

**BERESFORD CITY COUNCIL**

**Monday, June 5, 2023**

The Beresford City Council met in regular session in City Council Chambers at 7:00 p.m. The pledge of allegiance was recited.

**Members Present:** Council President Teresa Sveeggen presiding, Will Roelke, Art Schott, Mike Tiedeman

**Members Absent:** Mayor Nathan Anderson, Troy Boone, Eli Seeley

**Also Present:** Elaine Johnson, Finance Officer; Jerry Zeimetz, City Administrator; Tom Frieberg, City Attorney

**Adopt Agenda:** A motion to adopt the agenda as amended was made by Schott, second by Roelke. All present Council members voted aye; motion carried.

**Approve Minutes:** Roelke made a motion, second by Tiedeman, to approve the May 15, 2023, meeting minutes. All present Council members voted aye; motion carried.

**Department Head and City Administrator Report**

**Jerry Zeimetz, City Administrator:** Zeimetz gave an update on construction of the north ballfield addition and noted that the project is progressing as scheduled.

**New Business**

**Pay Request:** Schott made a motion, second by Tiedeman, to approve Pay Request #1 from Parkway Construction for the ballfield addition in the amount of \$257,691.64. All present Council members voted aye; motion carried.

**WAPA Contract:** City Administrator Zeimetz gave a brief overview of the Renewable Energy Certificate (REC) Designated Entity contract. A motion was made by Schott, second by Tiedeman to approve and authorize City Administrator Zeimetz or Mayor Anderson to sign WAPA Contract No. 23-UGPR-139. All present Council members voted aye; motion carried.

**Resolution 2023-05:** After a brief explanation by City Administrator Zeimetz, a motion was made by Schott, second by Tiedeman, to approve Resolution 2023-05 – A Resolution of Commitment for the SDDOT Community Access Grant Application. All present Council members voted aye; motion carried.

**RESOLUTION 2023-05**

**CITY OF BERESFORD, SOUTH DAKOTA**

**RESOLUTION OF COMMITMENT**

**FOR THE SDDOT COMMUNITY ACCESS GRANT APPLICATION**

WHEREAS, the City of Beresford is desirous of requesting assistance from the South Dakota Department of Transportation Community Access Grant Program for the purpose of completing 7<sup>th</sup> Street project; and

WHEREAS, the City of Beresford does hereby commit to the continued maintenance of the project; and

WHEREAS, the City of Beresford makes a firm financial commitment to cover the costs of the engineering and the local match for the project; and

WHEREAS, the City of Beresford acknowledges its responsibility to secure any needed right-of-way or easements for construction.

NOW, THEREFORE, BE IT RESOLVED that the City of Beresford does hereby adopt this resolution authorizing the filing of the grant application, including all understandings and assurances contained therein, for the South Dakota Department of Transportation Community Access Grant Program, and does hereby authorize the Council President to act in

connection with the application and to provide such additional information as may be required.

Dated this 5<sup>th</sup> day of June, 2023.

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Teresa Sveeggen, Council President

ATTEST:

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Elaine Johnson, Finance Officer

**Resolution 2023-06:** Finance Officer Johnson gave a brief summary of Resolution 2023-06 and answered questions. It was noted the resolution may be adopted now but the surcharge will not be applied until the wastewater project is completed. Schott made a motion, second by Tiedeman, to approve Resolution 2023-06 – A Resolution Amending the City’s Rate Structure, Providing for a Surcharge for Improvements to the Sewer System, for Payment of a Revenue Borrower Bond and Yearly Review of Rate. All present Council members voted aye; motion carried.

### **RESOLUTION NO 2023-06**

#### **A RESOLUTION AMENDING THE CITY’S RATE STRUCTURE, PROVIDING FOR A SURCHARGE FOR IMPROVEMENTS TO THE SEWER SYSTEM, FOR PAYMENT OF A REVENUE BORROWER BOND AND YEARLY REVIEW OF RATE**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BERESFORD AS FOLLOWS:**

- 1. Surcharge for Borrower Bond.** There shall be charged a monthly surcharge for the services provided by the improvement financed by the CW-04 Conservancy District Loan. The surcharge for each loan shall be segregated from other revenues of the City and shall be used for the payment of the Borrower Bond CW-04 (the “Borrower Bond”). Provided that such surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements and operation, sufficient to fund interest, reserve and debt service fund annual requirements.
- 2. Rates and collection.** The City does hereby establish a special charge or surcharge payable by each customer of its system who receives or benefits from the services of the project financed with the Borrower Bond. Such charge or surcharge shall be set at a level which, assuming a 10% delinquency rate, will produce income at the times and in amounts sufficient to pay when due the principal of and interest on the Borrower Bond and the administrative expense surcharge and all other payments as may be required under the loan agreement and Borrower Bond.
- 3. Borrower Bond Surcharge.** The following clean water debt service surcharge shall be applicable to all customers served:

Borrower Bond CW-04 Surcharge: \$37.00 per user per month.

This surcharge shall remain in effect until such time as the revenue bond is paid in full. The initial surcharge shall be collected at the same time as other charges of the system. The surcharge is found to be equitable for the services provided by the improvements.

- 4. Segregation.** The debt service surcharge shall be segregated from other income of the system in a separate book-keeping account and is pledged to the South Dakota Conservancy District for the payment of the loan payments on the Borrower Bond.
- 5. Yearly review.** The amount of the surcharge shall be reviewed from year to year and may be modified in order to provide such funds as are set forth herein. The charges shall be reviewed yearly by City and administratively adjusted, upwards or downwards, to such amounts as may be necessary to pay principal, interest, administrative surcharge

and other charges as may become due and owing under the loan agreement or Borrower Bond.

6. **Billing and Accounting.** The surcharges shall be included in the monthly user bill. Nothing contained herein requires the surcharge be indicated on the billing, however, the surcharge segregation shall be indicated on the books of the City.
7. **Automatic Repeal.** The surcharge for the Borrower Bond shall be automatically repealed when the Borrower Bond is paid in full.
8. **Partial Invalidity.** If any one or more of the provisions of the shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

Adopted this 5<sup>th</sup> day of June 2023

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Teresa Sveeggen, Council President

ATTEST:

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Elaine Johnson, Finance Officer

**Resolution 2023-07:** Finance Officer Johnson explained Resolution 2023-07 is very similar to 2023-06 as the surcharge will not be applied until the project is completed. A motion was made by Schott, second by Tiedeman, to adopt Resolution 2023-07 – A Resolution Amending the City’s Rate Structure, Providing for a Surcharge for Improvements to the Water System, for Payment of a Revenue Borrower Bond and Yearly Review of Rate. All present Council members voted aye; motion carried.

#### **RESOLUTION NO 2023-07**

#### **A RESOLUTION AMENDING THE CITY’S RATE STRUCTURE, PROVIDING FOR A SURCHARGE FOR IMPROVEMENTS TO THE WATER SYSTEM, FOR PAYMENT OF A REVENUE BORROWER BOND AND YEARLY REVIEW OF RATE**

#### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BERESFORD AS FOLLOWS:**

1. **Surcharge for Borrower Bond.** There shall be charged a monthly surcharge for the services provided by the improvement financed by the DW-03 Conservancy District Loan. The surcharge for each loan shall be segregated from other revenues of the City and shall be used for the payment of the Borrower Bond DW-03 (the “Borrower Bond”). Provided that such surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements and operation, sufficient to fund interest, reserve and debt service fund annual requirements.
2. **Rates and collection.** The City does hereby establish the special charge or surcharge payable by each customer of its system who receives or benefits from the services of the project financed with the Borrower Bond. Such charge or surcharge shall be set at a level which, assuming a 10% delinquency rate, will produce income at the times and in amounts sufficient to pay when due the principal of and interest on the Borrower Bond and the administrative expense surcharge and all other payments as may be required under the loan agreement and Borrower Bond.
3. **Borrower Bond Surcharge.** The following drinking water debt service surcharge shall be applicable to all customers served:

Borrower Bond DW-03 Surcharge: \$2.65 per user per month.

This surcharge shall remain in effect until such time as the revenue bond is paid in full. The initial surcharge shall be collected at the same time as other charges of the system. The surcharge is found to be equitable for the services provided by the improvements.

4. **Segregation.** The debt service surcharge shall be segregated from other income of the system in a separate book-keeping account and is pledged to the South Dakota Conservancy District for the payment of the loan payments on the Borrower Bond.
5. **Yearly review.** The amount of the surcharge shall be reviewed from year to year and may be modified in order to provide such funds as are set forth herein. The charges shall be reviewed yearly by City and administratively adjusted, upwards or downwards, to such amounts as may be necessary to pay principal, interest, administrative surcharge and other charges as may become due and owing under the loan agreement or Borrower Bond.
6. **Billing and Accounting.** The surcharges shall be included in the monthly user bill. Nothing contained herein requires the surcharge be indicated on the billing, however, the surcharge segregation shall be indicated on the books of the City.
7. **Automatic Repeal.** The surcharge for the Borrower Bond shall be automatically repealed when the Borrower Bond is paid in full.
8. **Partial Invalidity.** If any one or more of the provisions of the shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

Adopted this 5<sup>th</sup> day of June 2023

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Teresa Sveeggen, Council President

ATTEST:

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Elaine Johnson, Finance Officer

**Library Board:** Schott made a motion, second by Tiedeman, to reappoint Stephanie Peterson and Laura Hoelsing for another 3-year term on the Library Board, with the terms expiring in June 2026.

**Swimming Pool Concession Stand:** A motion to approve the lease agreement for the swimming pool concession stand with David and Marsha Nelson was made by Schott. The motion was seconded by Roelke and all present Council members voted aye; motion carried.

**Request to Close Streets:**

- Schott made a motion, second by Roelke, to close a portion of N. 16<sup>th</sup> St. from Main St. to W. Hemlock St. on July 29, 2023, from 8 a.m. to 4 p.m. for the Old-Fashioned Weekend car show. All present Council members voted aye; motion carried.
- A motion was made by Schott, second by Roelke, to close a portion of N. 3<sup>rd</sup> St. from Hemlock St. to the north side of Klassix parking lot on July 29, 2023, for the Old-Fashioned Weekend street dance and to allow consumption of alcohol in the designated area. All present Council members voted aye; motion carried.

**Public Hearing:** Schott made a motion, second by Roelke, to hold a public hearing on Monday, June 19 at 7 p.m. regarding temporary sale of malt beverages on July 28 by the Beresford Area Chamber of Commerce for Old-Fashioned Weekend. All present Council members voted aye; motion carried.

**Step-Pay Increase:** A motion was made by Schott, second by Tiedeman, to remove Finance Assistant Rachel Johnson from probationary status and approve a step-pay increase from \$18.57/hr. to \$19.15/hr., effective June 5, 2023. All present Council members voted aye; motion carried.

**Seasonal Hires:**

- Schott made a motion, second by Tiedeman, to hire Dustin Maas at \$10.80/hr. as a seasonal clubhouse attendant for the Bridges Clubhouse. All present Council members voted aye; motion carried.

- A motion was made by Schott, second by Roelke, to hire lifeguards Annie Farley and Jack Stenen as seasonal hires for the pool at \$13.88/hr. each. All present Council members voted aye; motion carried.

**Discussion and Information Items:** Zeimetz informed Council that the Beresford Chamber of Commerce would like the annual fireworks display to be held on Thursday, July 27 as a kick-off to the Old-Fashioned Weekend. Following discussion, it was agreed that a decision will be made at the June 19 meeting.

**Travel Requests:** A motion to approve the following travel requests was made by Schott and seconded by Tiedeman. All present Council members voted aye; motion carried.

- SDTA Annual Conference, Deadwood, Aug. 20-22, Hansen
- Taser Instructor Course Recertification, Worthington, MN, July 17, Meinzer

**Payment of Bills:** A motion to approve payment of the following bills was made by Tiedeman and seconded by Roelke. All present Council members voted aye; motion carried.

A-1 Portable Toilets, rental, \$145.00; Appera, service, \$580.36; Beal Dist., beer, \$504.70 & \$1801.90; Beresford Cablevision, billing, \$466.50; BMTc, billing, \$2018.63; Beresford Mun. Utilities, billing, \$12,803.52; Blue Valley Public Safety, repair/batteries, \$1252.05; Border States Elec., equipment, \$868.02; Brosz Engineering, engineering, \$3500.00; Carol Carlson, refund, \$86.77; Chesterman, resale, \$1000.02; CHS, fuel, \$3976.86; Colonial Life, insurance, \$31.04; Core & Main, hydrants, \$21,321.19; D&D Door, garage door, \$507.85; D&R Elec., repair, \$76.53; Dakota Bev., beer, \$2621.25; DGR Eng., engineering, \$1988.00; Dorsey & Whitney, ballfield addition, \$91.51;

Eastway Auto, service, \$54.76; EFTPS, Federal excise tax, \$500.89; Fiber Ring Rev., pooling fees, \$4550.00; Fiesta Foods, supplies, \$630.41; Flowers by Bob, flower pots, \$21.54; Elaine Foster, refund, \$33.76; Kim Goblirsch, refund, \$58.50; Graham Tire Co., tires, \$720.00; Great Plains Customs, exhaust repair, \$2400.00; Grossenberg Imp., supplies, \$34.56; GT Golf Supplies, golf merch., \$517.88; Hillyard, supplies, \$143.06; Intense Graphics, clothing, \$50.20; Jerry's Chevrolet, service, \$162.60; Johnson Bros. Famous Brands, liquor, \$2575.19; KCL Group Benefits, insurance, \$129.30; Lawson Prod., first aid kit, \$406.14; L&C RWS, water, \$27,976.16; LT Co., ballfield addition, \$257,691.64;

Lumen, toll settlement, \$97.13; Penelope Macinnes, refund, \$20.12; Midwest Tape, movies, \$101.96; Missouri River Energy, hydro/supplemental power, \$160,600.00 & oil sampling service, \$1067.40; Mr. Golf Car, lease cars, \$3037.50; Muller Auto Parts, repair, \$2633.68; National Cable Television, affiliate fees, \$24,410.74; David or Marsha Nelson, concession stand incentive, \$275.00; New Century Press, publishing, \$267.56; NY Life, insurance, \$108.00; Nexstar Broadcasting, affiliate fees, \$140.80; Jane Norling, training, \$130.00; Olson's Ace Hardware, supplies, \$1785.66; Omni-Pro Software, SCADA system, \$2710.40; Gordon Pedersen, refund, \$24.56;

Performance Foodservice, food, \$2816.97; Greg Peterson, refund, \$13.00; Quadiant Finance, supplies, \$107.52; Benjamin Reiter, \$40.00; Republic Nat'l Dist., liquor, \$553.04; Sanitation Products, sweeper, \$3260.97; SD Public Health Lab, water/sewer labs, \$578.00; SD Epath, E911 surcharge, \$471.25; SD Dept. of Revenue, sales tax, \$33,736.29; SD Telecom Assoc., conference, \$350.00; SDN Comm., lease line exp., \$1073.75; SealPros, pickleball court, \$40,875.40; Ruth Shoumaker, refund, \$25.10; Siteone Landscape Supply, pool repair, \$5.58; Southeastern Elec., electricity, \$373.40; Southern Glaziers, liquor, \$587.98; Stensland, resale, \$156.00; Sturdevants, supplies, \$104.38; The

Tessman Co., weed killer, \$997.00; The Fillin' Station, tire repair, \$556.50; The Penworthy Co., books, \$265.53; Alex Thompson, clothing, \$120.94; Total Stop Conv., fuel, \$5356.14; Twite Construction, ballfield improvement, \$23,306.14; UPS, shipping, \$150.00; United Tel Supply, supplies, \$355.85; USAC, schools & lib., \$1952.02; US Bank, 2014 & 2016 DW & CW SRFs, \$27,792.93; US Bank St. Paul, COP golf course, \$585.54; Utilismart Corp., service contract, \$1529.75; Vantage Custom Classics, uniforms, \$1546.56; Walker & Assoc., cable, \$471.26; Wholesale Supply, resale, \$907.55; Michael Winne, refund, \$22.73.

**May 2023 Payroll Totals:** Finance \$6046.40; Gov't Bldg. \$152.50; Police \$25,969.93; Street \$12,207.05; Parks \$5726.08; Water \$7987.70; Electric \$26,419.26; Sewer \$8473.61; Telephone \$31,560.32; Rubble/Recycling \$2155.29; Library \$10,751.61; City Admin \$8926.40; Golf Course \$4694.21; Clubhouse \$11,460.02; Event Center \$394.85.

**Adjournment:** There being no further business, Council President Teresa Sveeggen adjourned the meeting at 7:38 p.m.

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Elaine Johnson, Finance Officer  
Recorded by Rachel Johnson/Kathy Stuessi