

RICHMOND LAKE SANITARY DISTRICT

MINUTES
OF
BOARD OF TRUSTEES MEETINGS

FROM

OCTOBER 7, 1992

TO

MINUTES
RICHMOND LAKE SANITARY DISTRICT MEETING
OCTOBER 7, 1992

The organizational meeting of the Board of Trustees of Richmond Lake Sanitary District was held on October 7, 1992 at the Ramkota Inn, Aberdeen, South Dakota, commencing at 7:00 p.m. Present were Trustees Charles (Arnie) Wilcox, Kathy Wahl, and Grant Oleson. Also present was attorney Terence O'Keefe.

It was noted that the results of the Trustees Election held on September 8, 1992 were as follows: Grant H. Oleson - 28 votes, Kathy Wahl - 27 votes, Charles A. Wilcox - 27 votes, L.J. Lance - 15 votes, Wesley Greybill - 12 votes. Grant Oleson, having received the highest number of votes, was elected to a three year term. Kathy Wahl and Arnie Wilcox, having received an identical number of votes, then cast lots with Kathy Wahl being elected to the two year term and Arnie Wilcox to the one year term.

Upon motion by Grant Oleson and seconded by Kathy Wahl, Arnie Wilcox was elected as President of the Board of Trustees.

The Board set the regular meeting date for the Board as the first Monday of each month at 7:00 p.m. in the community rooms of the Brown County Courthouse Annex at 25 Market Street, Aberdeen, South Dakota. The reason for selecting this location is that there are no public meeting facilities located within the District that are open on a year-round basis.

The Board designated the official depository for the official records of the District to be at the residence of Trustee Wahl at 6601 West Bridge Road. The Board also agreed that a duplicate original of all minutes and other records of the District would be maintained in the office of the Brown County Auditor.

The Board of Trustees, on the motion of Oleson and seconded by Wahl, set the per diem for Trustees' attendance at Board meetings and other official meetings at \$30.00 per meeting.

Upon motion by Oleson and seconded by Wahl, Terence O'Keefe was retained as counsel for the District at an hourly rate of \$85.00 per hour plus reimbursable expenses.

Mr. O'Keefe was directed to order an official seal for the District and confirm with the Brown County Auditor that the meeting room would be available for District meetings.

DUPLICATE ORIGINAL

The next meeting was set for November 2, 1992 at 7:00 p.m.
in the community rooms of the Brown County Courthouse Annex.

Upon motion by Wahl and seconded by Oleson the meeting
adjourned at 7:45 p.m.

Thomas A. O'Keefe
Acting Clerk

MINUTES
RICHMOND LAKE SANITARY DISTRICT MEETING
NOVEMBER 2, 1992

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, November 2, 1992 at 7:00 P.M. in the annex of the Brown County Courthouse in Aberdeen, SD. Present were President, Charles (Arne) Wilcox; and trustees Grant Oleson and Kathy Wahl. Also present were Attorney, Terence O'Keefe, and clerk, Kathleen Volk.

Minutes from the October 7, 1992, Trustee meeting were read and motion made by Oleson and seconded by Wahl that the minutes be approved as read.

Attorney, O'Keefe, informed the Trustees that the Brown County Auditor has given the Richmond Lake Sanitary District Board of Trustees permission to meet in the annex of the Brown County Courthouse in Aberdeen, SD at 7:00 P.M. on the first Monday of each month.

Attorney, O'Keefe, also informed the Trustees that an error exists on the legal land description for Biegler's pasture land. A motion was made by Wilcox and seconded by Oleson that Attorney, O'Keefe, draw up the legal papers to correct said error. The following motions were also made, seconded and adopted:

1. That Attorney, O'Keefe, look into drawing up the preliminary ordinances for the Richmond Lake Sanitary District.

2. That Attorney, O'Keefe prepare a loan application to the State of South Dakota Water Development District Special Revenue Fund. The loan would be for three years at 0% interest.

A motion was made by Oleson and seconded by Wahl that clerk, Kathleen (Kathy) Volk be paid \$30.00 per month for services rendered to the Richmond Lake Sanitary District.

Arne Wilcox provided his winter residence address as:

Rt. #1, Box 4452, Lot 489
Donna, TX 78537
Phone: (210)464-9222

He informed the Board that he is leaving Thursday, November 5, 1992, and plans to return to his Richmond Lake residence by April 1, 1993.

The James River Water Development District has invited Oleson to their legislative dinner meeting on Thursday, November 12, 1992, at the Brig Restaurant in Mitchell, SD. (See copy of invitation attached.) A motion was made by Wilcox and seconded by Wahl that the Richmond Lake Sanitary District will pay Oleson mileage and per diem to attend this meeting.

Preliminary financing was discussed. Attorney, O'Keefe, suggested establishment of an initial budget to cover the period of time prior to the Richmond Lake Sanitary District's receipt of first tax money. This budget would include: (1) cost of the feasibility study; (2) loan proceeds from the state of South Dakota; and (3) any payables owing Trustees, Attorney, and clerk for services rendered to the Sanitary District, as well as other expenses and revenues as yet unknown.

Mr. O'Keefe also informed the Trustees that an official budget would have to be formalized during the summer of 1993 in order that the Brown County Auditor can levy a tax for the Richmond Lake Sanitary District.

Grant Oleson was asked to contact someone with the James River Water Development District to discuss loan application procedures to secure a \$1000 - \$2000 loan.

Attorney, O'Keefe informed the Trustees that only two proposals were received for the Richmond Lake Sanitary District feasibility study: (1) Helms and Associates and (2) Clark Engineering Corporation.

Terry Helms gave the presentation for Helms and Associates (See copy of presentation outline attached.) Mr. Helms emphasized the urgency to get the Richmond Lake Sanitary District on the State Water Plan. He indicated that Helms and Associates are willing to assist the Sanitary District in Securing EPA funds, grants and loans, community development funds and to assist with bond issuance. Mr. Helms indicated his firm could develop the preliminary engineering report and estimate as well as complete the state water plan application sometime during February or March, 1993, and develop the generic facilities plan including public hearing and obtain state approval approximately sixty (60) days subsequent.

Attorney, O'Keefe asked Terry Helms if it would be a problem if the project could include the Pleasant Valley Estates area. Mr. Helms assured O'Keefe that it would not be a problem to include that area in the Richmond Lake Sanitary Sewer Project. O'Keefe then asked Mr. Helms to order ariel photographs of the Pleasant Valley Estates area.

O'Keefe asked if the hourly rate schedules were projected to increase after 1992. Mr. Helms answered that there would likely be a 3 to 5% increase in these rates as quoted in their proposal.

O'Keefe asked Mr. Helms about the cost of the feasibility study, and Mr. Helms' reply was, "Somewhere between \$5,000 - \$8,000." That was as close as he would venture, but stressed his firm's involvement every step of the way.

Mr. Lonnie G. Anderson gave the presentation for Clark Engineering Corporation. Mr. Anderson discussed the challenges he foresaw regarding the Richmond Lake Sanitary Sewer Project:

Funding Challenges:

- Limited EPA funds available
- Restrictions regarding CDBG Grants such as that a certain percentage of the users be low-income qualified.
- FHA loans and grants usually are 40-year loans with \$20/month per user fees; therefore, payback period is extended out too far.

Engineering Challenges:

- May incorporate more than one system

Setting Regulations:

- Establishing Rates
- Establishing dividing lines for landowners and the Sanitary District. For example, who pays for septic tank replacement-- the District or the user?

Inventory of In-Place Systems:

- This could be done by the engineer or the Sanitary District.

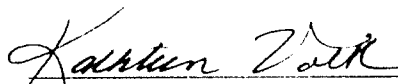
Easements:

- Obtaining land for treatment sites. Mr. Anderson proposed three possible treatment ponds:
 1. Southeast part of lake
 2. Northern part near Wilcox's residence
 3. Western part near Wahl's residenceHe also indicated that the District would probably want to get additional land for future use for ponds, lift stations, etc.

Mr. Anderson indicated that an ariel lake photo would cost \$1000 or more. Cost and time line: The field survey would cost \$6000; and could be done by March 15, 1993, timely for submitting to State for funding.

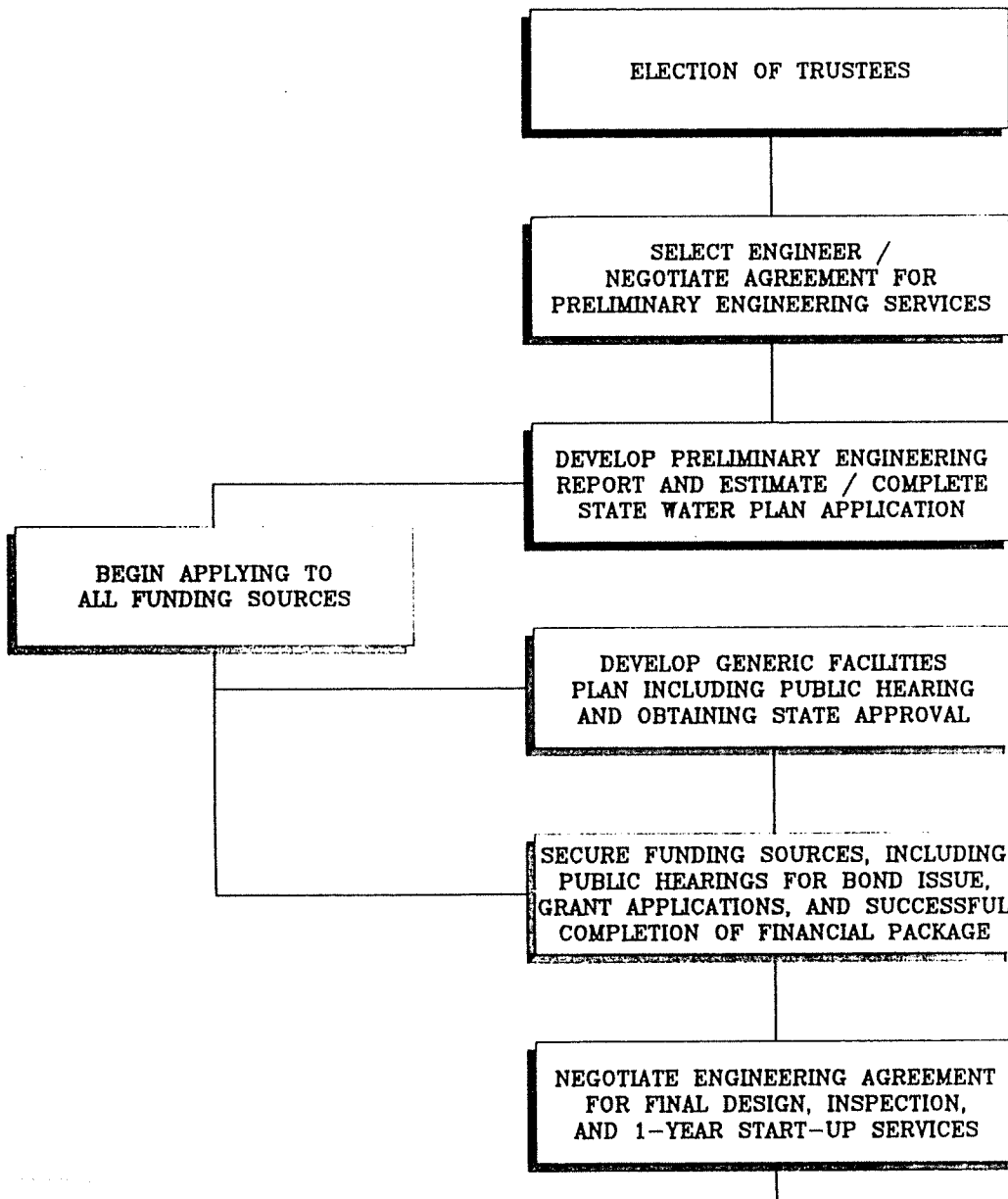
Following Mr. Anderson's presentation, the Trustees discussed both firms' proposals and a motion was made by Wilcox and seconded by Wahl to engage Helms and Associates as the engineering firm to conduct the feasibility study for the Richmond Lake Sanitary Sewer Project. The Trustees based their decision partly on Helms and Associates willingness to assist the Richmond Lake Sanitary District in obtaining funding for the sewer project. Willingness to assist in this activity was not displayed as openly by Mr. Anderson of Clark Engineering Corporation.

Upon motion by Wilcox and seconded by Oleson, the meeting adjourned at 9:45 P.M.



Kathleen Volk, Clerk

RICHMOND LAKE SANITARY SEWER PROJECT



FINAL DESIGN OF PROJECT,
COMPLETION OF FINAL PLANS
AND SPECIFICATIONS

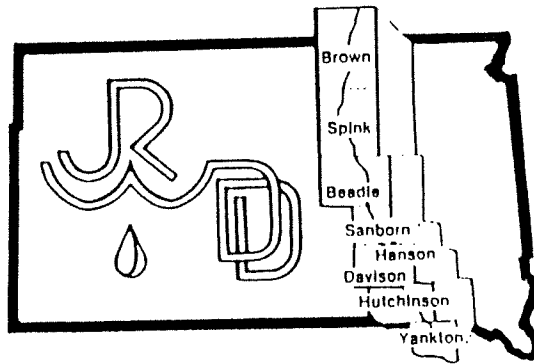
OBTAIN BIDS FOR CONSTRUCTION
OF THE PROJECT AND AWARD
CONSTRUCTION CONTRACT

CONSTRUCTION OF THE PROJECT
THROUGH FINAL INSPECTIONS
AND OWNER ACCEPTANCE

ONE-YEAR WARRANTY
AND OPERATION AND
MAINTENANCE TRAINING

James River Water Development District

Timon Beto, Manager
Ricki Freese, Office Manager
Jerry Mills, Assistant Manager
City Hall P.O. Box 849
Huron, SD 57350
605-352-0600



BOARD OF DIRECTORS
DON BARBER-Mitchell
CLINTON BAUER-Freeman
TOM FISCHBACH-Warner
DAN KOUPAL-Mitchell
RAY METTLER-Menno
ROBERT MILLS-Huron
LAUREN STUCK-Mellotte
W.J. "Joe" VAN DeROSTYNE-Aberdeen
IRVING WESSEL-Huron

October 20, 1992

Richmond Lake Association
ATTN: Grant Oleson
P.O. Box 2004
Aberdeen, SD 57401

Dear Grant:

We are writing to thank you for your past support of the James River Restoration Project. As a small token of our appreciation, we would like to invite you to our legislative dinner meeting. The meeting is scheduled for Thursday, November 12, 1992 at the Brig Restaurant in Mitchell. The meeting will begin at 7:00 P.M. with dinner being provided. A social hour is scheduled for 6:00 P.M.

The meeting is designed to thank you for your support. In addition, the meeting is designed to update you on 1992 James River Restoration progress and explain to the Legislators the James River Restoration Project 1993 State Appropriation Request (including our 1993 Federal goals). Local project sponsors will be present to emphasize the importance of advancing the project.

The Department of Environment and Natural Resources will also be present to discuss anticipated legislative items. Further, we have invited area newspapers, radio and television stations to provide coverage of this meeting.

Please RSVP by November 9, 1992 if you plan to attend the Mitchell meeting. If you have any questions or comments, please contact our office.

Sincerely,

Ron Beto, Manager

RB:vlf

LEGPROJ.WP

TO: MR. CHARLES (ARNIE) WILCOX
BOARD OF TRUSTEES OF THE RICHMOND LAKE SANITARY DISTRICT

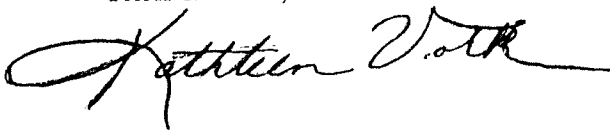
DATE: DECEMBER 7, 1992

RE: POSITION OF CLERK
OCCUPIED BY KATHLEEN VOLK

PLEASE BE ADVISED THAT AS OF THE ABOVE DATE I HEREBY RESIGN FROM THE POSITION
OF
CLERK WITH THE RICHMOND LAKE SANITARY DISTRICT.

ALSO, PLEASE BE ADVISED THAT I WILL PERFORM ALL OF THE DUTIES ASSOCIATED WITH
THE OFFICE OF CLERK AS A VOLUNTEER ONLY.

THANK YOU,

A handwritten signature in cursive script that reads "Kathleen Volk". The signature is written in black ink and is positioned above the typed name.

KATHLEEN VOLK, VOLUNTEER CLERK

MINUTES
RICHMOND LAKE SANITARY DISTRICT MEETING
DECEMBER 7, 1992

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, December 7, 1992, at 7:10 P.M. in the annex of the Brown County Courthouse in Aberdeen, South Dakota. Present were trustees, Grant Oleson and Kathy Wahl, attorney, Terence O'Keefe and clerk, Kathleen Volk.

Minutes from the November 2, 1992 meeting were read and approved.

O'Keefe informed the trustees that the James River Water Development District will consider a grant for \$1,500 to the Richmond Lake Sanitary District at a meeting at 9:00 A.M. on December 17, 1992, at City Hall in Huron, South Dakota. A representative of the Board has been requested to attend this meeting and Oleson agreed to attend.

O'Keefe suggested that the District's loan application to the State of South Dakota be made for at least \$10,000 to cover such expenses as:

- Engineering Costs
- Publication Fees
- Attorney's Fees
- Salaries for Trustees and Clerk
- Travel Costs
- Miscellaneous

This loan is available to the District for start-up costs at 0% interest for three (3) years.

O'Keefe reviewed Helms and Associates contract, which covers the entire project. O'Keefe suggested accepting the terms pertaining to the feasibility study, but deleting everything else that does not apply to this study. Motion was made by Oleson, second by Wahl, to approve above-mentioned modifications to the Helms contract by Attorney, O'Keefe.

O'Keefe said Helms maximum cost for the feasibility study is \$3,500 to cover engineering fees, mileage, computer costs and miscellaneous. With the \$1,500 grant money to be received from the James River Water Development District, this leaves a short-fall of \$2,000. O'Keefe suggested that the shortfall be covered by the State loan mentioned above.

Motion was made by Oleson, second Wahl, to sign the contract as amended by O'Keefe. Attorney, O'Keefe suggested the contract be signed this week. O'Keefe

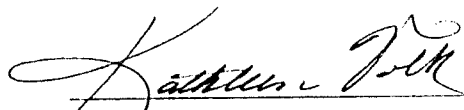
informed trustees he has received the District's official seal. As a governmental entity, a seal is required on official documents signed by officers of the District.

Also required is a bank appointed as the depository for the District. Wahl made a motion, second Oleson, that O'Keefe contact the three banks to obtain information regarding interest-bearing checking accounts for governmental entities. The \$1,500 check to be received from James River Water Development District and the subsequent check for \$1,500 to Helms will transact through the account selected.

Oleson made the motion, second Wahl, for O'Keefe to contact Jim Harr for the purpose of obtaining cost data regarding liability insurance for the District and its officers.

O'Keefe informed the trustees that he will check on the possible requirement of the District to publish its minutes in the newspaper.

The meeting adjourned at 7:45 P.M.


Kathleen Volk, Volunteer Clerk

V. KEEFE

MINUTES
RICHMOND LAKE SANITARY DISTRICT MEETING
JANUARY 4, 1993

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, January 4, 1993, at 7:00 P.M. in the annex of the Brown County Courthouse in Aberdeen, South Dakota. Present were trustees, Grant Oleson and Kathy Wahl, attorney, Terence O'Keefe and volunteer clerk, Kathleen Volk.

Minutes from the December 7, 1992 meeting were read and approved.

Paul Clinton, a graduate student from the University of Massachusetts in the field of landscaping architectural science, spoke to the Board regarding a relatively new water waste system he referred to as a constructive wetlands for water waste systems which uses plant materials to breakdown waste. He indicated that the system runs parallel with a submerge system. He said an advantage of the system is that there are very few moving parts. He told the Board that the waste goes from holding ponds into several small septic tanks. Paul said the wetland system must be a manmade system--you cannot use an existing wetland for this purpose. He indicated that the system had been had been implemented in San Diego and Florida. Trustee Oleson asked what the "smell factor" was for such a system, and Paul indicated that except for certain times of the year, there was no problem with odor if there is enough plant material to handle the waste. Paul concluded by saying he would send the Board additional information regarding this system from the Federation of Water Pollution Foundation.

O'Keefe said he would give the information which Paul left at the December meeting to Helms to determine whether this system is feasible for the Richmond Lake Sanitary Project. O'Keefe indicated that if the EPA is putting up money for these system types, than the state such also approve and fund them too.

OLD BUSINESS:

Grant Oleson attended a meeting in Huron, South Dakota with the James River Water Development District, and he indicated their support and optimism regarding the progress which has been accomplished by the Richmond Lake Sanitary District, and they unanimously agreed to present Mr. Oleson a grant for \$1500 as representative of the District. This grant money is to provide starting funds for the feasibility study and other initial costs. The James River Water Development District indicated that we should get on the state water plan as soon as possible. Mr. Oleson assured them we would do so as soon as possible.

Mr. O'Keefe stated that the cost of the feasibility study was to have been between \$6-7000; however, the bid came in at \$3,500. O'Keefe said this would not affect our grant as long as we pay 1/2 of the cost (\$3,500-1,500 = \$2,000 vs \$1,500).

O'Keefe said that in the grant agreement, the state indicated they to not send the money right away, but instead they voucher the expenses then they reimburse. Motion to execute the grant agreement with the James River Water Development District was made by Wahl, second Oleson. A copy of the agreement will be attached to the January 4, 1993 minutes.

OTHER OLD BUSINESS:

The Helm's contract has been returned to cover only the feasibility study for a fee of \$3,500 was made by Oleson, second Wahl.

O'Keefe indicated that there is no publication requirement for sanitary districts, but that we should designate the Aberdeen American News as the official newspaper because we must publicize election notices. Motion was made by Oleson, second by Wahl to approve this suggestion.

Trustee, Wahl made a motion, second Oleson, to authorize attorney, O'Keefe, to execute application for insurance. This action will not bind the District to anything, but is merely done to obtain the cost quote. Mr. O'Keefe informed the Trustees that no quotes as give until the underwriters get the information they want. Mr. O'Keefe indicated this was for officers' coverage now and liability coverage after the system is built.

O'Keefe informed the Board that Elmer Dietrick at Mina Lake Sanitary District indicated they use an accounting package provided by Ron Scherr which our District could also use. Mr. O'Keefe also informed the Board that there is no requirement for a formal audit.

Mr. O'Keefe had contacted the three banks he had been directed to at the December 4, 1992 meeting, and found that each was similar in that none charged a service charge...just the check printing. Mr. Oleson made a motion, second Wahl, that the F&M Bank be accepted as the temporary official bank for the District, and that at some future point in time when there are larger sums to deal with, that the Trustees have the right to renegotiate and reconsider all three banks again at that time. Attached to this motion was an addendum to approve Kathy Wahl and Grant Oleson as authorized signatures on this checking account.

Motion by Oleson, second Wahl, to adjourn the meeting at 8:08 P.M.

Kathleen Volk, Volunteer Clerk


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MINUTES
RICHMOND LAKE SANITARY DISTRICT MEETING
FEBRUARY 2, 1993

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was cancelled by Trustee, Grant Oleson.



Kathleen Volk, Volunteer Clerk

MINUTES
RICHMOND LAKE SANITARY DISTRICT MEETING
APRIL 4, 1993

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, April 4, 1993 at 7:00 o'clock P.M. in the annex of the Brown County Courthouse in Aberdeen, South Dakota. Present were Trustees, Kathy Wahl, Grant Oleson, and Charles (Arnie) Wilcox, and Volunteer Clerk Kathleen Volk.

Grant Oleson called the meeting to order. The minutes from the last meeting held January 4, 1993 were read and approved. It was noted that the scheduled February 2, 1993 meeting had been cancelled.

Oleson reported to the Trustees that Helms & Associates has already installed and has in operation a natural system for wastewater treatment in South Dakota. Helms says that this system works better when in operation with other systems.

Arnie Wilcox presented a letter he received from Michael Perkovich, an Engineer with the Department of Environment & Natural Resources, stating that the Richmond Lake Sanitary District has been tentatively included as part of the State Intended Use Plan for the wastewater treatment project with an estimated loan amount of \$1,000,000. (See attached letter)

Oleson reported \$3,000 has been awarded for a study of the Richmond Lake Dam. The James River Water Development District will start the feasibility study. If repair of the leak in the dam is found to be feasible, it is possible that it will be repaired by the State.

Oleson reported that aerial photos are being studied by Helms and that progress has been made regarding the feasibility study for the Wastewater Treatment Project.

Arnie Wilcox suggested getting a copy of the Bylaws from Madison, South Dakota which include acceptable standards for existing systems. We do have the right to make District residence upgrades for systems so that they are within pollution guidelines. Wilcox suggested this to be done by the next meeting. Wilcox stated he will contact the State DENR to obtain the guidelines.

Old business brought up by Wilcox was to check with Terry O'Keefe re: progress on the insurance issue. Wilcox stated O'Keefe has contacted Squire-Lussem Agency and Narregang Insurance.

Meeting adjourned on motion by Oleson seconded by Wahl at 7:49 o'clock P.M.

Kathleen Volk, Volunteer Clerk



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 17, 1993

Arnie Wilcox, President
Richmond Lake Sanitary District
7002 West Shore Drive
Aberdeen, SD 57401

Dear Mr. Wilcox:

Enclosed please find a draft copy of Attachment I of the Intended Use Plan (IUP) with proposed amendments. This document also satisfies the project priority list requirements of the State Revolving Fund (SRF) loan program. A public hearing to revise the IUP will be held at 1:15 pm (CST) on March 30, 1993, in the Matthew Training Center, Joe Foss Building, Pierre, South Dakota.

The Richmond Lake Sanitary District has been included on the IUP for a wastewater treatment and collection system project(s). Inclusion to the the list is based on conversations with Helms and Associates.

Communities seeking SRF assistance must have their project included on the IUP. Only projects shown on the IUP are eligible for SRF loans. For example, a community on the IUP for only a storm sewer project is not eligible to receive an SRF loan for another type of project. Projects not on this list which may seek SRF monies in FY 93 must request inclusion to the IUP at the upcoming hearing or provide a written request prior to the hearing date. Inclusion on the IUP does not guarantee that a project will receive funding in the amount shown on Attachment I nor that the project will receive funding in FY 93.

Projects seeking SRF loans must also be on the State Water Plan, which requires submittal of a preliminary engineering report and cost estimates. Please be aware that this engineering report may not satisfy SRF program requirements regarding the facilities planning process. Where applicable, a facilities plan must address those items shown on the attachment titled "South Dakota State Revolving Fund Outline for Facilities Planning".

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Michael A. Perkovich".

Michael A. Perkovich
Natural Resources Engineer
Office of Facilities Management
Telephone: (605) 773-4216

Attachments

ATTACHMENT I

SOUTH DAKOTA FISCAL YEAR 1993

PROJECT PRIORITY LIST/POTENTIAL WASTEWATER TREATMENT PROJECTS

<u>Priority Rank/Pts.</u>	<u>Community</u>	<u>Loan #</u>	<u>Project Description</u>	<u>Estimated Loan Amount</u>
1/108	Watertown	C461029-03	Treatment	\$1,000,000
2/100	Sioux Falls	C461232-07	Treat./Sewer Rehab./Inter.	\$4,500,000
3/ 81	Lead-Deadwood S.D.	C461002-02	Treatment/Interceptor	\$1,200,000
4/ 53	Parkston	C461062-01	Treatment	\$ 200,000
5/ 52	Custer	C461021-03	Treatment	\$ 185,000
6/ 52	Garretson	C461063-01	Treatment	\$ 250,000
7/ 50	Spearfish	C461030-02	Treatment	\$1,303,000
8/ 46	Yankton	C461038-01	Treatment/Interceptor	\$ 750,000
9/ 45	Frankfort	C461055-01	Treatment/Sewer Rehab.	\$ 250,000
10/ 44	St. Lawrence	C461045-01	Treatment	\$ 203,000
11/ 44	Worthing	C461047-01	I/I Correction/Treatment	\$ 350,000
12/ 41	Leola	C461060-01	Treatment	\$ 137,200
13/ 40	Harrisburg	C461065-01	Treat./Int./Storm Sewer	\$ 700,000
14/ 35	Rapid City	C461014-03	Interceptor/Sewer Rehab.	\$1,711,700
15/ 34	Midland	C461056-01	Treatment	\$ 250,000
16/ 24	Lead	C461007-04	Sewer Rehabilitation	\$ 428,000
17/ 23	North Sioux City	C461009-02	Interceptor	\$ 100,000
18/ 22	Kadoka	C461061-01	Sewer Rehabilitation	\$ 101,700
19/ 15	Brookings	C461019-02	Interceptor	\$ 100,000
20/ 15	Watertown	C461029-04	Storm Sewer	\$1,000,000
21/ 10	Madison	C461024-02	Storm Sewer	\$1,200,000
22/ 10	Spearfish	C461030-03	Storm Sewer	\$ 500,000
23/ 10	Sturgis	C461068-10	Interceptor	\$ 325,000
24/ 9	Belle Fourche	C461012-02	Interceptor	\$ 125,000
25/ 9	Box Elder	C461003-02	Collection/Interceptor	\$ 800,000
26/ 9	Brandon	C461032-02	Treatment/Interceptor	\$ 593,000
27/ 9	Dell Rapids	C461064-01	Storm Sewer/Sewer Rehab.	\$ 300,000
28/ 9	Lake Poinsett S.D.	C461027-01	Collection/Interceptors	\$ 510,000
29/ 9	Sisseton	C461053-01	Storm Sewer	\$ 540,000
30/ 8	Chamberlain	C461044-02	Sewer Rehabilitation	\$ 200,000
31/ 8	Elk Point	C461059-01	Storm Sewer/Sewer Rehab.	\$ 731,175
32/ 8	Fort Pierre	C461049-01	Storm Sewer/Collection	\$ 200,000
33/ 8	Groton	C461051-01	Interceptor	\$ 138,700
34/ 8	Salem	C461057-01	Storm Sewer	\$ 400,000
35/ 8	Webster	C461054-01	Sewer Rehabilitation	\$ 250,000
36/ 6	Mission	C461058-01	Treatment	\$ 500,000
37/ 6	Tea	C461028-01	Storm Sewer	\$ 600,000
38/ 5	Pickrel Lake S.D.	C461066-01	Collection/Treatment	\$1,000,000
39/ 4	Doland	C461050-01	Storm Sewer/Sewer Rehab.	\$ 200,000
40/ 4	Mina Lake S.D.	C461031-01	Interceptor	\$ 100,000
41/ 4	Richmond Lake S.D.	C461067-01	Collection/Treatment	\$1,000,000
42/ 2	Lake Byron W.D.	C461052-01	Collection/Treatment	\$1,400,000
43/ 2	Wentworth	C461004-01	Refinancing	\$ 127,000

Projects in bold are on the National Municipal Policy (NMP) list and will receive priority for SRF loans.

SOUTH DAKOTA STATE REVOLVING FUND
OUTLINE FOR FACILITIES PLANNING

- I. Environmental Review:
 - A. Environmental Information
 - B. Historical and Archaeological Sites
 - C. Floodplains and Wetlands
 - D. Agricultural Lands
 - E. Wild and Scenic Rivers
 - F. Fish and Wildlife Protection
 - G. Water Quality and Quantity
 - H. Direct and Indirect Impacts
 - I. Mitigating Adverse Impacts

- II. Existing and Future Conditions:
 - A. Project Need and Planning Area Identification
 - B. Existing Wastewater Flows and Treatment Systems
 - C. Effluent Limitations
 - D. Infiltration and Inflow
 - 1. Sewer Use Ordinance and Sewer Maintenance Program
 - E. Future Conditions
 - 1. Population and Land Use Projections
 - 2. Forecasts of Flows and Wasteloads
 - 3. Flow Reduction

- III. Development and Screening of Alternatives
 - A. Development of Alternatives
 - B. Optimum Operation of Existing Facilities
 - C. Regionalization
 - D. Unsewered Areas
 - E. Conventional Collection System
 - F. Alternative Collection Systems
 - G. Wastewater Management Techniques
 - 1. Conventional Technologies
 - 2. Alternative Technologies
 - 3. Innovative Technology
 - 4. Municipal Treatment of Industrial and Federal Facilities Wastes

- IV. Evaluation of Principal Alternatives and Plan Adoption
 - A. Alternative Evaluation
 - B. Evaluation of Monetary Costs
 - C. Demonstration of Financial Capability
 - D. Capital Financing Plan
 - E. Environmental Evaluation
 - F. Evaluation of Recreational Opportunities
 - G. Comparison of Alternatives
 - H. Views of the Public and Concerned Interest Groups

- V. Selected Plan, Description and Implementation Arrangements
 - A. Justification and Description of Selected Plan
 - B. Design of Selected Plan

- C. Cost Estimates for the Selected Plan
- D. Environmental Impacts of Selected Plan
- E. Arrangements for Implementation
 - 1. Intermunicipal Service Agreements
 - 2. Operation and Maintenance Requirements
 - 3. Pre-treatment Program
- F. Land Acquisition
 - 1. General Acquisition
 - 2. Acquisition Method
 - 3. Land Costs

MINUTES
RICHMOND LAKE SANITARY DISTRICT MEETING
MAY 3, 1993

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, May 3, 1993 at 7:00 o'clock P.M. in the annex of the Brown County Courthouse, in Aberdeen, South Dakota. Present were Trustees, Charles (Arnie) Wilcox, and Kathy Wahl. Also in attendance were Attorney Terry O'Keefe and Volunteer Clerk Kathleen Volk.

Arnie Wilcox called the meeting to order.

Terry O'Keefe reported that Helms & Associates timeline was to have the feasibility plan completed for an initial presentation by April 30, 1993, but to date it has not been completed. O'Keefe and Wilcox agreed to meet with Terry Helms to review the presentation Helms intends to make at the Richmond Lake Association meeting to be held on May 11, 1993.

Terry O'Keefe advised the Trustees that a Trustee election needs to be set for any Tuesday in October of 1993. Motion was made by Wilcox, seconded by Wahl that the election be held on Tuesday, October 5, 1993 with the location to be determined at the next meeting of the Board.

Arnie Wilcox reported that the Auditor's Office no longer makes reservations for the meeting rooms at the Courthouse. Ginger Walker in the County Emergency Department now handles this. Wilcox scheduled the Board of Trustee's meetings with Walker for the first Monday of each month on a permanent basis.

Wilcox presented the Trustees with a letter from Helms & Associates summarizing the Richmond Lake Project. (See attached letter).

Meeting adjourned on motion of Wahl, seconded by Wilcox at 8:00 o'clock P.M.

Kathleen Wahl, Volunteer Clerk



HELMS and ASSOCIATES

CONSULTING ENGINEERS • LAND SURVEYORS

S P N

A DIVISION OF
SCHMUCKER, PAUL, NOHR and ASSOC

BOX 111

BERKSHIRE PLAZA

ABERDEEN, SD 57402-0111

405 8th AVENUE NW

PHONE (605) 225-1212

FAX: (605) 225-3189

January 8, 1993

Mr. Terence A. O'Keefe
Attorney at Law
P.O. Box 490
Aberdeen, SD 57402-0490

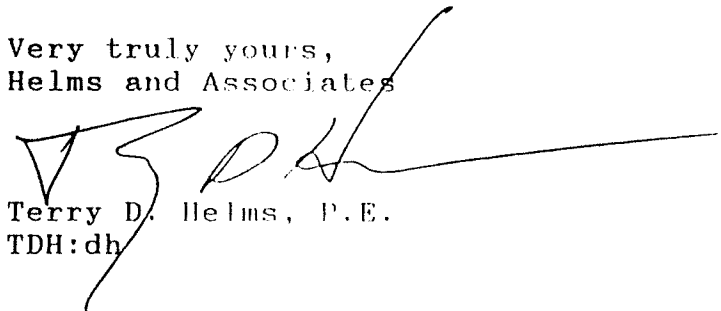
Re: Richmond Lake Sanitary District
A-1622

Dear Terry,

I set the completion date of our services for December 1, 1993 in our Agreement with the District. We will have the Preliminary Study/Planning Document completed and ready for review with the District by April 30, 1993. The reason I set the date of December 1, 1993 for our completion was to allow us time to assist the district with all state agency reviews and funding applications.

If you have any further questions concerning our Agreement, please contact me.

Very truly yours,
Helms and Associates



Terry D. Helms, P.E.

TDH:dh

MINUTES

RICHMOND LAKE SANITARY DISTRICT MEETING

JULY 19, 1993

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, July 19, 1993 at 7:00 o'clock P.M. in the annex of the Brown County Courthouse in Aberdeen, South Dakota. Present were Trustees, Arnie Wilcox, Grant Oleson and Kathy Wahl. Also present was Attorney Terence O'Keefe.

Grant Oleson called the meeting to order. The minutes from the last meeting held June ____, 1993 were read and approved.

Mr. O'Keefe went through the procedures for the Trustee Election which must be held in October, 1993. He advised that the term of Trustee Arnie Wilcox was due to expire in October and that his replacement would be elected for a three (3) year term.

There was a general discussion of the Feasibility Study that was being conducted by Helms & Associates.

Meeting adjourned by motion of Wilcox, seconded by Wahl at 8:00 o'clock p.m.



Acting Clerk

MINUTES

RICHMOND LAKE SANITARY DISTRICT MEETING

AUGUST 2, 1993

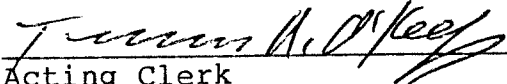
The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, August 2, 1993 at 7:00 o'clock P.M. in the annex of the Brown County Courthouse in Aberdeen, South Dakota. Present were Trustees, Arnie Wilcox, Grant Oleson and Kathy Wahl. Also present were Attorney Terence O'Keefe and Engineer Terry Helms.

Grant Oleson called the meeting to order. The minutes from the last meeting held July 19, 1993 were read and approved.

Terry Helms updated the Board on the status of the Feasibility Study.

Arnie Wilcox reported that he had talked to Brown County Highway Supervisor Larry Mitzel and Mitzel was still planning to blacktop West Shore Drive, this year, however, due to the flooding conditions he is way behind schedule and it may not be able to be completed this year. Mitzel also agreed again to remove the stop sign for people entering West Shore Drive from the east.

Meeting adjourned by motion of Wahl, seconded by Wilcox at 8:10 o'clock p.m.



Acting Clerk

MINUTES

RICHMOND LAKE SANITARY DISTRICT MEETING

SEPTEMBER 9, 1993

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, September 9, 1993 at 7:00 o'clock P.M. in the annex of the Brown County Courthouse in Aberdeen, South Dakota. Present were Trustees, Grant Oleson and Kathy Wahl. Also present were Attorney Terence O'Keefe and Engineer Terry Helms.

Grant Oleson called the meeting to order. The minutes from the last meeting held August 2, 1993 were read and approved.

Terry Helms presented an update on the Feasibility Study. He also advised that he will meet with the staff of the Board of Water & Natural Resources on September 20 and 21, 1993 and will attend a portion of the Board of Water & Natural Resources meeting on September 22, 1993. These meetings will be in Pierre, South Dakota. It was determined that there would be a meeting of the Richmond Lake Association on September 28, 1993 at 7:00 o'clock p.m. at the Richmond Lake Resort at which time Mr. Helms would present an overview of the Feasibility Study.

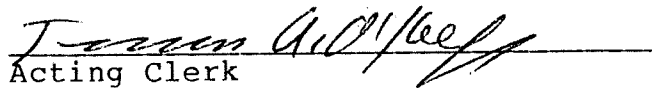
Attorney O'Keefe advised that the Brown County Director of Equalization said that he was unable to determine the assessed valuation of the property in the District with the legal descriptions as originally used to describe the boundaries. Without an assessed valuation it would be impossible for the Brown County Auditor to spread the District tax levy over the property within the District. Because of this problem and to clean-up some of the inaccuracies in the original boundaries, Mr. O'Keefe presented a "Resolution of Intention to Annex Territory Into the District and to Exclude Territory from the District and to Amend and Clarify the District Boundaries". Following discussion, it was moved by Wahl, seconded by Oleson to adopt the Resolution of Intention. The public meeting on the Resolution will be held on September 28, 1993 at 6:00 o'clock p.m. at the Richmond Lake Resort.

Attorney O'Keefe advised that the Board of Water & Natural Resources would act on the District's application for a \$4,500 interest free loan at their meeting on September 22 and 23, 1993. Trustee Oleson indicated that he would try to attend that meeting.

Mr. O'Keefe reviewed the election procedure to fill the vacancy due to the expiration of the term of Trustee Arnie Wilcox. The election will be held October 19, 1993 at the Richmond Lake Resort. Nominating petitions may be filed beginning September 9, 1993 and ending on September 29, 1993.

Ordinance 93-1, the annual appropriation ordinance was presented for discussion. Following discussion, motion was made by Wahl, seconded by Oleson to pass first reading of Ordinance 93-1.

Meeting adjourned by motion of Wahl, seconded by Oleson at 8:15 o'clock p.m.


Acting Clerk

MINUTES

RICHMOND LAKE SANITARY DISTRICT MEETING

SEPTEMBER 28, 1993

A special monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Tuesday, September 28, 1993 at 6:00 o'clock P.M. at The Place At The Lake, 600 South Shore Drive, Richmond Lake. Present were Trustees Charles Wilcox, Grant Oleson and Kathy Wahl. Also present were Attorney Terence O'Keefe, Ron Beto, General Manager of the James River Water Development District and Terry Helms of Helms & Associates.

Charles (Arnie) Wilcox called the meeting to order. The minutes from the last meeting held September 9, 1993 were read and approved.

This being the time and place scheduled for hearing on the Resolution of Intention to Annex Territory Into the District and to Exclude Territory From the District and to Amend and Clarify the District Boundaries, Mr. O'Keefe reviewed all of the proposed boundary changes and following discussion, it was moved by Oleson and seconded by Wahl to adopt the Resolution to Annex Territory Into the District and to Exclude Territory From the District and to Amend and Clarify the District Boundaries, which motion carried unanimously. A copy of the Resolution is on file at the District Office.

Ordinance No. 93-1, the 1994 Annual Appropriation Ordinance, which is set forth below was presented for second and final reading:

ORDINANCE NO. 93-1

1994 ANNUAL APPROPRIATION ORDINANCE

SECTION I: BE IT ORDAINED BY THE RICHMOND LAKE SANITARY DISTRICT, that the following sums are hereby appropriated to meet the obligations of the District for the fiscal year commencing January 1, 1994:

Trustees meeting fees	\$ 1,530.00
District Attorney	4,500.00
Election expense	320.00
Office supplies	200.00
Postage	200.00
Mileage and transportation	560.00
Lodging and meals	300.00
Debt service - State loan	1,500.00
Engineering	2,000.00
Miscellaneous expense	500.00
Contingency	500.00

TOTAL	\$ <u>12,110.00</u>
-------	---------------------

SECTION II: Receipts

State of South Dakota -
loan proceeds carried over 2,000.00
General Property Tax Levy 10,110.00
TOTAL \$ 12,110.00
TOTAL 1994 MEANS OF
FINANCE \$ 12,110.00

SECTION III: The District Clerk is hereby directed and authorized to certify said tax levy to the County Auditor of the County of Brown, State of South Dakota, to the end that the same be spread and assessed as provided by law.

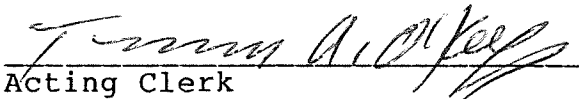
General Fund \$ 10,110.00
TOTAL LEVY \$ 10,110.00

Motion to approve second and final reading was made by Wilcox, seconded by Wahl. This motion carried unanimously. The Acting Clerk was directed to certify the levy to the Brown County Auditor.

In view of the fact that The Place At The Lake will be open on Thursdays throughout the year, motion was made by Oleson and seconded by Wahl to change the Board of Trustees meeting date from the first Monday in the month at the Brown County Courthouse annex to the first Thursday of the month at 7:00 o'clock P.M. at The Place At The Lake, 6000 South Shore Drive, Richmond Lake, which motion carried unanimously.

There was then a general discussion of the Feasibility Study and its presentation at a Richmond Lake Association meeting which was going to be held immediately following the Board meeting.

There being no further business, the meeting was adjourned on motion of Oleson, seconded by Wahl at 7:00 o'clock P.M.


Acting Clerk

MINUTES

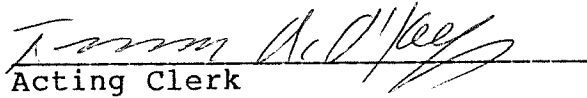
RICHMOND LAKE SANITARY DISTRICT MEETING

October 3, 1993

A special monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Sunday, October 3, 1993 at 4:00 o'clock P.M. at The Place At The Lake, 600 South Shore Drive, Richmond Lake. Present were Trustees Charles Wilcox, Grant Oleson and Kathy Wahl. Also present was Attorney Terence O'Keefe.

Mr. O'Keefe presented the "Water Development District Special Revenue Loan Fund Agreement" and "Promissory Note" for approval and following discussion it was moved by Wilcox and seconded by Oleson that the Agreement and Promissory Note to be dated October 4, 1993, be approved, which motion carried unanimously.

There being no further business, the meeting adjourned at 4:15 P.M.



Acting Clerk

MINUTES

RICHMOND LAKE SANITARY DISTRICT MEETING

October 22, 1993

A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Friday, October 22, 1993 at 12:00 o'clock noon at The Flame Restaurant, Aberdeen, South Dakota. Present were Trustees Charles (Arnie) Wilcox, Grant Oleson and Kathy Wahl. Also in attendance was Attorney Terry O'Keefe.

Arnie Wilcox called the meeting to order.

The Trustees then canvassed the votes of the election held on October 19, 1993 and found that 30 ballots were cast with 18 votes for Robert J. Heintzman and 12 for Roland O. Nelson. It appearing that the election had been conducted properly, it was moved by Wilcox and seconded by Oleson that a Certificate of Election be sent to Robert J. Heintzman.

It was moved by Wahl, seconded by Wilcox that the District pay the 3 election workers, June L. Friske, Judge, Belva L. Dobberpuhl, Clerk and Mildred Lance, Clerk the sum of \$50.00 each for serving in the capacity of election judge and election clerk, which motion carried unanimously.

Terry O'Keefe advised that the South Dakota Department of Environment & Natural Resources required a resolution designating the Trustee to be the authorized person to sign all documents with respect to the Water Development District Revenue Fund Loan. The following Resolution was moved by Wahl, seconded by Oleson and carried unanimously:

RESOLUTION

WHEREAS, the South Dakota Board of Water and Natural Resources has approved a loan to the District from the Water Development District Special Revenue Fund, in the amount of \$4,500.00; and

WHEREAS, the District has duly approved and executed the Water Development District Special Revenue Fund Loan Agreement and Promissory Note; and

WHEREAS, the South Dakota Department of Environment and Natural Resources requires that the Board of Trustees designate an authorized person to sign on behalf of the District a W-9 Form and any Request for Payment of Funds.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Richmond Lake Sanitary District as follows:

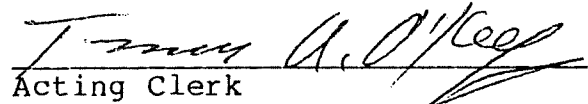
Minutes
October 22, 1993
Page 2

- (1) That Trustee Grant Oleson is hereby authorized to execute all documents required to be signed on behalf of the District with respect to the Water Development District Revenue Fund Loan including, but not limited to, the W-9 Form and Request for Payment of Funds; and
- (2) That the Request for Payment of Funds shall direct that the payment be mailed to the Richmond Lake Sanitary District Office, c/o Kathy Wahl, 6601 West Bridge Road, Aberdeen, South Dakota 57401.

Terry O'Keefe advised that the Internal Revenue Service had issued the District an Employer Identification Number: 46-0428480 on October 13, 1993.

The next meeting was set for 7:00 o'clock p.m. on Thursday, November 4, 1993 at The Place At The Lake.

Meeting adjourned by motion of Wilcox, seconded by Wahl at 1:00 o'clock p.m.


Acting Clerk

MINUTES

RICHMOND LAKE SANITARY DISTRICT MEETING

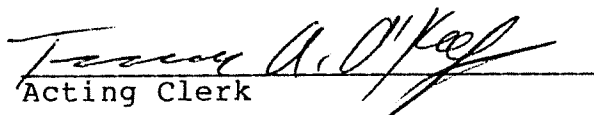
November 4, 1993

Because of a snowstorm in progress, a telephone meeting for the Richmond Lake Sanitary District was held on November 4, 1993 at 7:00 o'clock p.m. with Trustees Kathy Wahl and Robert Heintzman. Trustee Grant Oleson was out of town at the time of the meeting. Prior to the meeting Kathy Wahl had discussed the Corporate Authorization Resolution required by Farmers & Merchants Bank and Trust Company in Aberdeen with respect to the District's checking account.

By motion of Wahl, seconded by Heintzman, the Corporate Authorization Resolution was adopted with any two of the Trustees being authorized to endorse checks and orders for the payment of money and withdraw funds on deposit with the Bank, which motion carried.

A copy of the Corporate Authorization Resolution is on file at the District Office.

There being no further business, the telephone meeting was adjourned.


Acting Clerk

C CORPORATE AUTHORIZATION RESOLUTION

By: Richmond Lake Sanitary District
(Corporation)
c/o Kathy Wahl-6601 West Bridge Road
(Address)
Aberdeen, SD 57401
(City, State and Zip Code)

A. I, Terence A. O'Keefe, Acting Secretary (clerk) of the above named corporation organized under the laws of South Dakota, Federal Employer I.D. Number 46-0428480, engaged in business under the trade name of same, and that the following is a correct copy of resolutions adopted at a meeting of the Board of Directors of this corporation duly and properly called and held on November 4, 1993. These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

B. Be it resolved that,

- (1) The Financial Institution named above is designated as a depository for the funds of this corporation.
- (2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by this Financial Institution.
- (3) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of this corporation with this Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.
- (4) Any of the persons named below, so long as they act in a representative capacity as agents of this corporation, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with this Financial Institution, concerning funds deposited in this Financial Institution, moneys borrowed from this Financial Institution or any other business transacted by and between this corporation and this Financial Institution subject to any restrictions stated below.
- (5) Any and all prior resolutions adopted by the Board of Directors of this corporation and certified to this Financial Institution as governing the operation of this corporation's account(s), are in full force and effect, unless supplemented or modified by this authorization.
- (6) This corporation agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of this corporation, and authorizes the Financial Institution named above, at any time, to charge this corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on this Financial Institution, regardless of by whom or by what means the facsimile signature(s) may have been affixed so long as they resemble the facsimile signature specimens in section C. (or the facsimile signature specimens that this corporation files with this Financial Institution from time to time) and contain the required number of signatures for this purpose.

C. If indicated, any person listed below (subject to any expressed restrictions) is authorized to:

	Name and Title	Signature	Facsimile Signature (if used)
(A)	<u>Grant H. Oleson-Trustee</u>	<u>X [Signature]</u>	_____
(B)	<u>Kathy Wahl-Trustee</u>	<u>X [Signature]</u>	_____
(C)	<u>Robert J. Heintzman-Trustee</u>	<u>X [Signature]</u>	_____
(D)	_____	_____	_____

Indicate A, B, C and/or D

- _____ (1) Exercise all of the powers listed in (2) through (6).
- _____ (2) Open any deposit or checking account(s) in the name of this corporation.
- A-B-C (3) Endorse checks and orders for the payment of money and withdraw funds on deposit with this Financial Institution.
Number of authorized signatures required for this purpose Two (2)
- _____ (4) Borrow money on behalf and in the name of this corporation, sign, execute and deliver promissory notes or other evidences of indebtedness.
Number of authorized signatures required for this purpose _____
- _____ (5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by this corporation as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.
Number of authorized signatures required for this purpose _____
- _____ (6) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box in this Financial Institution.
Number of authorized persons required to gain access and to terminate the lease _____

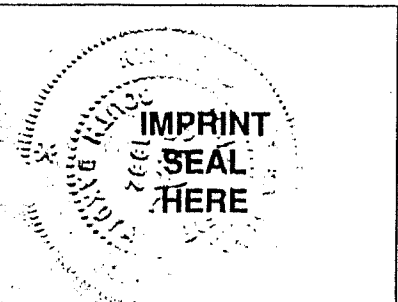
D. I further certify that the Board of Directors of this corporation has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the powers granted to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of this corporation on

November 4, 1993

[Signature]
Attest by One Other Officer

[Signature]
Acting Clerk



RAI - INFORMATION

Interest Rate _____ %
 If your daily balance is \$ _____ or more, your _____ %
 If your daily balance is \$ _____ or more, your _____ %
 If your daily balance is \$ _____ or more, your _____ %
 If your daily balance is \$ _____ or more, your _____ %
 The interest rate and annual percentage yield may change daily. Rate changes are solely within the banks discretion.

COMPOUNDING AND CREDITING

Interest will be compounded and credited to your account on a _____ ly basis. If you choose to close your account before interest is credited, you will not receive accrued interest under \$1.00.

BALANCE INFORMATION

Minimum Balance Requirements
 You must deposit \$.01 to open this account.
 If your daily balance on any one or more days during a _____ ly statement cycle falls below \$ _____ or an average of \$ _____; you will be charged a maintenance fee for the cycle of \$ _____ and a fee per withdrawal of \$ _____.

Balance Computation Method

We use the daily balance method to calculate the interest on your account. This method applies a daily periodic rate to the principal in the account each day.

Accrual Of Interest On Noncash Deposits

Interest begins to accrue no later than the business day we receive credit for the deposit of noncash items.

FEE'S

The following fees may be assessed against your account.

STOP PAYMENT REQUEST	\$ <u>10.00</u>	OVERDRAFT ITEM	\$ <u>12.00</u>
INSUFFICIENT FUNDS ITEM	\$ <u>12.00</u>	CHECK PRINTING	\$ (prices vary).
ACCOUNT RECONCILIATION	\$ <u>15.00/hour</u>		
CONTINUOUS OVERDRAFT	\$ <u>1.00/day</u> after 7 consecutive days		
DORMANT ACCOUNT	\$ <u>3.00</u> per month if for <u>12</u> months previous there is no activity.		

WITHDRAWALS AND TRANSFERS

Daily cut-off time 3.00 Statement cycle monthly

Personal Account: JOINT-NO SURVIVORSHIP (as tenants in common) JOINT ACCOUNT - WITH SURVIVORSHIP (and not as tenants in common)
 (other)
 Commercial Account: authorization dated: _____

DATE OPENED 11-4-93 EH TELEPHONE NO.S 225-5420

Richmond Lake Sanitary District
 c/o Kathy Wahl
 6601 W Bridge Road
 Aberdeen SD 57401
 NAME AND ADDRESS
 REG WAIVE
 ACCOUNT NUMBER: 87-921-5
 NUMBER OF SIGNATURES REQUIRED FOR WITHDRAWAL:

SIGNATURES - THE UNDERSIGNED AGREE(S) TO THE TERMS STATED ON PAGES 1 AND 2 OF THIS FORM, and acknowledge(s) receipt of at least one copy on the date stated.

(1) X [Signature]
 (2) X [Signature]
 (3) X [Signature]
 AUTHORIZED SIGNER (name) _____
 Individual Accounts Only
 X _____

Farmers & Merchants Bank
 PO Box 1210
 Aberdeen SD 57402-1210
 REVOCABLE TRUST OR PAY-ON-DEATH DESIGNATION AS DEFINED IN THIS AGREEMENT
 Name and Address of Beneficiaries: _____

BACKUP WITHHOLDING CERTIFICATIONS
 TIN: 46-0428480
 TAXPAYER I.D. NUMBER - The taxpayer identification number shown above (Taxpayer I.D. Number) is my correct taxpayer identification number.
 BACKUP WITHHOLDING - I am not subject to backup withholding either because I have not been notified that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the Internal Revenue Service has notified me that I am no longer subject to backup withholding.
 EXEMPT RECIPIENTS - I am an exempt recipient under the Internal Revenue Service Regulations.
 NONRESIDENT ALIENS - I am not a United States person, or if I am an individual, I am neither a citizen nor a resident of the United States.
 SIGNATURE - By signing below I certify under penalties of perjury the statements checked in this section.
 X [Signature]
 Acting Clerk

MINUTES

RICHMOND LAKE SANITARY DISTRICT MEETING

DECEMBER 6, 1993

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, December 6, 1993 at 7:00 o'clock P.M. at Trustee Grant Oleson's residence at Richmond Lake. Present were Trustees, Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was Attorney Terry O'Keefe.

Grant Oleson called the meeting to order.

The minutes of the Trustee's meetings of October 22, 1993 and November 4, 1993 were approved on motion of Wahl, seconded by Oleson.

The following payments were approved and authorized for payment:

A. Trustee Grant Oleson:

Meeting Attendance: October, November, December, 1992; January, April, June, July, August, October and December, 1993 -- \$330.00

Trip Expense: 07/07/93 to Huron, SD and return, 180 miles x \$.24 = \$43.20 and 09/23/93 to Pierre, SD and return, 320 miles \$.24 = \$76.80 for a total of \$120.00

B. Trustee Kathy Wahl:

Meeting Attendance: October, November, December, 1992; January, April, May, June, July, August, September, October and December, 1993 -- \$360.00

C. Trustee Robert Heintzman:

Meeting Attendance: December, 1993 -- \$30.00

D. June L. Friske, Election Judge: -- \$50.00

E. Mildred Lance, Election Clerk: -- \$50.00

F. Belva L. Dobberpuhl, Election Clerk: -- \$50.00

G. Siegel, Barnett & Schutz:

A statement of December 6, 1993 in the amount of \$3,718.75 for legal services plus \$423.95 in expenses for a total of

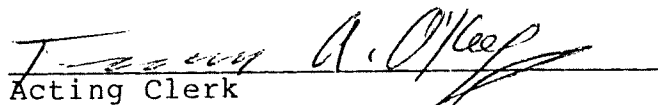
\$4,142.70 was approved for payment as funds become available. Payment of the expenses of \$423.95 plus \$700.00 on the services portion of the bill for a total of \$1,123.95 was authorized to be paid at this time.

Grant Oleson advised that he received a letter from Robert E. Roberts, Secretary of the South Dakota Department of Environment and Natural Resources dated November 18, 1993 which stated that the Richmond Lake Sanitary Sewer System project was placed on the 1994 State Water Plan. The letter noted that "although the Board approved the project, it did note that this is an extremely expensive project." There was a general discussion on the comments made in the letter.

Grant Oleson reported on his meeting with Terry Helms and Bruce Baumann of the Northeast Council of Governments. A letter from Mr. Baumann dated November 15, 1993 was presented and reviewed. There was a general discussion on whether or not the District could meet the requirements for a FmHA grant.

The next meeting was scheduled for Thursday, January 6, 1994 at Trustee Robert Heintzman's home at Richmond Lake.

There being no further business, the meeting adjourned.


Acting Clerk

MINUTES

RICHMOND LAKE SANITARY DISTRICT MEETING

JANUARY 13, 1994

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, January 13, 1994 at 7:00 o'clock P.M. at Trustee Robert Heintzman's residence at Richmond Lake. Present were Trustees, Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was Attorney Terry O'Keefe.

Grant Oleson called the meeting to order.

The minutes of the Trustee's meeting of December 6, 1993 were approved on motion of Oleson, seconded by Wahl.

Mr. O'Keefe advised that he had contacted the Internal Revenue Service and was advised that Trustee meeting payments were subject to withholding for social security and medicare but not federal income tax withholding. Mr. O'Keefe will prepare and file the necessary forms prior to January 31, 1994.

Mr. O'Keefe advised that he had contacted Dennis Hagny, Manager of Northern Electric Cooperative, Bath, South Dakota concerning their community funding program. The Trustees authorized Mr. O'Keefe to provide Mr. Hagny with whatever information is needed to determine if the District is eligible for funding under the REA program.

The next meeting was scheduled for Thursday, February 3, 1994 at Trustee Grant Oleson's home at Richmond Lake.

There being no further business, the meeting adjourned.

Terry O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

February 3, 1994

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on February 3, 1994. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman.

Motion to approve the Minutes of the January 13, 1994 meeting was made and passed.

A discussion was held concerning Dennis Hagny and Northern Electric's willingness to assist the District.

It was decided to extend an invitation to the March meeting to Jerry Sour, Manager of the Richmond Lake State Park to discuss his ideas concerning a sewer system and to see if there may be any federal funds available to help the State pay their share of the project.

It was recommended that Terry O'Keefe send the necessary paperwork to Joe Dvorak for his opinion on the project and possible funding sources.

Trustee Oleson discussed Ka Squire's input to Pierre for help if we need it. The Board will look into contacting Senators Daschle and Pressler's offices to see if there may be funding available. A video of the Richmond Lake project made by South Dakota State University was viewed by the Board members.

There being no further business the meeting adjourned.

Terry O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

March , 1994

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on March _____, 1994 prior to the Richmond Lake Association meeting. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman.

Motion to approve the Minutes of the February 3, 1994 meeting was made and passed.

The Board discussed the Martin Van Den Eykel, Sr. land as a possible lagoon site. On motion of Heintzman seconded by Wahl, the Board agreed to offer \$225 per acre for up to 30 acres. Mr. O'Keefe is to contact Martin Van Den Eykel, Sr. and make the offer.

There being no further business the meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

June 7, 1994

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on June 7, 1994. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also present was Acting Clerk Terry O'Keefe.

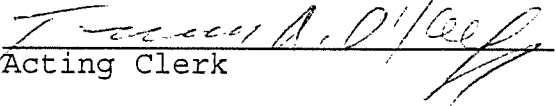
Mr. O'Keefe advised that he had offered Martin Van Den Eykel \$225 per acre in a written Option sent to Mr. Van Den Eykel. Mr. Van Den Eykel rejected the offer stating that he purchased the property for \$227 an acre. The property is assessed at \$196.39 an acre. Mr. Van Den Eykel's latest demand was \$4,000 per acre. On motion of Oleson, second by Heintzman and carried, Mr. O'Keefe was instructed to offer \$500 per acre.

There was a general discussion of the natural gas project being proposed for the Lake property by Northwestern Public Service Company.

There was a general discussion of the need for a Clerk for the District. No action taken.

Mr. O'Keefe advised that a trustee election was necessary in October and the date of October 4th was tentatively scheduled with the voting to take place at The Place at the Lake.

There being no further business the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

June 14, 1994

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on June 14, 1994. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also present was Acting Clerk Terry O'Keefe.

Mr. O'Keefe advised that the election would be held on October 4, 1994 for a three-year term to replace the expiring term of Trustee Kathy Wahl. Mr. O'Keefe advised that registration would close September 19, 1994 and Nominating Petitions, signed by at least 5% of the registered voters, not to exceed 50, could be filed between August 25 and September 14, 1994.

There was a general discussion of the ongoing negotiations with Martin Van Den Eykel, Sr. with respect to the 30-acre lagoon site. On motion of Wahl seconded by Heintzman, Mr. O'Keefe was instructed to offer \$750 per acre to Mr. Van Den Eykel.

There being no further business the meeting adjourned.

Terry A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

August 4, 1996

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on August 4, 1994. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also present was Acting Clerk Terry O'Keefe.

The Board discussed the ongoing negotiations with Martin Van Den Eykel. Mr. O'Keefe advised that Mr. Van Den Eykel, Sr.'s latest offer was \$35,000 for 30 acres which works out to a \$1,167 per acre price which the Board felt was excessive. On motion by Heintzman seconded by Wahl, Mr. O'Keefe was authorized to offer \$950 per acre.

There was a general discussion of the garbage pick-up situation at the Lake and whether or not the District could contract for the garbage to avoid the \$60 per lot garbage fee charged by the County. Mr. O'Keefe will check with the County Auditor.

There being no further business the meeting adjourned.

Terry A. O'Keefe

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

September 1, 1994

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on September 1, 1994. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman.

There was a general discussion on the garbage pick-up system at the Lake.

There was a general discussion on the District election to be held October 11, 1994 and concerning the candidates for the general election in November.

Mr. O'Keefe advised that he had obtained a written Option from Martin Van Den Eykel for 30 acres of land at a price of \$1,000 per acre. Mr. Van Den Eykel would not accept the \$950 previously proposed by the Board.

There being no further business the meeting adjourned.

T. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

October 25, 1994

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on October 25, 1994. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Acting Clerk Terry O'Keefe was also present.

Since only one candidate filed a Nominating Petition for Trustee, the election scheduled for October 11, 1994 was not held. Kathy Wahl, being the only candidate to file a Nominating Petition for position of Trustee, was recognized as elected and a Certificate of Election was provided to her.

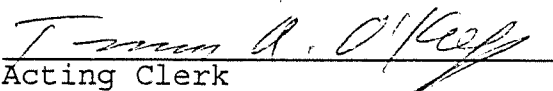
Mr. O'Keefe advised that he had obtained a written Option from Martin Van Den Eykel for 30 acres of land at a price of \$1,000 per acre. Mr. Van Den Eykel would not accept the \$950 per acre previously proposed by the Board.

On motion by Heintzman seconded by Wahl, the following bills were approved for payment:

- | | |
|---|-------------|
| (1) Helms & Associates -- partial
payment on Feasibility Study | \$ 2,000.00 |
| (2) Siegel, Barnett & Schutz -- | \$ 3,018.75 |
| (3) SD Water Dev. District --
loan payment -- | \$ 1,500.00 |

Ordinance No. 94-1, the 1995 Annual Appropriation Ordinance was, on motion of Heintzman seconded by Wahl, was given first reading.

There being no further business the meeting adjourned.



Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

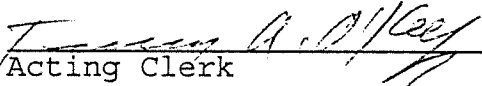
MINUTES OF MEETING

November 1, 1994

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on November 1, 1994. Present were Trustees Grant Oleson and Kathy Wahl. Trustee Robert Heintzman was absent. Acting Clerk Terry O'Keefe was also present.

Ordinance No. 94-1, the 1995 Annual Appropriation Ordinance was, on motion of Oleson seconded by Wahl, given second and final reading. Since this Ordinance will be published in the *Aberdeen American News*, it will not be set forth herein. A copy is on file at the District Office.

There being no further business the meeting adjourned.



Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

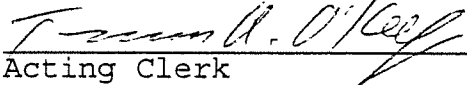
December 5, 1994

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on December 5, 1994. Present were Trustees Grant Oleson and Robert Heintzman. Trustee Kathy Wahl was absent. Acting Clerk Terry O'Keefe was also present.

Upon motion by Heintzman seconded by Oleson the following bills be approved for payment:

(1) Helms & Associates -- final payment on Feasibility Study	\$1,500.00
(2) Robert Heintzman -- trustee fees --	\$ 332.46
(3) Kathy Wahl -- trustee fees --	\$ 332.46
(4) Grant Oleson -- trustee fees --	\$ 332.46
(5) Siegel, Barnett & Schutz -- legal services --	\$2,527.35
(6) F & M Bank -- check fees --	\$ 78.36

There being no further business the meeting adjourned.



Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

December 30, 1994

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on December 30, 1994. Present were Trustees Grant Oleson, Robert Heintzman and Kathy Wahl. Acting Clerk Terry O'Keefe was also present.

Mr. O'Keefe advised that there would be a workshop on funding water projects to be held at the Aberdeen Holiday Inn on January 19, 1995 from 1:00 to 5:00 o'clock P.M. The Board members indicated they planned to attend this session.

There was a general discussion of a telephone survey of the Lake residents to find out their wishes concerning a sewer system.

There being no further business the meeting adjourned.

Terry O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

JANUARY 13, 1995

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Friday, January 13, 1995 at 12:00 o'clock P.M. at the Aberdeen Holiday Inn. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was Attorney Terry O'Keefe, Paul Clinton from the Northeast Council of Governments, and Terry Helms and Jay Koch from Helms & Associates.

Grant Oleson called the meeting to order.

The Minutes of the Trustees meeting of December 30, 1994 were approved on motion of Wahl, seconded by Heintzman.

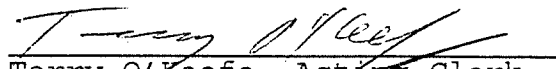
Paul Clinton explained the federal and state requirements for grants.

There was a general discussion of the Generic Facilities Plan draft which had been presented by Terry Helms at the December meeting. With minor modifications, the Plan was approved and Mr. Helms was authorized to submit it to the necessary state and federal officials.

It was decided to hold a public hearing on the Generic Facilities Plan and loan/grant proposals on January 30, 1995 at 7:00 o'clock P.M. at the Richmond Lake Youth Camp. A legal Notice will be published as well as a flyer will be posted at The Place at the Lake.

Kathy Wahl was authorized to make the necessary payment to the Internal Revenue Service for 1994 employer taxes.

There being no further business the meeting adjourned at 1:10 o'clock P.M.


Terry O'Keefe, Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

January 30, 1995

The special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held at the Brown County Youth Camp on January 30, 1995 commencing at 7:00 o'clock P.M.. Present were Trustees Grant Oleson and Kathy Wahl. Trustee Robert Heintzman was absent. Also in attendance was Acting Clerk Terry A. O'Keefe, Terry Helms and Jay Koch, of Helms & Associates.

Trustee Oleson advised that this was the time and place for the public hearing on the Generic Facilities Plan for the Wastewater Treatment Facilities. Terry Helms and Jay Koch explained the plan and the Trustees and Mr. O'Keefe answered various questions concerning the plan from the 40 member audience.

After all questions had been answered, there being no further business, the meeting was adjourned.

Terry A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

May 4, 1995

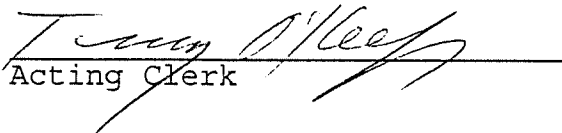
A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, May 4, 1995. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was Acting Clerk Terry A. O'Keefe, Dennis Hagny from Northern Electric Co-Operative, and Terry Helms, Helms and Associates.

Mr. Helms discussed various financing options now that the District had been turned down for state funding in 1995.

Mr. O'Keefe advised that the option with Martin Van Den Eykel for 30 acres must be exercised no later than August 14, 1995. Paul Clinton of NECOG had applied for a grant on the District's behalf from the State to purchase the land but they now advise that the minimum match that the District would have to come up with would be \$12,000. We had budgeted \$3,000 in 1995 for land acquisition so we would be short \$9,000. Dennis Hagny was asked if Northern Electric would be in a position to make a loan of the \$9,000 to make up the balance or, unlikely in the event that the State did not give us any grant money for that purchase, that they consider loaning us the \$27,000 that we would need. Mr. Hagny indicated that he would take that up with his Board at their June meeting.

Mr. Hagny advised that East River Electric has a revolving loan fund that might be available. They have a maximum of \$150,000 per recipient and it carries a 5 plus percent interest rate. Mr Hagny is also to investigate the possibility of loan funds through Rural Utilities Service Administration. The funds under that program are loaned at zero interest.

There being no further business, motion by Heintzman, seconded by Oleson to adjourn the meeting.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

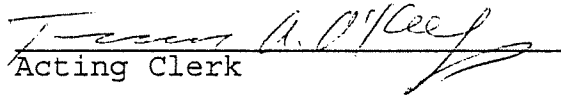
MINUTES OF MEETING

May 20, 1996

A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held at the Brown County Youth Camp on Monday, May 20, 1996 commencing at 7:00 o'clock P.M.. Present were Trustees Grant Oleson, Kathy Wahl, and Robert Heintzman. Also in attendance was Acting Clerk Terry A. O'Keefe, Terry Helms and Jay Koch, of Helms & Associates.

Trustee Oleson advised the sixty-seven residents present that this was the time and place set for the public hearing on the SRF loan application being made by the District. Terry Helms and Jay Koch then went through the Generic Facilities Plan and provided the updated figures on the loan application. The Trustees and Mr. O'Keefe then answered questions from the audience.

After all questions had been answered, there being no further business, the meeting was adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

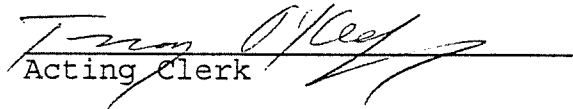
MINUTES OF MEETING

June 1, 1995

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, June 1, 1995. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Paul Clinton of NECOG.

Mr. Clinton discussed the funding package that was being put together. It was agreed that Trustee Oleson would write a letter to WEB to find out what their future plans are for the Lake. There currently is a moratorium in effect on new water hook-ups at the Lake which is having an adverse impact on development.

There being no further business, the meeting was adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

June 29, 1995

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, June 29, 1995. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman and Acting Clerk Terry O'Keefe.

Mr. O'Keefe advised that he had received a letter from Dennis Hagny, General Manager of Northern Electric Co-Operative, Inc. to the effect that they would be willing to make a 5 year loan at 5% interest for the purchase of the Van Den Eykel land. He also indicated that Northern Electric would be willing to apply for a Rural Utilities Service loan of up to \$400,000.

Mr. O'Keefe advised that the South Dakota Department of Water & Natural Resources Board met on Wednesday, June 21, 1995 to consider funding requests for projects throughout the State. Mr. Helms and Trustee Oleson presented the proposal of the District for the second time. The District was advised on June 22, 1996 that the State will not fund any part of our project during the period July 1, 1995 through June 30, 1996. Our application for funding will be reconsidered in early 1996.

Mr. O'Keefe advised that he had received a letter from Terry Helms recommending that the Van Den Eykel land be tested for suitability as a lagoon site. The Board authorized Mr. Helms to obtain proposals for the soil tests.

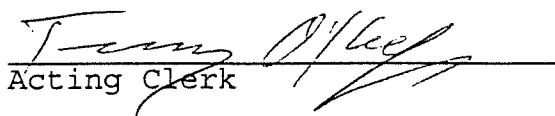
Mr. O'Keefe advised that Trustee Oleson's term would expire on November 1, 1995. Under South Dakota law, the election must be held in October and he presented various options to the Board.

Upon motion of Heintzman, seconded by Wahl, the election was scheduled for Tuesday, October 17, 1995 at The Place at the Lake resort between the hours of 8:00 o'clock A.M. and 7:00 o'clock P.M. Central Daylight Savings Time. Mr. O'Keefe was instructed to prepare and publish the required notices with respect to the election.

There was a general discussion concerning the sanitary sewer project.

Mr. O'Keefe advised that he had written Mr. Martin Van Den Eykel to see if he would be willing to extend the purchase option from August 15, 1995 to August 15, 1996.

There being no further business, upon motion made by Heintzman and seconded by Wahl, the meeting was adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

September 7, 1995

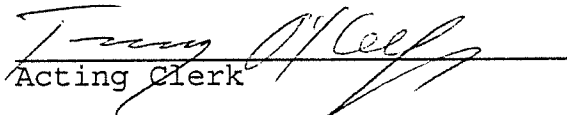
A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, September 7, 1995. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman and Acting Clerk Terence A. O'Keefe.

The 1996 Annual Appropriation Ordinance was presented for first reading. Upon motion by Heintzman and seconded by Oleson, it was approved to give first reading to the 1996 Annual Appropriation Ordinance. Since the Ordinance will be published in full in the newspaper, it will not be set forth in the Minutes. The total general fund levy will be \$11,705.00.

Mr. O'Keefe advised that WEB Water Development Association estimates that it could be 2 to 3 years before the moratorium before new hook-ups at the Lake could be lifted.

Mr. O'Keefe updated the Board on the election scheduled for October 17, 1995. He advised that Nominating Petitions may be filed no earlier than September 7, 1995 and not later than September 27, 1995.

There being no further business, upon motion made by Wahl, and seconded by Heintzman, the meeting was adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

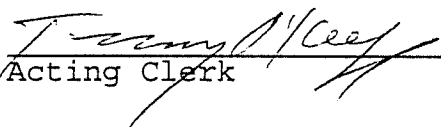
September 28, 1995

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, September 28, 1995. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman and District Attorney and Acting Clerk Terry O'Keefe.

It was moved by Heintzman, seconded by Oleson, and unanimously approved, that the 1996 Annual Appropriation Ordinance be given second and final reading. The Ordinance will not be reprinted in full in these Minutes as it will be published separately. The total budget for 1996 is \$15,810 with \$11,705 to be raised from general property taxes from the general fund. Mr. O'Keefe was instructed to have the Ordinance published and filed with the Brown County Auditor and the State of South Dakota.

Grant Oleson submitted a Nominating Petition for District Trustee on September 22, 1995 at the District Office. The Petition was reviewed and found to meet legal requirements.

There being no further business, upon motion made by Wahl, and seconded by Heintzman, the meeting was adjourned.



Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

March 6, 1996

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Wednesday, March 6, 1996. Present were Trustees Grant Oleson, Robert Heintzman, and Kathy Wahl, Acting Clerk Terry O'Keefe, and Terry Helms of Helms and Associates.

Mr. Helms advised that the State Water Board would meet March 27, 1996 in Pierre. There are 42 applications for funds for them to consider and ours will be at the end of the day. It was tentatively scheduled for Trustee Heintzman to attend the meeting.

The results of the survey of the permanent residents concerning the construction of a sanitary sewer system are 72 "yes" 37 "no" and 1 abstention for a total of 110 ballots. Sixty-five and four tenths percent (65.4%) were in favor and 33.6 percent were against.

Mr. Helms advised that the project could be under construction within 12 months of approval of the loans and be completed within 24 months.

There being no further business, on motion of Oleson, seconded by Heintzman, the meeting adjourned.

Terry A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

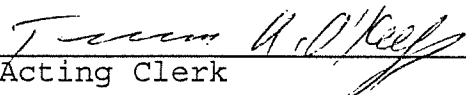
April 8, 1996

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, April 8, 1996. Present were Trustees Grant Oleson, Robert Heintzman, and Kathy Wahl and Acting Clerk Terry O'Keefe.

Mr. O'Keefe reported that Bob Schneider of the South Dakota Department of Game, Fish & Parks said that if the Department agrees to the use of the park land for a lagoon it must be purchased and the Department then has to use the funds to replace the acres that were lost by this project. He says they do not have authority to lease even though they did enter into a lease for the Mina Lake Sanitary Sewer District a number of years ago. He also said that we must buy all 90 acres that are available rather than only the 30 we need. The Game, Fish and Parks Commission is to meet April 18 and 19, 1996 and we will continue to work to try to come up with an acceptable purchase of the park land.

There was a general discussion of various aspects of the sewer project.

There being no further business, on motion of Oleson, seconded by Wahl, the meeting adjourned.



Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

April 30, 1996

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Tuesday, April 30, 1996. Present were Trustees Grant Oleson, Robert Heintzman, and Kathy Wahl and Acting Clerk Terry O'Keefe.

Mr. O'Keefe advised that in connection with the application for the State Revolving Fund loan it is necessary that a public hearing be held to receive questions and comments on the wastewater collection and disposal system project and its funding. On motion made by Wahl, seconded by Heintzman, and unanimously approved, the hearing was scheduled for May 20, 1996 at 7:00 o'clock A.M. at the Richmond Youth Camp, Richmond Lake, South Dakota. Mr. O'Keefe was instructed to publish the required notice in the *Aberdeen American News*.

Trustee Oleson reported that Bill Welk has property outside the District which he would like to be included in the District. Trustee Oleson was to pursue this matter with Mr. Welk as far as the details concerning the specific land and the reasons for inclusion in the District.

There was a general discussion concerning the location of the lagoon and whether or not we should contact Mr. Van Den Eykel to try to obtain a new option. It was decided to defer action on this until a final decision has been made by the State Game, Fish & Parks Commission on the alternate site.

There being no further business, on motion of Heintzman, seconded by Wahl, the meeting adjourned.

Terry A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

May 13, 1996

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, May 13, 1996. Present were Trustees Grant Oleson, Robert Heintzman, and Kathy Wahl and Acting Clerk Terry O'Keefe.

It was moved by Heintzman, seconded by Wahl and carried that Resolution 96-A be approved. The Resolution reads as follows:

"RESOLUTION 96-A
Authorizing State Revolving Fund Signatory
for the Richmond Lake Sanitary District

WHEREAS, the Richmond Lake Sanitary District is proposing to construct a new wastewater collection and disposal system; and

WHEREAS, the Richmond Lake Sanitary District is applying for a \$414,000 SRF loan from the Department of Environment and Natural Resources (DENR); and

WHEREAS, the Richmond Lake Sanitary District needs to authorize a signatory to apply for the SRF funds; and

THEREFORE, BE IT RESOLVED THAT, Mr. Grant Oleson, Trustee, be the authorized signatory to sign an application to the DENR for an SRF loan in the amount of \$414,000 at an interest rate of 5.25% and a term of 20 years. The security that will be pledged toward the repayment will be hookup fees and monthly rates paid by the residents."

It was moved by Heintzman, seconded by Wahl and carried that Resolution 96-B be approved. The Resolution reads as follows:

"RESOLUTION 96-B
Authorizing Consolidated Water Facilities Construction
Program Grant Agreement
for the Richmond Lake Sanitary District

WHEREAS, the Richmond Lake Sanitary District is proposing to contract a new wastewater collection and disposal system; and

WHEREAS, the Richmond Lake Sanitary District has been awarded a Consolidated Water Facilities Construction Program Grant (the "Grant") in the amount of up to \$235,000; and

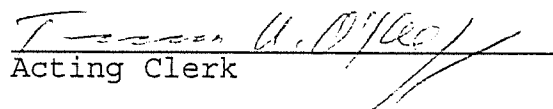
WHEREAS, the Richmond Lake Sanitary District needs to accept the Grant and authorize a signatory for the Grant funds; and

THEREFORE, BE IT RESOLVED THAT:

- (1) The District hereby accepts the Consolidated Water Facilities Construction Program Grant in the amount of \$235,000; and
- (2) Mr. Grant Oleson, Trustee, be the authorized signatory for the Richmond Lake Sanitary District for the Grant Agreement and all other Grant related documents, including pay requests and that Kathy Wahl, Trustee, be designated as an alternate signatory for all such documents."

On motion of Wahl seconded by Heintzman, the *Aberdeen American News* publication bill in the amount of \$13.26 was approved for payment.

There being no further business, on motion of Oleson, second by Heintzman, the meeting was adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

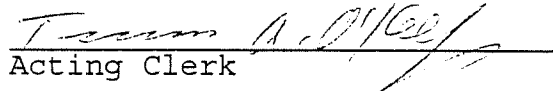
June 3, 1996

A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, June 3, 1996. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was Acting Clerk Terence A. O'Keefe and Terry Helms of Helms & Associates, Aberdeen, South Dakota.

Terence O'Keefe advised that he had reviewed the "Agreement Between Owner and Engineer For Professional Services" proposed by Helms & Associates and that same was acceptable from a legal standpoint. Motion by Heintzman, second by Wahl to approve said Agreement and authorize the Board President to execute the Agreement on behalf of the District, which motion passed unanimously.

Mr. Helms explained the current status of the various funding requests being made by the District and advised that the State Water Board would meet on June 26 and 27, 1996 at which time they will probably take final action on the District's request.

There being no further business the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

June 7, 1996

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on June 7, 1996. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was Acting Clerk Terence A. O'Keefe.

Trustee Wahl read and presented Resolution No. 96-1 "A Resolution Providing for the Issuance and Sale of Borrower Bond" and moved that the same be passed which motion was seconded by Trustee Heintzman and carried unanimously. (Since this Resolution will be published in the *Aberdeen American News* on June 20, 1996, it will not be set forth herein. A copy is on file at the District Office).

Mr. O'Keefe advised that the Game, Fish & Parks Commission planned to discuss the possibility of selling part of their Richmond Lake State Park land for a lagoon.

There was a further discussion on how to treat commercial users, the Youth Camp and State Park. There was also further discussion concerning the status of the Game, Fish & Parks land.

There being no further business the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

June 11, 1996

A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Tuesday, June 11, 1996. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was Acting Clerk Terence A. O'Keefe.

Trustee Heintzman moved to give first reading to Ordinance No. 96-1 entitled "An Ordinance Requiring Connection to the Sanitary Sewer System, Establishing Sanitary Sewer Connection Fees, Date of Payment of Same and Requiring Property Owners to Install an Acceptable Septic Tank" which motion was seconded by Trustee Wahl and carried unanimously. (Since this Ordinance will be published in the *Aberdeen American News* on June 20, 1996, it will not be set forth herein. A copy is on file at the District Office).

Trustee Heintzman moved to give first reading to Ordinance No. 96-2 entitled "An Ordinance Establishing the Procedure for Determining Charges for Debt Service to be Levied on All Property Owners in the Richmond Lake Sanitary District, Brown County, South Dakota, hereinafter designated as District" which motion was seconded by Trustee Wahl and carried unanimously. (Since this Ordinance will be published in the *Aberdeen American News* on June 20, 1996, it will not be set forth herein. A copy is on file at the District Office).

Trustee Oleson moved to give first reading to Ordinance No. 96-3 entitled "An Ordinance Establishing the Procedure for Determining Charges for Operation and Maintenance and a Reserve Fund to be Levied on all Users Which Discharge Wastewater to the Wastewater System Operated by the Richmond Lake Sanitary District, Brown County, South Dakota and Providing Certain Prohibition and Establishing Initial Rates" which motion was seconded by Trustee Heintzman and carried unanimously. (Since this Ordinance will be published in the *Aberdeen American News* on June 20, 1996, it will not be set forth herein. A copy is on file at the District Office).

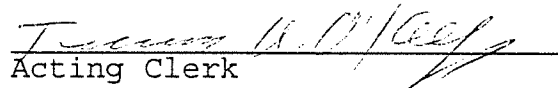
There was further discussion concerning commercial users and the status of the appraisal of the Game, Fish & Parks land.

Mr. O'Keefe advised the Board that it is the District's responsibility to obtain easements for the sewer project. This will be an extensive project as the ownership of all property within the District must be verified and then individual easements obtained from the property owners. There was a general discussion concerning who should be retained to contact the owners and it was determined that it was in the best interests of the District that Trustee Robert Heintzman be selected to obtain the easements. He

will be paid at a negotiated rate per hour provided that this can be legally done. Mr. O'Keefe is going to check on this.

Mr. O'Keefe presented a proposed fee agreement with the law firm of Danforth, Meierhenry & Meierhenry to act as Bond Counsel with respect to the State Revolving Fund Bond Issue. Mr. O'Keefe explained that the State requires certified Bond Counsel and the Danforth firm meets these requirements. The fee will be 1% of the amount of the bonds issued. Motion was made by Trustee Heintzman and seconded by Trustee Oleson to execute the fee agreement, which motion carried unanimously.

There being no further business the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

June 18, 1996

A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Tuesday, June 18, 1996 at 7:15 o'clock P.M. at the Brown County Courthouse Annex. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was Acting Clerk Terence A. O'Keefe.

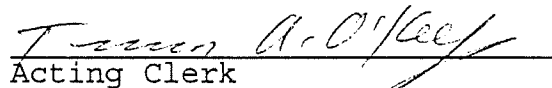
It was moved by Trustee Heintzman and seconded by Trustee Wahl to pass second and final reading of Ordinance No. 96-1 "An Ordinance Requiring Connection to the Sanitary Sewer System, Establishing Sanitary Sewer Connection Fees, Date of Payment of Same and Requiring Property Owners to Install an Acceptable Septic Tank", which motion carried unanimously.

It was moved by Trustee Heintzman and seconded by Trustee Wahl to pass second and final reading of Ordinance No. 96-2 "An Ordinance Establishing the Procedure for Determining Charges for Debt Service to be Levied on All Property Owners in the Richmond Lake Sanitary District, Brown County, South Dakota, hereinafter designated as District", which motion carried unanimously.

It was moved by Trustee Heintzman and seconded by Trustee Wahl to pass second and final reading of Ordinance No. 96-3 "An Ordinance Establishing the Procedure for Determining Charges for Operation and Maintenance and a Reserve Fund to be Levied on all Users Which Discharge Wastewater to the Wastewater System Operated by the Richmond Lake Sanitary District, Brown County, South Dakota and Providing Certain Prohibition and Establishing Initial Rates", which motion carried unanimously.

Since each of these Ordinances will be published in the *Aberdeen American News* on June 20, 1996, they will not be set forth herein. A copy of each Ordinance is on file at the District Office.

There being no further business the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

July 12, 1996

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Friday, July 12, 1996. Present were Trustees Grant Oleson, Robert Heintzman, and Kathy Wahl and Acting Clerk Terry O'Keefe.

Mr. O'Keefe advised that he attended the South Dakota Game, Fish & Parks Commission meeting on July 11, 1996 at Gettysburg, SD. The Commission approved the sale of 30 acres of the State Park land to the District for use as a lagoon subject to the required approval by the United States Park Service. He also advised that the 30 acres that we originally designated was appraised at \$26,500 at an average price of \$575.00 per acre but the appraiser valued the 3 acres of trees at \$3.00 per acre. The Commission approved the sale, subject to a revised appraisal, to exclude the trees from the site being purchased.

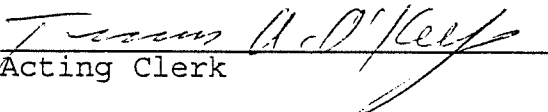
Motion was made by Wahl, seconded by Oleson and approved to repay the District out of project funds for all expenses for which the District is entitled to such reimbursement under the various loan documents.

There was a discussion of the proposal by Bill Welk to trade land along Forrest Drive in return to 3 hook-ups. No action was taken.

Motion was made by Wahl and seconded by Oleson to authorize Helms and Associates to obtain bids for conducting soil tests at the proposed lagoon site. Motion carried.

Upon motion of Wahl, seconded by Oleson, the bill of Siegel, Barnett & Schutz, in the amount of \$4,803.29 and the *Aberdeen American News* publication bill in the amount of \$56.64 were approved for payment.

There being no further business, on motion of Oleson, second by Heintzman, the meeting was adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

July 18, 1996

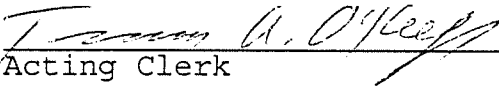
A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, July 18, 1996. Present were Trustees Grant Oleson and Robert Heintzman and Acting Clerk Terence A. O'Keefe. Trustee Kathy Wahl was absent.

Mr. O'Keefe advised that the trustee election was scheduled for October 1, 1996 at the Youth Camp and that the appropriate Notice of Election and Notice of Vacancy would be published in the *Aberdeen American News*.

Mr. O'Keefe advised that Helms & Associates had received bids for doing the soil tests at the proposed lagoon site. The low bidder was American Technical Services, Inc. of Sioux Falls, South Dakota with a bid of \$3,212.50. The tests and report are to be completed by August 2, 1996. Upon motion of Heintzman, seconded by Oleson, the bid was awarded to American Technical Services, Inc.

Mr. O'Keefe was instructed to prepare a letter to be mailed to the Lake residents concerning the project details and payment obligations.

There being no further business, on motion of Heintzman, second by Oleson, the meeting was adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

August 1, 1996

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, August 1, 1996. Present were Trustees Grant Oleson, Robert Heintzman, and Kathy Wahl. Acting Clerk Terry O'Keefe, Ross Olson of NECOG, and Terry Helms of Helms & Associates were also present.

Mr. O'Keefe advised that a Trustee could not be employed by the District to obtain easements. Accordingly, upon motion of Heintzman, seconded by Wahl, Kenneth M. Hier, a resident of the Lake and an employee of Clark Engineering in Aberdeen was hired to obtain the necessary easements. His pay is to be \$13.00 per hour plus \$.32 per mile for his vehicle outside the Lake area. The District will also pay his long distance telephone calls and pay the cost of obtaining a notary seal and bond.

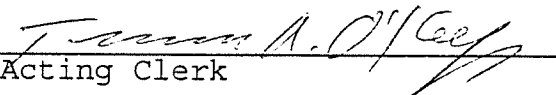
Mr. O'Keefe advised that he had obtained on behalf of the District, a copy of the SD Municipal Accounting Manual.

There was a general discussion concerning the fact that Trustee Heintzman's term expires this year and the election schedule was discussed.

The Board agreed to send a letter to all property owners concerning the project's status.

Ross Olson discussed the fact that a "No Significant Impact" statement must be published and an Affidavit of Publication provided to Jim Wendte of the DENR with respect to the SRF Loan. Mr. Helms discussed the financing of the project.

There being no further business, on motion of Wahl, second by Heintzman, the meeting was adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

August 9, 1996

A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Friday, August 9, 1996. Present were Trustees Grant Oleson, Robert Heintzman, and Kathy Wahl. Acting Clerk Terry O'Keefe and Ken Hier were also present.

Mr. O'Keefe advised that the Game, Fish & Parks Commission would meet on August 14 and 15, 1996 in Mobridge. Commission Chairman Tim Kessler would be contacted to see if it would be necessary to have a representative at the meeting.

Ken Hier, who has been hired by the District to obtain easements was present and there was a general discussion concerning the easements.

There was a preliminary discussion concerning the budget for next year and the time line for submitting the budget to the Brown County Auditor.

The following bills were approved for payment upon a motion by Oleson, seconded by Heintzman:

- (1) American Technical Services, Inc. -- soil tests at the lagoon site -- \$3,405.26; and
- (2) Aberdeen Mailing Service -- \$ 73.27

Kathy Wahl advised that a computer for the District could be purchased for between \$2,000 and \$3,500.

Mr. O'Keefe advised that he had discussed the replacement septic tank situation with Jay Koch of Helms & Associates. According to Koch, a minimum size replacement tank would be 1,000 gallons. If an existing tank is 500 gallons or more and is made out of concrete, it can continue to be used. Metal septic tanks are not acceptable and any existing metal tanks must be removed and replaced. Helms will ask the contractor to bid the cost of purchase and installation of septic tanks when they bid the overall project. Any resident that requires a septic tank can use the bid price or they can have their own septic tank put it by some other contractor. In both instances, the homeowner would pay for that cost. There will be an electrical control panel disconnect either on the home or on a pole near the septic tank depending on the location of the tank. The homeowner will pay for the electricity and there will be a disconnect at the panel as well as the owner's main electric service box.

There being no further business, on motion of Heintzman,
second by Wahl, the meeting was adjourned.

Thomas A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

August 15, 1996

The regular meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, August 15, 1996. Present were Trustees Grant Oleson, Robert Heintzman, and Kathy Wahl and Acting Clerk Terry O'Keefe, and Jay Koch, Helms & Associates.

It was moved by Heintzman, seconded by Oleson to approve first reading of Ordinance # 96-4 which amends Ordinance # 96-1 to describe the areas included in each phase of the project and to change the additional date of payment for Phase I. This motion passed unanimously. Since this Ordinance will be published in the *Aberdeen American News*, it will not be set forth herein. A copy is on file at the District Office.

It was moved by Heintzman, seconded by Oleson to approve first reading of Ordinance # 96-5 which amends Ordinance # 96-2 to specify the starting date for debt service payments and to revise debt service options. This motion passed unanimously. Since this Ordinance will be published in the *Aberdeen American News*, it will not be set forth herein. A copy is on file at the District Office.

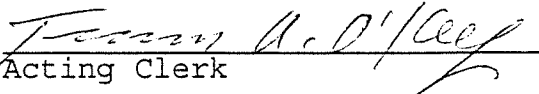
In view of the Amended Ordinances, the Board approved of sending another letter to the Lake residents explaining the changes.

Mr. O'Keefe brought the Board up-to-date on the status of the REA loan and the status of the lagoon. Mr. Koch presented a revised construction schedule. The Board also reviewed the objection letters which had been sent to Pierre.

Upon motion of Heintzman, seconded by Wahl, and approved, the following bills were authorized for payment: (1) Aberdeen Mailing Service -- \$73.27; (2) SD Dept. of Game, Fish & Parks -- \$976.00 in payment of the District's share of the appraisal fee of Bill Hobson.

Mr. O'Keefe advised that the District's 1996 valuation for taxes payable in 1997 is \$8,817,494. This is a decrease of \$294,918. The decrease results from the 20% tax reduction by the Legislature. Based on the current valuation, the maximum tax levy for the District is \$12,381 with the mill levy at 1.40. There was a general discussion on the budget for 1997.

There being no further business, on motion of Wahl, seconded by Heintzman, the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

August 29, 1996

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, August 29, 1996. Present were Trustees Grant Oleson and Robert Heintzman. Trustee Kathy Wahl was absent. Also in attendance were Acting Clerk Terry A. O'Keefe and Jay Koch, Helms & Associates.

Robert Heintzman filed his Nominating Petition For District Trustee which was accepted and ordered filed.

Terry O'Keefe advised the Board that Squire-Lussem Agency had provided a quote for worker's compensation coverage with a minimum premium of \$588.00. The minimum premium through the South Dakota Municipal League Worker's Compensation Fund was \$750.00. It was moved by Heintzman, seconded by Oleson to obtain worker's compensation insurance from Squire Lussem Agency at a minimum annual premium of \$588.00.

Ordinance No. 96-4, which is an Ordinance amending Ordinance 96-1, was presented for second reading and final adoption and was so moved by Heintzman, seconded by Oleson, which motion carried. Since this Ordinance will be published in the *Aberdeen American News*, it will not be set forth herein. A copy is on file at the District Office.

Ordinance No. 96-5, which is an Ordinance amending Ordinance 96-2, was presented for second reading and final adoption and was so moved by Heintzman, seconded by Oleson, which motion carried. Since this Ordinance will be published in the *Aberdeen American News*, it will not be set forth herein. A copy is on file at the District Office.

On motion of Heintzman second by Oleson, payment of the Quality Quick Print bill in the amount of \$194.91 and the Aberdeen Mailing Service bill in the amount of \$79.75 were approved for payment.

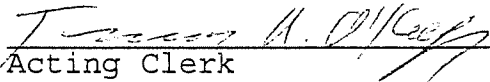
Jay Koch discussed the status of the surveying and discussed various easements that will be needed for the project. He also advised that the Forrest Drive area would not be used in the project so we do not need easements from the State for that area.

There was some discussion concerning the Helen Schaeffer property on the south side of the Lake. Mr. Koch advised it will be necessary to obtain an easement from Mrs. Schaeffer for this property. Mr. O'Keefe advised that Attorney William Sauck represents Mrs. Schaeffer concerning the easement. Robert

Heintzman will contact Helen Schaeffer's son for permission to survey the property.

The 1997 Annual Appropriation Ordinance (No. 96-6) for the fiscal year commencing January 1, 1997 was presented for first reading. Following discussion, it was moved by Heintzman, seconded by Oleson to approve first reading, which motion carried.

There being no further business the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

September 11, 1996

A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Wednesday, September 11, 1996. Those present were Trustees Kathy Wahl and Robert Heintzman. Trustee Grant Oleson was absent. Also present was Acting Clerk Terry O'Keefe.

It was moved by Heintzman and seconded by Wahl to purchase worker's compensation and general liability insurance from Squire Agency for the sum of \$1,574.00.

Upon motion of Heintzman, seconded by Wahl, Ordinance # 96-6, 1997 Annual Appropriation Ordinance was given second reading and adopted. Since this Ordinance will be published in the *Aberdeen American News*, it will not be set forth herein. A copy is on file at the District Office.

The following bill was approved for payment upon motion by Heintzman, seconded by Wahl:

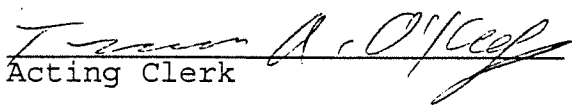
Siegel, Barnett & Schutz, LLP -- \$1707.34

Mr. O'Keefe advised of the current status of the bond documents and the acquisition of the holding pond site. He also advised that September 11, 1996 was the last date for filing Nominating Petitions for the position of Trustee for a three-year term.

Upon motion of Wahl, seconded by Heintzman to add Robert Heintzman as one of the three authorized signers for the District checking account. All checks require two signatures. There was a general discussion concerning the purchase of a computer for the District Office. Trustee Wahl is to obtain additional informational for the Board.

Trustee Wahl advised that in view of the postponement of the initial payment date, she had returned \$18,500 in connection fees to the parties making the payments.

Motion by Wahl, seconded by Heintzman to adjourn the meeting.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

September 26, 1996

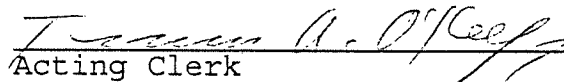
The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, September 26, 1996. The meeting had been scheduled to be held at the Brown County Youth Camp but the key for the gate was unavailable so the meeting was moved. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman, Acting Clerk Terry O'Keefe, District Engineer Terry Helms, Helms and Associates, Peter Wiegel and Lucy Wiegel.

There was a discussion concerning the petition which had been filed asking that the Board not proceed with the sanitary sewer project. The Board felt that the overwhelming majority of Lake residents support the project but so that there could be no dispute on the project, it was moved by Heintzman and seconded by Oleson and approved to have an election on the question of whether or not the District should proceed with the construction of the sanitary sewer project as proposed by the Board of Trustees. Mr. O'Keefe was instructed to prepare the necessary notices and determine the proper procedure for the election. The plan is to have the election in conjunction with the General Election on November 5, 1996.

Upon motion by Heintzman and seconded by Wahl, the Board authorized reimbursement to Trustee Oleson in the amount of \$49.75 for a motel room in Pierre, SD while he was attending a meeting of the State Water Board. A bill from Squire Agency in the amount of \$1,574.00 for worker's compensation and general liability insurance was presented. In view of the fact that the District was going to hold an election on the sewer system project, this bill was deferred until after the election.

Robert Heintzman being the only person who filed a Nominating Petition for position as Trustee was declared elected for a three-year term commencing November 1, 1996 and was provided with a Certificate of Election.

Upon motion by Heintzman, seconded by Wahl, the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

October 10, 1996

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, October 10, 1996 at 7:00 o'clock P.M. at the Brown County Youth Camp. Present were Trustees Kathy Wahl and Robert Heintzman. Trustee Grant Oleson was absent. Also present was Acting Clerk Terry O'Keefe.

The following bills were approved for payment upon Motion by Heintzman and seconded by Wahl:

Kathy Wahl -- reimbursement for file cabinet and file folders -- \$33.92; Aberdeen Mailing Service -- \$29.02 (82 letters); Quality Quick Print -- \$39.80.

Mr. O'Keefe reported on the election procedure and there was a general discussion concerning the election.

Upon motion of Heintzman, seconded by Wahl, the meeting adjourned.

Terry O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

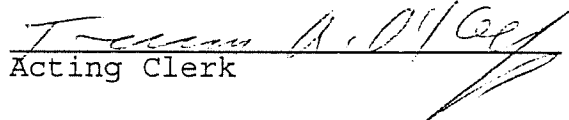
October 24, 1996

A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, October 24, 1996 at 7:00 o'clock P.M. at the Brown County Youth Camp. Present were Trustees Grant Oleson, Kathy Wahl, and Robert Heintzman. Also present were Acting Clerk Terry O'Keefe, Steven Heckenlaible and Sally Swanson.

The final voter registration list was reviewed. Election day assignments as poll watchers were made and there was a general discussion concerning plans to get out the vote.

There was a general discussion concerning the public meeting that was to be held on November 3, 1996 concerning the proposed sanitary sewer project.

Upon Motion of Heintzman and seconded by Wahl the meeting was adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF SPECIAL MEETING

November 7, 1996

A special meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, November 7, 1996 at 7:00 o'clock P.M. at the Richmond Lake Youth Camp. Present were Trustees Grant Oleson, Kathy Wahl, and Robert Heintzman. Also in attendance was Acting Clerk Terry O'Keefe.

Mr. O'Keefe reviewed the election outcome and provided statistics as to voter turnout. He also advised that he had contacted Terry Helms of Helms & Associates and asked that they recommence the survey work. Mr. O'Keefe also called Mr. Jim Wendte of the Department of Environment and Natural Resources in Pierre, South Dakota and advised him of the election results. He also advised Attorney Todd Meierhenry in Sioux Falls of the election results. The final vote was 113 "yes" and 46 "no". This works out to 71.07% in favor. The 10/24/96 final voter registration list showed 181 voters in Ravinia Township and 10 voters in Lincoln Township. One hundred percent of the registered voters voted in Lincoln Township and 82.3% of the registered voters voted in Ravinia Township. The overall percentage of registered voters that voted was 83.25%. Deducting the 15 registered voters that were either dead or moved away from the total registered voters of 191 leaves a total possible vote of 176. With a total vote of 159, the percentage of those that voted goes up to 90.34%. The Brown County Auditor and the Brown County Commission will conduct the formal canvas of the election and will advise the District of the final vote totals.

It was moved by Heintzman, seconded by Oleson to approve the following bills: (1) Brown County Auditor -- \$100.00 -- Election expense; (2) Squire Insurance Agency -- \$1,574.00 -- Worker's compensation and general liability insurance; (3) The bill of Attorney Todd Meierhenry in connection with the SRF bond opinion in the amount of \$4,140.00 was approved for submittal to Jim Wendte for payment; (4) State of SD -- Water Dev. District Special Revenue Fund in the amount of \$1,500.00 was approved for payment December 10, 1996. This is the last of the three loan payments due the State. The loan will be paid off with this payment.

The Board decided to send another letter to the Lake residents advising them of the election results and reminding them of the payment dates for the connection fees.

Due to the difficulty of heating the Youth Camp, it was moved by Heintzman and seconded by Oleson to meet at The Place at the Lake as long as the resort stays open. The next meeting was scheduled for December 12, 1996 at 7:00 o'clock P.M.

With the change in the address system at the Lake, the official address for the District office is 127395 West Bridge Road, Aberdeen, South Dakota 57401. Mr. O'Keefe was instructed to write a letter to Mrs. Maxine Taylor, Brown County Auditor, thanking her for the assistance with the election.

There being no further business the meeting adjourned.

T. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

December 12, 1996

The regular meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, December 12, 1996. Present were Trustees Grant Oleson, Robert Heintzman, and Kathy Wahl. Also present was Acting Clerk Terry O'Keefe, Mrs. Irene Metzger and Kenneth Hier.

Mrs. Metzger advised that she owned Lots 3, 4, 5, and 6 of Miller's Richmond Lake Subdivision. Lot 3 contains a drain field for a mobile home located on Lot 4; Lot 5 has a garage and Lot 6 has an old cabin and a mobile home which is not yet connected to any utilities. The cabin uses an outhouse although it does have a sink and water. The Board discussed whether or not there should be two sewer connections for Lot 6. Mrs. Metzger felt there should be one connection for Lot 4 and one for Lot 6. Trustee Heintzman raised the question of commercial use of the property since Lot 4 was rented. He stated there were prohibitions on commercial activities in the Miller's Subdivision. Mr. O'Keefe advised he would check the restrictive covenants on the property and that the Board would advise Mrs. Metzger as to the required number of hook-ups.

Ken Hier updated the status of the easements he was obtaining for the project.

Mr. O'Keefe advised that he had talked to James Wendte of the South Dakota Department of Environment & Natural Resources and that Mr. Wendte felt that it would be in the best interest of the District to pay as many project bills as possible out of the hook-up fees rather than requesting payments under the SRF Loan. The reason for that is once we draw down any funds on the loan interest would commence to run. The Board approved that concept.

Upon motion by Heintzman, seconded by Olson the following bills were approved for payment:

- | | |
|---|------------|
| (1) Danforth, Meierhenry & Meierhenry --
bond counsel fees -- | \$4,140.00 |
| (2) Squire-Lussem Insurance Agency -- nonowned and
hired automobile liability insurance -- | \$ 128.00 |
| (3) Aberdeen Mailing Service -- mailing to
property owners -- | \$ 72.18 |
| (4) Quality Quick Print -- copying -- | \$ 36.82 |

(5) Siegel, Barnett & Schutz -- legal fees & expenses --	\$2,616.16
(6) Kenneth Hier -- wages --	\$ 130.00
(7) Grant Oleson -- trustee fees & expenses --	\$ 853.61
(8) Robert Heintzman -- trustee fees --	\$ 581.17
(9) Kathy Wahl -- trustee fees --	\$ 554.10

There was a discussion on the purchase of a computer and Kathy Wahl advised that a Gateway computer was available at a discounted price from B & N Auto Service in Aberdeen. She was to obtain more information and bring it to the Board meeting scheduled for December 18, 1996.

Upon motion of Heintzman, seconded by Oleson, Ordinance No. 96-7, Ordinance Amending Ordinance 95-1, the Annual Appropriation Ordinance pursuant to SDCL § 9-21-7, was given first reading. Since this Ordinance will be published in the *Aberdeen American News*, it will not be set forth herein. A copy is on file at the District Office.

Kathy Wahl advised that \$114,250.00 in hook-fees and debt service payments had been received. Five residents paid their full \$5,400 obligation. The Board approved opening a savings account at F & M Bank and instructed Kathy Wahl to transfer all District funds other than what is necessary for day to day operations to the savings account.

Following a discussion, the Board determined that the hook-up fee penalty would not be charged if a resident made full payment by the specified date of the second payment. The Board also determined that with respect to unplatted vacant land owned by one party or one party and a spouse that the same would be treated as one vacant lot for calculating fees. Once the property is platted into separate lots, the regular charges would apply to each platted lot with credit given for the initial payment made.

A draft letter was presented that could be used to remind residents who have not yet made their payments to do so. Kathy Wahl is to send the letters. The Board also approved the sending of an information letter to the Aberdeen Realtors and financial institutions.

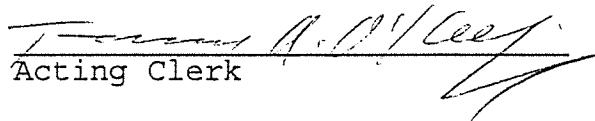
Mr. O'Keefe advised that Ross Olson was no longer with NECOG and that Jarrod Olson would now be handling the District matters. Mr. Olson understands that the deadline for the grant application for Phase II must be in the Pierre office of the DENR by February 1, 1997 and he will have the application completed in time to meet that deadline. He will also prepare a proposed contract for

administrative services with respect to the SRF and Consolidated Grant funds. Once the contract is prepared it will be submitted to the Board for approval.

Trustee Oleson advised that he had received a letter dated November 19, 1996 from Kelly A. Wheeler, Director of the Division of Financial and Technical Assistance, DENR stating that the Richmond Lake Sanitary Sewer System Project has been placed on the 1997 State Water Facilities Plan.

The next meeting was scheduled for Wednesday, December 18, 1996 at noon at the Aberdeen Holiday Inn.

There being no further business the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

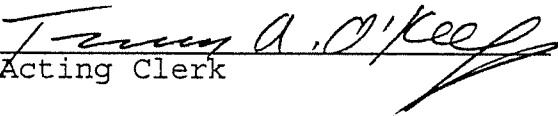
MINUTES OF MEETING

December 18, 1996

Due to the fact that all Trustees are snowed in at their residences at Richmond Lake, a telephone meeting was conducted by Acting Clerk Terry O'Keefe.

Ordinance No. 96-7, an Ordinance Amending Ordinance 95-1, The Annual Appropriation Ordinance, pursuant to SDCL § 9-21-7 was, on motion of Oleson seconded by Heintzman, given second reading and final approval. Mr. O'Keefe was instructed to send a copy of the Ordinance to the *Aberdeen American News* for publication.

There being no further business the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

January 12, 1997

The regular monthly meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Sunday, January 12, 1997 at the Richmond Lake Resort. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe.

Upon motion by Heintzman, seconded by Wahl, the following bills were approved for payment:

- (1) Helms & Associates -- engineering fees -- \$19,250.00;
- (2) SD Department Game, Fish & Parks -- holding pond lease payment -- \$17,500.00; and
- (3) Internal Revenue Service -- employment taxes -- \$313.65.

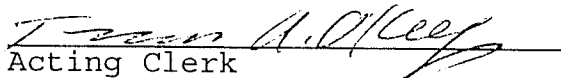
Mr. O'Keefe advised that the way the REA loan application was submitted by Northern Electric, the loan payment is to be made in one payment upon completion of all of the work. We are going to try to change this so that the partial payments can be made as the expenses are incurred.

Mr. O'Keefe advised that the Easement for the holding pond site has been approved and signed by the appropriate officials of the South Dakota Department of Game, Fish & Parks. Upon motion of Heintzman, seconded by Wahl, Grant Oleson was authorized to sign the Easement on behalf of the District.

Mr. O'Keefe advised that the South Dakota Board of Water & Natural Resources has adopted a program that permits waivers of the annual audit requirement for SRF loans. If the District obtains a waiver of approximately \$2,500.00 every other year, then Mr. O'Keefe recommended that the District request the waiver. Upon motion by Heintzman, seconded by Wahl, Grant Oleson was authorized to sign any and all documents necessary to request the audit waiver from the Board of Water & Natural Resources.

Upon motion by Heintzman, seconded by Wahl, Resolution 97-1 was adopted. A copy of the Resolution is attached to these Minutes and is to be published separately.

There being no further business, the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

January 27, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, January 27, 1997. Present were Trustees Grant Oleson Kathy Wahl. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

There was a general discussion of the project specifications. The plan would be to bid Phase I. Jay Koch did advise that the Pickerel Lake proposed project bids came in \$100,000 over estimate. Helms' preliminary decision was to bid Phase II during mid-summer and finish the project in 1998.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

February 10, 1997

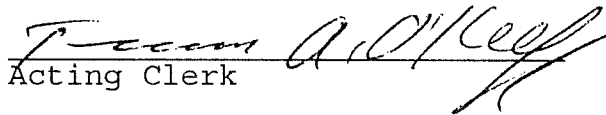
A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, February 10, 1997. Present were Trustees Grant Oleson and Kathy Wahl. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

There was a general discussion concerning the possible bid dates for Phase I of the project. It was decided to open the bids on March 20, 1997 at 1:30 P.M.

The Board also decided to bid the materials and installation separately. Bill Welk has agreed to allow the Pavilion property to be used as a storage site for materials without charge.

Motion made by Wahl, seconded by Oleson and carried, to advertise for bids for the project to be opened on March 20, 1997.

There being no further business, the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

March 20, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, March 20, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Jay Koch reviewed the bids that had been received from Dahme Construction and Jacobs Construction. Dahme Construction was the low bidder for Phase I, however, the bid was higher than the engineer's estimate. There was a general discussion concerning the bids but no action was taken. The Board determined to hold a public meeting at the Youth Camp on Monday, April 14, 1997 to obtain input from the residents before taking action on the bids.

There being no further business, the meeting adjourned.

Terrance A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

April 3, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, April 3, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

On motion of Heintzman, seconded by Wahl, the following bill was approved for payment: Ken Hier -- \$252.12.

The bids for Phase I of the sanitary sewer project were opened at 1:30 P.M. on March 20, 1997. Jay Koch reviewed the bids, a copy of which are on file at the District Office. In view of the fact that the bids came in higher than the estimate, the Board took no action on the bids. On motion by Heintzman, seconded by Wahl and carried, a public meeting was scheduled for April 14, 1997 at 7:00 P.M. at the Richmond Lake Youth Camp. The purpose of the meeting will be to get the input of the residents on whether or not the Board should go ahead with the project.

There being no further business, the meeting adjourned.

Terrance C. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

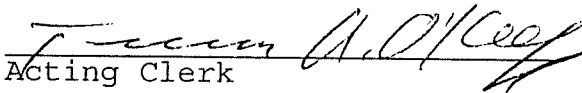
April 11, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, April 3, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe.

Upon motion by Oleson, seconded by Heintzman, the following bill was approved for payment: Ken Hier, wages -- \$273.00.

There was a general discussion of the District finances.

There being no further business, the meeting adjourned.


Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

April 18, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Friday, April 18, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

On motion by Heintzman, seconded by Wahl and carried, the contract for construction of the initial phase of the sanitary sewer project was awarded to Dahme Construction Company, Inc. of Aberdeen in the amount of \$591,878.30.

Upon motion by Heintzman, seconded by Wahl, Trustee Grant Oleson was authorized to sign the Construction Contract, which would have an effective date of April 22, 1997 with Dahme Construction Company, Inc. In the event of his absence, Trustee Robert Heintzman was authorized to sign the contract.

On motion by Oleson, seconded by Heintzman and carried, the District agreed to pay Helen Schaeffer \$2,500.00 in return for an Easement to cross her pasture land. In addition, the District agreed to remove her property from the District with the understanding that in the event the property is ever developed, it would be brought back into the District.

On motion by Heintzman, seconded by Wahl, Grant Oleson was authorized to sign the Consolidated Water Facilities Construction Program Funding Agreement on behalf of the District.

On motion of Heintzman, seconded by Oleson, the following bills were approved for payment:

- (1) Helms & Associates -- \$19,250.00;
- (2) Aberdeen Mailing Service -- \$ 54.99.

There was a general discussion of the boundaries of the District. No action taken.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

April 22, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Tuesday, April 22, 1997. Present were Trustees Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Upon motion by Heintzman, seconded by Wahl, the following bill was approved for payment: Quality Quick Print, printing -- \$100.38.

There was a general discussion about the project by Jay Koch and the location of the sewer line in relation to the WEB water line. He stated that a sewer line needs to be a 10 foot minimum away from the WEB line.

On motion by Wahl, seconded by Heintzman and carried, Resolution and Notice of Hearing was adopted setting the hearing for May 6, 1997 at 7:00 P.M. on the Petition For Exclusion of Territory in Richmond Lake Sanitary District. A copy of the Resolution is on file in the District Office.

Kathy Wahl gave an update on payments received.

The next meeting was scheduled for May 6, 1997.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

May 6, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Tuesday, May 6, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

On motion by Heintzman, seconded by Wahl and carried, the Board approved removing the William Kirchgessler land from the District in return for an Easement. This is vacant pasture land. This was removed on the same basis as the Schaeffer property, namely that in the event the property is developed, it would be brought back into the District.

On motion by Oleson, seconded by Wahl and carried, the Resolution to Exclude Territory from the District and Deny Exclusion Other Territory From the District was adopted. A copy of the Resolution is on file in the District Office.

On motion by Heintzman, seconded by Oleson and carried, the Board approved an agreement with the Northeast Council of Governments (NECOG) for project supervision services.

The next meeting was scheduled for May 29, 1997.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

April 22, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Tuesday, April 22, 1997. Present were Trustees Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Upon motion by Heintzman, seconded by Wahl, the following bills were approved for payment:

- (1) Aberdeen Mailing Service -- \$54.00;
- (2) Quality Quick Print, printing -- \$100.38;
- (3) Helms & Associates -- \$19,250.00.

There was a general discussion about the project by Jay Koch and the location of the sewer line in relation to the WEB water line. He stated that a sewer line needs to be a 10 foot minimum away from the WEB line.

On motion by Wahl, seconded by Heintzman and carried, Resolution and Notice of Hearing was adopted setting the hearing for May 6, 1997 at 7:00 P.M. on the Petition For Exclusion of Territory in Richmond Lake Sanitary District. A copy of the Resolution is on file in the District Office.

Kathy Wahl gave an update on payments received.

The next meeting was scheduled for May 6, 1997.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

May 29, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, May 29, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Upon motion by Heintzman, seconded by Wahl, the following bills were approved for payment: Siegel, Barnett & Schutz, L.L.P., legal fees -- \$4,360.50 plus expenses of \$810.25 for a total of \$5,170.75.

There was a general discussion concerning the hiring of a clerk and a maintenance person.

Mr. O'Keefe advised that the County Commission did not take any action in response to the anonymous letter requesting that they take action against the District.

Mr. O'Keefe advised that the last day to appeal from the County decision of May 13, 1997 will be June 12, 1997.

Jay Koch advised that Jim Wendte wants the District to use check valves. Helms & Associates will include a bid on those items for Phase II. Jay Koch will prepare the necessary paperwork for the zero discharge permit.

There was a general discussion of debt service options.

The next meeting was scheduled for June 11, 1997.

There being no further business, the meeting adjourned.

Terence C. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

June 11, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Wednesday, June 11, 1997. Present were Trustees Grant Oleson and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Upon motion by Heintzman, seconded by Oleson, the following bills were approved for payment:

- (1) Dahme Construction Co., Inc.-- \$77,055.00;
- (2) Ken Hier, wages -- \$264.12;
- (3) Squire-Lussem Insurance Agency -- \$ 33.00;
- (4) Kathy Wahl, postage -- \$19.20.

There was a general discussion on the requirement for a maintenance employee(s) for the system.

Jay Koch gave an update on the status of the project.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

June 25, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Wednesday, June 25, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe, Jay Koch and Doug Eilers.

Upon motion by Heintzman, seconded by Wahl, the following bills were approved for payment: Dahme Construction Co., Inc. -- \$26,375.

There was a general discussion of Bill Welk's proposal to fence the pasture on the northwest side of the north bridge if he is able to work out the construction of two dugouts in that pasture.

There was an extended discussion with Doug Eilers concerning the duties of the system operator/maintenance employee. Mr. Eilers does that work for many years for the Mina Lake Sanitary District.

Mr. O'Keefe advised the Board that the protesters of the sanitary sewer project did not file an appeal on the County Commission's May 13, 1997 action and the appeal time has now expired.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

July 9, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, July 9, 1997. Present were Trustees Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Upon motion by Wahl, seconded by Heintzman and carried, payments for Helms & Associates in the amount of 21,845 and Dahme Construction Co., Inc., in the amount of \$36,029 were approved.

There was a general discussion of the debt service payments. It was decided to make a final decision on that at the next meeting.

Jay Koch advised on the status of the project including problems encountered crossing the spillway. Koch will prepare any necessary drawings for Easements in the spillway area.

There was a general discussion of the requirement for curb stops and Mr. Koch explained why he did not believe they were necessary. No action taken.

The next meeting was scheduled for July 14, 1997.

There being no further business, the meeting adjourned.

Terence A O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

July 14, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Monday, July 9, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Upon motion by Oleson seconded by Wahl, the following bill was approved for payment: Internal Revenue Service, payroll taxes -- \$43.75.

There was a general discussion concerning debt service payments. The original letters sent to the residents estimated an amount of \$2,900.00 but due to higher bids, the Board approved a preliminary debt service payment of \$3,279.00. If the final figure is higher or lower, the residents will be so advised upon completion of the project. A start date for debt service payments will be October 1, 1997 for Phase I residents. The default option would be number 5.

Hook-up payments were received from Earl Lingor dated 6-29-97, William Clouser dated 6-30-97, Glen Imberi dated 7-1-97, Mike Huck 7-1-97, Gary Diebert 7-2-97 and Reggie LeBrun 7-3-97. The Board determined not to impose a late penalty on these payment.

The next meeting was scheduled for August 7, 1997.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

August 7, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, August 7, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe, Jay Koch and Jarrod Olson.

Upon motion by Heintzman, seconded by Wahl, the following bills were approved for payment:

- (1) Dahme Construction Co., Inc. -- \$22,190.00;
- (2) Kathy Wahl, postage -- \$100.00.

Mr. O'Keefe presented a proposed letter to the property owners to be dated August 11, 1997 concerning debt service payments. Following discussion the same was approved upon by motion by Heintzman, seconded by Wahl and carried.

Mr. O'Keefe advised that WEB was conducting preliminary sign-ups for 1998.

Upon motion by Heintzman, seconded by Wahl and carried, the Board adopted the policy that the monthly service fee of \$12.00 for residential and \$24.00 for commercial would commence on the first day of the month following the date the sewer service is operational.

Kathy Wahl advised that she had received checks in the amount of \$500.00 from Lavina Murray dated July 25, 1997 and Dr. Robert Patterson dated July 24, 1997. The Board determined not to impose a penalty.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

August 28, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, September 18, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch and Terry Helms from Helms & Associates.

Upon motion by Heintzman, seconded by Wahl, the following bills were approved for payment:

- (1) Dahme Construction Co., Inc. -- \$125,378.00;
- (2) Helms & Associates, engineering -- \$9,393.55;
- (3) Ken Hier, wages -- \$366.17.

Motion was made by Heintzman, seconded by Wahl and carried, to set the annual trustee election for October 28, 1997 at The Lighthouse.

Motion was made by Heintzman, seconded by Oleson and carried, to authorize the Acting Clerk to certify delinquent payments to the Brown County Auditor prior to November 1, 1997.

There was a general discussion of the 1998 budget. Upon motion by Heintzman, seconded by Oleson and carried, Ordinance No. 97-1 (1998 Annual Appropriation Ordinance) was given first reading. A copy of the Ordinance is on file in the District office.

Jay Koch advised Jarrod Olson to include the NECOG fee of \$3,000 in the next payment request. Mr. Koch also advised that they are working on drawings for additional Easements. He said they are also considering a revised route, cross-country from West Bridge Road to West Shore Drive. He projected Phase I Extension Costs of \$54,000 over the original estimate. He feels those additional costs will be covered by deletions and adjustments in Phase II. He will prepare the necessary change order for the extension. Mr. Koch advised all South Shore Drive will be hooked up this year and they will try to get as many permanent residents hooked up as possible on North Shore.

Mr. Koch advised Ken Hier's wages are reimbursable from the SRF and Consolidated Loans. Legal fees for land Easements are not eligible under the SRF but would be under the Consolidated Loan.

There was a general discussion of a maintenance employee.

The next meeting was set for September 4, 1997.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

September 4, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, September 4, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

There was a general discussion on the 1998 budget and upon motion of Heintzman, seconded by Wahl, Ordinance No. 97-1 (1998 Annual Appropriation Ordinance) was given second and final reading. Mr. O'Keefe was instructed to file a copy of the Budget with the Brown County Auditor and South Dakota Department of Revenue. A copy of the Ordinance is on file in the District Office.

Upon motion by Heintzman, seconded by Wahl, the following bills were approved for payment:

- (1) Siegel, Barnett & Schutz, L.L.P., legal services -- \$1,621.01;
- (2) Quality Quick Print, printing -- \$52.20.

Mr. O'Keefe advised that the trustee election is scheduled for October 28, 1997 at the Resort.

There was a general discussion of debt service payments.

Jay Koch presented change order number 2 which was approved on a motion by Heintzman, seconded by Wahl.

Jay Koch advised that the scheduled start date for the North Shore main line would be October 1, 1997.

There was a general discussion of what type of entities would be required to pay the "commercial" rate. The consensus of the Board was that the following would pay a commercial rate: Youth Camp, Resort, State Park, Girl Scouts. Businesses such as plumbing or lawn mower repair that are operated out of a person's home would not be considered commercial.

Jay Koch advised that Charles Robinson would not permit their surveyors on his property on West Shore Drive. Mr. O'Keefe advised that he would contact Bill Bowen, the former owner of the property to determine the location of the septic tank.

The next meeting was set for September 18, 1997.

There being no further business, the meeting adjourned.

Terena A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

September 18, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Thursday, September 18, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Upon motion by Heintzman, seconded by Wahl, the following bills were approved for payment:

- (1) Squire-Lussem Insurance Agency, insurance -- \$1,919.00;
- (2) Helms & Associates, engineering -- \$19,403.75;
- (3) Dahme Construction Co., Inc.-- \$27,950.85;
- (4) Midwest Testing Laboratory -- \$1,155.00.

Jay Koch advised as to the status of the REA hook-ups for the pumps on South Shore Drive. He also advised that when multiple property owners are connected to the same pump they are being offered check valves at District expense. The District puts the valve at the septic tank and the homeowners may want to put one in their basement.

There was a general discussion concerning the County Highway Superintendent's concern about the roads around the Lake. The County Commission is going to discuss this at their meeting on September 23, 1997. Bob Heintzman and Terry O'Keefe indicated they would attend the meeting.

The next meeting was set for noon on October 3, 1997.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

October 3, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Friday, October 3, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Upon motion by Heintzman, seconded by Oleson, the following bills were approved for payment:

- (1) Helms & Associates -- \$9,269;
- (2) Northeast Council of Governments -- \$3,000;
- (3) Dahme Construction Co., Inc.-- \$106,327;
- (4) Internal Revenue Service, payroll taxes -- \$60.67.

There was a discussion of delinquent accounts. Mr. O'Keefe advised Joe Stoebner is considering buying the Steven Lane property on North Shore Drive and requested that the \$500 penalty owed by Lane be waived. Lane has moved out of town and refuses to pay the penalty so Mr. Stoebner would be obligated to unless it is waived. Mr. Stoebner has agreed to pay the full hook-up fee and the debt service fee at the time of the closing if the penalty is waived. Upon motion of Wahl, seconded by Heintzman, the waiver was approved.

Jay Koch advised that he will prepare a change order for the additional boring costs. He also provided a list of 19 names of property owners that had been hooked up to the service in the South Shore area.

Mr. Charles Webster attended a portion of the meeting. He advised that his septic tank is located under his garage floor. He asked for a waiver of the requirement that his system be hooked up in view of the cost to put in a new septic tank system. The current system violates codes and upon a motion of Oleson, seconded by Heintzman, the Board denied the request for a waiver.

The next meeting was set for noon on October 15, 1997.

There being no further business, the meeting adjourned.

Terence A. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

October 15, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Wednesday, October 15, 1997. Present were Trustees Grant Oleson, Kathy Wahl and Robert Heintzman. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe and Jay Koch.

Mr. O'Keefe advised that in view of the fact that Sally Swanson was the only person submitting a Nominating Petition for the position of Trustee, the election scheduled for October 28, 1997 was cancelled. A Certificate of Nomination will be mailed to Ms. Swanson.

The Trustee reviewed the delinquent payment list. Mr. O'Keefe advised he would certify the delinquencies to the County Auditor on October 31, 1997. The Auditor will then add the amounts due to the real estate tax notice.

Jay Koch advised that the lagoon will have a 5-strand barbed wire fence and he will call Squire Insurance Agency and advise them of this.

Motion was made by Heintzman, seconded by Oleson to hire Kathy Wahl as District Clerk effective November 1, 1997 at a salary of \$7.50 per hour with a maximum of \$5,200.00 for 12 months. Motion carried with Trustee Wahl abstaining.

On motion of Wahl seconded by Heintzman, the Northern Electric bill in the amount of \$58.24 for electrical services was approved for payment.

Jay Koch advised that the South Shore hook-ups would be completed this week with the exception of the Resort and that Dahme's would start on North Shore next week. Mr. Koch also advised that the System Operator must be certified per Jim Wendte.

Jay Koch advised the Board he would prepare a Sewer Use Ordinance draft and present it to the Board.

The next meeting was set for Wednesday, November 5, 1997.

There being no further business, the meeting adjourned.

Terence G. O'Keefe
Acting Clerk

RICHMOND LAKE SANITARY DISTRICT

MINUTES OF MEETING

November 5, 1997

A meeting of the Board of Trustees of the Richmond Lake Sanitary District was held on Wednesday, November 5, 1997. Present were Trustees Grant Oleson, Robert Heintzman and Sally Swanson. Also in attendance was District Attorney and Acting Clerk Terry O'Keefe, Terry Helms, Sam Montane and Ken Hier.

Upon motion by Heintzman, seconded by Oleson, the following bills were approved for payment:

- (1) Dahme Construction Co., Inc., estimate no. 6--
\$78,529.00;
- (2) Siegel, Barnett & Schutz, L.L.P., legal fees
and expenses -- \$2,006.79;
- (3) Ken Hier, wages -- \$144.07.

On motion by Heintzman, seconded by Swanson and carried, there was a general discussion concerning the maintenance employee that must be hired. The Board decided to advertise the position in the paper and Terry Helms agreed to prepare the necessary publication notice specifying the certification required and he will send that to Mr. O'Keefe's office. Mr. Ken Hier agreed to be the acting maintenance employee if necessary pending completion of the hiring process.

Terry Helms will contact Dahme Construction about completing the fence around the lagoon. A barricade has been put up on the entrance road but the fencing should be completed by now. Mr. Helms will also check on the George Schaunaman Easement drawing.

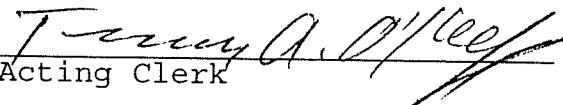
Mr. O'Keefe advised the group that he had obtained permission from Erv Siefkes for surveyors to go on his property west of the Brown County land which begins at the end of West Shore Drive for the purpose of surveying the property. Helms will contact Mr. Keatts for permission for survey and Bob Heintzman agreed to contact Mr. Gauer for the same purpose. Helms & Associates will try to obtain the necessary survey information so Easements can be prepared before the weather would prohibit surveying. The easement area will be at least 300 feet from the lake front property.

Mr. Helms advised that Jay Koch is working on the sewer use ordinance. That will be forwarded to Mr. O'Keefe's office when it is completed.

Mr. O'Keefe advised that Clerk Kathy Wahl entered the hospital today and the Board voted to send her flowers. Mr. O'Keefe will continue as Acting Clerk pending her return.

The next meeting was set for noon on December 5, 1997 at the Ramkota, Aberdeen, South Dakota.

There being no further business, the meeting adjourned.


Acting Clerk

January 9, 1998

Present: Grant Oleson, Sally Swanson, Kathy Wahl, Jay Koch, Sam Munteen

Jay Koch made a request for Dahme's to stop construction – frostline is now 18" deep, no snow cover – extra construction clean-up will be required if construction continues with added clean-up cost. Grant made motion, Sally seconded – motion approved – Jay Koch will send letter to Dahme's to cease construction for 1997.

Discussion by Trustees was held on purchase of computer and software for District. Jay Koch made recommendation to use Computer Specialists to possibly buy/service computer because of their customer/service compatibility – AST from WalMart is also a good computer. Sally and Kathy will "shop" for computer and software.

Grant made motion to charge customers \$30.00 fee for NSF check charges. Sally seconded motion. . . \$30.00 fee will be charged on all NSF payments to Sewer District – Kathy will post sign for NSF charges in district office.

Jay Koch met with Mike and Jean Pelzl and will straighten out problems with them and make things right.

Sally made motion to pay bills: \$43,194.00 – Dahme's (leftover balance due from 9/20/97), Terry O'Keefe - \$1,473.42, Kathy Wahl wages for December 1997 - \$277.05, IRS - \$529.23 Grant seconded motion – all bills were paid.

Grant made motion to adjourn meeting, Sally seconded – Meeting adjourned

January 23, 1998

Present: Terry O'Keefe, Grant Oleson, Sally Swanson, Kathy Wahl

Meeting was called to order to pay bills – Grant made motion to pay State Revolving Fund loan payment - \$7055.30, Northern Electric - \$57.05, postage to Kathy Wahl for District - \$100.00, Dahme's \$92,961.00 Sally seconded motion – all bills were paid.

Job Description for applicant for position of Sanitary Sewer and Wastewater Treatment operators was discussed.

Job Announcement shall read: The Richmond Lake Sanitary District is seeking applicants for the position of Sanitary Sewer and Wastewater Treatment Operator. High school and/or vocational school graduate desirable. Must have mechanical ability to work with equipment, machines and tools relating to wastewater industry. One year experience in Class 1, 2 or 3 wastewater treatment plant or collection system desired. Applicant must be able to pass written examination for Class 1, 2 or 3 operator. Must supply own vehicle and tools. Must be physically able to perform job duties related to job. Preference given to candidates who reside within the Richmond Lake Sanitary District. Salary negotiable based upon experience. Send resume to: Kathy Wahl, Clerk, Richmond Lake Sanitary District, 127395 West Bridge Road, Aberdeen, SD 57401

Sally made motion to accept Job Announcement. Grant seconded motion. Kathy will take Job Announcement to SD Job Service.

Grant made motion to adjourn meeting. Sally seconded. Meeting adjourned

February 13, 1998

Present: Terry O'Keefe, Grant Oleson, Sally Swanson, Kathy Wahl, Jay Koch

Shane Kuebler met with Board to ask that \$500.00 late Hook-up fee be rescinded – Board denied request.

Jay Koch showed bids – advised to advertise bids by 3/20/98

Grant made motion, Sally seconded motion to advertise bids 2/23/98 and 3/2/98,
Open bids 3/20/98 6:00 p.m. at Richmond Youth Camp; Board meeting 7:00 p.m.

Jay Koch asked that retainage of \$20,000 be held for Dahme's. Grant made motion,
Sally seconded. \$20,000 will be held from payment to Dahme's

Jay Koch asked to approve pay estimate of \$102,066 for Dahme's for Phase I
Construction. Grant made motion, Sally seconded – payment to Dahme's for \$102,066.

Grant made motion to approve payment of \$64.88 to Northern Electric, Sally seconded.
Payment of \$64.88 to Northern Electric.

Sally made motion to approve payment of January wages to Kathy Wahl for \$277.05,
Grant seconded – Payment of \$277.05 to Kathy Wahl for January 1998 wages.

Sally gave info on computer purchase from Computer Specialists in Aberdeen, SD
Discussion was held on needs of computer for Sanitary District.

Grant made motion to approve \$3155.00 for computer, printer, and software and \$100-
\$200 for office desk and file... Sally seconded motion. Kathy Wahl will order computer,
printer, and software from Computer Specialists in Aberdeen, SD and buy computer
desk/file from Kmart in Aberdeen, SD

Sally made motion to adjourn meeting, Grant seconded – meeting adjourned

March 6, 1998

Present: Grant Oleson, Sally Swanson, Terry O'Keefe, Kathy Wahl, Jay Koch

Discussion was held by Trustees on bidding progress for Phase II Construction. Jay Koch reported seven (7) contractors proposed to bid. Reported Dahme's will possibly be a strong bidder for Phase II and is eager to finish what he started.

Grant made motion to pay bills: Helms & Assoc. \$9,269.15 (forgotten payment from 1997), Helms & Assoc. \$14,062.00 Sally seconded motion – All bills were paid

Grant made motion to adjourn meeting. Sally seconded. Meeting adjourned

March 13, 1998

Present: Terry O'Keefe, Grant Oleson, Kathy Wahl, Ken Hier

Ken Hier asked question on design of sewer system – why simplex system instead of dual system – Grant will check with Jay Koch. Ken also asked about liability insurance on backup if system fails – Grant will check with Jay Koch.

Grant made motion to approve payment to American News \$49.41, Kathy Wahl wages \$290.90 for February 1998, Northern Electric \$80.24, Kmart \$189.74 for computer desk/file...all payments approved and paid.

Grant made motion to adjourn meeting – Meeting adjourned.

March 20, 1998

Present: Terry O'Keefe, Grant Oleson, Sally Swanson, Kathy Wahl, Terry Helms, Jay Koch, Gary Dahme, Rod & Anna Redlina – Dakota Pump & Control, Dave Phalen – Sioux Pipe & Equipment, Kenny Awe – Plainsco, Ken Hier

Jay Koch opened bids for Phase II construction of sewer district:

Scott Olson Digging Inc., Huron, SD - \$814,759.65

Dahme Construction, Aberdeen, SD - \$699,202.75

Jay Koch construction estimate - \$690,773.50

Jay Koch stated seven (7) contractors proposed to bid – two (2) actually bid.

Jay Koch stated District may be approximately \$115,000.00 short to fund construction of Phase I because of shortfall of property owned and combined by lot owners - left a shortage on original lot count for 268 land owners to pay hook-up fees and debt service. Shortage would increase fees about \$51.00 per household. Trustees will discuss shortage when Trustee Bob Heintzman returns from vacation.

Ken Hier asked about warranty on system from completion date or when use was started.

Ken Hier will talk to Jay Koch about supply wire to control panel on main pump station on South Shore Drive – pretty strong sewer gas.

Grant made motion to adjourn meeting. Sally seconded. Meeting adjourned.

March 25, 1998

Present: Terry O'Keefe, Grant Oleson, Sally Swanson, Kathy Wahl

Meeting called to order for purpose of paying bills.

Grant made motion to pay bills: First National Bank (SRF Loan) \$9,838.04, Computer Specialists \$1,198.20, Compaq G.E.M. \$1,229.00 Sally seconded motion – All bills paid.

Discussion was held regarding Debt Service shortage. Trustees will research possibilities and discuss further upon Bob Heintzman's return from vacation.

Sally made motion to adjourn meeting. Grant seconded. Meeting adjourned

April 7, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Terry Helms, Jay Koch, Ken Hier

Terry Helms met with DNR 4/1/98. Did not hold out hope of additional funds for Phase I construction shortage. Strongly suggested District apply for grant funding.

Grant made motion to have Jay Koch make up and send letter to ask for additional grant money and ask SRF for remainder of shortage of funds. Sally seconded motion. Jay Koch will send letter.

Jay Koch suggested District go back to 150' rule definition of lot in District. 243.56 lots could then be charged for hook-up and debt reduction fees instead of raising monthly fees for approximately 200 lot owners. Debt reduction fee could also be raised from \$3279.00 per household to approximately \$5,022. Trustees discussed option, tabled discussion for more research on issue.

Grant made motion to accept bid for Phase II Construction from Dahme's and to extend contract completion date in return for Dahme's to give extension to District to find additional funding for project. Sally seconded motion. Aye vote by all Trustees.

Bob Heintzman made motion to pay Jerry Biegler \$500.00 to get easement. Grant seconded motion.

Bob Heintzman made motion to approve payment of March wages for Kathy Wahl \$297.83. Sally approved. Wages for March 1998 of \$297.83 were paid.

Grant made motion to give Ken Hier permission to discuss settlement offer of \$500.00 for Jerry Biegler easement. Bob seconded.

Sally made motion to adjourn meeting. Grant seconded. Meeting adjourned.

April 17, 1998

Present: Terry O'Keefe, Grant Oleson, Sally Swanson, Bob Heintzman, Kathy Wahl, Jay Koch

Jay Koch discussed reassessment of property – 375 properties. Bob suggested to assess each property by the number of lots it contains at \$510 per lot. Further discussion was held on possible ways to come up with debt retirement shortage of funds. Jay Koch will explore 150' distinction of property road frontage relative to ownership. Discussion was tabled for further research on issue.

Sally made motion to extend Dahme contract completion date to December 1, 1998 for Phase II construction in consideration for 30 day extension of awarding the bid. Grant seconded motion. All Trustees voted aye.

Grant made motion for Kathy Wahl to send letter to every lot owner in District regarding public meeting to be held May 18, 1998 in reference to Phase II Construction of Sewer District. Sally seconded motion. All Trustees – Aye. Kathy Wahl will send letter.

Sally made motion to pay bills: Aberdeen American News - \$49.41, Ken Hier - \$486.22, IRS - \$143.44, Northern Electric - \$80.75. Bob seconded motion. All Trustees aye – All bills were paid.

Bob Heintzman made motion to adjourn meeting. Grant seconded motion – Meeting adjourned.

May 15, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch

Discussion was held regarding 150 foot base road frontage per lot description for land ownership for purpose of debt reduction payment. 150 foot base would create 52 additional properties and bring ownership to 220 residents. Debt Service could be raised to \$4,510 per 220 residents.

\$73,500.00 was uncollected in hook-up services because of residents combining additional lots and only paying one (1) hook-up fee on total lots owned.

Additional monies could be borrowed through an SRF Loan - \$226,500

Trustees agreed to give additional thoughts to raising needed monies to finance Phase II Construction and discuss at Public Meeting May 18, 1998.

Bob Heintzman made motion to pay bills: Northern Electric - \$73.10, Professional Mailing & Marketing - \$12.95. Sally seconded motion. All Trustees Aye - Bills were paid.

Grant made motion to adjourn meeting. Sally seconded motion. All Trustees Aye Meeting adjourned.

May 18, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Terry Helms, Jay Koch, Property owners in Richmond Lake Sanitary District

Trustees held meeting to discuss final opinion of settling Debt Service repayment option. Grant made motion to accept 150 foot proposal for purpose of debt retirement. The District will determine property owner's share of the Debt by total of road frontage on all platted lots in the District and dividing that number by 150. That will be the base amount due from property owner for all adjacent platted property. If property owner owns more than 150 feet of road frontage then his/her share of the Debt shall be increased proportionally. (Example: If road frontage is 200 feet then amount owed will be 1.33 x the base amount.) Sally seconded motion. All Trustees voted aye.

Terry Helms spoke on meeting in Pierre with reference to new attorney on Board. Attorney spoke on importance of assessment and Richmond Lake Sanitary District Trustees to adequately allow for repayment of Debt Service proportionally to all land owners. Terry Helms said importance of this was adamately stressed by Board in Pierre.

Bob made motion to authorize Grant Oleson and Sally Swanson to sign bond motions for Phase II Construction. Grant seconded. All Trustees voted aye.

Grant Oleson opened meeting to public with welcome and information on Phase I and Phase II Construction. Jay Koch answered questions and gave info on construction to members of the District.

Grant Oleson announced bid winner for Phase II Construction – Dahme Construction, Aberdeen, SD with bid of \$699,202.75. Grant made motion to accept Dahme Construction bid. Sally seconded motion. All Trustees and members voted aye.

Penny Biegler questioned project design for Phase I and Phase II Construction.

Bob Milstead questioned the posting of District Meeting notices in five (5) public places.

Grant read bond resolution. Bob Heintzman made motion to approve bond resolution. Sally Swanson seconded. All Trustees and members voted aye.

Grant made motion to adjourn meeting. Bob seconded. All Trustees and members voted aye. Meeting adjourned.

May 28, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Terry Helms

Terry O'Keefe gave option for Debt Retirement sample to Trustees to look over and discuss at next meeting.

Grant Oleson asked Terry Helms for lot measurements for debt service amount for each property. Sally and Kathy will get tax assessment list of property owners and look up road front footage per Assessor's plot maps. 1998 list of property owners and road front footage per Assessor's office will be given to Helms & Assoc. for proper determination of Debt Service amount for each lot owner in District.

Bob Heintzman questioned legality of use of road frontage as legal description to define a lot. Bob Heintzman requested legality in writing. Terry O'Keefe will get opinion from Meierhenry in Pierre.

Easement of Pat Keatte's property was discussed. Per Ken Hier, Pat Keattes does not want to pay Debt Reduction fee in exchange for easement. Grant asked Jay Koch for cost of pipe to go around Keattes property.

Kathy Wahl reported motorcyclists riding around on top of cells. Sally made motion to authorize Kathy Wahl to purchase and post No Trespassing signs on gates of cells. Bob Heintzman seconded motion. All Trustees voted aye. Kathy will purchase and post No Trespassing sign on west gate and south gate of cell.

Wendy Henning of NECOG met with Trustees. She will be filling out paperwork on loans.

Bob Heintzman made motion to pay Kathy Wahl April wages of \$318.61. Grant seconded motion. All Trustees voted aye.

Sally made motion to adjourn meeting. Bob seconded. All Trustees aye. Meeting adjourned.

June 4, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl

Terry discussed setting time and place for public meeting to be held each month. Bob will check for place to hold meeting. Sally made motion to hold public meeting first Thursday of month at noon at R. G.'s Restaurant and second Thursday of month if first Thursday falls on a holiday. Grant seconded motion. All Trustees voted aye.

Grant made motion to give Kathy permission to send delinquent notice for payment in full of debt service and monthly service fee to Roger Gray – amount due \$286.92, Greg and Rita Beck – amount due \$253.77, Michelle Williams Hauser – amount due \$149.46. Total amount due July 1, 1998 or delinquency will be certified 10/1/98 to taxes and delinquency may cause probability of possible shut-off of sewer system. Kathy will send notices via certified mail. Sally seconded motion. All Trustees voted aye.

Terry O'Keefe is still waiting on ruling from Meierhenry per Bob's request of "lawful" property footage to bill property owner according to road frontage.

Terry O'Keefe will talk to Harvey Oliver regarding loan money from RUS.

Terry O'Keefe gave Trustees copy of Ordinance 98-1 to look over and to be discussed at next meeting.

Bob made motion to pay Quality Quick Print bill of \$15.26. Grant seconded motion. All Trustees voted aye.

Bob made motion to adjourn meeting. Sally seconded. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY SEWER DISTRICT
MEETING

Date: June 16, 1998

Time: 12:00 noon

Where: R.G.'s Restaurant

AGENDA:

- 1) Review of Construction status
- 2) Payment approval of bills
- 3) Assessment of debt service payment to property owners
- 4) Review of platted/unplatted and district zoning of land in/out of district
- 5) Questions and Concerns of Trustees and/or property owners
- 6) Adjournment of meeting

1. Jim Wendte phone call

CUSTOMER RECEIPT	
109 POST VAL IMP	2.65
109 POST VAL IMP	2.77
109 POST VAL IMP	2.77
109 POST VAL IMP	2.77
TOTAL	10.96
CASH T	10.96
CHANGE	8.31 .00

2. Northern Electric \$75.92

- Kathy's May wages - \$332.46 NET (\$36)
- folders, hanging files, envelopes
- postage (8.31 for certified letters)
- postage stamps for upcoming mail
- computer paper

3. Late notices sent to Roger Gray (\$286.92), Michelle Hausen/149.46, Greg Beck (\$253.77) - sent certified mail, to be paid by 7/1/98.

4. Steve Hilton property not in district

5. Letter of Wo's/Don't for sewer users
Robert Friske lot purchase - discount on roadside frontage for lot #18 (Droog property)

6.

June 16, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch, Terry Helms

Ordinance 98-1 was read and discussed. Trustees defined unplatted lots as follows:

Unplatted lots adjacent to platted road will be calculated as platted lots (Example: Jerry Biegler and Joe Meier property)

Unplatted lots not adjacent to platted road will be assessed based on lake frontage for hook-up and debt reduction fee using 150 foot rule.

Backlots in the district shall be assessed as a single 150 foot lot unless revised by Sanitary Board. This defines backlots adjacent to platted roadway and not on lake frontage (Example: Chuck Ingerson farm)

Kathy Wahl reported phone call from Bob Friske regarding possible purchase of Droog property on North Shore Drive. Mr. Friske was concerned about unuseable portion of land and asked for possible discount of debt reduction fees on that portion which is unuseable-property is drainage ditch. Bob made motion to deny discount - would set precedence and other property owners could claim unuseable portions of property and ask for same discount claiming unuseable portions of property. Sally seconded motion. All trustees voted aye.

Bob made motion to authorize Grant Oleson to sign easement for land 24-124-65 NW ¼. Sally seconded motion. All Trustees voted aye.

Jay Koch will check with Ken Hier for easement for Dr. Anderson property.

Jay Koch reported Tom Aman and Gary Vining are only properties left to hook-up in Phase I Construction. Gave list of household hook-ups to Kathy for billing purposes. Grant made motion to give same consideration to balance of Phase I homeowners for payment of monthly user fee to be current as was given to those hooked up on South Shore Drive to become current to date with fees. In the interest of expense of cost of mail when Debt Service is fully decided upon, letters will go out to all households now hooked up to District with no penalty fees to become current within 30 days of mailing of letter. Sally seconded motion. All Trustees voted aye.

Pat Keatts easement was discussed. Grant made suggestion for Ken Hier to offer Pat Keatts payment of 1 hook-up and debt retirement fee on 150 foot minimum lot. Rest of platted land will be taken out of district in consideration for easement. Terry O'Keefe will write up offer and get to Ken for his presentation to Mr. Keatts.

Jay Koch reported Bill Welk has asked for hook-up of Pavillion to Sewer District. Terry O'Keefe informed Trustees Pavillion is not in Sewer District and would have to be brought into District before hook-up could be granted. Bob Heintzman asked for Bill Welk to state his intentions with Pavillion for number of hook-ups needed in writing

before Trustees show intent to bring Pavillion into Sewer District. Jay Koch will discuss further with Bill Welk.

Sally Swanson reported Kevin Pleinis sold his property to Joe Lesner.

Terry O'Keefe discussed exclusion of Steve Hilton from Sanitary District. Since property is hooked up to District, meeting must be held to return property to District.

Terry Helms will be in Pierre on Friday to discuss SRF Loan. Jay Koch sent in pay estimate #10 for Dahme's - \$82,507.00 (\$44,483 reimbursed on Phase II and \$37,924 local funds)

Bob made motion to pay bills: Northern Electric - \$75.92, Kathy Wahl wages for May 1998 - \$332.46, postage - \$100.00, WalMart for office supplies - \$51.39 Sally seconded motion. All Trustees voted aye.

Bob made motion to adjourn meeting. Grant seconded. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT MEETING

JUNE 22, 1998

WARD HOTEL - DINING ROOM

12:00 noon

AGENDA:

- 1) Review of Construction Status
- 2) ~~Payment approval of bills~~
- 3) Debt Service payment assessment to property owners
- 4) Review of platted/unplatted and district zoning of land in/out of district
- 5) Questions and Concerns of Trustees and/or property owners
- 6) Adjournment of meeting

1) No/Don't letter for sewer users

2) American News - \$62.50

3) ~~Pat Keatts property~~
~~Steve Hilton property~~

4) Pat Keatts property
Steve Hilton property

5) late payment in Ordinance 98-1, Sect V
should be 10 days not 30 days.

6)

June 22, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch, Terry Helms

Sally made reference for discussion of land ownership list prepared by Jay Koch 6/15/98 Project Numbers A-2152 & A-2302. Husband and wife ownership of joint property and separate listing for spousal property. Sally made motion to revise list of ownership for contiguous property and charge Debt Reduction Fee according to 150 foot rule. Grant seconded motion. All Trustees voted aye.

Jay Koch gave to Kathy to distribute to District users regarding proper use of the sanitary sewer system. Bob made motion to send letter to every household. Grant seconded motion. All Trustees voted aye.

Ordinancy 98-1 was discussed.

Grant made motion to change late payment date of fees from 30 days to 10 days. Sally seconded motion. All Trustees voted aye.

Grant made motion to amend ordinance for hook-up fee charge effective 7/1/98 to \$1500.00 for unimproved lot and \$3000.00 for improved lot. Bob seconded motion. All Trustees voted aye.

Bob made motion for ordinance to read Debt Service Fee for Phase II Construction shall commence October 1, 1998 based on \$4371.00 for 150 foot lot. Grant seconded motion. All Trustees voted aye.

Sally made motion to approve Ordinance 98-1 first reading. Second reading to be 6/29/98. Grant seconded motion. All Trustees voted aye.

Bob asked what new hook-up fee for new ownership of lots will be. Terry Helms stated that will be determined by engineer feasibility study and cost of labor and materials for hook-up.

Terry O'Keefe reported talked to Meierhenry's associate since Mr. Meierhenry is out of office due to personal reasons. Mr. Meierhenry's associate stated is okay to amend Ordinance 98-1 to use 150 foot road frontage for purpose of defining lot size. Bob stated he talked to Colleen in Pierre regarding definition using road frontage and she indicated this may be questionable. Terry O'Keefe will get Meierhenry's okay in writing.

Sally made motion to approve payment of bill to Aberdeen American News for publication #2252560 of \$62.50. Bob seconded motion. All Trustees voted aye.

Sally made motion to adjourn meeting. Grant seconded motion. All Trustees voted aye. Meeting adjourned.

Trustees discussed hiring Dan Thayer and Key Hier for Sanitary Sewer and Wastewater Treatment Operators. Salary based on \$20,000.00 budget allotment. Discussion let to possibility of employees being an independent contractor – Terry stated no because of insurance purposes.

Trustees discussed purchase of storage shed - Bob will check on prices of sheds and will check with Mina Sanitary Sewer District for amount of storage needed.

Grant discussed warning system for weather-related issues because of concerns of local residents. Terry said such system would constitute a liability for District. Terry said Residents can and should purchase a weather-scanning radio from Radio Shack for \$25.00 which would warn individual homes of impending bad-weather related issues for their own safety thus relieving the District of any liabilities for said system.

Kathy reported talked to Dr. Calvin Anderson regarding hook-up and Debt Reduction fees. Kathy will send letter to Dr. Anderson so fees can be brought current without penalty. Kathy will also give home address and home phone number to Terry O'Keefe.

Bob discussed advising State of South Dakota to inform District of changes they intend to do to Richmond Lake. Bob will talk to Jerry Sour about this.

Kathy will type letter for billing on Phase II to be discussed at next meeting before being sent to Phase II residents/land owners.

Grant will talk to Bill Welk about keeping cattle out of lake on North Bridge – Bill Welk said if State of SD will build fence and provide water access he will keep cattle from lake.

Bob will talk to Chuck Ingerson regarding run-off from his holding pond.

Bob made motion to adjourn meeting. Sally seconded. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT MEETING

WHEN: JUNE 29, 1998

WHERE: WARD HOTEL – BACK ROOM

TIME: 12:00 NOON

AGENDA:

1. Review of Construction status
2. Payment approval of bills
3. Assessment of debt service payment to property owners
4. Review of platted/unplatted and district zoning of land in/out of district
5. Questions and Concerns of Trustees and/or property owners
- 6. Second reading of ordinance
7. Adjournment of meeting

June 29, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch

Ordinance 98-1 was discussed.

Jay Koch gave changes to amend ordinance as follows:

Contiguous lots with 150 foot of width or less, in accordance with a-c above, shall have a lot factor of 1.00. Contiguous lots in excess of 150 foot shall have the lot width, as determined in a-c above, divided by 150 to determine the lot factor.

Example: 200 foot platted road footage equals 200 divided by 150 = 1.33 = lot factor.

The summation of the lot factors shall be divided into the total indebtedness to determine a base amount. Each property owner shall pay the base amount times the lot factor to determine each property owners assessment.

Example: 50 foot lot is equivalent to 1.00 lot factor. Assessment equals 1.00 x base amount.

Example: 200 foot lot is equivalent to 1.33 lot factor. Assessment equals 1.33 x base amount.

Grant made motion to accept changes as described by Jay Koch. Sally seconded motion. All Trustees voted aye.

Terry O'Keefe will fax Ordinance 98-1 Amendment to Meierhenry. Bob made motion to accept 2nd reading of Ordinance 98-1 subject to approval by bond council. Grant seconded motion. All Trustees voted aye.

Bob discussed debt ordinance possible change to read before new land is platted, owner must tell his intentions to Board so owner can be informed of current amounts due depending on his intentions.

Jay Koch will give location information for Calvin Anderson. Kathy will contact Calvin Anderson regarding hook-up fee and Debt Reduction Service fee payment. It was noted that Mr. Anderson has not paid said fees because correspondence of fees was returned address unknown.

Grant discussed Dan Thayer request for possible 30-year payment plan. Jay Koch suggested no because of repayment terms of RUS loan is 20 years and thus District could not repay loan on time with 30 year repayment option for District.

Terry O'Keefe gave Kathy Certification of Compliance with rate covenant to be filled out and mailed before 7/31/98. Jay will get Kathy figures for paperwork.

Sally made motion to approve payment of RUS loan payment - \$8,320.93. Grant approved motion. All Trustees voted aye.

Bob made motion to adjourn meeting. Sally seconded. Meeting adjourned

RICHMOND LAKE SANITARY SEWER DISTRICT

MEETING

DATE: July 7, 1998

Time: 12:00 noon

Where: Ward Hotel – Back Room

AGENDA:

- 1) Review of Construction status
- 2) Payment approval of bills
- 3) Discussion of Ordinance 98-1
- 4) Review of platted/unplatted and district zoning of land in/out of district
- 5) Questions and Concerns of Trustees and/or property owners
- 6) Adjournment of meeting

July 7, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl

Terry gave copy of letter for file of offer of settlement to Pat Keatts for easement. Letter was sent to Ken Hier to make offer -- unknown at this time if Ken has been able to contact Pat Keatts and Mr. Keatts response to offer.

Terry gave copy of letter for file sent to Squire Agency to send Certificate of Insurance showing proof of current property, casualty, and liability insurant to Lynn Chasing Hawk.

Terry gave copy of letter sent to Todd Meierhenry regarding Ordinance 98-1 making sure it does not violate bond requirements. Meierhenry's response -- Ordinance 98-1 DOES NOT VIOLATE LOAN COVENANTS per Section 5.5 Pledge of Net Revenues.

The Borrower hereby irrevocably pledges to the District to secure the Borrower's obligation to pay all amounts payable under this Loan Agreement and the Borrower Bond all income and revenues of its System, including, without limitation, fees charged to the users for System service, penalties and hook-up fees, sign-up fees, proceeds of business interruption insurance, proceeds of the sale of property constituting part of such system and investment income on all such revenues, but only to the extent such revenues exceed the amounts necessary to operate and maintain such System, provided there shall be excluded from such pledge the proceeds on any grant or loan from the State or the United States, and any investment income thereon, to the extent such exclusion is a condition to such grant or loan. The Borrower represents that there are no liens on such revenues and that it shall not grant or permit to exist any liens on such revenues, superior to that granted by this Section 5.5 and that such pledge constitutes a first priority perfected security interest in such revenues, except for such liens as secure parity Debt which has been disclosed in writing to the District. As required or authorized by SDCL 9-40-16, the Borrower shall act aside in a separate account on a monthly basis the portion of its System income and revenues necessary to pay the Loan Repayments. The Borrower has not granted and shall not grant or permit to exist any lien on its System Revenues without the written consent of the District, except as provided in this Section 5.5 and in Section 6.5 and except for liens securing System Debt outstanding on the date of this Loan Agreement and which has been disclosed in writing to the District.

The Proposed Ordinance sets a special charge pursuant to 9-40-15. The special charge is revenues of the system. The ordinance only changes the manner in which revenues are collected.

DOES THE PROPOSED ORDINANCE VIOLATE ANY TAX FREEZE? No. Since the ordinance imposes rates, not taxes, the tax freeze does not apply to the ordinance.

IS THE ORDINANCE CONSTITUTIONAL? Yes. The ordinance is set up in the same manner as special assessments. Since special assessments have been held constitutional on the front foot, I believe the current ordinance would also.

Sally made motion to change official meeting date to first Tuesday or each month at Ward Hotel -- Back room -- Second Tuesday if first Tuesday falls on holiday. Bob seconded motion. All aye.

Sally made motion to pay all bills, Bob seconded motion. Bills were paid.

American News - \$62.50

Kathy Wahl -- June 1998 wages - \$346.31 Net

Bob checked on possible run-off from Chuck Ingerson's holding pond. Found no evidence of run-off into lake.

Bob talked to Jerry Sour per State of South Dakota's construction plans for Richmond Lake. It was noted that Jerry Sour doesn't get notice of plans and therefore can't inform District of future plans by State of South Dakota.

Bob made motion to pay bills:

- Eide Bailey - \$370.00
- Northern Electric - \$84.20
- Internal Revenue Service - \$190.72
- Dahme Construction \$159,296.00 (Completion of Phase I and Phase II start-up)
- Terry O'Keefe - \$2888.25 (Payment to be held until reimbursement from SD)
- Jerry & Judy Biegler - \$500.00 (land easement)
- Pat & Donna Keatts - \$500.00 (land easement)
- Helms & Associates - \$12,443.80

Sally seconded motion. All bills were paid.

Trustees discussed having Dan Thayer at next board meeting on Aug. 4, 1998 to discuss salary for employment as sewer operator.

Grant made motion to adjourn meeting. Bob seconded motion. All Trustees voted aye. Meeting adjourned.

July 20, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch, Ken Hier

Terry discussed election of officers – Grant Oleson, President is up for re-election for 3-year period. Bob made motion to set election date for Oct. 6, 1998. Sally seconded. All trustees voted aye. Terry will send public notice for election to Abdn. American News for publication –nominating petitions may be picked up from Kathy Wahl or Maxine Taylor/Brown Co. Auditor.

Jay Koch reported Lynn Chasing Hawk is leaving her position. Heather Forny will be replacing her.

Discussion was held re: Richmond Lake Pavilion. Grant will get issue resolved and get back to District. Terry requested Bill Welk's presence at meeting to discuss his intentions and wants to bring property into district. Jay apologized to Trustees for hooking up Pavillion – property hook-up will be easily resolved .

Ken Hier discussed easements – needs new easements for 3 lot owners. Ken presented William Radke's proposal for his easement. Terry will re-write letter to Mr. Radke stating District does not agree with Mr. Radke's easement proposal.

Terry gave Ken Hier easements to get signed. Grant made motion to pay Jerry & Judy Biegler \$500.00 for easement on SW ¼ of Section 13 Township 124 N. Range 65 W of the 5th P.M. Bob seconded motion with stipulation that Jerry & Judy Biegler pay full hook-up and debt reduction for land in District. All Trustees voted aye.

Bob made motion to pay Pat Keatts \$500.00 for land easement and to pay one 150 foot hook-up/debt retirement and take balance of land out of District. Sally seconded motion. All Trustees voted aye.

Jay discussed possibility of talking to Warner and Mina Sewer District for possible employment of joint sewer operator. Terry said is still preferrable to have Richmond Lake Sanitary Sewer Operator to start project. All Trustees consented to having own operator at this time because of newness of project.

Ken Hier discussed being insured for liability as employee. Terry will check.

Bob discussed purchase of storage shed for District. Package deals can be purchased from Menard's and UBC. Town & Country has shed they are presently constructing and will sell for \$1000.00. Trustees discussed purchasing already constructed shed from Town & Country.

RICHMOND LAKE SANITARY SEWER DISTRICT
MEETING

Date: Aug. 4, 1998

Time: 12:00 noon

Where: Ward Hotel – Back Room

AGENDA:

- 1) Review of Construction status
- 2) Discussion of Pat Keatts easement, acceptance of Jerry & Judy Biegler easement
- 3) Review of platted/unplatted zoning of land in/out of district (Bill Welk property)
- 4) Review/acceptance of letter to Phase II property owners for debt reduction payment
- 5) Review/acceptance of letter to Phase I property owners for debt reduction payment
- 6) Interview with Dan Thayer for sewer operator position
- 7) Questions/Concerns of Trustees and/or property owners
- 8) Payment approval of bills
- 9) Adjournment of meeting

August 4, 1998

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch, Harvey Oliver

Harvey Oliver presented loan documents already reviewed by Terry O'Keefe. Payments are due 30 days from first advance for project – Payment will be \$2708.33.

Bob made resolution to authorize Grant Oleson to sign all necessary documents for RUS loan. Sally seconded. Motion carried.

Harvey Oliver requested schedule for use of money from loan – Jay Koch will supply information for documents and make up schedule for use of money to be given to Harvey Oliver as proof for use of money.

Jay Koch gave Dahme intent of construction – will start next week; is using two (2) crews.

Discussion of Bill Welk/Pavillion property – Mr. Welk proposes to join Sewer District provided he only pays one hook-up fee for property and \$12.00/mo maintenance and operation fee until Pavillion is fully operational as commercial property. Grant made motion to accept Bill Welk's proposal – Bob seconded motion with stipulation that Mr. Welk agrees to \$500.00 hook-up fee already paid by Mr. Wagner (previous owner) and credited towards same hook-up plus \$2500.00 hook-up fee and \$12.00/monthly maintenance and operation fee until such time as property is commercial. Motion carried. All Trustees voted aye.

Discussion of Pat & Donna Keatts property – Easement was accepted per Keatts request of not accepting \$500.00 check for payment in full of easement but to have \$4371.00 Debt Service fee lowered by \$500.00. Pat & Donna Keatts Debt Service Retirement share will be \$3871.00. Balance of platted land in District will be taken out of District. Said land will remain out of Sewer District until such time as Keatts or current owner develops land for resale for possible housing district. Pat & Donna Keatts will be charged for platted land as one (1) 150-foot hook-up/Debt Retirement fee. Per remainder of Pat Keatts proposal to bury manhole – Jay Koch stated burying manhole can be maintenance headache – system can be redesigned to accommodate farming practices. Request for burying manhole was denied by Trustees...Jay Koch will redesign system. All Trustees voted aye to accept easement with changes for redesigning of system.

Trustees reviewed Phase I and Phase II Debt Retirement Fee letters to property owners. Letters were accepted. Trustees instructed Clerk to send letters to property owners.

Sally made motion to pay all bills. Bob seconded motion. All Trustees voted aye. Bills were paid as follows:

Al's Specialties - \$30.76 (locks for boxes)

Quality Quick Print - \$14.76

Ken Hier (wages for easement and maintenance 3/21/98 – 7/11/98) \$510.23
Kathy Wahl (clerk wages for July 1998) \$346.31 Net
Helms & Associates - \$17,600.00
Northern Electric Co-op \$94.79

Sally made motion to adjourn meeting. Bob seconded. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY SEWER DISTRICT

MEETING

Date: Sept 1, 1998

Time: 12:00 noon

Where: Ward Hotel – Back Room

AGENDA:

- 1) Discussion with Joop Bollen regarding Debt Retirement assessment
- 2) Discussion with Mike & Jean Pelzl regarding septic tank problems/billing
- 3) Interview with Dan Thayer for sewer operator position
- 4) Review of Construction status
- 5) Discussion of possible change in Ordinance 98-1, Section II regarding sale of property in which new owner shall pay in full remaining balance of Debt Service fee
- 6) Questions/Concerns of Trustees and/or property owners – road maintenance in district
- 7) Payment approval of bills
- 8) Adjournment of meeting

Sept. 1, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch, Terry Helms, Joop Bollen, Jean Pelzl, Al Hettich

Minutes from meeting on Aug. 4, 1998 were read and approved as is. All Trustees voted aye.

Trustees met with Joop Bollen for purpose of discussion of drainage ditch running through his property. Mr. Bollen states county has allowed for 20-foot exemption from taxes and property line should be approximately 52 feet if property is squared off. Mr. Bollen wishes to have 52 feet exempt from 337 feet of road frontage for debt reduction road frontage consideration. Mr. Bollen believes property is unusable, therefore he should not have to pay debt reduction fees on this portion of his property. Trustees agreed to make physical assessment of Mr. Bollen's property and all other property in District with said drainage ditches for possible exemption. Trustees will assess properties belonging to Joop Bollen, Tom Badger, Ann Muldoon, Darren Droog, Hannah Davis and Terry O'Keefe.

Trustees met with Jean Pelzl regarding septic tank placement, payment of said septic tank and property repair said to have been made by Dahme's Construction and Helms Engineering. Mrs. Pelzl stated septic tank was installed before current tank was checked for possible replacement and repair of low-lying areas and damage to driveway has not yet been made. Terry Helms said agreement in attorney's office between Helms Engineering and Mike and Jean Pelzl stated that septic tank replacement was warranted because of age of tank, therefore agreement was signed by Mike Pelzl after the fact because of construction factors. Helms also stated low Beadles will repair lying areas at Helms expense when Beadle's are able to do so. Regarding payment of septic tank - Terry Helms agreed to pay 1/2 of \$990 cost (\$495.00) of tank if Mike and Jean Pelzl are in agreement to pay remaining balance due of tank. Mike and Jean Pelzl agreed to pay 1/2 of cost of tank. Repairs for property damage and low-lying areas will be made as soon as possible by Beadles and Aberdeen Asphalt at Helms Engineering expense.

Clay Stephens met with Trustees regarding how figures for Dept Retirement Fees were derived. Grant Oleson explained fees.

Al Hettich met with Trustees regarding possible abandonment of roads around Richmond Lake by Brown County. It was decided that delegation of Richmond Lake Association officers and Al Hettich would meet with Brown County Commissioners for further discussion.

Sally Swanson made motion to approve annexation of Lot 1 of the plat of Keatts Subdivision in the NW 1/4 of Section 23, Township 124 North, Range 65 West of the 5th P.M., Brown County South Dakota and Lutgens Outlot 1 in the NE 1/4 of Section 25, Township 124 North, Range 65 West of the 5th P.M., Brown County South Dakota,

Brown County South Dakota and exclude the following described territory which is included within said District boundaries:

- (a) The East half of (E $\frac{1}{2}$) of the NW $\frac{1}{4}$ of Section 23, Township 124 North, Range 65 West of the 5th P.M., and the East half (e $\frac{1}{2}$) of the SW $\frac{1}{4}$ of Section 23, Township 124 North, Range 65 West of the 5th P.M., Brown County South Dakota.
- (b) The unplatted portion of the West half (W $\frac{1}{2}$) of the NW $\frac{1}{4}$ of Section 23, Township 124 North, Range 65 West of the 5th P.M., Brown County South Dakota/
- (c) The SE $\frac{1}{4}$ of Section 23, Township 124 North, Range 65 West of the 5th P.M., Brown County South Dakota.

Grant Oleson seconded Motion. All Trustees voted aye. Motion approved. Public meeting will be held Sept. 15, 1998, 7:00 P.M. at Richmond Youth Camp.

Terry O'Keefe discussed possible Ordinance 98-1, Section II change. Trustees agreed to change ordinance as long as new property owner agrees to 10-year payment plan or less.

Sally made motion to pay all bills – Bob seconded motion. All Trustees voted aye. All bills were paid.

Seigel, Barnett & Schutz - \$2888.25

Quality Quick Print - \$77.31

Kathy Wahl (clerk wages for Aug.) - \$415.57 net

Grant made motion to adjourn meeting. Bob seconded. All Trustees voted aye.

RICHMOND LAKE SANITARY DISTRICT

MEETING

Date: Sept. 7, 1998

Time: 12:00 noon

Where: Ward Hotel – Back Room

AGENDA:

- 1) Discussion of 1998 Budget
- 2) Discussion of Annexation Ordinance and public meeting to be held Sept. 15, 1998, 7:00 p.m. at Richmond Youth Camp
- 3) Discussion of Ordinance 98-1, Section II Debt Retirement Fee Change
- 4) Discussion of property owners w/drainage ditch (unuseable property)
Re: Joop Bollen, Tom Badger, Ann Muldoon, Darren Droog, Hannah Davis, Terry O'Keefe
- 5) Payment of bills
- 6) Adjournment of meeting

September 7, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl

Minutes from meeting on Sept. 1, 1998 were read and approved as is. All Trustees voted aye.

Trustees held first reading of Ordinance 98-2. Terry read changes on appropriation. Bob made motion to accept Ordinance 98-2. Grant seconded motion. All Trustees voted aye.

Trustees discussed debt service obligation upon new ownership of property. New owner may assume current owner's debt reduction or choose to pay remainder of debt service obligation in ten (10) years or less or payment in full of remaining obligation. Sally made motion to accept. Bob seconded motion. All Trustees voted aye.

Terry told Board if there is to be an election on Oct. 6, 1998 for Trustee position of Grant Oleson, Board must authorize two (2) clerks and a judge for election. Trustees agreed to have Arvilla Ingerson, Eleanor Ingerson and Ann Vetch work the election. Trustees authorized Clerk Kathy Wahl to contact Arvilla Ingerson, Eleanor Ingerson and Ann Vetch to work election with Arvilla Ingerson to be Judge.

Terry stated he has sent letter to Todd Meierhenry regarding loan documents for SRF loan for Phase II.

Jerry Streckfuss of Game, Fish, and Parks talked to Terry re: Raetzman's Richmond Lake Sub Lot 1. Mr. Streckfuss indicated Game, Fish, and Parks Department never anticipates hook-up at this location and doesn't see the need to pay hook-up and debt reduction fees for this location. Board members discussed topic. It was agreed by all members of the Board that this location is in the District and per Ordinance 98-1, Section II, all fees must be paid. The Board will agree to defer payment of all fees on said property until fees can be included in the next fiscal year's budget. Grant made motion. Bob seconded motion. All Trustees voted aye. Trustees instructed Clerk Kathy Wahl to send letter to Mr. Streckfuss of Board's decision.

Trustees discussed property owners with drainage ditch on property, rendering that portion of property unusable. It was decided to send letters to those owners stating budget is such that current Debt Reduction assessment must remain as is and a review of said land will be made in the future for possible adjustment of fees after construction bills have been paid. Those owners are Joe Berbos, Ann Muldoon, Darren Droog, Hannah Davis, Tom Badger, and Terry O'Keefe. Board authorized Clerk Kathy Wahl to send letters to property owners stating the Board's discussion and review.

Trustees discussed second dwelling on Gordon and Jeanne Campbell's property on South Shore Drive. Trustees authorized Clerk Kathy Wahl to send Mr. and Mrs. Campbell letter requesting their intentions for second dwelling on said property.

Clerk Kathy Wahl reported receiving Debt Reduction Option letter from Clay Stephens in which Mr. Stephens indicated he will not begin paying his share of the Debt Reduction until such time as he is hooked up. Trustees authorized Clerk Kathy Wahl to write letter to Mr. Clay Stephens stating Debt Reduction Fees begin October 1, 1998 and payment is expected in a timely manner at that time, however, monthly fees will not be charged until his property is hooked up.

No bills were due. No bills were paid.

Grant made motion to adjourn meeting. Sally seconded motion. All Trustees voted aye. Meeting adjourned.

September 15, 1998

Present: Terry O'Keefe, Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Donna Keatts, and Steve Heckenlaible.

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Hearing on boundary changes as per resolution advertised in the Aberdeen American News September 5, 1998 and September 12, 1998 were read. Grant made motion to accept resolution. Bob seconded motion. All Trustees voted aye.

Second reading of Ordinance 98-3 states new property owner shall provide Clerk with Assumption of Debt Service Obligation. Must be same as previous owner had or ten (10) years or less of Debt Service obligation if not paid in full.

Terry asked for motion to authorize all Trustees and officers to sign and execute any documents necessary to complete SRF loan. Sally made motion. Bob seconded motion. All Trustees voted aye.

Trustees discussed letter of concern from Earl and Ann Lingor. Per Terry, Ordinance 96-4, Section 4 shall serve to eliminate concern of the Lingor's. Trustees authorized Clerk Kathy Wahl to send Earl and Ann Lingor quoting said Ordinance and relieves their concern for being charged any extra hook-up fees at said time when property is developed.

Sally discussed the hiring of Sanitary Maintenance Operator. Jay Koch expressed concern for this as he would like to train said operator at this time when project construction is being completed on Phase II. Trustees decided to meet September 21 or September 24 with prospective operators Ken Hier and Dan Thayer for the purpose of interviewing them for job position. Trustees will meet at the home of Bob Heintzman at 7:00 p.m. for said interviews. Trustees authorized Clerk Kathy Wahl to set up appointment with Ken Hier and Dan Thayer for either date at their convenience.

Bob made motion to pay Northern Electric \$84.68. Sally seconded motion. All Trustees voted aye. Northern Electric paid \$84.68.

Bob made motion to adjourn meeting. Sally seconded. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

SEPTEMBER 28, 1998

WARD HOTEL - BACK ROOM

Time: 11:00 a.m.

AGENDA:

- 1) Second interview with Dan Thayer
- 2) Second reading of 1999 Budget
- 3) Phase II Construction Update
- 4) Questions/Concerns of Trustees and/or property owners
- 5) Payment of bills
- 6) Adjournment of meeting

September 27, 1998

Present: Terry O'Keefe, Grant Oleson, Sally Swanson, Kathy Wahl, Jay Koch, Dan Thayer

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Discussion was held with Dan Thayer regarding employment as maintenance/operations employee. Jay Koch gave overview as to job duties and expectations and training. Dan asked job duty and roster questions. Trustees hired Dan Thayer for maintenance position. Terry O'Keefe will draw up employment contract.

Grant Oleson made motion to authorize Clerk Kathy Wahl to certify delinquent charges to Brown County Auditor. Sally seconded motion. Clerk will certify delinquent charges and Terry O'Keefe will deliver to Brown County Auditor.

Trustees held second reading of Ordinance 98-2. Grant made motion to pass Ordinance 98-2. Sally seconded motion.

Discussion of Trustee election was held. Election will be held October 6, 1998 at Richmond Youth Camp; 8:00 a.m. - 7:00 p.m. Arvilla Ingerson, Eleanor Ingerson, and Ann Vetch will work election with Arvilla Ingerson serving as election judge.

Payment of bills was discussed. Sally made motion to pay bills; Grant seconded motion
Dahme Construction: \$103,921.00

Sally made motion to adjourn meeting. Grant seconded motion.

RICHMOND LAKE SANITARY DISTRICT

MEETING

OCTOBER 13, 1998

WARD HOTEL – BACK ROOM

12:00 NOON

AGENDA:

- 1) Installation of Trustee – Grant Oleson
- 2) Discussion with Greg Lingor – Debt Service Retirement Assessment
- 3) Discussion of LeRoy and Ann Vetch debt service property assessment
- 4) Discussion of Steve and Kristi Hilton debt service property assessment
- 5) Discussion of Gordon and Jeanne Campbell 2nd residence assessment
- 6) Discussion of Dorothea Mickey debt service property assessment
- 7) Phase II Construction update
- 8) Discussion of Dan Thayer employment contract
- 9) Payment of bills
- 10) Adjournment of meeting

October 13, 1998

Present: Terry O'Keefe, Sally Swanson, Bob Heintzman, Grant Oleson, Kathy Wahl, Jay Koch, Greg Lingor

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Trustees conducted an election canvass of election held October 6, 1998 for Trustee 3-year position opening of Grant Oleson's position. Total of 95 voters - 62 votes for Grant Oleson; 33 votes for Charles A. Robinson. Sally Swanson made motion to accept election ballots, Bob Heintzman seconded motion. Grant Oleson was declared winner of 3-year Trustee position, which begins 11/1/98. Terry O'Keefe issued certificate of nomination. Election of officers will be held during first meeting in November, 1998

Greg Lingor met with Board and discussed Debt Service Fee charges on his property. Mr. Lingor asked that he be charged fee for 150' minimum. Jay Koch explained current charges. Jay Koch stated charges are because of Lot 20 and road front footage is as per tax assessment. Mr. Lingor disagreed with explanation of charges per road front footage. Board of Trustees elected to accept \$1092.00 payment for now as possible balance due and to advise Mr. Lingor of possible increase in debt service fee per tax assessment after completion of project. Sally made motion. Bob seconded motion. All Trustees voted aye.

Trustees discussed employment contract for Dan Thayer. Discussion included possibility of self-employment contract between District and Dan Thayer. Terry asked for an agreement from Trustees for Dan Thayer to be an independent employer with base pay. All Trustees voted aye. Terry will check IRS laws regarding self-employment with the District. Discussion was tabled for further information regarding IRS laws.

Jay Koch discussed pay estimate to Dahme's for Phase II construction - \$170,284.00. Sally made motion to accept; Bob seconded motion. All Trustees voted aye.

Jay Koch discussed Bill Welk easement. Jay Koch met with Bill Welk and Bill was satisfied with easement. Ken Hier will secure easement for District.

Jay Koch reported increase of construction costs discussed with Randy Bonn for Youth Camp. Randy Bonn was in agreement to pay additional costs.

Jay Koch stated Girl Scout Camp has secured funding for hook-up for sewer system. Sewer system will be installed and billed per Helms Engineering design and costs.

Jay Koch discussed Phase I pay estimate for Dahme's as final payment for Phase I - \$24,229.35. Bob made motion to accept; Sally seconded motion. All Trustees voted aye.

Jay Koch discussed Statement of Substantial Completion Date (date when system is operable):

November 1, 1997 – Phase I Completion (South Shore only)

June 18, 1998 – Phase I Completion (North Shore per change order)

Discussion for statement of substantial completion date was tabled until next meeting.

Trustees held discussion for Debt Service Fee change for LeRoy and Ann Vetch per letter received by Clerk Kathy Wahl from the Vetches. It was noted by Jay Koch that road front footage was figured wrongly due to access to Vetch's property via highway right-of-way. Jay Koch will refigure road front footage via highway right-of-way. Trustees instructed Clerk Kathy Wahl to return check to Vetch's for payment in full of debt service fee and re-bill the Vetch's when new figures are received from Jay Koch.

Sally made motion to pay all bills. Bob seconded motion. All Trustees voted aye. All bills were paid.

Arvilla Ingerson – Election worker - \$70.00

Eleanor Ingerson – Election worker - \$70.00

Ann Vetch – Election worker - \$70.00

IRS - \$268.13

Kathy Wahl, Clerk wages for September 1998 - \$491.77

Danforth, Meierhenry & Meierhenry – Bond council fee for Phase II - \$2265.00

Northern Electric Co-op - \$86.93

Bob made motion to adjourn meeting. Sally seconded motion. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

OCTOBER 27, 1998

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Phase II Construction update
- 2) Discussion of statement of substantial completion date
- 3) Discussion of Dan Thayer employment contract
- 4) Discussion of Steve and Kristi Hilton suit
- 5) Discussion of Gordon and Jean Campbell 2nd property debt service fee
- 6) Questions/Concerns of Trustees and/or property owners
- 7) Payment of bills
- 8) Adjournment of meeting

October 27, 1998

Present: Terry O'Keefe, Bob Heintzman, Grant Oleson, Sally Swanson, Kathy Wahl, Jay Koch

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Jay Koch discussed substantial completion date:

Phase I – South Shore work originally bid; completion date Nov. 1, 1997

Phase I – As modified by Change Order #2; completion date June 18, 1998

These dates do not alleviate any work that had been identified and not yet completed. Warranty on system will be 1 year from completion date.

Sally made motion to accept substantial completion dates; Bob seconded motion. All Trustees voted aye.

Terry discussed employment contract for Dan Thayer. Trustees discussed possibility of Dan Thayer being self-employed. Terry will look into IRS rules on being self-employed, advised Trustees to treat Dan Thayer and his part-time help as an employee until IRS ruling is made.

Terry advised Clerk Kathy Wahl to get W4 forms for Dan Thayer and part-time employee. W4 forms should be filled out and filed with District.

Terry reported talking to Ka Squire, Jr. regarding insurance on Steve and Kristi Hilton lawsuit. Mr. Squire has not yet been informed if insurance will cover suit.

Terry informed Trustees he has not yet received Order to Appear regarding Steve and Kristi Hilton lawsuit.

Terry advised Trustees that the District does not carry insurance covering sewage back-up in property owner's homes. District should advise homeowners to add this type of coverage to his/her homeowner's policy.

Terry received and gave copy of letter to Trustees from Bill Sauck, attorney for Gordon and Jeanne Campbell. Letter states Campbells are remodeling their summer cottage into a full-time residence and thus built a two-stall garage with above storage area. Due to extensive remodeling, storage area was remodeled to be a temporary place to live while cottage was being remodeled. Upon completion of remodeling cottage, Campbells have no intention whatsoever of renting out or selling the garage structure. Campbells anticipate their guests may use the garage loft area while visiting at the lake for very short periods of time. Area will be used temporarily and for short periods only. If the nature of the garage area were ever to be changed to that of a permanent residence or an apartment, the Campbells do understand that this matter would have to be re-evaluated and changed. The Campbells are of the firm opinion that there should be no additional

payments due because this is a temporary facility only. Trustees tabled discussion of this matter and advised Jay Koch to check hook-up of sewer system on bunkhouse.

Jay gave Clerk Kathy Wahl service connections list of property owners for Phase II, East Shore Drive. Jay will advise Clerk of electrical connections so billings may be sent.

Jay discussed Cliff Moffenbier property. Property has no septic tank, currently has an out-house sewage facility. Mr. Moffenbier cannot afford cost of septic tank now; property is summer cabin only. Trustees discussed possibility of making exception for Mr. Moffenbier to have septic tank installed now and making monthly payments on cost of septic tank if acceptable for District and Mr. Moffenbier or allowing Mr. Moffenbier to wait until Spring 1999 and financing installation and hook-up of septic tank himself. Jay Koch will talk to Cliff Moffenbier regarding his decision.

Jay discussed Arlen Heupel property. Stated pipe for sewer has been stubbed in; no connection took place so no service fee should be charged to the Heupels.

Sally made motion to pay all bills. Bob seconded motion. All Trustees voted aye. All bills were paid:

Helms and Associates - \$12,339.95 - inspect/design services, work completed
Through 7/15/98

Kathy Wahl - \$100.00 - postage money

Sally made motion to adjourn meeting. Grant seconded motion. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

NOVEMBER 3, 1998

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Phase II Construction update
- 2) Discussion of Dan Thayer employment contract
- 3) Discussion of Steve and Kristi Hilton lawsuit
- 4) Discussion of Gordon and Jeanne Campbell property
- 5) Questions/Concerns of Trustees and/or property owners
- 6) Payment of bills
- 7) Adjournment of meeting
- 8) *Election of Officers*

November 3, 1998

Present: Bob Heintzman, Sally Swanson, Grant Oleson, Kathy Wahl, Jay Koch

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Election of officers was held. Bob made motion to elect Grant Oleson as President. Sally seconded motion. All Trustees voted aye. Grant Oleson elected President.

Grant discussed letter received from Jim Wendte. – Certificate of Project Completion – Grant signed certificate and dated it 11/1/98.

Bob discussed purchase of utility shed for District. Bob will check on shed with Town and Country; they had best constructed for the price when Bob recently shopped. Board decided because of insurance purposes shed will be placed on pump site on South Shore.

Jay Koch reported service hook-ups have been started on West Shore.

Board directed Clerk Kathy Wahl to send payment letter of service fees to property owners on East Shore Drive, as hook-ups are complete. Kathy will also include Dan Thayer phone number for maintenance and a letter stating the District is not responsible for sewage back up caused by equipment or power failure. Each homeowner should provide adequate insurance for sewage back up and to check their homeowner's policy.

Bob made motion and Grant seconded motion to accept Resolution of Final Acceptance and Notice of Acceptability for all work for Phase I as originally bid to include all of South Shore Drive and up to Station 162+00, which includes the Richmond Lake Dam and Spillway crossing on November 1, 1997 and all work for Phase I as modified by Change Order #2 to include all of North Shore and Spillway Drive up to Station 254+77, which includes the Richmond Lake Youth Camp, Youth Camp Residence, and Game Fish and Parks residence and maintenance building as of June 18, 1998. The contractor's one year warranty would begin effective these dates. All Trustees voted aye.

Discussion was held concerning Glen Imberi and David Murray payment of septic tank installation. Board okayed payment in full of these two property owners on December 1, 1998.

Grant made motion and Bob seconded for pay estimate for Dahme's Construction for \$137,383.00. All Trustees voted aye.

Sally made motion to pay all bills, Grant seconded. All Trustees voted aye.

Dahme Construction: \$24,229.35 – final payment for Phase I Construction

Kathy Wahl: \$415.57 – net wages for October 1998

Grant made motion to adjourn meeting. Sally seconded. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

NOVEMBER 17, 1998

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Phase II Construction update
- 2) Discussion of Steve and Kristi Hilton case
- 3) Discussion of letter from Gary L. Richter, Game, Fish and Parks
- 4) Discussion of Bill Welk payment letter
- 5) Discussion of Helms & Assoc. invoice
- 6) Questions/Concerns of Trustees and/or property owners
- 7) Payment of bills
- 8) Adjournment of meeting

November 17, 1998

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Jay Koch gave update of Phase II Construction – Dahme's are now past Chuck Robinson's property...expected finishing date of Phase II is still Dec. 1, 1998.

Grant gave Clerk Kathy Wahl copy of Certificate of Project Completion C461067-01 accepted by Dept. of Environment and Natural Resources.

Trustees discussed letter from Gary L. Richter, GFP Attorney. Upon Terry O'Keefe's approval, will write letter to Mr. Richter explaining "hook-up fee" is an assessment fee to fund District start-up. GFP may pay \$1000.00 now or today's price at time property is hooked up to sewer system.

Trustees discussed late payment of Bill Welk Pavillion property. Letter was sent to Mr. Welk requesting payment in full of septic tank and hook-up fees.

Trustees received Helms & Assoc. invoice for \$25,330.20. Bob made motion to pay Helms & Assoc. Grant seconded motion. All Trustees voted aye.

Jay Koch discussed past due bill for Dahme Construction. Clerk Kathy Wahl reported all moneys from loans has not yet been received to pay bill. Grant Oleson made motion to pay Dahme's partial payment and pay remaining balance due when money is received. Bob seconded motion. All Trustees voted aye.

Sally made motion to pay all bills, Grant seconded motion. All Trustees voted aye.

Northern Electric: \$146.04
Squire/Lussem Ins.: \$1898.00
Dahme Const.: \$51,767.00
Helms & Assoc.: \$25,330.20

Grant made motion to adjourn meeting. Sally seconded motion. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

DECEMBER 1, 1998

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion with Cal Cunningham regarding property assessment.
- 2) Phase II Construction update
- 3) Discussion of Steve and Kristi Hilton case.
- 4) Questions/Concerns of Trustees and/or property owners.
- 5) Payment of bills
- 6) Adjournment of meeting

December 1, 1998

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch and Cal Cunningham

Cal Cunningham met with Trustees concerning undevelopable property belonging to him in which he is being charged Debt Reduction Fees. Grant Oleson explained formula for determining Fees for each landowner. Trustees explained there are other properties, which are undevelopable, and consideration will be given to each landowner upon completion of District.

Jay discussed construction of Phase II. At Trustees request, Jay will notify Dahme Construction of unfinished completion date and state that per contract \$300.00/day fine will be considered for non-completion of work on specified completion date. Jay will also ask Dahme Construction for consideration of completion date.

Late payment to Dahme Construction was discussed. Jay will inform Dahme that District is waiting for funds from Northern Electric loan. Grant made motion and Bob seconded motion that as soon as funds are received Clerk Kathy Wahl will pay Dahme Construction. All Trustees voted aye.

Grant made motion and Sally seconded motion to pay Dahme pay request #5 \$72,390. 00 All Trustees voted aye.

Sally made motion and Grant seconded motion to pay all bills. All Trustees voted aye.

Kathy Wahl, Clerk - wages for November 1998 - \$413.57 net
Computer Specialists - \$20.00
Dahme Construction - \$46,774.00

Grant made motion to adjourn meeting. Sally seconded. All Trustees voted aye.
Meeting adjourned

Grant made motion to adjourn meeting and thanked Helms Engineering for their part in the building/construction of the Sewer District and Dahme Construction for their work. Grant also wished all parties present a Very Merry Holiday. Sally seconded motion. Sally and Bob also thanked all parties for their involvement of the construction of Phase I and Phase II of the Richmond Lake Sanitary District. All Trustees voted aye.

RICHMOND LAKE SANITARY DISTRICT

MEETING

DECEMBER 17, 1998

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion with Pat Keatts concerning septic tank, payment of soy bean crop, destruction of grape vines and rose bushes
- 2) Phase II Construction update and completion date
- 3) Steve and Kristi Hilton case extension
- 4) Dan Thayer Maintenance contract
- 5) Questions/Concerns of Trustees and/or property owner
- 6) Payment of bills
- 7) Adjournment of meeting

December 17, 1998

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Terry Helms, Jay Koch, Greg Magera, and Pat Keatts

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Pat Keatts gave listing of property and items destroyed by Dahme Construction during construction of sewer system on his property.

- 1 acre of soybeans – valued at \$67.00 per harvest of crop
- 3 1-year old grapevines
- 5 rosebushes (covers not replaced and secured for frost/freeze protection)
- 1 iris bed – all plants uprooted and completely destroyed
- 1 Barberry bush – ½ gone
- Rock borders around flower gardens not replaced
- Boulders need to be removed
- Driveway needs grading

Pat discussed septic tank installed 15 years ago by Dahme's wouldn't have been wrecked had Dahme's not dug it up and disturbed it. Pat contends tank would have lasted his lifetime and should not be held responsible to pay for new tank.

Jay Koch discussed Keatts septic tank. After inspection of remains of tank, concluded cover would have disintegrated due to only being 2 inches thick because of sewage deconstruction in said tank and possible air leakage into tank causing bio-degradables in tank to eat through concrete.

Grant Oleson made motion and Bob Heintzman seconded motion for Richmond Sanitary District to pay ½ of cost of new tank and ½ cost of demolition of old tank, \$67.00 for destruction of soybeans (.34 acres @ \$41.75 bushel per acre x \$4.72 bushel) Dahme's will repair and replace all other items on Pat Keatts list. All Trustees voted aye.

Bob Heintzman discussed hook-up dates for Phase II Construction. Jay gave Clerk Kathy Wahl revised list of hook-up dates for Phase II and apologized for errors on West Bridge Road hook-ups. Bob discussed homes where meter was pulled and household is not hooked up. Jay Koch said owners of these homes are aware they are not hooked up and don't wish to be hooked up until spring 1999 when they begin to use their seasonal cabin. Owners are aware it will be at their expense to have their household hooked up but must pay monthly service fee beginning at the time when hook-up was installed. Owners are also aware to call Jay Koch when electricity will be turned on, as power is available to the hook-up.

Grant Oleson made motion to hold back moneys to Dahme's per construction contract for completion of project. Start date will also be changed to August 20, 1998 for Phase II Construction. Jay stated per contract District may hold back 7.8% or \$48,288 retainage.

Bob Heintzman seconded motion. All Trustees voted aye. Jay Koch will send letter to Dahme's stating retainage for project until clean up is complete.

Grant made motion, Sally seconded motion for clean-up to be done immediately as per reasonable request upon notification from the Board in Spring 1999. All Trustees voted aye.

Greg Magera discussed Steve and Kristi Hilton suit. Stated Jay Gellhause had granted him indefinite time to allow him to review the file in Terry O'Keefe's absence.

Dan Thayer requested Clerk Kathy Wahl to discuss lock placed on cell by another party should be removed as he has no access to cells. Jay Koch will have Dahme's remove their lock.

Dan Thayer requested Clerk Kathy Wahl to inform Trustees he has been having trouble with a select few meter boxes being tampered with. Bob Heintzman made motion and Sally seconded motion to buy 6-10 padlocks for these meters to avoid being broken into. Sally made motion to affix labels to all meters stating it is a misdemeanor to tamper with box and parties will be prosecuted if caught. All Trustees voted aye on both motions. Clerk Kathy Wahl will inform Dan Thayer to purchase locks and will get price on labels.

Grant Oleson made motion to accept Dan Thayer's request to be an independent contractor hired to service the Richmond Lake Sanitary District since he has met the qualifications of the IRS to be considered the same. Bob Heintzman seconded motion. All Trustees voted aye. Greg Magera will draw up contract. Dan Thayer will be paid as soon as contract is signed and District receives an Employer ID # from Dan.

Greg Magera discussed letter from Game, Fish, and Parks. Clerk Kathy Wahl was instructed to draft a letter to GF&P stating the District will accept payment of Debt Reduction Fee from their next annual fiscal budget (FY 2001 - July 1, 2000 - June 30, 2001) and will not charge the GF&P a \$1000.00 hook-up fee since it is the GF&P's contention that there will never be a hook-up utilized on the property at Raetzman's Richmond Lake Sub. Lot 1. Grant made motion, Sally seconded motion. All Trustees voted aye.

Sally made motion to pay all bills. Bob seconded motion. All Trustees voted aye.

Dahme Construction - \$95,619.00 (pay estimate #4)

Dahme Construction - \$73,390.00 (pay estimate #5)

Northern Electric - \$198.32

Town & Country - \$899.00 (storage shed)

Grant Oleson - \$217.00 (annual mileage)

Grant Oleson - \$858.85 (annual Trustee fees)

Bob Heintzman - \$637.21 (annual Trustee fees)

Sally Swanson - \$831.15 (annual Trustee fees)

Siegel, Barnett, and Schutz - to be billed and paid at a later date

RICHMOND LAKE SANITARY DISTRICT

MEETING

JANUARY 5, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Dan Thayer maintenance contract and South Shore maintenance of sub-station
 - a. Posting of misdemeanor violation signs and labels
 - b. Padlocks on shed and meter boxes
- 2) Late Notice billing
- 3) Questions/Concerns of Trustees and/or property owners
- 4) Payment of bills
- 5) Adjournment of meeting

January 5, 1999

Present: Grant Oleson, Sally Swanson, Kathy Wahl, Dan Thayer

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Dan discussed work repairs on various households in sewer District. Trustees instructed Dan to purchase and change locks on sub-station and problem home meter boxes.

Dan will get employee ID# for DT Maintenance & Repair and will then submit reimbursement statement for wages due. Dan will put together monthly expense data figures to be considered for additional raise in monthly base fee. Dan reported Dale Davis will be his employee and will take calls and do service maintenance work when needed. He is to be Dan's employee and will be paid by DT Maintenance & Repair.

Grant made motion to get pager (beeper) for Dan in lieu of leaving messages at work, home, or mobile phone. Sally seconded motion. Dan will check for best price and get back to Trustees.

Sewage spill on South Shore pump station was discussed. Grant instructed Clerk Kathy Wahl to call Jay Koch and instruct Dahme's to clean-up mess.

Sally will check with Greg Magera re: Hilton lawsuit and Terry O'Keefe wages. Sally made motion to send payment in full when bill is received for Terry's wages. Grant seconded motion. Clerk Kathy Wahl will send payment in full.

Sally made motion to pay all bills. Grant seconded motion. All bills were paid.

Kathy Wahl, Clerk for month of 12/98 = \$415.57 net
First National Bank - SRF Loan C461067-01 \$8,320.93
Quality Quick Print - \$4.72
Ken Hier - \$204.09 net
Pat Keatts - \$67.00
IRS (withholding) - \$604.73
Northern Electric - \$235.22
Siegel, Barnett & Schutz (Pd 1/19/99) - \$2789.49

Grant made motion to adjourn meeting. Sally seconded. All Trustees voted aye.
Meeting adjourned.

February 2, 1999

Present: Grant Oleson, Sally Swanson, Kathy Wahl, Jay Koch

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Jay discussed Dahme Construction request for reduction of retainage fee on sewer project-Trustees Grant Oleson and Sally Swanson agreed they would consider a reduction of fees due to a repayment on a level of work completion (50% complete; 50% paid if work is done to the Board of Trustees satisfaction; not Dahme's satisfaction). Jay will inform Dahme Construction of Board's tentative agreement as such.

Grant Oleson discussed lack of response from Beadles in completing clean-up problem areas for which he was hired by Dahme Construction to do. It was decided that Jay will ask Dahme Construction to hire someone else other than Beadles to complete specific problems such as needed to be done to maintain good relations of the Trustees with property owners.

Jay discussed problems of the South Shore pump station – asked the Trustees to consider a phone dialer to alert Dan Thayer to problems when the power voltage drops. Cost is approximately \$1200.00 for said system and does qualify for grants/loans. An additional \$20-30/month charge for a separate phone line to be installed in Dan's home for the alarm system would also be incurred. Dakota Pump recommended the system and would install said system. Discussion was tabled for further consideration and research of other possibilities to alert Dan for problems.

Kathy Wahl informed Trustees of letter from David Ruhnke concerning audit to comply with the SRF loan agreements. Jay will talk to Mr. Ruhnke concerning audit, as audit is not yet completed by Eide-Bailey Accounting Firm.

Grant asked that Jay inform Dahme Construction to call Hannah Davis and make contact with her concerning the problem of rip wrapping on her shoreline.

Trustees discussed completion of Sanitary Sewer District. Work for completion will begin as soon as ground can be worked. Dahme's Construction will start as soon as weather and ground conditions will permit them to do so. It was decided that before completion of project is finalized and all bills are paid each property owner will be asked to sign-off as being fully satisfied with clean-up of his/her property.

Clerk Kathy Wahl informed Trustees of 23 dunning notices for late payment sent to property owners with interest being billed to property owners.

Trustees discussed Steve Hilton lawsuit – Greg Magera is presently working on this and expects to inform Atty. Jay Gelhaus of Trustees rejection of offer upon completion of fully looking over file and advise of Atty. Terry O'Keefe.

Sally made motion to pay all bills. Grant Oleson seconded motion. All bills were paid.

Kathy Wahl, Clerk for the month of 01/99: \$415.57 net

DT Maintenance and Repair

Oct 28 - 31, 1998 = \$32.24

November 1998 = \$250.00

December 1998 = \$250.00

January 1999 = \$250.00

Maintenance - 11 hrs @ \$10.00/hr = \$110.00

Total Wages - Oct 1998 - January 1999 - \$892.24

Al's Specialties (locks) \$20.93

Dahme Construction pay estimate #6 - \$32,208.00

Northern Electric REF Loan:

January 1999 payment \$2708.33

February 1999 payment \$2708.33

Northern Electric: \$220.75

Grant made motion to adjourn meeting. Sally seconded motion. Meeting adjourned

RICHMOND LAKE SANITARY DISTRICT

MEETING

MARCH 2, 1999

WARD HOTEL – BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of phone dialer system
- 2) 1997 and 1998 Audit and 1999 Budget; Certificate of Compliance and Proof of Property, Casualty, and Liability Insurance
- 3) Discussion of pager for Dan Thayer and work contract w/DT Maintenance and Repair
- 4) Discussion of easements from Ken Hier
- 5) Discussion of Steve Hilton lawsuit
- 6) Discussion of paid property liens and late payment letters sent
- 7) Payment of bills
- 8) Adjournment of meeting

March 2, 1999

Present: Terry O'Keefe, Grant Oleson, Sally Swanson, Kathy Wahl, Jay Koch

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Jay Koch led discussion of phone dialer system to eliminate problems of South Shore pump station due to low voltage/pump stoppage. Cost of said dialer is approximately \$1200.00 and will qualify for grants/loans. Dakota Pump will install dialer system. Grant led discussion of dialer paging him on a cellular phone or pager that he intends to have for on-duty calls. Jay Koch said up to four (4) phone numbers could be programmed into system; dialer will call all four phone numbers until someone answers. Grant also discussed possibility of one phone number to be that of the Brown Co. 911 Emergency station. Sally will check if that can be a possibility in case other 3 phones are unanswered as a back up to alerting Dan to problem situation.

Grant made motion; Sally seconded motion to purchase dialer system for South Shore pump station. The four phone numbers to be programmed into system shall be Dan Thayer's cellular phone, work phone, home phone, and Kathy Wahl's home phone.

Kathy Wahl was instructed to have Dan Thayer get cost estimate for cellular phone; billed to Richmond Lake Sanitary District. Cellular phone and cost of phone will be discussed at next District meeting.

Terry O'Keefe discussed Steve Hilton lawsuit. Answer to suit has been sent to Attorney Jay Gelhaus...Terry awaits his response and/or setting of court date on calendar.

Terry O'Keefe discussed contract for DT Maintenance and Repair. Will have ready by next meeting for Board approval.

Terry discussed easements from Ken Hier - appears to be that all easements have been filed. Will check if this is complete.

Kathy Wahl reported that four (4) property owners paid their property liens. Payment in full was received from Brown Co. Auditor for Shane Keubler, Patricia Larson, Habitat for Humanity, and Philip Nikolas.

Grant Oleson led discussion of bill from Eide/Bailey...It was decided that Grant would make phone call to Darrell Strivens in an effort to get Holly Lien to complete audit before payment is sent work completed to date. Grant will report on outcome of phone call at next meeting.

Sally made motion to pay all bills with exception to Eide/Bailey bill. Grant seconded motion. All bills were paid with exception of Eide/Bailey.

Kathy Wahl, Clerk for month of 02/99 - \$415.57 net

DT Maintenance and Repair - \$665.00

Northern Electric REF March 1999 loan payment - \$2,708.33
Northern Electric (electricity charges) - \$210.54
Kathy Wahl (postage) - \$33.00
First National Bank of Sioux Falls (SRF loan) - \$8320.93

Grant made motion to adjourn meeting. Sally seconded motion. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

APRIL 6, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of phone dialer system (installation, cost, phone #'s)
- 2) Discussion of work contract w/DT Maintenance and Repair (Dan Thayer)
- 3) Discussion of cellular phone for Dan Thayer
- 4) Discussion of Steve Hilton lawsuit
- 5) Discussion of road repair/reversion back to gravel at Richmond Lake
(per Tom Aman letter to Russ Podoll/Brown Co. Highway Supt.)
- 6) Payment of bills
- 7) Adjournment of meeting

April 6, 1999

Present: Grant Oleson, Sally Swanson, Kathy Wahl, Jay Koch

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Jay Koch led discussion on phone dialer system to eliminate problems of South Shore Drive pump station due to low voltage/pump stoppage. Dakota Pump will install dialer system for approximately \$1200.00. (This cost will qualify for grants/loans). Jay talked to AT&T – must have phone line installed; monthly service fee will be \$42/mo for phone line for dialer system.

Grant made motion for dialer system to be purchased and installed to alleviate problem. Sally Swanson seconded motion. Trustees instructed Clerk Kathy Wahl to call AT&T to set up date for phone line installation and gave Jay Koch permission to set up installation of dialer system with Dakota Pump. Jay will notify Dan Thayer when said installation is to take place so that Dan may be there to be trained on how to operate system w/dialer in place. Dialer will call four (4) phone numbers in emergency situation – Trustees decided the four phone numbers to be called will be (1) Dan's cell phone (2) Dan's home phone (3) Dan's hotel phone (4) Clerk Kathy Wahl's home phone. Jay Koch will instruct AT&T where phone line will be placed.

Jay Koch discussed an inspection agreement with Dakota Pump for maintenance and warranty work on pumps at lift stations. Dakota Pump will perform the maintenance of said pumps for \$350.00 per pump once a year or \$500.00 per pump twice a year. Jay reiterated this work is essential to maintain warranty and routine maintenance on pumps. Trustees discussed possibility of Dan Thayer doing work – at this time Dan does not have the ability/knowledge to do said maintenance but he can be present when said maintenance is performed so that he may be able to do maintenance in couple of years. Trustees tabled further agreement of inspection contract for future discussion with Bob Heintzman when he returns from winter vacationing.

Trustees discussed purchase of cell phone for Dan Thayer. Clerk Kathy Wahl reported that Dan has estimates – Cellular One has best prices. Cell phone will have to be purchased under business phone. Contract purchase price is \$90.04 - 12-month contract; will have 30 minutes per month usage, monthly fee is approximately \$30/mo. Trustees instructed Clerk Kathy Wahl to sign contract and instruct Dan Thayer to have cell phone activated ASAP.

Clerk Kathy Wahl reported Terry O'Keefe is still awaiting answer from Jay Gellhaus regarding Trustees negatory response to not accept offer from Steve Hilton of paying minimum Debt Service Fee of \$4371.00. Trustees will be informed as soon as response is received.

Clerk Kathy Wahl reported Terry O'Keefe is still working on contract for Dan Thayer; Terry stated when contract is completed, Trustees can and should revert back to start date of Dan Thayer for \$500.00/mo base pay that Dan is seeking as currently \$250.00/mo base pay is not enough to cover time, mileage, and availability for Dan. Trustees discussed higher base pay and tabled further discussion of \$500/mo base pay. Dan's expertise, availability, willingness to work and be available 24 hours/day, 7 days a week were so noted in consideration of raise in base pay.

Sally made motion to pay all bills. Grant seconded motion. All bills were paid.

Kathy Wahl, Clerk for month of 03/99 - \$415.57 net

DT Maintenance and Repair - March 1999 - \$378.38

Northern Electric REF Loan payment (April 1999) - \$2708.33

Northern Electric Co-op - \$229.34

IRS - Employment taxes for first quarter - \$240.36

**Eide/Bailey bill for 1993 - 1998 audit will not be paid until audit is complete for purpose of incentive to Holly Lien to finalize audit ASAP. Clerk Kathy Wahl was instructed by Trustees to inform Eide/Bailey of Board's decision. Further discussion also ensued NOT paying any late fees to Eide/Bailey for non-payment of said bill because neither Terry O'Keefe or Kathy Wahl was informed of additional information needed to complete audit in a timely manner.

Grant Oleson made motion to adjourn meeting. Sally seconded motion. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

MAY 4, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of phone dialer system (proposed date of installation, AT&T line installation)
- 2) Discussion of warranty/maintenance contract with Dakota Pump
- 3) Discussion of Phase II clean-up by Dahme Construction
- 4) Discussion of questions/answers from and for Dan Thayer
- 5) Discussion of cellular phone for Dan Thayer
- 6) Discussion of Steve Hilton lawsuit
- 7) Discussion of road repair per 4/7/99 letter from Tom Aman
- 8) Discussion of future duties of Clerk Kathy Wahl and upcoming October budget
- 9) Payment of bills
- 10) Adjournment of meeting

May 4, 1999

Present: Sally Swanson, Bob Heintzman, Kathy Wahl, Jay Koch, Dan Thayer

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Jay Koch led discussion of clean up by Dahme's on Phase I and Phase II. Many people will be taken care of this week and final clean up will be forthcoming.

Jay will check with AT&T for installation of phone line and dialer installation on South Shore pump station.

Maintenance of pumps was discussed. Sally made motion to have a once-a-year inspection of all pumps by Dakota Pump and Control and maintenance of said pumps by Dakota Pump and Control. Cost will be \$350.00 per pump. Agreement for maintenance and inspection will be approved annually by the Richmond Lake Sanitary District Board of Trustees. Grant seconded motion. All Trustees voted aye. Grant Oleson signed contract. Clerk Kathy Wahl will send contract to Dakota Pump and Control.

Bob discussed Dahme Construction usage of South Shore pump and a possible extension of warranty on pump. Jay Koch stated Dahme's has given the District a 2-year warranty on said pump given the time of start-up to completion of Phase I instead of the usual 1-year warranty. Dahme's would not be willing to give more extension of warranty.

Sally led discussion of self-addressed envelopes for monthly payers. Sally made motion to give monthly payers 6 self-addressed envelopes in lieu of payment booklets not yet being out. This should help be a reminder and cut down on late or forgotten payment to the District. The Trustees upon final inspection of clean up by Trustees could give envelopes to households. Bob seconded motion.

Discussion of Hilton lawsuit was held. Greg Magera will be informed to return the check offered by Steve Hilton/Jay Gelhaus and to have Greg Magera give them 15-30 days for rebuttal. Clerk Kathy Wahl will instruct Mr. Magera of Trustees decision.

Sally led discussion of septic tank pumping. Tanks may need to be pumped for repair or maintenance for system. Discussion was tabled until next meeting of the Trustees.

Sally presented the District with a Certificate of Merit given by the SD DENR and SD Water and Wastewater Association presented to Grant Oleson April 22, 1999.

Clerk Kathy Wahl discussed delinquent payments. A total of 45 late payment letters were sent to the respective households. \$5832.25 is delinquent.

Sally made a motion to pay all bills except amount owed to Eide/Bailey. Eide/Bailey will be paid when audit is completed. Bob seconded motion. All bills except Eide/Bailey were paid.

Kathy Wahl, Clerk for the month of 4/99: \$415.57 base

DT Maintenance and Repair for the month of 4/99: \$340.00

DT Maintenance and Repair supplies (light bulbs): \$6.30

Northern Electric REF Loan payment (May 1999) - \$2708.33

Northern Electric Co-op - \$217.00

Cellular One - \$20.70

Sally made motion to adjourn meeting. Bob seconded motion. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

JUNE 8, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of Phase II clean-up by Dahme Construction
-light bulb change at Calvin Anderson and Frank Snyder property
- 2) Discussion of phone dialer system installation
- 3) Discussion of septic tank pumping contract
- 4) Discussion of Gordon and Jeanne Campbell property
- 5) Discussion of pump return to Jerry and Mary Ann Krueger
- 6) Discussion of Steve Hilton lawsuit
- 7) Delinquent payment status
- 8) Discussion of audit by Eide/Bailly
- 9) Discussion of October budget
- 10) Discussion of Dan Thayer contract
- 11) Payment of bills
- 12) Adjournment of meeting
- 13) Adjournment of meeting

June 8, 1999

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch, Greg Magera

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Bob Heintzman presented the Board with a complaint form from Rodger Seefeldt of DENR and discussed form. It is to be used by persons wishing to file a complaint with DENR for possible sewer violations and or run-off violations. Form was given to Clerk Kathy Wahl for file in case such violation would have to be filed.

Bob Heintzman discussed re-assessment of Gordon and Jeanne Campbell garage/bunk house. Brown County Director of Equalization office for \$56,000 valuation has assessed additional property on home site. Site on home property is to be considered a fully operational home including kitchen, washroom, and bathroom facilities according to Assessor's office. Bob made motion to have Attorney Greg Magera write the Campbell's a letter stating RLSD is currently considering re-assessment of property and to assess a second hook-up and debt service fee on additional living facility. Sally Swanson seconded motion. Greg Magera was instructed to write the Campbells a letter.

Jay Koch discussed Dahme Construction clean up. Clean up is nearly complete. Pat Keatts property is not completed settled. Dahme's will replace and replant grapevines. Replacement of iris bulbs is still being negotiated. - Keatts states approximately 200 bulbs were ruined at a cost of approximately \$5.00 per bulb.

Jay presented Board with change order from construction due to increase of \$11,015.50 due to sewer vents, additional piping, road repair, manhole guard posts, etc. New contract price including this change order will be \$710,218.25.

Jay presented Board with pay estimate #7 - amount due this request is \$65,297.00. Motion was made by Grant Oleson to accept pay estimate #7. Seconded by Bob Heintzman. All Trustees voted aye.

Jay gave Clerk Kathy Wahl billing for Girl Scout Camp - \$1,840.00. Sewer services have been installed. Clerk will bill Girl Scouts.

Jay discussed payment to Dahme Construction - Total amount owed = \$75,297.00 Grant made motion to pay Dahme Construction but to retain \$10,000.00 until project is complete. Bob seconded motion. Board will pay Dahme Construction \$65,297.00

Clerk Kathy Wahl discussed letter from Mary Ann Krueger regarding lost pump during construction. Jay said pump would be returned by Dahme Construction as soon as it is located.

Clerk Kathy Wahl discussed concerns of Dan Thayer regarding light bulbs at Wm. Brosnan and Frank Snyder property. Jay Koch will instruct Dan Thayer how to change these bulbs.

Clerk Kathy Wahl discussed Dan Thayer's concern over not having a contract with the District and payment of base pay of \$500/month. Kathy Wahl discussed contract with Terry O'Keefe and reported to Trustees Mr. O'Keefe recommends paying Dan Thayer \$500/month base pay and to bring his account current until contract is completed by himself or Greg Magera. Bob made motion to pay Dan Thayer \$500/month base pay and to pay all back wages. Grant seconded motion.

Trustees discussed Steve Hilton lawsuit. Grant made motion for Greg Magera to send Jay Gellhaus letter to status of account. Sally seconded motion. Greg Magera will send letter asking for decision of Steve Hilton for payment in full or possibly suit with 30-day time limit for answer to Trustees request. All Trustees voted aye.

Sally discussed proposals from septic tank companies for purpose of pumping tanks for repair and maintenance. Sally made motion to have Clerk Kathy Wahl send letters to local septic tank companies for bids. Grant seconded motion. All Trustees voted aye.

Bob made motion to pay all bills with exception of Eide/Bailly. Sally seconded motion. All Trustees voted aye. All bills with exception of Eide/Bailly were paid.

Kathy Wahl, Clerk for month of 05/99: \$415.57 base
Kathy Wahl, postage - \$33.00
DT Maintenance and Repair: \$2045.00
Northern Electric REF Loan payment (June 1999) - \$2708.33
Northern Electric Co-op - \$226.95
First National Bank (SRF loan payment) - \$8320.93
Cellular One - \$33.90
Dahme Construction - \$65,297.00

Sally made motion to adjourn meeting. Grant seconded motion. All Trustees voted aye. Meeting was adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

~~JUNE~~ *July* 6, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of Phase II clean-up progress by Dahme Construction
- 2) Discussion of phone dialer system
- 3) Discussion of septic tank pumping contract
- 4) Discussion of One-call locator service; payment of bill by WEB
- 5) Discussion of Gordon and Jeanne Campbell property assessment
- 6) Discussion of Steve Hilton lawsuit
- 7) Discussion of audit by Eide/Bailly
- 8) Discussion of Dan Thayer concerns; contract
- 9) Discussion of October budget
- 10) Payment of bills
- 11) Adjournment of meeting

July 6, 1999

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Dan Thayer, Jay Koch

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Discussion was led by Jay Koch regarding Phase II clean-up progress by Dahme Construction. Clean up is nearly completed; fencing will be done this month in anticipation of contract completion.

Dan reported to Trustees that there is a dial tone at the dialer station. He and Jay Koch will program the dialer phone system.

Clerk Kathy Wahl reported she has not received any bids as of yet for septic tank pumping. Discussion was tabled until next meeting when bids have been received.

Clerk Kathy Wahl reported to Trustees message from Greg Magera concerning these issues:

Gordon and Jeanne Campbell: Will wait to send letter until property valuation has been recorded with the Director of Equalization office.

Steve Hilton lawsuit: nothing yet because of Gellhaus funeral. Will give a proper mourning period and then resume response from Hilton/Gellhaus.

Eide/Bailly audit: Terry O'Keefe recommends finding another source to do audit, as it is long overdue.

Dan Thayer contract: Terry O'Keefe will continue to work on contract as his health permits as long as Dan is comfortable working without one until it is completed.

Trustees held discussion concerning messages – Grant made motion to follow Greg Magera's advisement of issues. Sally seconded motion. All Trustees voted aye.

Bob made motion to seek and hire a new accountant to complete audit. Sally seconded motion. All Trustees voted aye. Grant Oleson will talk with prospective accounting firms and report to Trustees at next meeting.

Discussion was held by Trustees concerning one-call locator service. Clerk Kathy Wahl reported per info received, one-call locator service will contact RLSD when digging is being done in the District. It is up to RLSD to have someone physically locate lines. They will fax info at a cost of 75 cents per notification or \$2.50 if mailed. Dan Thayer offered to allow RLSD use his fax machine at the Ward; he will then be able to contact a locator. Trustees asked Dan to check on cost of locator equipment for possible use by Dan to be locator. Jay Koch gave possible suggestion of hiring The Electric Co (underground utility locator) if necessary. Jay Koch also indicated a map of pipelines would be available for utility companies.

Sally made motion to pay all bills except Eide/Bailly. Bob seconded motion. All Trustees voted aye. All bills were paid as follows:

Clerk Kathy Wahl, for the month of 06/99: \$813.15 base
DT Maintenance and Repair for month of 06/99: \$665.00
DT Maintenance and Repair: \$164.33 (Locks, bulbs, and electrical panel box)
Northern Electric REF Loan payment (July 1999) - \$2708.33
Northern Electric Co-op - \$270.81
Cellular One - \$33.90
IRS (employment taxes for 2nd quarter) - \$234.09
Dakota Pump and Control (dialer system) - \$1224.50

Bob made motion to adjourn meeting. Grant seconded motion. All Trustees voted aye. Meeting was adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

AUGUST 3, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of Phase II clean-up and completion progress by Dahme Construction
- 2) Discussion of septic tank pumping contract
- 3) Discussion of one-call locator service
- 4) Discussion of maintenance concerns by Dan Thayer
- 5) Discussion of hiring of new CPA to do audit / payment of Eide/Bailly
- 6) Discussion of Gordon and Jeanne Campbell property assessment
- 7) Discussion of Steve Hilton lawsuit
- 8) Payment of bills
- 9) Adjournment of meeting

August 3, 1999

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Dan Thayer, and Jay Koch

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Jay Koch discussed Phase II clean up and completion progress by Dahme Construction. Said fences were out and about, putting up fencing; should be completed soon. Clean up of properties is near completion; Keatts replacement of iris bulbs still at question, some gravel and black dirt work left.

Discussion was held regarding septic tank pumping bids

Dana Brick bid:

- 5 or more septic tanks and dumping at pit - \$50.00 per resident
- 1-4 septic tanks and dumping at pit - \$60.00 per resident

Sewer Duck (Jeff Goldade and Mike Lester)

- 1-5 septic tanks pumped - \$50.00 per visit
- 5-10 septic tanks pumped - \$45.00 per visit

Both agreed to hold prices for one year from date of contract with prices to be re-negotiated each year with the District.

Jay advised to have baker's yeast put into septic tank by the pumper after pumping tank.

Grant made a motion to accept bid from Sewer Duck. Bob seconded motion. All Trustees voted aye. Clerk Kathy Wahl will type up contract to be awarded and Trustees will approve contract.

Discussion was held regarding one-call locator service. All Trustees agreed that service is needed; Dan agreed to allow the locator service to fax notices to his fax machine at the Ward Hotel so as to cut expenses of long-distance phone charge or letter notification. Per notification request by fax charge is 75 cents; phone/letter notification is \$2.50. Trustees asked Clerk Kathy Wahl to check with service as to which class of membership RLSD will fall into. (Membership for SD One Call is as follows: Class A Member - \$150.00, Class B Member - \$50.00, Class C Member - \$35.00.

Dan discussed maintenance concerns: always not able to get someone to pump pit when needed in an emergency situation. Jay discussed possibility of buying a pump and tank to be mounted on a trailer for Dan to use. Jay suggested a gas-powered pump is best. Dan will check out costs for a tank and pump. Dan has a trailer he is willing to mount pump and tank on.

Grant discussed audit. Grant talked to and received a letter from Mark Engelhart at Eide/Bailly regarding audit. Many items have been completed for the audit to begin but more information is needed before audit can be performed. A list of those items was provided to Grant. Clerk Kathy Wahl was instructed to obtain additional information needed and to answer any questions needed for information to perform the audit.

Grant made motion to pay in full amount due to Eide/Bailly so they can complete the audit. Sally seconded motion. All Trustees voted aye.

Clerk Kathy Wahl reported to Trustees per telephone call from Greg Magera re:
Gordon and Jeanne Campbell property assessment: Terry O'Keefe advised waiting until property has been assessed to see if it is assessed as second residence.
Steve Hilton lawsuit: no comment yet from Attorney Jay Gellhaus

Trustees all agreed that both issues (Campbell's and Hilton) need to be settled as soon as possible so District can get on with business at hand. Will advise Greg Magera to get decisions on both matters ASAP.

Trustees were advised that Mariys Brick intends to build a permanent residence on her property. Jay Koch advised Trustees that she would encroach on RLSD system if she builds within 4 feet of system. RLSD has a 15-foot easement on said property to be able to perform needed maintenance and she may be constructing on RLSD easement. Trustees instructed Jay Koch to send letter to Mariys Brick stating RLSD easement and that if she intends to build, she must make maintenance easily accessible to RLSD and she will be responsible to pay to move pit station. Jay agreed to send letter and copy RLSD.

Sally made motion to pay all bills. Bob seconded motion. All Trustees voted aye. All bills were paid as follows:

- Clerk Kathy Wahl wages for month of 07/99: \$831.15 base
- DI Maintenance and Repair: \$635.00
- Northern Electric REF Loan payment (Aug 1999) - \$2708.33
- Northern Electric Co-op - \$282.57
- Cellular One - \$33.90
- Eide/Bailly - \$2890.09
- B&B Contracting - \$337.76
 - Invoice #24378 - \$127.55
 - Invoice #24380 - \$210.21
- Ringgenberg Electric, Inc. - \$50.00
- Siegel, Barnett & Schutz - \$394.50
- US West - CREDIT of \$348.45
- Quality Quick Print - \$3.50

Bob made motion to adjourn meeting. Sally seconded motion. All Trustees voted aye. Meeting was adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

SEPTEMBER 7, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of Phase II clean up and completion progress by Dahme Construction
- 2) Septic tank pumping contract
- 3) One-call Locator Service contract
- 4) Discussion of maintenance concerns by Dan Thayer
- 5) Discussion of Late Payment letters to delinquent property owners
- 6) Discussion of Eide/Bailly audit.
- 7) Discussion of new residential/property owners listing
- 8) Discussion of Gordon and Jeanne Campbell property assessment
- 9) Discussion of Steve Hilton lawsuit
- 10) Discussion of October Trustee election
- 11) Discussion of Annual Budget
- 12) Discussion of annexation of Jim Latteral property
- 13) Discussion of hiring of new attorney
- 14) Discussion of replacement of Richmond Association funds
- 15) Payment of bills
- 16) Adjournment of meeting

RICHMOND LAKE SANITARY DISTRICT

MEETING

SEPTEMBER 7, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of Phase II clean up and completion progress by Dalme Construction
- 2) Septic tank pumping contract
- 3) One-call Locator Service contract
- 4) Discussion of maintenance concerns by Dan Thayer
- 5) Discussion of Late Payment letters to delinquent property owners
- 6) Discussion of Eide/Bailly audit.
- 7) Discussion of new residential/property owners listing
- 8) Discussion of Gordon and Jeanne Campbell property assessment
- 9) Discussion of Steve Hilton lawsuit
- 10) Discussion of October Trustee election
- 11) Discussion of Annual Budget
- 12) Discussion of annexation of Jim Latterel property
- 13) Discussion of hiring of new attorney
- 14) Discussion of replacement of Richmond Association funds
- 15) Payment of bills
- 16) Adjournment of meeting

September 7, 1999

Present: Grant Oleson, Bob Heintzman, Kathy Wahl, Dan Thayer, and Jay Koch

Minutes of previous meeting were read and approved as is. All Trustees voting aye.

Jay Koch discussed Phase II clean up and completion progress by Dahme Construction. Fencing is not yet complete – expect this to be done by end of September 1999. Negotiations with Pat Keatts regarding iris bulbs still not complete.

Clerk Kathy Wahl gave Trustees copy of sewer pumping contract to be issued to Sewer Duck. Kathy reported Dana Brick also verbally stated he would be interested in doing the sewage pumping at the same rate as Sewer Duck. Bob Heintzman made motion to accept contract as is and offer contract to Sewer Duck. Grant seconded motion. Dan Thayer reported he might have to call Dana Brick in case Sewer Duck is not available in an emergency situation for pumping. Grant made motion to send Dana Brick same contract as Sewer Duck for same said pricing for services. Bob seconded motion. All Trustees voted aye.

One-Call Locator Service contract was discussed. Jay Koch stated service charge would be \$35.00 one-time fee for membership. Bob made motion to pay fee to belong to locator service. Grant seconded motion. All Trustees voted aye.

Dan Thayer reported Dakota Pump would be coming this week to do inspection of pumps. Dan discussed flex pipe problems – pipe has been breaking at valve site. Jay will check if flex pipe meets contract specs.

Clerk Kathy Wahl gave listing of delinquent payments to Trustees. Letters for demand of delinquent payments were sent to all on list with payment demand by September 20, 1999 to bring all accounts to current status.

Grant Oleson presented letter to Trustees from Eide/Bailly outlining perimeter of audit, items still needed to be done and items still needed to complete audit. Clerk Kathy Wahl, Jay Koch, and Greg Magera will supply all items still needed to complete audit.

Clerk Kathy Wahl gave Trustees updated listing of property owners as of August 31, 1999. Kathy reported to Trustees many properties are being sold and new owners are paying premium prices for land and/or land with residences. Most sellers are electing to pay in full debt service fees upon sale of property.

Discussion was held regarding Gordon and Jeanne Campbell second residential hook-up. Bob made motion to send Campbell's letter regarding 2nd hook-up fee and monthly service fee. Grant seconded motion. All Trustees voted aye. Clerk Kathy Wahl reported Greg Magera still looking into assessment. Clerk Kathy Wahl will compose letter to be sent to the Campbell's.

Clerk Kathy Wahl reported that no new information is available regarding the Steve and Kristie Hilton lawsuit. Greg Magera has turned this case over to Rory King to handle.

Clerk Kathy Wahl reported that Greg Magera is working on the October Trustee election. Everything should be in order to still be able to hold election in October.

Discussion and first reading of Ordinance 99-1 was held. The 1999 Budget has been revised to reflect changes in wages, system operation & maintenance, audit expense, payroll taxes, insurance, construction expense, debt service payments, connection fees, equipment acquisition, and electric service. Greg Magera will finalize Ordinance 99-1 for second reading.

Landowner Jim Lateral discussed debt service payment and hook-up fees with Trustees. After looking over map of plot, Grant made motion to charge Mr. Lateral for 324 feet of frontage. A total debt service of \$9,441.36 will be charged. Hook-up fees for bare lot will be \$1500.00 Bob seconded motion. All Trustees voted aye.

Discussion was held for the possibility of hiring another attorney because of workload created for Greg Magera upon his taking responsibility of Attorney Terry O'Keefe's office workload. Discussion led to talking to Greg Magera and possibly asking Rory King to be District Attorney should Greg Magera not be able to fulfill obligation to the District.

Discussion of replacement of Richmond Lake Association funds used for the start-up of the District took place. Bob made motion to replace funds to Association of \$931.74. Grant seconded motion. All Trustees voted aye.

Bob made motion to pay all bills. Grant seconded motion. All Trustees voted aye. All bills were paid as follows:

- Clerk Kathy Wahl for month of 08/99 - \$831.15 base
- DT Maintenance and Repair - \$685.00
- Northern Electric REF Loan payment (Sept. 1999) - \$2708.33
- Northern Electric Co-op - \$182.56
- Cellular One - \$33.90
- US West - Credit of \$304.45
- Dahme Construction Co. - \$813.10 (for Stacy Gossman sewer connection)
- Dana Brick Roto Rooter - \$104.00
- EMC Insurance Companies - \$2.95
- First National Bank of Sioux Falls (SRF Loan payment) - \$8320.93
- Postmaster (postage) - \$33.00
- One-Call Locator Service - \$35.00
- Richmond Lake Association - \$931.74
- Dahme Construction Co. (Pay Est. #8) - \$8327.00

Grant made motion to adjourn meeting. Bob seconded motion. All Trustees voted aye.

DELINQUENT PAYMENTS - BILLED; STILL OWED

Marvin & Kathy Fandrich - \$112.00
LeVon Grieben - \$177.83
Steven & Kelly Herther - \$36.54
Steven & Ann Grosz - \$36.54
Mark & Diane Johnson - \$42.63
Rick Pleinis - \$237.10
Jerald McNeary - \$30.45
Robert Baker - \$12.18
Randy Bonn - Br. Co. House - \$60.09
Cal Cunningham - \$12.36
Bill Welk (lots 35 & 36) - \$441.73
Bill Welk (lots 31, 21, 33, & 34) - \$618.74
Patricia Larson - \$286.23
Harley & Darlene Mohr - \$540.79
Ron & Mary Dietz - \$289.90
H.H. Hoffman (lot 15) - \$540.79
H.H. Hoffman (lots 11 & 12) - \$540.79
H.H. Hoffman (lots 41, 42, & 43) - \$648.95
H.H. Hoffman (lots 32 & 33) - \$540.79
H.H. Hoffman (lot 24) - \$540.79
Marjorie Smith - \$686.95
Wally Dunker - \$540.79
Billy Meidinger - \$540.79
Milo Retzer - \$135.20
Philip & Evelyn Nikolas - \$540.79
John & Irene Ell - \$540.79
Jeff & Sandra Heupel - \$20.00
Dorothea Mickey - \$126.00

TOTAL AMOUNT DELINQUENT - \$8,887.53

RICHMOND LAKE SANITARY DISTRICT

MEETING

SEPTEMBER 21, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of Phase II clean-up and completion progress by Dahme Construction
- 2) Discussion of Annual Budget
- 3) Discussion of October Trustee election
- 4) Discussion of Steve and Kristie Hilton lawsuit
- 5) Discussion of Gordon and Jeanne Campbell property assessment letter
- 6) Discussion of Delinquent payments
- 7) Discussion of payment of Pat Keatts for iris bulbs
- 8) Adjournment of meeting

September 21, 1999

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Jay Koch, and Greg Magera

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Discussion was led by Jay Koch regarding Phase II clean up and completion progress by Dahme Construction. Fencers are out this week completing fencing jobs – should be finished by end of week. Jay will have final costs computed so final payment of construction costs can be done on September 24, 1999.

Discussion of Ordinance 99-1 (annual budget) took place. Clerk Kathy Wahl reported she would be receiving payment schedule for Phase II loan and will be able to finalize report at that time. Second and final reading of Ordinance 99-1 was tabled until meeting to be held September 24, 1999.

Discussion of Steve and Kristie Hilton lawsuit was led by Greg Magera. Greg reported Rory King is handling this matter. A letter will be sent to Jay Gellhaus stating Trustees do not wish to settle on Hilton offer – total amount assessed for Debt Service Fee is due and payable.

Discussion was led by Greg Magera regarding Trustee Election. Election will take place November 16, 1999. Publication of election will be in Aberdeen American News September 24, nominating petitions may be filed Oct 7 – 27, 1999. Nominating petitions will be available from Clerk Kathy Wahl or from Br. Co. Auditor's office.

Discussion was led by Bob Heintzman regarding a second assessment for second dwelling on Gordon and Jeanne Campbell property. A letter will be sent to Mr. and Mrs. Campbell via Registered mail asking them to be at September 24, 1999 meeting to rebut any reasonable reason why they should not be charged a second hook-up fee and debt service assessment on their second dwelling. Greg Magera reviewed letter for Mr. and Mrs. Gordon Campbell and okayed letter to be sent.

Clerk Kathy Wahl reported to Trustees she has collected \$4690.35 of the \$13,577.88 delinquent amount due to the District. Further collection efforts will take place.

Discussion was led by Bob Heintzman regarding the replacement of iris bulbs for Pat and Donna Keatts. Donna Keatts was present and said some bulbs had been recovered, therefore only needing 60 bulbs replaced. Motion was made by Grant Oleson and seconded by Bob Heintzman to have Dahme Construction pay \$75.00 for replacement of bulbs. Jay Koch will talk to Dahme's and get reimbursement check.

Grant Oleson made motion to adjourn meeting. Bob seconded motion. All Trustees voted aye. Meeting was adjourned.

ORDINANCE NO. 99 - 1

2000 ANNUAL APPROPRIATION ORDINANCE

BE IT ORDAINED BY THE RICHMOND LAKE SANITARY DISTRICT, that the following sums are hereby appropriated to meet the obligations of the District for the fiscal year commencing January 1, 2000.

SECTION I:	EXPENSES	
	Trustees meeting fees	\$ 2,700.00
	Attorney fees and expenses	7,000.00
	Debt service	88,736.00
	Equipment acquisition	5,000.00
	Electric service	3,300.00
	System operation & maintenance	10,000.00
	Office supplies	500.00
	Postage/mailing	600.00
	Mileage and transportation	150.00
	Lodging and meals	100.00
	Audit expense	10,000.00
	Wages (full-time Clerk)	10,800.00
	Payroll taxes	1,500.00
	Legal Notice publication expense	450.00
	Insurance	2,000.00
	Miscellaneous expense	500.00
	Contingency	500.00
	Bond reserve fund	8,400.00
	Construction Expense	15,000.00
	TOTAL	\$167,236.00

SECTION II:	RECEIPTS	
	1999 Carryover	33,451.00
	Debt service payments	91,115.00
	Connection fees	8,000.00
	Monthly fees	22,170.00
	General property tax levy	12,500.00
	TOTAL	\$167,236.00

TOTAL 1999 MEANS OF FINANCE

SECTION III: The Clerk is hereby directed and authorized to certify said tax levy to the County Auditor of the County of Brown, State of South Dakota, to the end that the same be spread and assessed as provided by law.

General Fund	\$ 12,500.00
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TOTAL LEVY

\$ 12,500.00

Passed First Reading _____

Passed Second Reading _____

Published _____

ATTEST:

Kathy Wahl – Clerk

President, Board of Trustees
Grant H. Oleson

RICHMOND LAKE SANITARY DISTRICT

MEETING

SEPTEMBER 24, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of Phase II Construction and final payment of construction costs
- 2) Second reading of Ordinance 99-1
- 3) Discussion of Gordon and Jeanne Campbell property
- 4) Discussion of annexation of Jim Latterel property
- 5) Discussion of Dan Thayer contract
- 6) Adjournment of meeting

September 24, 1999

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Greg Magera, Jay Koch and Gordon Campbell

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Jay Koch led discussion of Phase II Construction and final payment of construction costs. Bob made motion to accept Change order #3 - \$18,951 decrease in construction costs. A total of \$18,407.75 is balance due to Dahme Construction. Grant seconded motion. All Trustees voted aye.

Jay submitted invoice for payment to Helms Engineering for \$14,332.80. Grant made motion to accept invoice for payment at October 5, 1999 meeting. Bob seconded motion. All Trustees voted aye.

Greg Magera led reading second reading of Ordinance 99-1. Grant made motion to accept Ordinance 99-1. Sally seconded motion. All Trustees voted aye.

Gordon Campbell addressed Trustees concerning billing of second dwelling on property. Mr. Campbell contends he obtained building permit for garage and storage space. Upon remodeling of his original dwelling, which would take longer than expected, he constructed living facilities in "storage space" above garage. He has cooking, laundry, sleeping and complete bathroom facilities above garage. He replied to Bob Heintzman that he, Gordon Campbell hooked up toilet to septic system from house. He also replied to Bob Heintzman that his building permit was for \$6500.00 and was not aware of assessment value of \$24,710.00 when Mr. Heintzman mentioned value of 2nd facility. Mr. Campbell contends only he and wife Jeanne lived in facility while their home was being remodeled and has no intention of renting facility to anyone else. Therefore Mr. Campbell contends he should not be assessed a second hook-up fee and Debt Service fee. Greg Magera mentioned Ordinance 93-1 concludes that any facility complete with sewer services must be billed hook-up and debt service fees. Mr. Campbell said in such case, he would seek amount due him for pipe, etc. for hook-up of second dwelling. Greg Magera concluded he would be happy to discuss matter with Mr. Campbell's attorney Bill Sauck. Mr. Campbell agreed to have Attorney Greg Magera contact Bill Sauck and discuss matter.

Greg Magera led discussion of annexation of Jim Latterel property. He is currently working on paperwork for hearing of annexation.

Dan Thayer discussed his contract of DT Maintenance and Repair with District. Grant made motion to include the word "monthly" to contract for \$500.00 base salary and mention of \$10.00 per hour for second person if needed for maintenance will be added to his contract. Sally seconded motion. All Trustees voted aye.

Dan Thayer discussed maintenance concerns with Trustees. The South Park has succumbed to vandalism. Dan has talked to Jerry Sour about putting fencing around the electric control boxes for resolution of vandalism problems.

Dan reported having 1 pump repaired for re-use. Suggested buying 2 more pumps at approximate cost of \$400.00 each to use as spares in the event a pump should fail. Grant made motion to buy 2 pumps for the District to use as spares. Bob seconded motion. All Trustees voted aye.

Greg Magera reported on state of health of Terry O'Keefe. He has enlisted the help of Rory King on matters for the District and shall accept responsibility of Attorney for the District. Grant made motion to accept Greg Magera and Rory King as Attorneys for the District. Bob seconded motion. All Trustees voted aye.

Sally made motion to pay all bills. Bob seconded motion. All bills were paid.

First National Bank of Sioux Falls (SRF Loan #2 interest payment) - \$7,428.89

Grant made motion to adjourn meeting. Bob seconded motion. All Trustees voted aye. Meeting was adjourned.

October 5, 1999

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, and Greg Magera

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Due to absence of Jay Koch, discussion of Phase II Construction completion project was tabled until next monthly meeting.

Greg discussed Dan Thayer contract. Changes have been made to contract per discussion and will be finalized for the Board's approval.

Dan discussed vandalism of property at South Park and the Youth Camp. Electric boxes have been vandalized - locks have been cut off panels and electricity lines disconnected. Dan discussed possibility of GF&P putting fencing around lift stations with Jerry Sour of GF&P. Greg Magera will send a letter to Jerry Sour to strongly urge fencing be erected to deter vandals. Dan will purchase and install Warning - High Voltage stickers on panels.

Dan discussed problem with East Shore Drive lift station. He will hook up light without warning buzzer until Dakota Pump can look for problem.

Greg Magera reported no response as yet from Attorney Jay Gellhaus regarding Steve Hilton lawsuit.

Greg reported talking to Gordon Campbell's attorney regarding 2nd assessment of hook-up fee and debt reduction fee. Paperwork regarding statutes has been forwards to Campbell's attorney.

Greg discussed hearing on annexing Jim Latterel property. Publication of hearing notice will be in the American News, hearing will take place November 4, 1999 at 7:00pm at the Richmond Youth Camp.

Grant made motion to pay all bills. Sally seconded motion. All Trustees voted aye. Payment of bills is as follows:

Clerk Kathy Wahl for 9/99 - \$831.15

DT Maintenance and Repair for 9/99 - \$825.00

DT Maintenance and Repair (lightbulbs) - \$42.44

Northern Electric Co-op - \$2708.33

Dahme Construction - \$18,407.75

Helms Engineering - \$14,332.80

Quality Quick Print - \$18.49
US Treasury (employment taxes) - \$413.10
Eide/Bailly - \$3495.00
Dakota Pump & Control - \$463.72
Swanson Electric - \$29.68
Ringgenberg Electric - \$53.84
Steve Gauer (mowing cells) - \$150.00
Northern Electric - \$167.70
Cellular One - \$33.90
Postmaster (postage) - \$33.00

Bob made motion to adjourn meeting. Grant seconded meeting. All Trustees voted aye. Meeting adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

NOVEMBER 2, 1999

WARD HOTEL - BACK ROOM

12:00 NOON

AGENDA:

- 1) Discussion of Phase II Construction completion
 - Statement of Substantial Completion
 - Affidavit of Contractor and Indemnity Agreement
 - Contractor's Labor Standards Certification
 - Lien Waivers from all subcontractors and material suppliers
 - SD Dept. of Labor Certification
 - Consent of Surety to Release Final Payment
- 2) Letter to DENR to "de-obligate" remaining SRF loan
- 3) Discussion with Marlys Brick/Danny Kolb lift station moving
- 4) Discussion of Jim Latterel property annexation hearing
- 5) Discussion of Steve Hilton lawsuit
- 6) Discussion of Eide/Bailley audit
- 7) Discussion of Nominating Petition/Trustee Election
- 8) Discussion of purchase of printer
- 9) Payment of bills
- 10) Adjournment of meeting

Kathy Wahl, Clerk for the month of 10/99

120 hours x \$7.50/hr=\$900.00 base

\$900 x 15.3 = \$137.70 divided by 2 = \$68.85

\$900.00 - \$68.85 = \$831.15 base

DT Maintenance and Repair:

October 1999 - \$500.00 base

Maintenance hours -

Total due -

Northern Electric REF Loan payment (Nov. 1999) - \$2708.33

Eide/Bailly - \$1905.00

Brick's Roto Rooter - \$50.00

Squire Lussem Agency - \$1,896.00

Quality Quick Print - \$1.51

Swanson Electric - \$383.62

*Sales tax charged - \$21.71

Beadle Floral and Nursery - \$77.27

US West - Credit of \$215.33

Northern Electric -

Cellular One -

BALANCE IN CHECKING ACCOUNT _____

BALANCE IN SAVINGS ACCOUNT \$ 358,010.69

November 2, 1999

Present: Grant Oleson, Bob Heintzman, Sally Swanson, Kathy Wahl, Marlys Brick

Minutes of previous meeting were read and accepted as is. All Trustees voted aye.

Discussion of Phase II Construction Completion took place. All letters to DENR concerning Statement of Substantial Completion, Affidavit of Contractor and Indemnity Agreement, Contractor's Labor Standards Certification, Lien Waivers from all subcontractors and material suppliers, SD Dept. of Labor Certification and Consent of Surety to Release Final Payment were read. Bob made motion to accept all paperwork; Sally seconded motion. All Trustees voted aye. Paperwork was signed and dated by Grant Oleson, President. Clerk Kathy Wahl will return paperwork to Helms Engineering for forwarding to DENR.

Discussion of letter to DENR to "de-obligate" remaining SRF loan took place. Phase II Construction was less than anticipated and remaining monies were not needed on balance of loan. Grant Oleson, President signed and dated letter asking the state to not remit remaining funds of loan.

Discussion with Marlys Brick took place regarding moving of her lift station. Reference was made to cost of moving (\$1703.60). Ms. Brick stated that cost increased due to the fact that pipe couldn't be located per blue print and Dahme's had to dig more footage than anticipated to locate line. Clerk Kathy Wahl stated upon talking to Engineer Jay Koch, design wasn't followed due to unforeseen obstacles beneath the surface and pipe was installed accordingly. Pipe was approximately 15 foot off of design plan. Ms. Brick stated Dahme's agreed to subtract labor for one (1) employee (\$382.30) but feels District should also bear some of the cost. Grant agreed to check with Dahme's Construction and Jay Koch in an effort to obtain more information regarding the moving of the lift station. Further discussion of the District bearing some of the cost was tabled until more information has been obtained.

Discussion of Jim Latterel property annexation took place. All Trustees were reminded that 2nd and final reading of the annexation would be held Nov. 4, 1999 at the Richmond Lake Youth Camp at 7:00 p.m.

Upon the absence of Atty. Greg Magera no new information was discussed regarding the Steve and Kristi Hilton lawsuit.

Grant led discussion regarding Eide/Bailley audit. Preliminary paperwork has been received. Findings need to be discussed and resolution given to complete the audit. All Trustees agreed to meet Oct. 27 at noon at the Ward Hotel to complete audit findings.

Grant led discussion of Trustee Election for the position of Bob Heintzman. Grant reported per Atty. Greg Magera that there was no time limit, only a specified date when

nominating petitions must be turned in for name to be placed on official ballot. Since Tom Aman met the specification of turning in a nominating petition on the specified date it must be considered. Bob Heintzman requested that his nominating petition be withdrawn and asked not to be considered for the election of the Trustee position. Grant Oleson asked why – Bob said he intended to retire from the Board in the year 2000 and thought it would be best to save the District the expense of an election and allow Tom Aman to be on the Board now. Grant made motion to accept Bob Heintzman's request to withdraw his nominating petition. Sally seconded motion. All Trustees voted aye.

Discussion was led by Clerk Kathy Wahl regarding purchase of laser jet printer. Per Eide/Bailley it was recommended to have laser jet printer for clearer document printing rather than dot matrix. Bob made motion to purchase laser jet printer. Sally seconded motion. All Trustees voted aye. Clerk Kathy Wahl was instructed to purchase laser jet printer from Computer Specialists so printer would be compatible with computer purchased from Computer Specialists and to have printer installed.

Sally made motion to pay all bills. Bob seconded motion. All Trustees voted aye.

Kathy Wahl, Clerk for the month of 10/99 - \$831.15 base pay
DT Maintenance and Repair for month of 10/99
 \$500.00 base pay
 \$310.00 (31 hours @ \$10/hr)
 TOTAL = \$810.00

Northern Elec. REF Loan payment (Nov. 1999) - \$2708.33
Eide/Bailly - \$1905.00
Brick's Roto Rooter - \$50.00
Squire Lussem Agency - \$1,896.00
Quality Quick Print - \$1.51
Swanson Electric - \$361.91
Beadle Floral and Nursery - \$77.27
 -Restoration of Roger Ingerson property
US West – CREDIT of \$215.33
Northern Electric - \$150.26
Cellular One - \$33.90

Sally made motion to adjourn meeting. Grant seconded motion. All Trustees voted aye. Meeting was adjourned.

RICHMOND LAKE SANITARY DISTRICT

MEETING

DECEMBER 7, 1999

WARD HOTEL – BACK ROOM

12:00 NOON

AGENDA:

- 1) Welcome to new Trustee Tom Aman
- 2) Discussion with Pat Schumacher re: installation of lift station and connection
- 3) Discussion of "New" Certificate of Completion
- 4) Wastewater Collection and Disposal System letter from DENR
- 5) Discussion of letter from Zimmer, Duncan and Cole law offices
- 6) Discussion of Eide/Bailly 1997 audit
- 7) Discussion of Gordon and Jeanne Campbell offer
- 8) Discussion of Steve & Kristi Hilton lawsuit
- 9) Discussion of 1998 computer input information
- 10) Discussion of office supplies
- 11) Payment of bills
- 12) Adjournment of meeting

December 7, 1999

Present: Grant Oleson, Sally Swanson, Kathy Wahl, Greg Magera, Dan Thayer, Jay Koch, Pat Schumacher, Tom & Molly Badger

Minutes of the previous meeting were read and approved as is. All Trustees voted aye.

Tom and Molly Badger addressed the Board regarding issues having to do with themselves:

- 1) A reduction in Debt Service Fee for their property because of a drainage ditch on it...Grant stated the Board's position is that if lot is developable and land is contiguous to "home" property land will be assessed per by-laws of District. Jay Koch added drainage channels are necessary and should be given status for that purpose but agreed that contiguous "home" property should be assessed.
- 2) Building new home in Spring 2000 – need advise on sewer system
Grant advised to talk to Dan Thayer if system is to be changed or upgraded to fit construction of new home

Pat Schumacher addressed the Board regarding issue of sewer system change on his property

Advised Board upon new home construction pipes had to be moved, neighbor whom he was connected with didn't want his new driveway disturbed to re-connect lines so Bellika Construction put in personal lift station across the road and connected Schumacher sewer lines to it. Concrete lift station was used. Dan Thayer has advised Schumacher that construction materials aren't per District standards. Mr. Schumacher contended he trusted Bellika Construction to do the right thing and didn't question his methods.

Jay Koch advised Board that an exception for this homeowner should be made so that homeowner can continue completion of construction and District can take over responsibility of sewer system with limitations of warranty on workmanship and materials.

Grant made motion and Sally seconded motion that homeowner will be responsible for cost of replacing lift station due to wear and what goes wrong and when. Cost of replacement will be pro-rated

- 1-5 years – replacement costs borne entirely by homeowner
- After 10 years – 50% of replacement borne by the District
- After 15 years – 100% of replacement borne by the District

Sally made motion and Grant seconded to send Bellika Construction registered letter regarding future construction in District – he must notify District of any construction being done on sewer system. Greg will send letter.

Jay Koch suggested District contact Director of Equalization to notify District of any building permits being issued in District. Greg will notify Director of Equalization.

Greg Magera will address letter from Zimmer, Duncan, & Cole regarding cellular phone rate lawsuit.

Greg Magera reported Atty. Rory King spoke with Jay Gellhaus re: Hilton lawsuit; Mr. King will make a motion for summary judgment for hearing – will be scheduled for January 2000. Sally made motion for summary judgment for hearing; Grant seconded motion.

Greg reported on Gordon Campbell assessment: has written Atty. Bill Sauck to provide proof of hook-up, date of hook-up, and cost of hook-up.

Greg reported on 1997 audit findings from Eide/Bailly: has a list of findings that he feels should be stated differently and will talk with Holly Lien and Karen regarding those findings before audit for 1997 is finalized.

Greg advised Board that he would like to look at rules regarding payment for easement work to Bob Heintzman. Sally made motion not to pay Bob Heintzman until rules are checked. Grant seconded motion.

Dan Thayer discussed pumping of septic tanks for Millie Lance and Bob Friske. Stated he checked tanks, found less than 4 inches of sludge, and therefore informed both residents that tanks do not need to be pumped. Jay Koch stated when residents were hooked up to District; not all tanks were pumped by Dahme's Construction because they didn't need to be.

Sally made motion to pay all bills. Grant seconded motion. All Trustees voted aye

- Clerk Kathy Wahl, for month of 11/99: \$1108.20
- DT Maintenance and Repair: \$700.00
- DT Maintenance and Repair (parts): \$71.86
- Northern Electric REF Loan payment (Dec. 1999) - \$2708.33
- Quality Quick Print - \$12.08
- Computer Specialists - \$169.60
- Eide/Bailly - \$2,590.00
- Grant Oleson (Trustee fees for 1999) - \$415.57
- Bob Heintzman (Trustee fees for 1999) - \$277.05
- Sally Swanson (Trustee fees for 1999) - \$387.87
- Grant Oleson (mileage for 1999 out-of-town meetings) - \$192.00
- Brick's Roto Rooter Sewer Service - \$93.60
- Postmaster - \$33.00
- Northern Electric Co-op - \$154.74
- Cellular One - \$33.90
- 1st Nat'l Bank of Sioux Falls (SRF Loan #1) - \$8,320.93
- 1st Nat'l Bank of Sioux Falls (SRF Loan #2) - \$3,880.78

Sally made motion to adjourn meeting. Grant seconded motion. All Trustees voted aye.
Meeting adjourned.