

ORDINANCE NO. 370

AN ORDINANCE GRANTING UNTO KNOLOGY OF THE PLAINS (d/b/a WOW! INTERNET, CABLE AND PHONE). ITS SUCCESSORS AND ASSIGNS, THE RIGHT, FRANCHISE AND AUTHORITY FOR THE PERIOD OF FIFTEEN (15) YEARS, TO ACQUIRE, CONSTRUCT AND OPERATE A BROADBAND TELECOMMUNICATIONS NETWORK AND TO SELL AND SUPPLY TO INDIVIDUALS, FIRMS AND CORPORATIONS, PUBLIC OR PRIVATE, AT ANY AND ALL PLACES, WITHIN THE CORPORATE LIMITS OF THE CITY OF ELK POINT, SOUTH DAKOTA, AS SAID LIMITS NOW ARE OR HEREAFTER MAY BE ESTABLISHED, CABLE TELEVISION SERVICES; PRESCRIBING THE TERMS AND CONDITIONS THEREOF; AND PROVIDING FOR THE IMPOSITION AND COLLECTION OF A FRANCHISE FEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELK POINT, SOUTH DAKOTA:

Section 1: DEFINITIONS

For the purposes of this Ordinance, the following terms, phrases, words and their derivation shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. "City" is the City of Elk Point, South Dakota.
- b. "Cable Television System", hereinafter referred to also as "Cable System" or "system", means a system of coaxial cables, fiber optic, or other electrical conductors and transmission equipment used or to be used primarily to receive television or radio signals directly or indirectly off-the-air and transmit them and other related services to subscribers for various fees.
- c. "Company" shall be Knology of the Plains (d/b/a Wow! Internet, Cable and Phone), its successors and assigns.
- d. "Person" is any individual, firm, partnership, association, corporation, company or organization of any kind.

Section 2. TERM OF GRANT OF FRANCHISE

A non-exclusive franchise is hereby granted pursuant to SDCL 9-35-16 through 9-35-27, inclusive, unto the Company, its successors and assigns, for a term of fifteen (15) years commencing with the date this ordinance becomes effective, to acquire, construct, and operate a broadband telecommunications network over, under and upon the public streets and alleys of the City of Elk Point, South Dakota, and to sell and supply to individuals, firms and corporations, public or private, at any and all places, within the corporate limits of the city, as said limits now

are or hereafter may be established, audio and video communications services, subject to the conditions and restrictions as hereinafter provided and subject to this Ordinance, as amended from time to time.

Section 3. AGREEMENT AND WAIVER

Company agrees to abide by all provisions of this franchise and all other applicable ordinances of the City, as they may hereafter be amended by the City. Company further agrees to comply with all laws, statutes, codes, ordinances, rules and regulations of the United States and the State of South Dakota and to any of the agencies of each.

Section 4. APPLICABLE AREA AND RECONSTRUCTION

All broadband communication facilities shall be constructed, if applicable, and reconstructed in conformance with the applicable rules and regulations imposed upon the Franchise or ordered by the Federal or State government and the applicable ordinances of the City in effect at the time of said construction or reconstruction. Further, this Ordinance shall apply to the present territorial limits at the City and to any area henceforth added thereto during the period of this franchise. Nothing herein contained is intended to preclude the Company from extending its cables and equipment to other portions of the City or outside the City for the purpose of servicing other areas, provided the Company is legally authorized to service the other areas.

Section 5. INSURANCE, LIABILITY, INDEMNIFICATION, BONDS AND CONSTRUCTION PROVISIONS

A. Insurance Requirements. The Company shall maintain in full force and effect, at its own cost and expense, during the term of the Franchise, Comprehensive General Liability Insurance in the amount of \$1,000,000.00 combined single limit for bodily injury and property damage. The Company shall provide a Certificate of Insurance designating the City as an additional insured. Such insurance shall be non-cancelable except upon 30 days prior written notice to the City.

B. Indemnification. The Company agrees to indemnify, save and hold harmless, and defend the City, its council members, officials, agents and employees, from and against any liability for damages and for liability or claims resulting from property damage or bodily injury (including accidental death), which arise out of the Company's construction, operation or maintenance of its System, including, but not limited to, reasonable attorney's fees and costs, provided that the City shall give the Company written notice of its obligation to indemnify within 30 days of receipt of a claim or action pursuant to this section. If-necessary, the City determines for it to employ separate counsel, the costs of such separate counsel shall be the responsibility of the City.

Section 6. SERVICE STANDARDS AND REQUIREMENTS

A. Whenever it shall be necessary to shut off or interrupt service for the purpose of making repairs, adjustments, or installations, the Company shall do so at such times as will cause

the least amount of inconvenience to its subscribers if reasonably practical.

In the event of any interruption of service whether planned or unforeseen, the Company shall proceed with due diligence and restore service as quickly as possible under the circumstances.

C. Required Extensions of Service. Whenever the Company shall receive a request for service from at least 7 residents within 1320 cable-bearing strand feet (one-quarter cable mile) of its trunk or distribution cable, it shall extend its System to such Subscribers at no cost to said subscribers for system extension, other than the usual connections fees for all Subscribers; provided that such extension is technically feasible.

D. Subscribers Charges for Extension of Service. No Subscriber shall be refused service arbitrarily. However, for unusual circumstances, such as a Subscriber's request to locate their cable drop underground, existence of more than 150 feet of distance from distribution cable to connection of service to Subscribers, or a density of less than ~~15~~ 7 residences per 1320 cable-bearing strand feet of trunk or distribution cable, service may be made available on the basis of a capital contribution in aid of construction, including cost of material, labor and easement. For the purpose of determining the amount of capital contribution in aid of construction to be borne by the Company and Subscribers in the area in which service may be expanded, the Company will contribute an amount equal to the construction and other costs per mile, multiplied by a fraction whose numerator equals the actual number of residences per 1320 cable-bearing strand feet of its trunk or distribution cable, and whose denominator equal 7 residences. Subscribers who request service hereunder, will bear the remainder of the construction and other costs on a pro rata basis. The Company may require that the payment of the capital contribution in aid of construction borne by such potential Subscribers be paid in advance.

E. Service to Public Buildings. The Company shall, upon request, provide without charge, one outlet of Basic Service to those Company Authority offices, fire station(s), police station(s), and public school building(s) that are passed by its System. The outlets of Basic Service shall not be used to distribute or sell services in or throughout such buildings, nor shall such outlets be located in areas open to the public. Users of such outlets shall hold the Company harmless from any and all liability or claims arising out of their use of such outlets, including but limited to, those arising from copyright liability.

F. Emergency Use. In the case of an emergency or disaster, the Company shall, upon request of the City, make available its facilities for the City to provide emergency information and instruction during the emergency or disaster period. The City shall hold the Company, its employees, officers, and assigns, harmless from any claim arising out of the emergency use of its facilities by the City, including, but not limited to, reasonable attorneys' fees and costs.

G. PEG CHANNEL. Company shall dedicate one (1) channel for public, educational and governmental ("PEG") programming. Every Subscriber receiving cable service over the Company's System shall receive the PEG channel at no additional charge. The PEG channel shall be provided as part of the Basic Cable Service and shall not be moved without the City's written approval which shall not be unreasonably withheld. The Company shall cablecast all PEG programming produced or created by the City, or its designee,

including any live programming. The City may use the PEG channel for any lawful purpose including to cablecast programming by the City, local educational institutions or other public institutions, or members of the public.

- (a) The City shall have sole responsibility for managing and controlling the PEG channel. The City shall establish rules for the programming, operations and administration of the PEG Channel, which shall be subject to the Company's review and approval. The Company shall have no responsibility whatsoever for the programming, operation or administration of the PEG channel.
- (b) The Company shall within ninety (90) days of the acceptance of this agreement, provide all equipment necessary to perform good quality playback of prerecorded programming. The Company shall also provide and maintain at a mutually agreed to site (s), a keyboard/character scroll generator for the purpose of programming community bulletin board and community calendar information.
- (c) The Company shall be responsible for insuring, maintaining, repairing, fixing and adjusting all equipment so purchased. All such equipment shall be replaced when needed by the grantee.

Section 7. SAFETY REQUIREMENTS

- A. The Company shall at all times employ reasonable care in conducting its operations and shall install and use generally accepted methods and devices for preventing failure and accidents which are likely to cause damage, injuries, or nuisances to the public.
- B. The Company shall install and maintain its wires, cables, fixtures, and other equipment in accordance with the applicable requirements of the National Safety Code and local ordinances
- C. The Company shall maintain at all times its structures, lines, equipment, and connections in, over, under or upon the streets, sidewalks, alleys, and public ways or places of the City wherever situated or located, in a safe, suitable, substantial condition, and in good order and repair.

Section 8. NEW DEVELOPMENTS

It is contemplated the City will consider amending this Ordinance ~~liberally~~, upon application of the Company and/or upon the City's initiative including but not limited to taking advantage of any developments in the field of transmission of television signals and related services which will afford the Company an opportunity to more effectively, efficiently, or economically to serve its customers. The City may amend this ordinance, when necessary and in the best interests of the City residents. The City may also amend this Ordinance to enable the

Company to respond to changes in Federal Communications Commission regulations, or other applicable governmental rules or requirements; such amendments are contemplated to be made by the City within one year from the date of any such changes in each rules, regulations, or requirements, or at the time of franchise renewal.

Section 9. CONDITIONS ON STREET OCCUPANCY

A. All transmission and distribution structures, lines and equipment erected by the Company within the city shall be located so as to cause minimum interference with the proper use of streets, alleys, and other public ways and places, and to cause minimum interference with the rights and reasonable convenience of property owners whose land may adjoin any of the said streets, alleys, or other public ways and places.

B. In case disturbance of any street, sidewalk, alley, public way or paved area is caused by the Company's construction or operations the Company shall, at its own cost and expense and in a manner approved by the city's appropriate authority, replace and restore such street, sidewalk, alley, public way, or paved area to a condition as good as its condition before the work causing such disturbance was performed.

C. The Company shall have the right, under the supervision at the City's appropriate authority, to trim trees upon and overhanging streets, alleys, sidewalks, and public ways and places of the city so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company or otherwise interfering with the operations of the Company.

D. The Company shall, at the request of any person holding a building moving permit issued by the City temporarily raise or lower its wires to permit the moving of the building. The expense of such temporary removal, raising, or lowering of wires, shall be paid by the person requesting the same, and the Company shall have authority to require such payment in advance. The Company shall be given not less than seventy-two (72) hours advance notice to arrange for such temporary wire change.

E. If at any time during the term of this Franchise, the City shall elect to install or change the location of all or part of its water or sewage system or change or alter the grade of any street, avenue, public ground or highway, or add to existing street grades, curb and gutters, sidewalks, or storm sewers in such manner that the Company's cables or wires interfere therewith, the Company will upon being so directed by the governing body of the City, relocate its cables or wires in accordance therewith, the cost of such relocation to be assumed by the Company, its successors or assigns.

Section 10. FRANCHISE FEE

A. There is hereby imposed upon the Company, and by its acceptance of this Franchise, it agrees to pay to the City a fee equal to three percent (3%) of the gross revenues from all sources of operations of the system within the City including, but not limited to, basic service monthly fees, pay cable service fees, rental income, installation and re-connection fees, and local

advertising revenues derived from sales made to consumers within the corporate limits of the City during the terms of this franchise, in order to compensate the City for the Company's use of the streets, alleys and public ways for its poles, overhead wires, underground conduits and other broadband communication network facilities. The term gross revenues does not include any sales, excise or other taxes collected by Company on behalf of the state, city or other governmental unit. Under no circumstances will the Company be required to pay two franchise fees to provide the same service. Such fee shall be payable annually within ninety (90) days after the end of the Company's fiscal year and shall be accompanied by a report showing the total number of subscribers and the total income received from the sale of the Company's basic service to such subscribers.

B. Renewal of Franchise. The City and the Company's agree that any proceedings undertaken by the City that relate to the renewal of the Company's Franchise shall be governed by and comply with the provisions of Section 626 of 47 USC 546 (hereinafter the "Cable Act"), as amended, unless the procedures and substantive protection set forth therein shall be deemed to be preempted and superseded by the provisions of any subsequent provision of federal or state law.

In addition to the procedures set forth in said Section 626(a), the City agrees to notify the Company of all of its assessments regarding the identity of future-related community needs and interests, as well as, the past performance of the Company under the then current Franchise term. The City further agrees that such preliminary assessments shall be provided to the Franchisee promptly so that the Company has adequate time to submit a proposal under Section 626(b) of the Cable Act and complete renewal of the Franchise prior to expiration of its term. Notwithstanding anything to the contrary set forth in this Section, the Company and the City agree that at any time during the term of the then current Franchise, while affording the public appropriate notice and opportunity to comment, the City and the Company may agree to undertake and finalize informal negotiations regarding the renewal of the then current Franchise and the City may grant a renewal thereof. The Company and the City consider the terms set forth in this section to be consistent with the express provisions of Section 626 of the Cable Act.

C. Conditions of Sale. If a renewal or extension of the Company's Franchise is denied or the Franchise is lawfully terminated, and the City either lawfully terminated, and the City either lawfully acquires ownership of the System or by its actions lawfully effects a transfer of ownership of the System to any other party, any such acquisition or transfer shall be at the price determined pursuant to the provisions set forth in Section 627 of the Cable Act.

The Company and the City agree that in the case of a final determination of a lawful revocation of the franchise, at the Company's request, which shall be made in its sole discretion, the Company shall be given a reasonable opportunity to effectuate a transfer of its System to a qualified third party. The City further agrees that during such a period of time, it shall authorize the Company to continue to operate pursuant to the terms of its prior Franchise; however, in no event shall such authorization exceed a period of time greater than six months from the effective date of such revocation. If, at the end of that time, the Company is unsuccessful in producing a qualified transferee or assignee of its System which is reasonably acceptable to the City, the Company and the City may avail themselves of any rights they may have pursuant to federal or

state law; it being further agreed that the Company's continued operation of its System during the six (6) month period shall not be deemed to be a waiver, nor an extinguishment of, any rights of either the City or the Company.

D. Transfer of Franchise. The Company's right, title or interest in the Franchise shall not be sold, transferred, assigned, or otherwise encumbered, other than to an entity controlling, controlled or by under common control with the Company, without the prior consent of the City, such consent not to be unreasonably withheld. No such consent shall be required, however, for a transfer in trust, by mortgage, by other hypothecation, or by assignment of any rights, title or interest of the Company in the Franchise or System in order to secure indebtedness. Within 30 days of receiving the request for transfer, the City shall, in accordance with FCC rules and regulations, notify the Franchisee in writing of the information it requires to determine the legal, financial and technical qualifications of the transferee. If the City has not taken action on the Company's request for transfer within 120 days after receiving such request, consent by the City shall be deemed given.

E. Books and Record. The Company agrees that the City upon reasonable notice to the Company may review such of its books and records at the Company's business office, during normal business hours and on a non disruptive basis, as is reasonably necessary to ensure compliance with the terms thereof. Such records shall include, but shall not be limited to, any public records required to be kept by the Company pursuant to the rules and regulations of the FCC. Notwithstanding anything to the contrary set forth herein, the Company shall not be required to disclose information which it reasonably deems to be proprietary or confidential in nature. The City agrees to treat any information disclosed by the Company as confidential and only to disclose it to employees, representatives, and agents thereof that have a need to know, or in order to enforce the provisions hereof. The Company shall not be required to provide subscriber information in violation of Section 631 of the Cable Act.

#### Section 11. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance shall be held invalid or unconstitutional or in conflict with the rules and regulations of any federal or state regulatory agency, including the Federal Communications Commission, the remaining provisions shall remain in full force and effect unless any such change resulting therefrom would, in the opinion of the City materially alter the terms of this Ordinance. In the event the City finds that such change materially alters the terms of this Ordinance, the City shall notify the Company of its finding and shall set the matter for hearing and upon such hearing may vary the terms of this franchise to the extent possible to counter the effects of such holding.

#### Section 12. SYSTEM SECURITY-TAMPERING WITH CABLE TELEVISION EQUIPMENT

The Company shall have the right at all times to take such legal action as it deems necessary to preserve the security of its cable television system and to assure only authorized use thereof by its subscribers or other persons. Any person who willfully or maliciously uses or damages, or causes to be damaged, any wire, cable, conduit, apparatus or equipment of the

Company with intent to obtain a signal or impulse therefrom without authorization of the company shall be liable to the Company in the amount of \$200.00 per occurrence or actual damage to the equipment or value of use of service whichever is greater.

Section 13. ASSIGNMENT OF FRANCHISE

This franchise shall apply to, inure to and bind the parties hereto and their successors and assigns, provided that any assignment by the Company shall also be subject to the approval of the City Council by resolution, which approval shall not be unreasonably withheld.

Section 14. ACCEPTANCE BY THE COMPANY

Within ten (10) days from and after the passage and publication of this Ordinance, the Company shall file with the City Clerk its acceptance of the provisions of this Ordinance and its terms and conditions and said ordinance with acceptance shall become and be a binding contract between the City and the Company.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Isabel Trobaugh, Mayor

ATTEST:

\_\_\_\_\_  
Erika Hammitt, Finance Officer

First reading: \_\_\_\_\_

Second reading:

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

ACCEPTANCE OF A FRANCHISE FOR A  
CABLE TELEVISION SYSTEM IN THE  
CITY OF ELK POINT, SOUTH DAKOTA

WHEREAS, the City of Elk Point, a South Dakota municipal corporation (hereinafter the "City") has determined that Knology of the Plains (d/b/a WOW!, Internet, Cable, and Phone), ("Company"), was qualified to operate and maintain a cable communications system in the City and approving the Company's request to obtain a cable communications franchise; and

WHEREAS on \_\_\_\_\_, 2014, the City, by actions of its governing body, introduced for first reading Ordinance No. \_\_\_\_\_ FRANCHISE AGREEMENT (the "Franchise") awarding to Knology of the Plains (d/b/a WOW!, Internet, Cable and Phone, a Cable Communications Franchise in the City; and

WHEREAS, on \_\_\_\_\_, 2014, the City, by action of its governing body adopted the Franchise; and

WHEREAS, the Franchise requires that the Company accept the Franchise in form and substance acceptable to the City.

NOW, THEREFORE, pursuant to the terms and requirements of the Franchise, and in consideration of the grant of the Franchise by the City, the Company accepts the Franchise, and makes the following representations and warranties to the City:

1. The Company is a corporation duly organized, validly existing, and in good standing under the laws of the State of South Dakota, is authorized to do business in the State of South Dakota and has the full power, authority, and legal capacity to execute, deliver, and perform this Acceptance and perform the terms and conditions of the Franchise.

2. All actions necessary to authorize the execution and delivery of this Acceptance and the performance of the Franchise have been duly authorized by all necessary and required proceedings.

3. The execution and delivery of the Acceptance and the performance of the Franchiser does not and will not conflict with or result in the breach or termination of, or constitute a default under, any indenture or instrument with respect to the borrowing of money, or any material contract, lease or agreement or order, judgment or decree or any law, rule or regulation to which the Company is a party or by which it or any of its property is bound or affected.

4. The Company has carefully read the terms and conditions of the Franchise, and accepts the rights, duties, and obligations created thereunder, subject to its rights under applicable state and federal law.

5. Neither the Company or any of its representatives or agents have committed any illegal acts or engaged in any wrongful conduct contrary to, or in violations of, any federal, state, or local law or regulation in connection with the obtaining of the Franchise.

Dated: \_\_\_\_\_, 2014.

KNOLOGY OF THE PLAINS (d/b/a WOW! INTERNET, CABLE AND PHONE

\_\_\_\_\_  
BY: \_\_\_\_\_  
ITS: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

:SS

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, the \_\_\_\_\_ of Knology of the Plains (d/b/a WOW! Internet, Cable and Phone).

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**East River Member System Boards of Directors' Survey  
2014 Strategic Plan Development**

We are asking for your help in making sure the East River strategic plan reflects East River's mission which is: "East River Power Cooperative exists to enhance the value of its members." In an effort to ensure we meet our mission statement, we are asking that you and your board please complete the attached survey. By sending the survey out now, we wanted to give each system a chance to review the survey questions in August and have a month to contemplate your responses. We ask that you return your completed survey to East River by October 3, 2014.

Again, our goal is to meet our mission. We can only do that if you provide us feedback and guidance regarding where you think we are strong today and what we need to improve, as well as what we need to do to "enhance your value" to your members.

**Please return responses to Sandi Leighton by October 3. Thank you.**

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**Cooperative**

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**Date Submitted**

- 1. a. What do you see as the three greatest challenges/opportunities facing East River and its member systems over the next five years? These could be political, economic, member/consumer, renewable integration, and/or technological challenges.**

Federal regulations are making the use of coal more difficult; with 65% of our power coming from coal that is a challenge all in itself. We must make we make use of our resources and provide affordable energy to our members/ customers.

While coal is our most affordable, we should look to the future and accept that wind generation and solar power are probably going to be our best option for our children and grand children.

One of the challenges in Elk Point will be the fact that some of our consumers will want to go "off the grid" and have their own wind turbines or solar panels. Not only could that tap into our profits but could endanger our employees if the consumer fails to prevent back feeding into our system.

- b. What do you believe can and should be done to successfully meet these challenges/opportunities?**

Educate government officials that we want affordable energy and we do not need Federal mandates prohibiting us from getting that affordable energy.

Educate our children so that they continue to develop wind generation and solar power so that affordable to construct and maintain. Educate the "off the grid" consumer that as the provider, we do our best to provide a safe and affordable source of energy and do our best to provide uninterrupted service to the consumer. We also provide incentives that they can take advantage of.

- 2. a As the electric industry becomes more complex and challenging, how do you see the direction (mission, vision, values, goals) of East River matching the direction in which your system is moving?**

We should follow East River's path with shared values and goals. They look out for our interests

when in pertains to Basin Electric and WAPA. They are very consumer oriented and we need to project the same values.

**b. What changes in direction do you suggest East River should consider or make over the next five years?**

When I attended the Supervisor and Employee Conference this past February, there was a manager of two CO-OP's one in Minnesota and one in Iowa. He was very proactive in solar energy and I felt that he met with some resistance from East River. I do feel that solar has a long way to go in being a viable option to meet the needs of most of its members but I think in the next five years it could be a different story.

**c. How do you think this change would benefit your system, the other East River members, and East River itself?**

I think that the City of Elk Point would not benefit from it at this unless East River was promoting and capitalizing on the sale of equipment and helping the Rural Cooperatives and the City of Elk Point control the growth of solar energy.

**3. a. Over the next five years, other than for the basic service of providing reliable and low cost wholesale electric power, in what other areas could East River be of assistance to your system?**

I feel the City is not aware of some of the incentives that could be given to our consumers to encourage them to purchase more electricity from the City. It could be such a thing that the City has dropped some of the programs such as giving away garage heaters or loaning money for individuals that would willing to go all electric.

**b. Which current services are the most valuable and should be expanded and/or improved?**

I like the promotion of sale of water heaters and heat pumps and the credit that the consumer receives. I would like to see what the City could offer if anything on a new home. We have a couple of developments in town that are starting to see new homes being constructed. It would nice to have a plan in place to promote the home builder to make the home all electric.

**c. What existing services could be eliminated or changed?**

I see none at this time.

**4. a. Please make any additional comments you might have on the strategic future of East River and/or its members as we are influenced by changes in the economy and the electric industry within the state, regionally and nationally.**

	2015 Proposed Budget	2014 Totals as of 08/08/2014	2014 Adopted Budget	2013 Totals	2013 Adopted Budget
<b>GENERAL FUND:</b>					
ADMINISTRATION 101-41100					
EXPENDITURES:					
41100 Wages:					
41101 Executive Wages	163,700	93,369	159,950	166,453	161,800
41103 Overtime Wages	21,000	9,740	21,000	19,360	21,000
41106 Longevity Pay	200	83	200	40	200
41200 OASI**	650	200	550	1,750	1,750
41300 Retirement	14,200	7,383	13,900	13,325	13,650
42100 Group Insurance	9,900	5,873	9,700	9,896	9,500
1 Family @\$650; 1 single: \$450; 1 employee+spouse: \$500	19,200	11,673	19,200	19,727	19,200
42150 Ins-Liab/WC/Prop	4,350	2,699	4,550	3,788	4,050
42200 Professional Fees & Services Audit & Legal	25,000	4,959	22,000	24,858	23,000
2013 Audit fees: \$22,150.00					
42300 Publishing	1,000	185	1,500	1,463	1,000
42310 Election Expense	2,500	11	2,500	0	2,500
42320 Dues	4,500	4,403	5,500	4,254	5,500
42500 Repairs & maintenance	3,000	1,735	3,000	1,909	3,000
42600 Supplies	4,000	2,208	4,000	2,600	4,000
42626 Off-Sale Beer					
42700 Travel & Conference	2,000	1,069	2,000	1,714	2,500
42750 Training	500		500	179	1,000
42800 Utilities	1,200	720	1,200	1,245	1,200
42900 Other Other	2,000	72	2,000	1,154	2,000
43400 Machinery & Equipment	500	122	500	251	1,000
Copier lease					
43410 Software	250	123	0		500
43440 Subscriptions	100	35	100	5	100
43510 Furnishings			0		500
<b>TOTAL LEGISLATIVE EXPEND:</b>	<b>279,750</b>	<b>146,661</b>	<b>273,850</b>	<b>273,970</b>	<b>278,950</b>
<b>CITY HALL 101-41120</b>					
Salaries & Wages	5,580	3,284	5,580	5,447	5,500
OASI	450	263	450	413	450
Ins-Liab/Prop/WC	2,900	1,799	2,700	2,540	2,700
Rentals					
Repairs & Maintenance	2,200	1,681	1,500	985	1,500
Supplies & Materials	2,000	963	2,000	1,288	3,000
Utilities	9,950	5,322	9,800	9,811	9,500
Other Current Expense	500	130	500	448	500
Improvements Other than Bldgs	1,000		1,000	0	1,000
Machinery & Equipment	500		500	0	500

**TOTAL CITY HALL EXPENDITURES**

**CONTINGENCY 101-41150**

**EXPENDITURES:**

41150

**TOTAL CONTINGENCY EXPENDITURES**

**POLICE 101-42100**

**EXPENDITURES:**

- 41100 Wages
- 41103 Overtime wages
- 41106 Longevity Pay
- 41200 OAS1\*\*
- 41300 Retirement\*\* (8%)
- 42100 Insurance
- 2 single @ \$450 & 2 family @ 650
- 42150 Ins-Liab/WC/Prop
- 42200 Professional Fees & Service
- 42300 Publishing
- 42320 Dues

- 42500 Repairs & Maintenance
- 42550 Office Expense
- 42600 Supplies

**DARE Supplies: \$1,500.00**

- 42610 Uniforms
- 42620 Auto Expense
- 42630 Police Radio
- 42700 Travel & Conference
- 42750 Training
- 42800 Utilities

- 42900 Other Current Expense
- 43300 Improvement other than Building
- 43400 Machinery & Equipment

Upgrade Service Pistols: \$2,000.00

Upgrade One Mobile Radio: \$2,500.00

Copier Lease: \$280.00

43410 Software

43440 Subscription

**TOTAL POLICE EXPENDITURES:**

	25,080	13,442	24,030	20,931	24,650
	30,000		30,000	0	30,000
	<b>30,000</b>	<b>0</b>	<b>30,000</b>	<b>0</b>	<b>30,000</b>
	185,000	108,834	175,100	184,135	189,000
	4,000	2,916	3,000	2,690	3,000
	700	600	600	500	500
	14,200	8,002	13,700	13,124	13,300
	13,600	8,527	13,400	13,114	13,000
	27,000	16,800	26,400	25,523	26,400
	8,650	5,398	9,100	7,647	8,100
	11,000	6,289	11,000	12,711	12,000
	1,000	225	1,000	503	1,000
	500	238	1,500	458	1,000
	3,000	2,075	3,000	2,463	3,000
	2,500	1,189	2,500	1,119	3,000
	3,000	294	4,500	2,072	3,000
	2,500	431	2,500	3,845	2,500
	15,000	8,404	15,000	14,505	15,000
	2,000	140	2,500	733	2,000
	1,000	22	1,000	648	1,000
	1,000	470	1,000	780	1,000
	3,300	1,906	3,450	2,507	2,800
	2,000	247	2,000	3,544	2,000
	4,800	465	0	25,479	27,000
	500	123	500	1,370	1,500
	200	184	100	308	100
	<b>306,450</b>	<b>173,778</b>	<b>292,850</b>	<b>319,776</b>	<b>331,200</b>

**OTHER PROTECTION SVCS #101-42900**

41100 Wages								
41200 OASI								
41300 Retirement								
42100 Insurance								
42150 Ins-Liab/Prop/WC								
42500 Repairs								
42600 Supplies	500				500			500
42700 Travel & Conference								
42800 Utilities(amb barn & fire hall)	4,900	2,663			4,700		4,995	4,000
43400 Machinery & Equipment	2,000				2,000			5,000
<b>TOTAL OTHER PROTECTION EXPENSE</b>	<b>7,400</b>	<b>2,663</b>			<b>7,200</b>		<b>4,995</b>	<b>9,500</b>
(includes fire dept/civil defense)								

**HIGHWAY AND STREETS 101-43100**

<b>EXPENDITURES:</b>								
41100 Wages	114,700	65,615			108,300		109,312	103,000
41102 Snow Removal Wages	10,000	300			10,000		746	15,000
41103 Overtime Wages	1,000						336	2,200
41106 Longevity Pay	1,170	660			1,010		925	875
41200 OASI	9,100	5,144			8,625		8,180	8,200
41300 Retirement	7,000	4,095			6,600		6,535	6,300
42100 Group Insurance	15,350	9,578			15,350		15,595	16,100
1 Employee + Dep. @ \$450 3 Single @ \$400	16,600	10,470			17,275		14,127	15,500
42150 Ins-Liab/WC/Prop	79,250	942			5,000		5,053	15,000

**42200 Professional Fees & Services**  
 | Rose Street Engineering Fees

42300 Publishing	500	140			500		429	750
42320 Dues	1,300	1,235			1,300		1,260	1,300
42400 Rentals	2,000	1,657			2,000		0	2,000
42500 Repairs & Maintenance	25,000	13,045			25,000		25,575	25,000
42550 Office Expense	1,000	740			1,000		1,039	1,000
42600 Supplies & Materials	20,000	4,705			20,000		18,393	20,000
42610 Uniforms	1,350	791			1,350		1,257	1,350
4 employees @ \$450- 2 @ 50%								
42620 Auto Expense	10,000	5,507			10,000		10,094	11,000
42700 Travel & Conference	1,000	515			1,000		846	1,000
42715 Street Repairs	55,000	25,477			58,000		67,813	72,700
Asphalt: \$30,000								
Chip Seal & Crack Repair: \$25,000								
42720 Snow Removal	15,000	5,444			15,000		11,308	15,000
42750 Training	1,000				1,000		225	1,000
42800 Utilities	13,250	8,029			12,000		12,107	12,000
42900 Other Current Expense	1,000	146			1,000		324	1,000

43200 Buildings  
 43300 Improve other than Bldgs  
 Rose Street Reconstruction Reserve: \$20,000.00  
 43400 Machinery & Equipment  
 43410 Computer Software  
 43440 Subscriptions

**TOTAL HWAY AND STREET EXPEND:**

**CEMETERIES 101-43700**

**EXPENDITURES:**  
 41100 Wages  
 41103 Overtime  
 41106 Longevity  
 41200 OASI  
 41300 Retirement  
 42100 Insurance  
 42150 Ins-Liab/WC/Prop  
 42200 Professional Fees & Services  
 42300 Publishing  
 42500 Repairs & Maintenance  
 42600 Supplies & Materials  
 42800 Utilities  
 42900 Other Current Expense  
 43400 Machinery & Equipment  
 43410 Computer Software

**TOTAL CEMETERY EXPENDITURES:**

**WEST NILE**

**EXPENDITURES:**  
 41100 Wages  
 41103 Overtime wages  
 41200 OASI  
 41300 Retirement  
 42100 Insurance  
 42300 Publishing  
 42500 Repairs & Maintenance  
 42600 Supplies & Materials  
 42900 Other Current Expense

**TOTAL WEST NILE EXPENDITURES**

**HUMANE SOCIETY 101-44400**

**EXPENDITURES:**  
 42900 Other Current Expense  
 43430 Animals

**TOTAL HUMANE SOCIETY EXPEND:**

20,000			20,000	2,459	5,000
1,000	272	2,000	23,860	0	5,000
500	123	500	0	5	650
100		100			100
<b>423,170</b>	<b>164,630</b>	<b>343,910</b>	<b>337,801</b>		<b>358,025</b>
16,250	8,286	18,000	13,918		17,750
500	827	500	449		500
		25			25
1,300	694	1,380	1,096		1,375
100	67	300	97		275
275	151	300	214		300
1,450	900	1,500	1,270		1,350
1,000		1,875	0		200
100		100	0		100
1,500	595	1,500	1,175		1,800
2,000	1,148	2,000	2,207		1,500
500		500			500
500	615	500	856		500
1,000	536	1,000	657		1,000
100		750			
<b>26,575</b>	<b>13,818</b>	<b>30,230</b>	<b>21,938</b>		<b>26,675</b>
500	97	500	60		500
200	60	200			200
50	21	50	9		50
50	17	50	7		50
100	40	100	17		100
250	177	250			250
1000	1,206	500	667		3,000
100	1	100	200		100
<b>2,250</b>	<b>1,619</b>	<b>1,750</b>	<b>961</b>		<b>4,250</b>
500	0	500	77		1,000
500	37	500	285		500
<b>1,000</b>	<b>37</b>	<b>1,000</b>	<b>362</b>		<b>1,500</b>

**RECREATION 101-45100 (Pool)**

**EXPENDITURES:**

41100 Wages	30,500	24,101	29,500	26,560	29,500
41103 Overtime Wages	300	35	400	0	475
41200 OASI	2,375	1,846	2,300	2,032	2,300
41300 Retirement					
42100 Insurance	2,200	1,349	2,300	1,905	2,050
42150 Ins.-Liab/WC/Prop	750		750	277	1,000
42200 Professional Fees & Services	200	39	200	112	200
42320 Publishing	6,000	1,537	6,000	2,210	4,000
42500 Repairs & Maintenance	14,000	8,607	14,000	14,152	14,000
42600 Supplies	6,000	5,087	6,000	4,070	5,500
42629 Other Materials for Resale concessions	100		100	0	100
42700 Travel and Conference	900	759	600	1,035	600
42750 Training	13,650	8,928	11,200	12,527	9,000
42800 Utilities	500	75	500	347	500
42900 Other Current Expense	25,000		500	682	2,000
43300 Impr Other than Bldgs					
43400 Machinery & Equipment	2,000	3,566	4,500	8,004	6,000
45900 Sales Sales Tax (moved to GL account)					
<b>TOTAL RE</b>	<b>104,475</b>	<b>55,928</b>	<b>78,850</b>	<b>73,913</b>	<b>77,225</b>

Sandblasting and painting the pool: \$25,000.00

**SENIOR CITIZENS 101-45140**

**EXPENDITURES:**

43500 Donations	1,000	1,000	1,000	1,000	1,000
(Sr Companion Program)					
<b>TOTAL SENIOR CITIZEN EXPENDITURES</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>

**PARKS 101-45200**

**EXPENDITURES:**

41100 Wages	9,750	5,846	9,700	10,142	11,900
41103 Overtime	200		200	2	200
41105 Longevity	30		25	0	25
41200 OASI	800	460	800	771	925
41300 Retirement	200	115	200	183	200
42110 Insurance	275	166	275	270	300
42200 Ins.-Liab/WC/Prop	3,600	2,294	3,800	3,175	3,375
42300 Professional Fees & Services	100	130	100	290	100
42300 Publishing	100	12	100		100
42400 Rentals	1,000		1,000	0	1,000
42500 Repairs & Maintenance	8,000	3,547	8,000	6,108	8,000
42600 Supplies	6,000	3,315	6,000	5,595	6,000
42605 Fertilizer & Pest Control	1,000	492	1,000	970	1,000
42620 Auto Expense	1,600	794	1,600	1,657	1,200
42700 Travel and Conference					

42800 Utilities	8,700	3,408	10,400	7,327	6,000
42900 Other Current Expense	2,500	232	1,000	377	1,500
<b>Tree replacement program: \$2,500</b>					
43200 Buildings	6,000		500	595	500
43300 Improvements Other than Buildings	50,000	1,127	500	0	
<b>Replace section of asphalt on bike trail: \$6,000.00</b>					
43400 Machinery & Equipment	1,000	1,000	1,000	1,000	1,000
<b>Park Equipment: \$50,000.00</b>					
43500 Donations					
44100 Principal					
44200 Interest					
<b>TOTAL PARK EXPENDITURES:</b>	<b>100,855</b>	<b>22,939</b>	<b>46,200</b>	<b>38,461</b>	<b>43,325</b>
<b>LIBRARY 101-45500</b>					
<b>EXPENSE:</b>					
41100 Wages	22,000	11,310	22,000	18,544	24,200
41200 OASI	1,700	878	1,700	1,422	1,850
42150 Ins.-Liab/WC/Prop	750	450	775	635	700
42200 Professional fees	100	35	100	56	100
42300 Publishing		19		20	
42500 Repairs & Maintenance	1,000	102	1,000	666	1,000
42600 Supplies	100	17	100	0	100
42700 Travel & Conference	500	16	500	313	500
42900 Other Current Expense	500		500	0	500
43400 Machinery and Equipment	100		100	0	100
43410 Software	7,000	3,073	5,000	5,343	5,000
43420 Books	1,000	867	1,000	1,168	1,000
43440 Subscriptions					
<b>TOTAL LIBRARY EXPENDITURES:</b>	<b>34,750</b>	<b>16,767</b>	<b>32,775</b>	<b>28,167</b>	<b>35,050</b>
<b>MUSEUM 101-45800</b>					
<b>EXPENDITURES:</b>					
42800 Utilities	1,750	800	1,750	1,663	1,700
<b>TOTAL MUSEUM EXPENDITURES:</b>	<b>1,750</b>	<b>800</b>	<b>1,750</b>	<b>1,663</b>	<b>1,700</b>
<b>ECONOMIC DEVELOP &amp; ASST 46500</b>					
42900 Other	50,000	1,099	3,000	4,780	4,800
43500 Donations	10,000	10,000	10,000	10,000	10,000
<b>TOTAL ECONOMIC DEVELOP &amp; ASST</b>	<b>60,000</b>	<b>11,099</b>	<b>13,000</b>	<b>14,780</b>	<b>14,800</b>
<b>PLANNING &amp; ZONING - 46520</b>					
41100 Wages P & Z members	1,100	620	1,000	1,100	1,000
41200 OASI	100	47	75	84	75
41300 Retirement					

42100 Insurance	1,500	840	1,500	1,500	1,500
42200 Professional	3,500	1,487	3,500	12,499	12,000
42300 Publishing	500	107	500	328	500
42320 Dues	50	50	50	50	50
42600 Supplies & Materials	400		400	47	400
42700 Travel & Conference	100		100	92	100
42900 Other	200	900	200	46	200
<b>TOTAL PLANNING &amp; ZONING EXPEND</b>	<b>7,450</b>	<b>4,052</b>	<b>7,325</b>	<b>15,745</b>	<b>15,825</b>
<b>STORAGE BUILDING 46610</b>					
42150 Ins-Liab/Prop/WC	2,200	1,349	2,300	1,905	2,050
42500 Repairs and Maintenance	1,000	259	1,000		1,000
42600 Supplies and Materials					
42800 Utilities	2,200	1,147	2,400	2,038	2,000
42900 Other Current Expenses					500
<b>Replace-Heating and Cooling-System: -\$7,000.00</b>					
<b>TOTAL STORAGE BUILDING EXPEND</b>	<b>5,400</b>	<b>2,755</b>	<b>5,700</b>	<b>3,943</b>	<b>5,550</b>
<b>DEBT SERVICE: 101-47140</b>					
44103 Principal:	0	24,661	24,661	23,576	23,562
Dump truck pymt., 2014 pymt \$24,661 5 yrs - PD OFF					
Interest:	0	1,097	1,150	2,235	2,250
2011 Dump truck, 2014 pymt \$1,150; 5 yrs - PD OFF					
<b>TOTAL DEBT SERVICE PAYMENT</b>	<b>0</b>	<b>25,758</b>	<b>25,811</b>	<b>25,811</b>	<b>25,812</b>
<b>OPERATING TRANSFER OUT</b>					
42900				90,035	93,035
<b>TOTAL OPERATING TRANSFER OUT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>90,035</b>	<b>93,035</b>
<b>EQUIPMENT REPLACEMENT DEPT 101-51300</b>					
43400 Machinery & Equipment	55,000	82,075	32,000		0
Street, Cemetery, Park & Garbage Department Pickup Total Cost: \$20,000.00					
Split 4 ways: \$15,000.00					
Police Department car: \$20,000.00					
Future Park Department Reserve for Scoreboard: \$5,000.00					
Street, Cemetery, Park, Electric, Water, Sewer & Garbage Loader: \$35,000.00					
Split 7 ways: \$15,000.00					
44100 Principal			13,261		
44200 Interest			4,140		
<b>TOTAL EQUIP REPLACEMENT FUND</b>	<b>55,000</b>	<b>82,075</b>	<b>49,401</b>	<b>0</b>	<b>0</b>
<b>TOTAL GENERAL FUND EXPENSES:</b>	<b>1,472,355</b>	<b>739,821</b>	<b>1,266,632</b>	<b>1,274,252</b>	<b>1,378,072</b>

**GENERAL FUND**

**REVENUE:**

31110 Gen Prop Taxes-Current Year	745,750	371,653	725,720	698,634	706,000
2011 Mill Levy: .008292					
2012 Mill Levy: .008200					
2013 Mill Levy: .008675					
2014 Mill Levy:					
31120 Gen Prop taxes-Last year	5,000	2,152	5,000	6,084	5,000
31130 Gen Prop Taxes-Prior Year	1,500	1,129	1,500	2,305	1,500
31160 Gen Prop Taxes-All Prior Years				503	
31170 Gen Prop Taxes-Mobile Homes	3,000	2,066	3,500	3,367	3,500
31300 Gen Sales & Use Tax	420,000	259,246	390,000	437,507	370,000
31400 Gross Receipts Business Tax					
31500 Amusement Taxes	200	12	300	204	300
31900 Penalties&Interest-Dealing Tax	1,000	452	1,000	1,933	1,000
32000 Licenses & Permits	6,000	1,775	8,000	7,250	8,000
32400 Video Lottery Fee	2,000	100	2,000	2,100	2,000
33100 Federal Grants				1,193	
33140 Land and Water Conservation Fund	25,000				
<b>LWCF Grant for Playground Equipment: \$25,000.00</b>					
33200 Federal Shared Revenue		1,804	0	8,424	9,600
33499 Other State Grants					
33510 Bank Franchise Tax	2,500	2,881	2,000	3,363	2,000
33530 Liquor Tax Reversion	11,000	8,698	11,000	11,032	11,000
33540 Motor Vehicle Licenses	16,000	10,694	15,000	17,482	15,000
33570 Licenses Reversion					
33580 Local Govt. Hwy Bridge Reserve	13,000	8,271	13,000	14,509	12,000
33590 Other State Shared Revenue	5,200	1,719	5,200	6,958	3,500
33820 County Hwy & Bridge					
33830 County Wheel Tax	7,000	3,504	7,000	6,406	7,000
34000 Charges for Goods & Services	500	123	1,000	442	1,000
34110 Zoning & Subdivision fees	2,000	1,928	2,000	2,111	2,000
34120 Sale of Map				800	
32200 Right of Way fees					
34200 Public Safety	2,000	557	2,000	2,352	1,500
34210 Special Police					
34290 Other Public Safety	200	123	500	207	500
34300 Highway & Streets					
34520 Animal Control & Shelter Fees	750	510	1,500	571	1,500
34620 Swimming Pool Fees	500	280	1,200	561	1,200
34621 Daily Fees	5,500	4,549	6,500	5,478	8,000
34622 Single Membership	1,000	860	800	822	650
34623 Family Membership	5,200	5,238	4,800	4,788	4,750
34624 Simming Lessons	3,800	3,623	3,750	3,649	3,750
34640 Concessions	7,500	6,766	7,500	6,477	7,500

34670 Sign Advertisement	550	316	1,000	891	1,000
34690 Other Culture-Recreation	1,500	765	2,000	2,332	2,000
35000 Fines & Forfeiture	1,500	575	2,000	2,960	1,500
35100 Court Fines & Forfeiture	500	39	500	134	500
35900 Other Fines		454		3,434	
36000 Miscellaneous Revenue	500	22	1,000	4,859	1,000
36100 Interest Earned	750	609	300	457	300
36200 Rental	500		1,000	600	5,000
36310 Principal Collected-County	3,950	3,676	3,676	4,163	3,425
36300 Special Assets					
36320 Interest and Penalty-County	2,150	2,423	2,424	2,368	2,675
36330 Principal Collected by Muni					
36340 Int and Penalty Collected-Muni					
36401 Street Maintenance Assessment (\$.50/front foot)					0
36600 Gain on Sale of				4,207	
36700 Contributions & Donations	10,000			100,000	90,035
<b>Donation from EP Chamber for Park Equipment: \$10,000.00</b>					
36900 Other Miscellaneous Revenue					
38600 Cemetary Revenue	2,000		5,500	7,500	4,500
38610 Sale of Lots	2,000	1,627	3,000	4,835	3,000
38620 Grave Digging Charges			200	0	200
38690 Other Cemetary Revenue			15,000	13,805	15,000
38750 Franchise fees					
39000 Other Sources of Revenue					
39100 Other Financing Sources					
39110 Operating Transfers In * see breakdown  from Electric Fund					28,000
39120 Sale of Bonds					
39130 Sale of General Fixed Assets					
39140 Comp for Loss/Dam Fixed Asset					
<b>TOTAL REVENUE GENERAL FUND</b>	<b>1,333,000</b>	<b>711,218</b>	<b>1,259,370</b>	<b>1,410,053</b>	<b>1,347,885</b>
	<b>-139,355</b>	<b>-28,603</b>	<b>-7,262</b>	<b>135,801</b>	<b>-30,187</b>
	0.00	0.00	9,500.00	0.00	0.00
	<b>-139,355</b>	<b>-28,603</b>	<b>2,238</b>	<b>135,801</b>	<b>-30,187</b>

**GENERAL FUND PROFIT/LOSS**

- \* Breakdown Oper Transfers In-Water Utilities
- Oper Transfers In-Elec Utilities
- Oper Transfers In-Sewer fund
- Oper Transfers In-Garbage Utility

**TOTAL TRANSFERS IN**

General Fund Profit/Loss after Transfer

**SPECIAL REVENUE 200-46500**

EXPENDITURES:



42830 Transfer Out  
 42900 Other Current Expense  
 43300 Improvements Other than Bidg  
 43400 Machinery & Equipment

**TOTAL CAPITOL PROJECT EXPENSES:**

**REVENUE:**

33175 Community Access Grant  
 33100 Federal Grants (SRTS)  
 33200 Federal Shared Revenue  
 33401 Water Facility Construction Grant  
 33499 Other State Grants  
 39125 SRF Bond Proceeds  
     SRF Principal Forgiveness  
 36000 Miscellaneous Revenue  
 39000 Other Sources of Revenue

39110 Operating Transfers Inc

**TOTAL CAPITOL PROJECTS REVENUE:**

**NET INCOME CAPITOL PROJECTS:**

**WATER FUND 602-43300**

**EXPENDITURES:**

41100 Wages  
 41103 Overtime Wages  
 41106 Longevity Pay  
 41200 O/AS  
 41300 Retirement  
 42100 Insurance  
 42150 Ins-Liab/WC/Prop  
 42200 Professional Fees & Services

**Rose Street Engineering Fees**

42300 Publishing  
 42320 Dues  
 42250 Contract Labor  
 42400 Rentals  
 42500 Repairs & Maintenance  
 42550 Office Expense  
 42600 Supplies  
 42610 Uniforms  
 42620 Auto Expense  
 42700 Travel & Conference

	0	0	14,693	84	17,945
			185,000	30	226,970
<b>TOTAL CAPITOL PROJECT EXPENSES:</b>	<b>0</b>	<b>0</b>	<b>199,693</b>	<b>398</b>	<b>246,915</b>
<b>REVENUE:</b>					
33175 Community Access Grant					
33100 Federal Grants (SRTS)					
33200 Federal Shared Revenue	70		199,693	297	246,915
33401 Water Facility Construction Grant					
33499 Other State Grants					
39125 SRF Bond Proceeds					
SRF Principal Forgiveness					
36000 Miscellaneous Revenue					
39000 Other Sources of Revenue					
39110 Operating Transfers Inc					
<b>TOTAL CAPITOL PROJECTS REVENUE:</b>	<b>0</b>	<b>70</b>	<b>199,693</b>	<b>297</b>	<b>246,915</b>
<b>NET INCOME CAPITOL PROJECTS:</b>	<b>0</b>	<b>70</b>	<b>0</b>	<b>-102</b>	<b>0</b>
<b><u>WATER FUND 602-43300</u></b>					
<b>EXPENDITURES:</b>					
41100 Wages	78,100	41,831	75,900	73,276	73,100
41103 Overtime Wages	4,400	1,292	4,350	2,836	4,300
41106 Longevity Pay	875	690	800	730	750
41200 O/AS	6,200	3,629	5,750	5,825	5,600
41300 Retirement	4,900	2,920	4,500	4,663	4,400
42100 Insurance	9,300	5,705	9,300	9,264	10,850
42150 Ins-Liab/WC/Prop	7,950	4,948	8,300	6,985	7,450
42200 Professional Fees & Services	27,950	8,075	5,000	5,976	15,000
<b>Rose Street Engineering Fees</b>					
42300 Publishing	750	324	750	535	750
42320 Dues	1,200	1,155	800	1,165	550
42250 Contract Labor					
42400 Rentals	1,000		1,000		1,000
42500 Repairs & Maintenance	15,000	30,712	13,000	15,164	13,000
42550 Office Expense	2,500	1,451	2,500	1,478	2,500
42600 Supplies	22,000	20,765	20,000	8,527	23,000
42610 Uniforms	450	225	450	327	450
42620 Auto Expense	3,600	1,861	3,600	3,063	3,200
42700 Travel & Conference	1,000	492	1,000	40	1,000

42750 Training	1,000			1,000	25	1,000
42800 Utilities	49,850	22,639		40,000	40,027	20,500
42830 Transfer Out						30,500
42900 Other Current Expense	1,000	177		1,000	366	2,000
43200 Buildings					2,459	
43300 Improvements Other than Bldgs	55,000			60,000		20,000
Valve Replacement program: \$20,000.00						
Paint the Old Water Tower: \$35,000.00						
43400 Machinery & Equipment	5,500	1,040		1,000	6,534	21,000
Annual Copier Lease \$350						
Street, Cemetery, Park, Electric, Water, Sewer & Garbage Loader: \$35,000.00						
Split 7 ways: \$5,000.00						
43410 Computer Software	100	88		0	5	500
43440 Subscriptions						
43460 Debt Service Reserve Fund						
43510 Furnishings						
44100 Principal	80,475			77,922		75,448
1998 USDA Water Rev. Bonds, PAID OFF 12/1/2011						
2002 SRF Pearl Street Loan: 2015 payment: \$11,660 final pymt 2022						
2004 SRF WTP Loan: 2015 pymt: \$26,938 final pymt 2026						
2006 SRF Loan, westside lift station, 2015 payment \$5,123 final pymt 2028						
2008 SRF Loan, Clay/Wash/AMR, 2015 payment: \$22,185 final pymt 2030						
2009 SRF Loan, Main Street, 2015 pymt: \$14,571 final pymt 2031						
44200 Interest	41,900	33,569		44,444	46,916	46,918
1998 USDA Water Rev. Bond, PAID OFF 10/1/2011						
2002 SRF Pearl Street Loan, 2015 pymt: \$3,681						
2004 SRF WTP Loan, 2015 pymt: \$11,989						
2006 SRF Loan, westside lift station, 2015 payment \$2,775						
2008 SRF Loan, Clay/Wash/AMR, 2015 payment \$14,602						
2009 SRF Loan, Main Street Project, 2015 pymt \$8,840						
45700 Depreciation					128,889	
<b>TOTAL WATER EXPENSES</b>	<b>422,000</b>	<b>183,587</b>		<b>382,366</b>	<b>365,074</b>	<b>384,766</b>
<b>REVENUE:</b>						
33100 Federal Grant						
33499 Other State						
36100 Interest Earned	150			150	64	150
36900 Other Miscellaneous						
38110 Metered Water Sales	421,000	234,930		402,500	409,865	395,000
With a 5% Rate Increase: \$20,975.00						
38120 Bulk Water Sales	1,000			1,000	185	1,000
38130 Surcharge	25,000	14,741		25,000	25,546	25,750
38180 Sale of Supplies		65			692	
38190 Other Water Revenue						

38295 Penalty Charges	2,000	1,316	2,500	1,894	2,500
38380 Utility Connection Fees	1,000	1,250	500	250	500
39100 Other Financing Sources					
39110 Operating Transfer In				1,072	
39130 Sale of General Fixed Asset					
<b>TOTAL WATER REVENUE</b>	<b>450,150</b>	<b>252,301</b>	<b>431,650</b>	<b>439,568</b>	<b>424,900</b>
<b>WATER FUND PROFIT</b>	<b>28,150</b>	<b>68,714</b>	<b>49,284</b>	<b>74,494</b>	<b>40,134</b>
<b>TRANSFERS IN:</b>					
From Electric Fund for Main Street Project Reserve					
<b>TRANSFERS OUT:</b>					
To General Fund for Main Street Project:	20,000		20,000		
To Water Repair and Replacement Reserve Fund for Rose Street					
<b>NET PROFIT - WATER FUND</b>	<b>8,150</b>	<b>68,714</b>	<b>29,284</b>	<b>74,494</b>	<b>40,134</b>

**SEWER FUND 604-43200**

**EXPENDITURES:**

41100 Wages	59,150	31,879	57,500	55,467	55,150
41103 Overtime Wages	3,800	861	3,700	1,903	3,700
41106 Longevity Pay	620	460	570	520	520
41200 OASI	4,675	2,738	4,350	4,395	4,250
41300 Retirement	3,700	2,199	3,425	3,512	3,300
42100 Insurance	4,600	4,302	4,600	6,987	5,675
42150 Ins.-Liab/WC/Prop	4,350	2,699	4,550	3,810	4,050
42200 Professional Fees & Services	42,800	3,717	5,000	19,851	20,000
<b>Engineering for Rose Street Reconstruction</b>					
42250 Contract Labor					
42300 Publishing	400	120	400	365	400
42320 Dues	1,600	30	1,600	40	1,600
42400 Rentals	1,000		1,000	2,655	1,000
42500 Repairs & Maintenance	32,000	26,749	30,000	34,269	30,000
42550 Office Expense	2,000	716	2,000	1,845	2,000
42600 Supplies & Materials	16,000	8,751	16,000	16,655	16,000
42610 Uniforms	450		450	354	450
42620 Auto Expense	3,300	1,595	3,350	3,302	3,300
42700 Travel and Conference	1,000		1,000	9	1,000
42750 Training	250		250	125	250
42800 Utilities					
42830 Transfer Out	30,100	15,702	28,000	27,397	23,000
42900 Other Current Expense	500	48	2,000	81	2,500
					4,000

43200 Buildings	12,000				2,459		
Expand existing lagoon shed: \$12,000.00						20,000	
43300 Improvements Other than Bldg.		6,000					
Place crushed-concrete-around-lagoons: \$23,000.00 (4-year-increments: \$6,000, rather than doing it all in one year)							
43400 Machinery & Equipment	5,500	1,000	843		354	2,000	
Copier:: \$300							
Street, Cemetery, Park, Electric, Water, Sewer & Garbage Loader: \$35,000.00							
Split 7 ways: \$5,000.00	100	0	88		5	500	
43410 Computer Software							
43440 Subscriptions							
43460 Debt Service Reserve Fund							
43510 Furnishings		58,172					64,730
44100 Principal	59,275						
2002 SRF Pearl Street Loan: 2015 pymt: \$24,601 final pymt 2023							
2006 SRF loan, westside lift station, 2015 pymt \$4,476 final pymt 2028							
2008 SRF loan, Clay/Wash, 2015 pymt \$6,372 final pymt 2029							
2009 SRF loan, Main Street, 2015 payment \$23,812 final pymt 2029							
44200 Interest	26,995	28,885	21,837		30,900	32,425	
2002 SRF-Pearl Street Loan: 2015 pymt: \$8,050							
2006 SRF loan, westside lift station, 2015 pymt \$2,425							
2008 SRF Loan, Clay/Wash 2015 pymt: \$3,857							
2009 SRF Loan Main Street, 2015 pymt: \$12,662							
45700 Depreciation					143,009		
<b>TOTAL SEWER EXPENDITURES:</b>	<b>316,165</b>	<b>263,802</b>	<b>125,334</b>		<b>360,270</b>	<b>301,300</b>	

**REVENUE:**

33100 Federal Grants							
33499 Other State							
36100 Miscellaneous Revenue						50	
36100 Interest Earned							
36310 Principal (Special Assessment)							
36320 Interest (Special Assessment)							
36600 Gain on Sale							
38130 Sewer Surcharge	33,000	33,000	22,959		39,545	40,000	
38180 Sale of Supplies			500				
38190 Other Water Revenue							
38295 Penalty Charges	2,000	2,000	1,139		1,562	2,000	
38300 Sewer Revenue							
38310 Sewer Charges	278,500	264,000	157,926		269,372	261,500	
With a 5% Rate Increase: \$14,697.00							
38380 Utility Connection Fees	1,000	500	1,250		250	500	
38390 Other Sewer Revenue							

39100 Other Financing  
 39110 Operating Transfers In  
 39130 Sale of General Fixed Asset

**TOTAL SEWER REVENUE:**

**SEWER FUND PROFIT**

**TRANSFERS IN:**

From Electric Fund for Main Street Project Reserve  
 From Electric Fund to (Operating Transfer)

**TRANSFERS OUT:**

To General Fund for Main Street Project  
 Reserve for Rose Street Sewer Repair and Replacement

**NET SEWER FUND PROFIT/LOSS**

**ELECTRIC FUND 610-43400**

**EXPENDITURES:**

41100 Wages  
 41103 Overtime Wages  
 41106 Longevity Pay  
 41200 OASI  
 41300 Retirement  
 42100 Insurance  
 42150 Ins-Liab/WC/Prop  
 42200 Professional Fees & Services  
 42250 Contract Labor  
 42300 Publishing  
 42320 Dues  
 42400 Rentals  
 42500 Repairs & Maintenance  
 42550 Office Expense  
 42600 Supplies & Materials  
 42610 Uniforms  
 4 employees @ 450/each x 50%  
 42620 Auto Expense  
 42629 Other Material for ReSale  
 Cost figured with a 2% increase  
 42700 Travel & Conference  
 42750 Training  
 42800 Utilities  
 42810 Conversion

314,500	183,774	299,500	335,728	304,050
-1,665	58,440	35,698	-24,542	2,250
20,000		20,000		
-21,665	58,440	15,698	-24,542	2,250
124,650	71,012	121,050	118,915	117,000
5,900	3,236	5,800	5,207	5,800
1,420		1,310	1,200	1,200
9,900	5,782	9,620	9,011	9,300
7,800	4,660	7,545	7,467	7,300
13,850	8,499	15,650	15,400	16,250
10,800	6,747	11,275	9,525	10,150
10,000	921	5,000	6,028	10,000
500	120	500	366	500
1,300	1,220	1,300	1,219	1,300
11,000	4,048	11,000	18	11,000
5,500	3,201	5,000	5,170	7,000
50,000	49,188	40,000	720	44,000
900	524	900	845	900
4,800	2,784	4,000	4,206	4,000
1,252,500	711,069	1,180,000	1,190,910	1,240,000
1,000	892	1,000	417	1,000
1,500	967	1,000	450	1,000
11,150	4,936	9,500	9,818	8,000
32,000	53,073	61,000	0	61,000

Main Street Light Extension to Dollar General: \$21,240.00  
 Add Lighting to Hike/Bike Trail along Golf Course: \$9,994.00  
 Replace-Historic-Downtown-Lights: -\$41-500.00

42830 Transfer Out  
 42900 Other Current Expense  
 43200 Buildings  
 43300 Improvements Other than Bldgs.  
 43400 Machinery & Equipment  
 Annual Copier Lease: \$300  
 Street, Cemetery, Park, Electric, Water, Sewer & Garbage Loader: \$35,000.00  
 Split 7 ways: \$5,000.00

\*2002 Conversion Bonds: 2014 payment \$83,705  
 44200 Interest

\*2002 Conversion Bonds: 2014 payment \$39,432  
 45500 Pensions  
 45700 Depreciation  
 45710 Ammortization  
 47000 Interest Expense

**TOTAL ELECTRIC EXPENDITURES**

**REVENUE:**

33499 Other State Grants  
 36000 Miscellaneous Revenue  
 36100 Interest Earned  
 38200 Electric Revenue  
 38210 Metered Sales

With a 5% Rate Increase: \$68,500.00

38220 Sales of Supplies & Materials  
 38230 Meter Collection  
 38240 Return Check Chgs  
 38290 Other Electric Revenue  
 Stabilization credits \$13,000  
 Capitol Credit Retirement \$13,000  
 REC 4% tax distribution \$4,800  
 Basin Electric Member Investment Proceeds: \$27,000  
 38295 Penalty Charges  
 38296 Reconnection Chgs  
 38380 Utility Connection Fees

5,000	509	5,000	3	5,000	5,000
5,500	39,658	36,000	2,459	8,000	8,000
100	123	0	0	300	300
5,000		5,000	0	10,000	10,000
83,704		65,000	0	71,500	71,500
8,704	3,854	39,432	31,904	37,800	37,800
<b>1,664,478</b>	<b>977,023</b>	<b>1,642,882</b>	<b>1,495,317</b>	<b>1,689,300</b>	<b>1,689,300</b>
3,000	280	3,000	-34	3,000	3,000
1,673,000	944,964	1,583,000	1,592,296	1,636,000	1,636,000
500	330	500	700	500	500
60,000	57,305	85,400	58,390	55,600	55,600
8,000	4,208	8,000	6,141	12,000	12,000
2,000	1,827	2,000	3,852	2,000	2,000
500	1,000	500	500	500	500

38380 Service Charges  
 38810 Collection fees  
 39100 Other Financing Sources  
 39130 Sales of Fixed Assets  
 39120 Sale of Bonds

**TOTAL ELECTRIC REVENUE**

1,747,000	1,009,914	1,687,400	1,650,013	1,714,600
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**ELECTRIC FUND PROFIT**

82,522	32,890	44,518	154,696	25,300
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Transfer Out-Water Fund Main St Project Reserve (5%)  
 Transfer Out-Sewer Fund Main St Project Reserve (5%)

Operating Transfer Out-General Fund  
 -Water Fund  
 -Sewer Fund

9,500

**NET ELECTRIC FUND PROFIT**

82,522	32,890	35,018	154,696	25,300
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**SOLID WASTE FUND 612-43250**

**EXPENDITURES:**

41100 Wages  
 41103 Overtime Wages \*\*  
 41106 Longevity Pay  
 41200 OASJ\*\*  
 41300 Retirement\*\*  
 42100 Group Insurance\*\*  
 42150 Ins.-Liab/WC/Prop  
 42200 Professional Fees & Services  
 42300 Publishing  
 42320 Dues  
 42400 Rentals  
 42500 Repairs & Maintenance  
 42550 Office Expense  
 42600 Supplies & Materials  
 42610 Uniforms  
 1 emp @ 450/each  
 42620 Auto Expense  
 42629 Other Materials for Resale  
 72700 Travel and Conference  
 42710 Tipping Fees  
 42750 Training  
 42730 Recycling  
 42800 Utilities

47,800	26,499	46,800	44,137	43,000
1,150	399	1,150	138	500
240	90	210	175	175
3,800	2,123	3,700	3,361	3,350
2,150	1,242	2,075	1,990	2,000
5,050	3,086	5,050	5,014	5,400
6,500	3,826	6,775	5,903	6,075
1,000	816	1,000	10,937	1,000
800	689	500	719	500
			250	50
8,000	2,963	8,000	3,288	8,000
1,500	603	1,500	1,373	1,500
3,000	1,208	3,000	2,611	4,000
450	355	450	450	450
9,900	5,551	9,950	10,041	8,000
		2,500	0	2,500
100		100	9	100
45,000	24,730	45,000	41,915	46,000
250		250	25	250
1,700	874	1,700	1,707	1,700

42830 Transfer Out	1,000				40,784	1,000
42900 Other Current Expense					991	
43100 Land					0	
43200 Buildings					2,459	
43300 Improvements other than buildings					251	
<b>Dump Station:</b>						
43400 Machinery & Equipment	10,500	658				
<b>Street, Cemetery, Park &amp; Garbage Department Pickup Total Cost: \$20,000.00</b>						
<b>Split 4 ways: \$5,000.00</b>						
<b>Street, Cemetery, Park, Electric, Water, Sewer &amp; Garbage Loader: \$35,000.00</b>						
<b>Split 7 ways: \$5,000.00</b>						
43410 Computer Software	100	88			5	
43440 Subscriptions	23,125			23,973		28,600
44100 Principal	2,400	1,545		1,153	35	8,100
Garbage Truck: \$23,125						
44200 Interest					32,353	
Garbage Truck: \$2,400						
45700 Depreciation						
45900 State Sales Tax (moved to GL account)						
<b>TOTAL SO</b>	<b>175,515</b>	<b>77,345</b>	<b>165,836</b>	<b>210,922</b>	<b>172,250</b>	
<b>REVENUE:</b>						
36000 Miscellaneous Revenue	50					50
36100 Interest Earned			50			2,500
38180 Sale of supplies	1,000		2,500			1,000
38295 Penalty Charges			421		704	154,350
38800 Solid Waste Rev	167,000	79,204	159,000	157,947		
<b>With a 5% Rate Increase: \$8,142.00</b>						
38810 Collection Fees	9,400	5,193	9,400	8,380		9,400
38820 Landfill Fees	2,000	1,582	2,000	2,464		2,000
38890 Other Solid Waste (sale of garbage containers & scrap metal)	2,000	85	4,500	1,780		4,500
39110 Operating Transfer In					90,035	90,035
39130 Sale of General Fixed Asset					-44,418	
<b>TOTAL REVENUE:</b>	<b>181,450</b>	<b>86,484</b>	<b>178,450</b>	<b>216,893</b>	<b>263,835</b>	
<b>NET SOLID WASTE PROFIT</b>	<b>5,935</b>	<b>9,139</b>	<b>12,614</b>	<b>5,970</b>	<b>91,585</b>	
<b>TRUST AND AGENCY 700-41900</b>						
<b>EXPENDITURES:</b>						
42600 Supplies & Materials						6,500
42830 Transfers Out					13,895	
44400 East River Loan Payments						
45600 Subsidies		465	5,550			
42900 Other						



Vegetation Nuisance.

- A. Definitions. For the purposes of this section, the following terms, phrases, words, and their derivations shall have the meanings given herein.
1. “Developed lot or area” means a lot or area with a finished building or building under construction.
  2. “Noxious weeds” means all actively growing plants declared to be statewide noxious weeds by the South Dakota Weed and Pest Control Commission.
  3. “Undeveloped lot or area” means a vacant lot or area with no structure on it.
  4. “Weeds” means any plants growing uncultivated and out of context with the surrounding plant life when such plant has a seed head formed or forming and with a height of eight (8) inches or more, except as otherwise provided in this section.
- B. Nuisances.
1. Each owner and each person in the possession or control of any land shall cut or otherwise destroy, in whatever manner prescribed by the City, all noxious weeds thereon and shall keep said lands free of such growth.
  2. Each owner and each person in possession or control of any property shall be responsible to keep said lot, place, or area or upon any sidewalk abutting the same free of any noxious weeds and to keep grasses and weeds on said lot mowed so that grass and weeds are less than eight (8) inches in height. However, grass and weeds located on undeveloped and unplatted property located more than 100 feet from developed or platted property shall be mowed so that grass and weeds are less than twelve (12) inches in height. This does not apply to vegetation which is being grown as a crop, livestock pasture or wildflower display garden.
  3. Each owner and each person in the possession or control of any lands shall not allow any plant growth of any sort to remain in such a manner as to render the streets, alleys or public ways adjoining said land unsafe for public travel or in any manner so as to impede pedestrian or vehicular traffic upon any public place or way.
- C. Notice to Abate and Abatement by City. The Finance Officer shall annually on or before May 1 each year and August 1 of each year publish once a week for two consecutive weeks a Notice to Property Owners generally setting forth the duty to control weeds and other vegetation which might be a nuisance in violation of this Section. The Finance Officer or his or her designee may cause a Notice to Abate Nuisance to be served, by posting of notice on such property within view of the public, upon any property owner who fails to comply with the published notice or any person who at any other time has weeds or other vegetation. Upon failure, neglect or refusal of any owner, agent or occupant so notified to comply with said notice within five (5) days, thereof the Finance Officer or his or her designee is hereby authorized and empowered to provide for the cutting, destroying or removal of the weeds, grass or other noxious matter and stabilize the soil if necessary. The City may defray the cost of the work, including administrative costs, by special assessment against the property as set out in Section 3.0104 (D).

- D. Costs Recovered. The Finance Officer shall cause an account to be kept against each lot upon which work is done pursuant to Section 3.0104 (C) and shall after completion of the work, bill the owner of the property for such work and if not paid within thirty (30) days thereafter, the Finance Officer shall thereupon add such assessment to the general assessment against said property. The Finance Officer shall certify such special assessment together with the regular assessment to the Union County Auditor to be collected as municipal taxes for general purposes.

Said assessment shall be subject to review and equalization the same as assessments or taxes for general purposes. In lieu of special assessment, the City Council may institute a civil action against the owner or occupant of such property to recover said account.

- E. Habitual Violators. If the owner or person in control of any land that has previously received a notice to abate nuisance relating to weeds within the preceding 24 months, then, the notice to abate nuisance may include notice that such owner or person in control of said property will be considered to be an habitual violator of this section and that if the nuisance is not abated within the allowed time, the City will consider the property to be subject to having a contract let by the City for mowing property as needed up to a weekly basis for the next following 24-month period of time and that the full cost of said contract together with an administrative fee of two hundred dollars (\$200.00) will be assessed against the property.

3.0105 Littering in Public Places. No person shall throw or deposit litter in or upon any street, sidewalk, or other public place within the City except in authorized public or private receptacles. The following further identifies acts and conditions that constitute nuisances and are therefore prohibited:

- A. No person shall sweep into or deposit in any gutters, streets, or other public place within the City, the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property or places of business shall keep the sidewalk in front of such premises free of litter.

For purposes of this Ordinance, a public nuisance shall also include snow and ice when deposited or allowed to accumulate in conflict with the provisions of this Section.

- B. No persons, while a driver or passenger in a vehicle, shall throw or deposit litter or yard waste upon any street or other public place or upon private property within the City.

No person shall drive or move any truck or other vehicle within the City unless such vehicle is so constructed or loaded as to prevent any load, contents, or litter from being blown or deposited upon any street, alley, or public place.

- C. No person shall throw or deposit litter on any occupied, open, or vacant private property within the City, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being deposited upon any streets, sidewalk, or other public place or upon any private property.

3.0106 Removal of Abandoned or Inoperable Vehicles - Public Property. Whenever the City or any law enforcement officer for the City finds an abandoned or inoperable vehicle on public property within the City, a written notice shall be placed on the vehicle that it will be removed to a garage or place of safety unless the owner removes the vehicle from public property within 24 hours of the giving of the notice. After the expiration of the 24-hour period, the vehicle may be removed by a

Union County, SD  
Register of Deeds

2014 FEB 19 AM 10:30

Prepared By:  
Myron Hertel  
Union County Treasurer  
209 E Main, STE 220  
Elk Point, SD 57025

140596



Book 104 - Page 83  
Recorded By Cullen Mard  
*W.C. Mard* Deputy ROD

*[Handwritten signatures and initials]*

*Craig Bouck*  
*Debra Bouck*

### TREASURER'S TAX DEED TO COUNTY

WHEREAS, Myron Hertel, the County Treasurer of Union County, South Dakota, did on the 15<sup>th</sup> day of December, 2008, purchase at tax sale at the time and place prescribed by law in said county for the sale of real property for delinquent taxes, the real property in this indenture described for said Union County, South Dakota, for the sum of \$2934.60, being the amount due for the non-payment of taxes, penalties, interest and cost for the year 2007, said real property having first been offered for sale to competitive bidders at public auction, but not being sold for want of bidders offering the amount due, it was bid in for said amount due by the said County Treasurer for said Union County, South Dakota, and,

WHEREAS, in pursuance of said sale, Myron Hertel, County Treasurer of said Union County, South Dakota, did on the 18<sup>th</sup> day of December, 2008, make out, execute and issue a Certificate of Tax Sale for said real property to said Union County, South Dakota; and

WHEREAS, said Union County, South Dakota, is now the legal owner of such Certificate of Tax Sale;

That such real property has not been redeemed from such sale; that notice of the expiration of the right to redeem from such sale has been given as required by law; that sixty days have expired since the completed service of such notice; and that such real property was legally liable for taxation, had been duly assessed and properly charged on the tax lists for the year 2007, and that the same had been legally advertised for sale and was sold on the 15<sup>th</sup> day of December, 2008.

Now, therefore, this indenture made this 18th day of February, 2014, between the State of South Dakota, by Myron Hertel, treasurer of said county, party of the first part, and the said County of Union, State of South Dakota, party of the second part, witnesseth: That the said party of the first part for and in consideration of the premises and the sum of one dollar in hand paid, has granted, bargained and sold and by these presents does grant, bargain, sell and convey unto the said County of Union, State of South Dakota, party of the second part and its assigns, forever, the real property mentioned in such certificate and described as follows, to-wit:

**TAX EXEMPT SDCL 43-4-22(6)**

Southerly 1/3 of lots 1, 2, & 3 Block 4 Weston & Hoffman Addition Elk Point City including 10 feet of vacated streets

To have and to hold, with the appurtenances thereto belonging, to the said party of the second part, and its assigns forever, in as full and ample manner as the treasurer of said county is empowered by law to sell the same.

In testimony whereof, the said Myron Hertel, treasurer, of said County of Union, State of South Dakota, has hereunto set his hand on the day and year first above written.

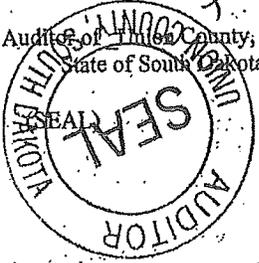
Attest:

Carol Kluge

Myron Hertel

Auditor of Union County,  
State of South Dakota

Treasurer of Union County,  
State of South Dakota



STATE OF SOUTH DAKOTA )  
County of Union ) ss.

On this 18th day of February, 2014,

Before me Jana Foltz, a Notary Public \_\_\_\_\_, within and for said County and State, personally appeared Myron Hertel, County Treasurer of

said County of Union, well known to me to be the person who is described in and who executed the within instrument, and acknowledged to me that he executed the same as such Treasurer.

Jana Foltz, Register of Deeds



## Michelle Fejfar

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**From:** Myron Hertel [uctreas@iw.net]  
**Sent:** Thursday, July 10, 2014 10:27 AM  
**To:** mfejfar@iw.net  
**Subject:** FW: Scans from copier  
**Attachments:** doc02065520140710102040.pdf

Hi Michelle,

I have attached a copy of the tax deed for the Craig & Debra Bouck property. The deed was filed on February 19th, 2014.

I believe Carol is going to contact you about the possibility of the city continuing to mow it for the county depending on what it would cost.

Myron Hertel  
Union County Treasurer  
209 E Main St, Suite 220  
Elk Point, SD 57025  
(605) 356-2391

-----Original Message-----

**From:** [uctreas@iw.net](mailto:uctreas@iw.net) [mailto:[uctreas@iw.net](mailto:uctreas@iw.net)]  
**Sent:** Thursday, July 10, 2014 10:21 AM  
**To:** [uctreas@iw.net](mailto:uctreas@iw.net)  
**Subject:** Scans from copier

See attached file.  
scan from Union County Treasurer

**Erika Hammitt**

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**From:** Carol Klumper [lucauditor@iw.net]  
**Sent:** Wednesday, August 20, 2014 10:10 AM  
**To:** Erika Hammitt  
**Cc:** Doyle Union County  
**Subject:** Billing for Mowing

Erika:

I wanted you to be aware of this action the board took, so that when you receive the check from us this week, it will explain why it isn't in the full amount of 898.52.

Let me know if you have any further questions about this matter.

Motion by Schempp, second by Ustad to approve the following claims amending the City of Elk Point bill for mowing from 898.52 to 98.52 as the \$200 per mowing event was in excess of the actual mowing cost.

Thanks!

Carol K.

Carol Klumper  
Union County Auditor  
209 E Main, Suite 200  
Elk Point, SD 57025  
605.356.2101

September 2014

## **CITY ADMINISTRATOR'S REPORT**

Andrea, Erika and I have worked with Kevin Burnison, SECOG planner on the LWCF playground equipment grant application. We had a meeting at City Hall with Mr. Burnison regarding application preparation. We received letters of support for the grant from the Library, and School officials. We are requesting new playground equipment and funding support for the 18 hole Frisbee golf course. The application was submitted to the State Game, Fish, & Parks Department.

I have been working with Brian Wells on the community/economic development sign. I have been in contact with the State DOT. We have to complete a permit for the sign.

I have worked on the upcoming city newsletter. I plan to have it submitted in the near term.

Revisions have been made to the new CATV Franchise Agreement with WOW Cable. I worked closely with revision input from Rex Buettgenbach, WOW Systems Manager and our City Attorney, Craig Thompson. The franchise agreement includes the City to oversee a community cable channel. This was a recommendation from the community assessment.

The Rates and Budget Committee have met this month and working on another challenging budget.

I am a member of the SD Municipal League (SDML) General Government Policy Committee. It was my first meeting. The primary purpose of the committee is to give direction to the SDML regarding the municipalities' position on various state laws and to make our voices heard with the state legislature. If you have any concerns or see a need for policy or statute revisions, please let me know and I can bring it up when this group meets.

Revisions have been made to the Safety Manual. I will meet with Jerry B. on the revisions and then it will be submitted to the City Council for your review.

The Housing & Redevelopment Commission (HRC) is eagerly waiting the MN consulting firms work on the grant approved housing study.

Continue to work with the local Economic Development Corporation and the State GOED. I completed a request for information proposal on an out of state business looking to relocate to South Dakota.

## AUGUST 2014 FINANCE OFFICE DEPARTMENT HEAD REPORT

Payroll and accounts payable were done on August 4<sup>th</sup>, 5<sup>th</sup> & 18<sup>th</sup>.

Figured sales tax for general, electric and garbage funds.

Weekly deposits were made to both Liberty National Bank and First Dakota National Bank.

Prepared and sent notices to the Leader-Courier.

Prepared Council Meeting agendas, minutes and packets.

Monthly bank statements were done for the accounts First Dakota National, South Dakota FIT and Liberty National.

I completed the MDA Report for the 2013 Audit and submitted it to Quam & Berglin. Quam & Berglin will forward it on to SD Legislative Audit with the draft of the 2013 audit report. We should have the report to the council within a month or two after it's approved by the Legislative Audit.

Most of this month my time has been spent on the 2015 Budget. A spreadsheet is included in the council packet for first reading to the ordinance.

Dollar General has applied for an on/off sale malt beverage and wine license. A public notice was published in the Leader-Courier. The public hearing is on the agenda for the council to hear at the September 8<sup>th</sup> meeting.

Notices were sent to the paper for the library and on-call police officer position. Dennis, Danielle and Ryan will have recommendations at the council meeting.

The swimming pool closed for the season on August 17<sup>th</sup>.

Total August 2014 Expenditures: \$267,843.92

Total July 2014 Revenues: \$305,062.69

First Dakota National Bank Checking Account Beginning Balance for July 2014: \$787,740.86

First Dakota National Bank Checking Account Ending Balance for July 2014: \$740,375.65

Water Reserve Account Ending Balance for July 2014 - \$: \$40,059.45

UDAG/Trust & Agency Account Ending Balance as of July 2014 – \$132,265.19

SD FIT Account Ending Balance as of July 2014 - \$562,062.50

Liberty National Bank CD - \$542,474.34

Aug. 27<sup>th</sup>, 2013

September dept. head report

I have been asked to attend the IACP (International Association of Chiefs of Police) Annual conference in Orlando, FL. In Oct. This will/would be an all expense paid training opportunity. I have not decided if I will be able to attend.

I have been asked/and accepted to the Board of Directors for "Safe Option Services" . This organization provides training to all those touched by, and associated with domestic violence as well as conducts trainings, and many other services to victims.

Sgt. Limoges suffered some affects of smoke inhalation from a fire in an apartment building on 8/24. He was the first on scene and went apartment to apartment to ensure the building was clear.

Calls from July 31<sup>st</sup>, 2013 –Aug, 27<sup>th</sup>, 2014

Agency Assists - 13

(Ambulance /medical assists/ fire /so/highway Patrol)

Animal calls- 7

Assault- 2

City business – 28

Code Enforcement- 6

Complaint calls – 6

Community Policing – 2

Civil/ Family/ juvenile matters – 6

Drug & alcohol offenses- 3

Ministarial aide- 2

Other –12

Open doors found -5

Security Check/Patrol (includes residential, commercial, park and private property) 166

Suspicious Activity –8

Traffic Stops –56

Traffic Accident - 2

Welfare check–6

Warrant/Paper Services –8

Total calls for service as of Aug 27: 338

**CITY  
OF  
ELK POINT**

# September 2014

Recycling open Monday & Thursday 5 to 7pm @ recycle shed east of water treatment plant. Rubble site open Wednesday 5 to 8 pm & Saturday 9 am to 5pm.  
City Offices Closed on September 1st, Labor Day.

**CITY HALL OFFICE HOURS**  
Open from 7:30 am to 4:00pm, Monday through Friday.

1	Labor Day Holiday/ City Offices Closed	2	Farmers Market 5:30-7:00 pm City Hall Parking Lot	3	HRC Meeting @ 12:30 pm Landfill Open 5-8pm	4	RECYCLING 5-7pm	5	EDC Meeting @7:30am	6	Landfill Open 9am-5pm
7		8	P&Z mtg @noon; City Council @ 7pm RECYCLING 5-7pm	9	Farmers Market 5:30-7:00 pm City Hall Parking Lot	10	Landfill Open 5-8pm	11	RECYCLING 5-7pm	12	
13		14		15	RECYCLING 5-7pm	16	Farmers Market 5:30-7:00 pm City Hall Parking Lot	17	SEFOG mtg. Sioux Falls Landfill Open 5-8pm	18	RECYCLING 5-7pm
19		20		21	RECYCLING 5-7pm	22	Farmers Market 5:30-7:00 City Hall Parking Lot	23	Landfill Open 5-8 pm	24	RECYCLING 5-7pm
25		26		27	RECYCLING 5-7pm	28	RECYCLING 5-7pm	29		30	Landfill Open 9am-5 pm

Overtime Sheet - Police Department

Officer C. Trudeau 6/22/14 ---- 7/05/14		
Date	Duties Performed	Hours
8/10/14	Assisted Union County with rollover I-29	0.75
	Total	0.75

Officer Signature *C. Trudeau* Date \_\_\_\_\_

Approval of overtime ---- Police Chief Signature *[Signature]* Date *8/18*

Overtime Sheet - Police Department

Officer C. Trudeau 8/17/14-----8/30/14		
Date	Duties Performed	Hours
8/29/14	Subpoena	0.75
8/29/14	Worked full shift	5.25 <sup>SD</sup>
	Total	<del>6.00</del> 6.25

Officer Signature  Date 9-30-14

Approval of overtime---- Police Chief Signature \_\_\_\_\_ Date \_\_\_\_\_





# SDML

## 81<sup>st</sup> Annual Conference

October 7 – 10, 2014  
Spearfish Holiday Inn Convention Center



*Preliminary Agenda Subject to Change*

Tuesday, October 7, 2014

2:00 p.m. **SDML Golf Tournament** (Visit [www.sdmunicipalleague.org](http://www.sdmunicipalleague.org) for registration form.)  
Spearfish Canyon Country Club, Spearfish  
*Hosted by: City of Spearfish  
SD Municipal League*

7:00 p.m. **SDML Board of Directors Meeting**

Wednesday, October 8, 2014

8:00 a.m. **Registration**

8:00 a.m. **Exhibits Open**

8:00 a.m. **ABC's of Municipal Websites**  
*Ross Heupel, Marketing Director, GovOffice Web Solutions*

9:00 a.m. **Orientation for New Attendees**

9:00 a.m. **SD City Management Association**  
*Presiding: Leon Schochenmaier, SDCMA President, Pierre*  
1. Business Meeting and Election  
2. Professional Development Session

9:00 a.m. **SD Municipal Electric Association**  
*Presiding: Todd Chambers, SDMEA President, Watertown*  
1. Technology Roadmap for Public Power Utilities  
*Pat Corrigan, Vice President – Public Utilities, Elster Solutions, LLC*  
2. MRES and Heartland Update  
3. Business Meeting and Election

10:00 a.m. **SDML Pooling Meetings**

- SD Public Assurance Alliance
- Health Pool of SD
- SDML Workers' Compensation Fund

11:00 a.m. **Let's Make A Work Comp Deal**  
*An audience participation 'Game Show' regarding the SDML Workers' Compensation Fund.*

Noon **Safety Awards Luncheon**  
*Presiding: Doug Kirkus, Safety Benefits, Inc.*  
*Hosted by: SDML Workers' Compensation Fund  
SD Public Assurance Alliance*

1:00 p.m. **Spearfish Hydro Plant Tour** – Pre-registration required. (Will repeat again at 2:15 p.m., 3:30 p.m. and Thursday.)  
(Visit [www.sdmunicipalleague.org](http://www.sdmunicipalleague.org) for registration form.)

1:00 p.m. **Elected Officials Workshop**

1. Disaster Recovery  
*Jack Dokken, Public Assistance Officer, SD Office of Emergency Management*
2. Budgeting and Fiscal Responsibility for Elected Officials  
*Rod Fortin, Director of Local Government Assistance, SD Dept. of Legislative Audit*

- 1:00 p.m. SD Municipal Attorneys' Association**  
*Presiding: Dean Hammer, SDMAA President, Dell Rapids*  
 1. Business Meeting and Election  
 2. Roundtable Discussion
- 1:00 p.m. SD Building Officials' Association**  
*Presiding: Greg Miller, SDBOA President, Brookings*  
 1. Business Meeting  
 2. Building Officials Handbook Revisions  
*Mark Humphreys, Executive Director, SD Board of Technical Professions*
- 1:00 p.m. SD Governmental Finance Officers' Association**  
*Presiding: Mary McClung, SDGFOA President, Harrisburg*  
 1. Business Meeting and Election  
 2. Legislative Audit Updates  
*Rod Fortin, Director of Local Government Assistance, SD Dept. of Legislative Audit*  
 3. Disaster Preparedness  
*Jack Dokken, Public Assistance Officer, SD Office of Emergency Management*
- 1:00 p.m. SD Police Chiefs' Association**  
*Presiding: Lyndon Overweg, SDPCA President, Mitchell*  
 1. Business Meeting and Election  
 2. Presentations:  
*Marty Jackley, SD Attorney General*  
*Craig Price, SD Highway Patrol*  
*Bryan Gortmaker, SD DCI*  
*Scott Rechtenbaugh, SD Law Enforcement Training*  
*Dennis Kaemingk, SD Dept. of Corrections*  
*Jon Bierne, SD Forensics Lab*
- 1:00 p.m. SD Municipal Street Maintenance Association**  
*Presiding: Craig Wagner, SDMSMA President, Hartford*  
 1. Business Meeting and Election  
 2. Cleaning out Cricks and Waterways – Rules and Regulations  
*SD LTAP*  
 3. Drainage  
*SD LTAP*
- 4:00 p.m. SDML Policy Committee Meetings**
- General Government**  
*Presiding: Mike Wendland, Mayor, Baltic*
- Public Health, Safety, and Welfare**  
*Presiding: Tom Paisley, Building Official, Spearfish, Chair*
- Public Works**  
*Presiding: Mark Cotter, Public Works Director, Sioux Falls, Chair*
- Taxation and Revenue**  
*Presiding: Pauline Sumption, Finance Officer, Rapid City, Chair*
- 4:00 p.m. SDML Auditing Committee**  
*Presiding: Karl Alberts, Finance Officer, Aberdeen, Chair*
- 4:00 p.m. SDML Nominating Committee**  
*Presiding: Tracy Turbak, Director of Finance, Sioux Falls, Chair*
- 5:00 p.m. Exhibit Area Social**
- 6:00 p.m. Dinner on Your Own**  
 Busing will be provided by the City of Spearfish on a first-come-first-served basis on a set route to five restaurants.\*  
 Meet at the Convention Center entrance to catch the buses.  
 \*Find a listing of these and other restaurants in Spearfish at [www.sdmunicipalleague.org](http://www.sdmunicipalleague.org).

Thursday, October 9, 2014

- 7:00 a.m. **SDML 11<sup>th</sup> Annual Walk/Run** – Pre-registration required.  
(Visit [www.sdmunicipalleague.org](http://www.sdmunicipalleague.org) for registration form.)  
Meet in Holiday Inn lobby at 6:45 a.m.  
*Hosted by: Health Pool of SD, SDML Workers' Compensation Fund, SD Public Assurance Alliance*
- 7:45 a.m. **Breakfast**
- 7:45 a.m. **Past Presidents' Breakfast**
- 8:00 a.m. **Registration**
- 8:00 a.m. **Exhibits Open**
- 8:00 a.m. **Resolutions Committee**  
*Presiding: Jeanne Duchscher, Finance Officer, Parker, Chair*
- 9:00 a.m. **Elected Officials Workshop**  
1. Funding and Planning for Utility Projects  
*Jeff Hines, President, American Water Works Association*  
2. Data Resources for Cities  
*Erick Abrahamson, Black Hills Knowledge Network*  
3. The World of Libraries  
*Daria Bossman, SD State Librarian*  
4. Elected Officials and Employee Relations
- 9:00 a.m. **SD Airport Management Association**  
*Presiding: Philip Tiedeman, SDAMA President, Brookings*  
1. Review of Projects around the State  
*Jon Becker, SD DOT Office of Aeronautics*  
2. New Consultant Selection Requirements  
*Colton Stahl, SD DOT Office of Aeronautics*  
3. Unmanned Aerial Systems (UAS) and Unmanned Aerial Vehicles (UAV)  
*Steven Hoogerhyde, FAAS Team Program Manager, Federal Aviation Administration*  
4. Business Meeting and Election
- 9:00 a.m. **SD Association of Code Enforcement**  
*Presiding: Scott Simianer, SoDACE President, Hot Springs*  
1. Business Meeting  
2. Proposed State Legislation Discussion – Special Property Tax Levy on Blighted Properties and State Adoption of the International Property Maintenance Code  
*Scott Simianer, Building Official/Zoning Administrator, City of Hot Springs*  
3. Discussion and Review of Code Enforcement Brochures  
*SoDACE Education Committee Members*
- 9:00 a.m. **SD Governmental Human Resource Association**  
*Presiding: Donna Langland, SDGHRA President, Brookings*  
1. Business Meeting and Election  
2. Ensuring Success in Succession Management  
*Ray Weinberg, Principal, metaHRases Solutions*
- 9:00 a.m. **SD Municipal Liquor Control Association**  
*Presiding: Bill Purrington, SDMLCA Vice President, Brookings*  
1. Business Meeting and Election  
2. Discussion of dissolving the Association
- 9:15 a.m. **Spearfish Hydro Plant Tour** – Pre-registration required. (Will repeat again at 10:30 a.m.)  
(Visit [www.sdmunicipalleague.org](http://www.sdmunicipalleague.org) for registration form.)
- Noon **Excellence in SD Municipal Government Award Luncheon**  
*Featured Speaker: Governor Dennis Daugaard (Invited)*  
Presentation of the 2014 Excellence in SD Municipal Government Award  
SDML Hall of Fame Induction – *Honoring 20 years and more of municipal service.*  
(Visit [www.sdmunicipalleague.org](http://www.sdmunicipalleague.org) for nomination form.)  
*Hosted by: BankWest Trust Department*  
*The First National Bank in Sioux Falls – Trust Department*

1:00 p.m. **SD Chapter, American Public Works Association**  
*Presiding: John Childs, President, SD Chapter APWA*

1:00 p.m. **South Dakota Fire Chiefs Association**  
*Presiding: Jim Sideras, President, SDFCA*

1:30 p.m. **General Sessions**

**1. Cleaning Up**

*Cory Chalmers, CEO and Founder, HOARDERS.com and Crime Scene Steri-Clean*



Featured on the Emmy nominated TV series, *Hoarders*, Cory takes his 19 years of experience in biohazard and hoarding remediation across the country, cleaning up some of the worst hoarding cases ever seen. Corey works with cities, hotels, companies, and Fortune 500 companies.

3:45 p.m. **2. Bringing it Home**

Our panel of SD Experts discuss how to take what we've learned from Cory Chalmers and "Bring it Home."

*Scott Simianer, Building Official/Zoning Administrator, City of Hot Springs*

*Mike Olson, Code Enforcement Officer, City of Aberdeen*

*Adam Altman, City Attorney, City of Aberdeen*

4:15 p.m. **3. Rural Transit Issues and Answers**

5:30 p.m. **President's Reception (for all attendees)**

*Hosted by: D.A. Davidson & Co.*

6:30 p.m. **Celebrate South Dakota Dinner**

*Hosted by: Dougherty & Company, LLC*

**Entertainment: Gordy Pratt as Seth Bullock: The Spirit of the West**

As we "Celebrate South Dakota" with our 125<sup>th</sup> Statehood Celebration, Gordy Pratt brings the past alive as the ghost of Seth Bullock in *Seth Bullock: The Spirit of the West*. Gordy uses "first-hand" stories and original songs to weave a colorful tale of the Wild West. His mix of humor, history and music richly bring to life such famous figures as Wild Bill Hickok, Calamity Jane and Bullock's good friend Theodore Roosevelt.

*Hosted by: Midcontinent Communications*

Friday, October 10, 2014

8:00 a.m. **Registration**

8:00 a.m. **Breakfast**

8:30 a.m. **General Session**

**Keeping Them Local!**

*Craig Schroeder, Senior Associate of Youth Engagement and Hometown Competitiveness Coordinator, Center for Rural Entrepreneurship*

Craig Schroeder's Youth Attraction Formula is a tool for cities to use to address persistent population decline largely due to significant youth out-migration. Craig, who grew up in a town with a population of 223 people, brings more than 20 years of agricultural and rural work experience and graduated from the University of Nebraska-Lincoln with a Bachelor of Science degree in Agricultural Economics with emphasis in Rural Community Economics and Marketing.

10:30 a.m. **SDML Annual Business Meeting and Election**

1. Auditing Committee Report
2. Executive Director's Report
3. Resolutions Committee Report
4. Discussion and Adoption of 2015 Statement of Policy
5. President's Report
6. Nominating Committee Report
7. Annual Election of Officers
8. Other Business
9. Prize Drawing – Must be Present to Win!

Visit [www.sdmunicipalleague.org](http://www.sdmunicipalleague.org) for SDML Annual Conference information and forms.