light-17,792.90; Sewer-3,609.36; Sanitation-1,955.21; Taxes on payroll-37,442.38

Claims: Appera #12618-433.05-Mats,air freshener, mops, towels; Arrowwood Resort & Conference Center-101.95-M Brown safety training; B&L Communications-480.00-Install radio and repairs; Best Welding and Repair-6,643.16-Repairs on hangar door; Black Hills Chemical-619.14-Admin building supplies; Black Hills Chemical-7,259.90-Jail supplies; CBM Managed Services-8,106.77-Food Services; Century Link-638.87-911;Century Link Business Services-22.96-911;City of Winner-25.85-Coffe filters, postage, meal reimbursement; Community Connections-156.13-Jail and fire hall janitorial; Computer Access-45.00-Replace keyboard; Craig Vogt-18.90-Meal reimbursements; Custer County Sheriff's Office-19,000.00-2014 Ford Explorer; Dakota Pump & Control, Inc-575.00-Water crane repairs; Golden West Technologies-62.50-Printer tech support; Harry K Ford-257.39-Keys,programming,cup holder; Harry K Napa-373.97-Air hose end,filters, shocks for doors,connector;Hawkins-1,963.00-Water chemicals; Hometown Auto-193.74-Repairs on police dept vehicles; Hughes Brothers 2-715.78-Oil changes, wheel alignment, pressure sensor; Kennebec Telephone Co-298.74-911;Kirby Built-1,323.14-Memorial bench at Bass Pond; KS Statebank-34,400.41-2016 Elgin Pelican P Street Sweeper; Kucera Electric-177.86-Repairs on door opener; McCready Construction- 100.00-Alley permit reimbursement 517 Polk; Meirhenry Sargent LLP-12,670.00-Legal bond counsel; Nagel Construction-555.00-Dirt and red rock; Northern Plains, LLC-680.00-Pick up and

deliver pump to lift station; Petersen MFG. Co., Inc.-120.59-Repair parts-drinking fountain; Pitney Bowes-180.00-Postage equipment lease; Pitney Bowes Global Financial-291.69-Postage equipment lease;REA-1,168.06-Power;Sanitation Products-104.93-Dirt shoes for street sweeper; South Dakota One Call-37.80-Locates;Sparkle-300.00-Cleaning;Trevor's Tech-149.85-Water supplies; WRHC #5581-302.00-Physicals;WRHC #5693-436.00-Prisoner care.

Motion by Meyer, second by Sherman to enter into executive session at 8:30pm for a contract issue; motion carried.

Motion by Sherman, second by Baker to exit executive session at 8:46 pm and re-enter regular council meeting; motion carried.

Motion by Curtis, second by Meyer to adjourn at 8:47 P.M.; motion carried.
Meeting adjourned.

Frank Finney, Mayor

ATTEST:

Rhonda Augspurger, Finance Officer
For any public notice that is published one time:
Published once at the approximate cost of _____.