

The May 8, 2024, Regular Trustee Meeting was called to order by President Cindy Broyhill at 7:00 PM in the City Office at Pickstown, SD.

Present: Cindy Broyhill, Craig Hibbs, Brenton Fuchs, Dennis Nielsen, Waldon Olson, Finance Officer Carol Berndt, Maintenance Mark Fortuna. Also Present: Eric Prunty, Brosz Engineering, Bill Lampman, Vince Storm, and Marcia Bierman.

The Pledge of Allegiance was recited.

The conflict-of-interest statement was read. The city of Pickstown follows the provisions of SD Codified Law, Chapter 6-1, as well as the provisions of 5-18A and other applicable laws regarding conflict of interest for municipal officials.

Motion by Hibbs, seconded by Olson to approve the agenda. All voted aye. Motion carried.

At this time as advertised, the public hearing for the Liquor License Transfer from Gus Stop Express to Kristan Soukup for Knotheads was held.

Motion by Hibbs, seconded by Broyhill to approve the transfer. All voted aye. Motion carried.

Motion by Nielsen, seconded by Fuchs to approve Broyhill signing the Liquor Operating Agreement with Kristan Soukup. All voted aye. Motion carried.

At this time as advertised, the public hearing to approve a temporary license for the American Legion to serve the Skinner/Weisser wedding on the 22<sup>nd</sup> of June was held.

Motion by Broyhill, seconded by Nielsen to approve the temporary license. All voted aye. Motion carried.

Eric Prunty from Brosz gave an update on the Sewer project and presented the change order and requested a signature. He also explained the Amendment to the grant agreement for the Sewer project.

Motion by Nielsen, seconded by Fuchs to approve signing the change order. All voted aye. Motion carried.

Public Input: Vince Storm asked if the manholes in his yard are scheduled to be worked on, he would like to replant some of his yard and wanted to check prior to doing the work. Eric Prunty from Brosz will research what is scheduled for the manhole and let the office know, then they will speak to Vince. He also asked if the van on Chapel Street could be removed when the garage is done.

Motion by Nielsen, seconded by Hibbs to approve the minutes of the April 10, 2024, Regular Trustee Meeting with the corrected date from the minutes printed in the paper. All voted aye. Motion carried.

Presentation of Claims: **Payroll:** Finance Office \$3,599.90 (Wages), Maintenance Dept \$4,246.86 (Wages), Parks \$443.28 (Wages), Trustees \$2,401.87 (Feb-April), IRS \$3,006.81 (Withholding), Colonial Life \$60.48 (Payroll Deduction Ins), SD Retirement System \$1,292.06 (Retirement).

**General Fund:** Bomgaars \$136.97 (supplies), Commercial State Bank \$3,816.45 (payment), Ft. Randall Telephone \$135.62 (Office phone), Health Pool of SD \$3,052.72 (Insurance), McLeod's \$14.64 (shipping), Myers Sanitation \$73.00 (Collection fee), Office Products \$135.54 (Copier Contract/remote support), VISA \$228.63 (Microsoft, supplies), Wagner Post \$126.11

(publishing), Whalen Law \$525.00 (retainer/hours), Williams Comp Service \$150.00 (Set up new computers). Liquor Fund: Dept of Rev. \$75.00 (Transfer fees). **Water Fund:** Randall Community Water \$4,227.40 (Water), USA Bluebook \$141.99 (Marking Flags). **Electric Fund:** Commercial State Bank \$25.00 (ACH Fee), Charles Mix Electric \$325.00 (Stand-by Fee) \$177.00 (service call), MRES \$12,275.20 (last month Production), East River Electric \$815.76 (last Months Transmission service), Dept. of Revenue \$1,098.54 (Sales Tax), MRES \$153.60 (AMI fee Mar.), VISA 441.81 (Motel, Batteries for Bucket truck). **Sewer Fund:** USA Bluebook \$257.94 (Marking Flags/paint). Total Claims \$43,679.03.

Motion by Olson, seconded by Nielsen to approve the claims. All voted aye. Motion carried.

Motion by Nielsen, seconded by Fuchs to approve Building Permit 2024-04 Lehr deck. All voted aye. Motion carried.

Motion by Olson, seconded by Hibbs to approve Building Permit 2024-05 Lampman sunroom. All voted aye. Motion carried.

At this time the Board discussed the issue of a shed being brought to town without a building permit.

Motion by Olson, seconded by Broyhill to have the attorney send a letter to Bill Bietz regarding adding shed without a Building Permit. All voted aye. Motion carried.

Berndt asked permission to register for the Budget class in Sioux Falls for her and the new Finance Officer.

Motion by Olson, seconded by Fuchs for register for the class. All voted aye. Motion carried.

Berndt also asked to adjust the Trustee pay periods to match the calendar year. No one had a issue with this so she will make the change.

Motion by Nielsen, seconded by Hibbs to approve the Financial Reports for April 2024. All voted aye. Motion carried.

Fortuna gave his report. The remaining water nodes should be here by mid June, he also reported that there are many people who do not have their sump pump hoses outside.

There was a concern brought to the attention of the town that trees are being planted on the city right of way. The board discussed the issue some felt the trees should be moved, that the people need to be made aware that if they should need to be removed it will be at the homeowners expense not the town's.

Motion by Hibbs, seconded by Olson to have Fortuna verify that the trees are on the city right of way, and if so to send a letter to the owner asking them to remove or appear at the next meeting. All voted aye. Motion carried.

Motion by Nielsen, seconded by Broyhill to accept the Maintenance Report. All voted aye. Motion carried.

At this time Bill Lampman gave an update on the museum progress on the blue room, they are looking to install a mini split heating and cooling unit. They have applied for a grant but have not heard if they received it yet. He asked if the town would contribute some more money. The board would like to wait to see if they get grant funds.

Old Business:

Motion by Hibbs, seconded by Fuchs to have Broyhill sign the Amendment to the DANR Grant Agreement which Eric Prunty had explained earlier. All voted aye. Motion carried.

FIRST AMENDMENT TO THE AMERICAN RESCUE PLAN ACT  
GRANT AGREEMENT  
DANR ID #2022G-ARP-181

FIRST AMENDMENT made and entered into by and between the South Dakota Conservancy District, acting through the South Dakota Board of Water and Natural Resources, 523 East Capitol Avenue, Pierre, SD 57501 (the "District"), and the Town of Pickstown, P.O. Box 107, Pickstown, SD 57367 (the "Grantee").

WHEREAS, the District entered into an American Rescue Plan Act Grant Agreement dated the 13th day of April, 2022 ("the Agreement"), with the Town of Pickstown seeking financial assistance for a Wastewater Collection Improvements project; and

WHEREAS, the Grantee has received final construction bids for the project and those bids are less than original estimates for construction included in the funding application; and

WHEREAS, Paragraph 14 of the Grant Agreement states in relevant part "This Agreement may not be amended except in writing, which writing shall be expressly identified as a part hereof and be signed by an authorized representative of each of the parties hereto"; and

WHEREAS, construction bids for the project came in lower than was contemplated at the time the Agreement was executed; and

WHEREAS, Section 4 of the agreement describes when and how grant funds will be reduced, if necessary, based on final construction bids.

NOW THEREFORE, in consideration of the foregoing and of the mutual promises contained herein, the parties agree as follows:

1. Section 1 of the Agreement is amended to read as follows:

"(f) Amount of federal funds obligated to the Sub-Recipient by this Agreement: \$401,836.

(g) Total amount of federal funds obligated to the Sub-Recipient: \$401,836.

(h) Total amount of the federal award committed to the Sub-Recipient: \$401,836.'

2. Section 4 of the Agreement is amended to read as follows:

"This grant is made for the purpose of a Wastewater Improvements project and payment will be made by the State after the State reviews eligible project costs in a manner as described in section 9.

Federal Amount provided by State is \$401,836."

3. Except as amended hereby, the terms and conditions of the Agreement shall continue in full force and effect, according to the tenor thereof.

4. Upon execution this First Amendment will be attached to the Agreement and made part thereof.

TOWN OF PICKSTOWN

Cindy Broyhill  
Cindy Broyhill (Date)

Motion by Nielsen, seconded by Fuchs to have Broyhill sign the Cybersecurity Grant letter with MRES. All voted aye. Motion carried.

New Business:

At this time Waldon Olson and Dennis Nielsen took their respective oaths of office.

Berndt ask for nominations for Board President

Motion by Nielsen, seconded by Hibbs to nominate Cindy Broyhill.

Berndt asked for other nominations.

Motion by Olson, seconded by Hibbs to cease nominations and cast a unanimous ballot for Broyhill. All voted aye. Motion carried.

Motion by Hibbs, seconded by Fuchs to re-appoint Tim Whalen as the City Attorney. All voted aye. Motion carried.

At this time the Board reviewed the 5-year service agreement with Charles Mix Electric. The board directed Berndt to respond to CME.

The Board reviewed the patrol contract and with Charles Mix Sheriff Department. Motion by Nielsen, seconded by Olson to approve signing the patrol contract. All voted aye. Motion carried.

Berndt presented Ord. 230 for the first reading. Motion by Nielsen, seconded by Hibbs to approve the first reading of the Ordinance and the changes to Chapter 110 of the Code of Ordinances. All voted aye. Motion carried.

Motion Fuchs, seconded by Hibbs to go to Executive Session at 8:20 p.m. to discuss personnel issues. All voted aye. Motion carried.

The board came out of Executive Session at 8:40 pm.

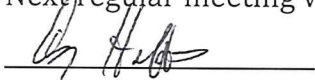
Motion by Broyhill, seconded by Hibbs to hire Marcia Bierman as the new Finance Officer and set her wage at \$19.00 an hour. All voted aye. Motion carried.

The demolition of the garage on Chapel, the individual who was going to do the work cannot do it, so Berndt was instructed to contact several individuals and see when they could get it removed.

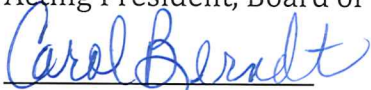
Motion by Hibbs, seconded by Fuchs to adjourn. All voted aye. Motion carried.

The meeting adjourned at 8:55 pm.

Next regular meeting will be June 12, 2024, at 7:00 pm at the City Office.



Craig Hibbs  
Acting President, Board of Trustees



Carol Berndt  
Finance Officer

Publish once at the total approximate cost of \$\_\_\_\_\_