

## UNAPPROVED MINUTES OF THE REGULAR MEETING OF THE ELK POINT CITY COUNCIL

The Elk Point City Council met in regular session on Tuesday, July 6, 2021 at 6:30pm in the council chambers of City Hall located at 106 W. Pleasant Street with Mayor McCreary presiding and these members present: Irlbeck, Nelson, Abraham, Verros, Penfield and VonHaden. No one was absent. Also present were: City Attorney Thompson, City Engineer McLaury, City Administrator Tuttle, Police Chief Limoges, Public Works Job and Finance Officer Hammitt.

The meeting began at 6:30pm with study session and the regular council meeting began at 7:00pm.

Motion made by Verros, seconded by Penfield to approve the agenda. All in favor.

VonHaden moved and Verros seconded a motion to approve the minutes from the June 1<sup>st</sup> & 22<sup>nd</sup>, 2021 council meetings. Unanimous.

Motion and second, Abraham/Irlbeck to approve the following salaries and bills and to instruct the Finance Officer for payment of the same. All in favor. Salaries: General Fund: \$76,292.06; Enterprise Fund: \$40,136.36; Fringe Benefits: General Fund: \$20,099.25; Enterprise Fund: \$10,927.22; Bills: Alterations by Connie-uniforms: \$15.00; Barkley Asphalt, Inc.-street repairs: \$1,351.35; Border States Electric Supply-supplies: \$3,921.56; Cardmember Services-supplies: \$2,397.81; City of Vermillion-tipping fees: \$5,226.72; Core & Main-supplies: \$132.48; Craig K. Thompson, Atty.-professional services: \$3,991.63; Dakota Pump, Inc.-repairs: \$709.18; East River Electric-power: \$94,310.58; ECI Systems-repairs: \$86.70; Elk Point Ace Hardware-supplies: \$3,413.81; Hawkins, Inc.-supplies: \$2,323.34; Jeff's Lawn Care, Inc.-repairs: \$35.70; Jones' Food Center-supplies: \$159.41; Keegan, Justin-uniform reimbursement: \$108.23; Leader-Courier-publishing: \$195.79; Legacy Mark, LLC-software: \$389.52; Matheson Tri-Gas, Inc.-supplies: \$56.75; McKinney Olson Insurance-insurance: \$782.00; McLaury Engineering, Inc.-professional services: \$54,948.75; Menards-supplies: \$92.80; MidAmerican Energy-utilities: \$82.83; MSC-supplies: \$624.48; Northern Truck Equipment Co.-supplies: \$845.00; One Office Solution-office expense: \$44.76; Riteway-office expense: \$182.21; Riverside Technologies, Inc.-software: \$1,375.51; Runnings Supply-uniforms: \$219.99; Secretary of State-filing fees: \$30.00; South Dakota Municipal League-training: \$50.00; Southeast Farmers Elevator Coop.-auto expense: \$3,276.67; Stan Houston-supplies: \$2,464.95; State Chemical Solutions-repairs: \$1,524.99; The Road Guy Construction Co., Inc.-repairs: \$1,750.00; Transource-repairs: \$469.57; Union County Electric Coop.-utilities: \$12,005.00; Union County Register of Deeds-filing fees: \$30.00; US Bank Equipment Finance-copier lease: \$255.17; USA Blue Book-supplies: \$290.37; Vast Broadband-utilities: \$1,060.77; Verizon Wireless-utilities: \$233.93; Wesco Distribution-supplies: \$817.19

Motion made by Verros, seconded by Penfield to adjourn as City Council and convene as the Local Board of Adjustment. Unanimous.

A public hearing was held at 7:00pm on a Survey Plat of Curry Tract 1 and 2 of Block 4 and Block 2 1/2, Weston & Hoffman's Addition to the City of Elk Point, Union County, South Dakota.

VonHaden moved and Penfield seconded a motion to approve the Survey Plat of Curry Tract 1 and 2 of Block 4 and Block 2 1/2, Weston & Hoffman's Addition to the City of Elk Point, Union County, South Dakota. All in favor.

Motion and second, Verros/Penfield to adjourn as the Local Board of Adjustment and reconvene as City Council. Unanimous.

Cristy Harkness, Clay Union Foundation Treasurer discussed an event the group would like to hold in the City Park. The group would like to host a vendor fair with a beer garden. The ordinance reads that each vendor has to pay a \$50.00/vendor fee. Council agreed to donate this amount back to the Clay Union Foundation.

Motion made by Nelson, seconded by Irlbeck to approve pay request #3 for the Washington and Douglas Street Project for \$266,743.96. Voting in favor: Nelson, Irlbeck, Abraham, Verros and Penfield. VonHaden abstained. Motion carried.

Verros moved and Penfield seconded a motion to purchase 2021 Chevrolet Tahoe for the Police Department off of state bid for \$51,486.39. Unanimous.

Public Works Director discussed the agitation done at the city lagoon pond.

First Reading was given to Ordinance No. 411, Fireworks.

Motion and second, Verros/Nelson to approve the purchase of new office furniture for city hall. The city had budgeted \$5,000.00. The total cost is \$16,610.69. \$11,610.69 of cares act money will be used towards the additional cost. All in favor.

Motion made by VonHaden, seconded by Verros to approve Resolution #2021-4, Discretionary Formula. Unanimous.

#### RESOLUTION 2021-4

A RESOLUTION CLARIFYING DISCRETIONARY FORMULA DESIGNATION FOR REDUCED TAXATION FOR CERTAIN NEW STRUCTURES AND ADDITIONS WITHIN THE CITY OF ELK POINT

WHEREAS, SDCL 10-6-137 allows for the establishment of a discretionary formula of taxation for certain structures specially classified for the purpose of taxation; and

WHEREAS, the City of Elk Point has previously adopted a discretionary formula of taxation; and

WHEREAS, certain provisions concerning the discretionary formula were modified during the 2020 legislative session and are set to take effect on July 1, 2020; and

WHEREAS, the City of Elk Point desires to maintain a discretionary formula for reduced taxation for certain new structures and additions located within the City of Elk Point in the event that such structures are not granted discretionary formula treatment by County in which the structure is located;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF ELK POINT, UNION COUNTY, SOUTH DAKOTA AS FOLLOWS:

Effective July 1, 2020 and pursuant to the authority granted to the City of Elk Point under SDCL 10-6-138, all new structures and additions which are specially classified for the purpose of taxation under SDCL 10-6-137(1), SDCL 10-6-137(2), SDCL 10-6-137(3), SDCL 10-6-137(4) and SDCL 10-6-137(5), SDCL 10-6-137(6), SDCL 10-6-137(7), SDCL 10-6-137(8) located within the City of Elk Point shall be assessed as follows for real estate taxes:

- A. 20% of the assessed value for the first year;
- B. 40% of the assessed value for the second year;
- C. 60% of the assessed value for the third year;
- D. 80% of the assessed value for the fourth year;
- E. 100% of the assessed value for the fifth year and all years thereafter.

In accordance to SDCL 10-6-138 the subsections are defined below:

- (A) Any new industrial or commercial structure, or any addition, renovation, or reconstruction to an existing structure, located within a designated urban renewal area as defined in SDCL § 11-8-4, if the new structure, addition, renovation, or reconstruction has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(1));
- (B) Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(2));
- (C) Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more (SDCL 10-6-137(3));
- (D) Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in SDCL § 10-6-137(5), if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(4));

- (E) Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(5));
- (F) Any new affordable housing structure containing four or more units with a monthly rental rate of the units at or below the annually calculated rent for the state's sixty percent area median income being used by the South Dakota Housing Development Authority, for a minimum of ten years following the date of first occupancy, if the structure has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(6));
- (G) Any new residential structure, or addition to or renovation of an existing structure, located within a redevelopment neighborhood established pursuant to SDCL § 10-6-56 if the new structure, addition, or renovation has a full and true value of five thousand dollars or more. The structure shall be located in an area defined and designated as a redevelopment neighborhood based on conditions provided in SDCL § 11-7-2 or 11-7-3 (SDCL § 10-6-137(7)); or
- (H) Any commercial, industrial, or nonresidential agricultural property which increases more than ten thousand dollars in full and true value as a result of reconstruction or renovation of the structure (SDCL § 10-6-137(8)); and be it

All previous resolutions adopted by the City of Elk Point authorizing discretionary formula shall remain in effect for qualifying structures assessed prior to July 6, 2021. Dated this 6<sup>th</sup> day of July, 2021.

THE GOVERNING BODY OF THE CITY  
OF ELK POINT

By: Deb McCreary  
Mayor

ATTEST:

By: Erika Hammitt  
Finance Officer

Penfield moved and Nelson seconded a motion to approve pay request #4 to Christiansen Construction Company for work completed on the new Swimming Pool for \$137,338.81. All in favor.

Motion and second, Verros/VonHaden to approve the Mayor's appointment of Lance Penfield and Jim Verros and the delegate and alternate delegate for the Annual Meeting of East River Electric Power Cooperative, Inc. Unanimous.

Motion made by Irlbeck, seconded by Abraham to advertise for a Library Assistant. All in favor.

Verros moved and Penfield seconded a motion to approve the purchase of a skid loader off of state bid for \$59,909.00. Cares act money will be used towards this purchase. Voting in favor: Verros, Penfield, Abraham, Irlbeck and Nelson. Voting against: VonHaden. Motion carried.

Motion to adjourn, Verros/VonHaden. Unanimous.

Attest: Erika Hammitt  
Finance Officer

Deb McCreary  
Mayor

Publish: July 15, 2021