

DAKOTA DUNES COMMUNITY IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS REGULAR MEETING
JUNE 20, 2022 - 7:00 P.M.
WELCOME CENTER
335 SIOUX POINT ROAD, DAKOTA DUNES, SOUTH DAKOTA

MINUTES

The Board of Supervisors met in a regular session on June 20, 2022, at 6:57 p.m., at Welcome Center, 335 Sioux Point Road, Dakota Dunes. Members present were: Messrs. Beaulieu, Melstad, Shorma, Ms. Shanafelt (by phone) and Ms. Finzen. Also present were: Mr. Jesse, of Crary Law Firm, counsel for the CID, Beth Sherard-Fennel, Reporter/Photographer of Dakota Dunes/North Sioux City Times. Employees present were: Jeff Dooley and Andrew Tramp. Public present: Scott Freebern, Heather Freebern, Daniel Shuck, Patrick Kuehl, residents.

1. PLEDGE OF ALLEGIANCE

Chairman Beaulieu led the recital of the Pledge of Allegiance.

2. OATH OF OFFICE FOR JULIE SHANAFELT AND BILL SHORMA

Mr. Shorma and Ms. Shanafelt read and signed the oath of office.

3. SELECTION OF CHAIRMAN AND TREASURER

A motion was made by Mr. Melstad and seconded by Mr. Shorma to nominate Mr. Beaulieu as Chairman.

Motion passed 5-0.

A motion was made by Ms. Finzen and seconded by Mr. Shorma to nominate Ms. Shanafelt as Treasurer.

Motion passed 5-0.

4. APPOINT SECRETARY

A motion was made by Mr. Shorma and seconded by Ms. Finzen to appoint Andrew Tramp as Board Secretary.

Motion passed 5-0.

5. APPROVAL OF MAY 16, 2022 REGULAR MEETING MINUTES

A motion was made by Mr. Melstad and seconded by Ms. Finzen to approve the minutes of the May 16th, 2022 regular meeting with correction as presented.

Motion passed 4-0. Ms. Shanafelt abstained from the motion.

6. PUBLIC COMMENT

Public present were: Scott Freebern, Heather Freebern, Daniel Shuck and Patrick Kuehl, residents.

Dan Shuck discussed his concerns regarding construction of duplexes on Crooked Tree Lane. He shared the application for the building permit issues to Wager Construction which showed that the permit was for a single-family house. Dan expressed that the neighbors were under the understanding that lots 22 and 23 were to be developed as single-family houses.

Scott Freebern discussed his concerns regarding the construction of duplexes on Crooked Tree Lane also. Scott expressed his concern regarding drainage of groundwater from the grading on the lots being constructed that could potentially damage their home. Scott asked if duplexes could be built anywhere within Dakota Dunes. Scott expressed concerns regarding the Water/Sewer use map that was adopted April 19, 2021 at the CID regular board meeting. Scott continued to discuss his concerns of a retaining wall that is in the process of being built next to their residence.

Heather Freebern discussed her concerns about the removal of the cottonwood trees and all vegetation from lots 22 and 23. Heather continued to discuss her concerns of a retaining wall that is in the process of being built next to their residence.

Patrick Kuehl expressed that he would like Wehger Construction to work neighborly with the neighbors regarding the development of lots 22 and 23.

Mr. Melstad responded regarding the removal of the trees and suggested that they discuss these concerns with the Community Association.

Mr. Dooley explained that an extensive study had been completed for drainage of lots 22 and 23 by Civil Engineers & Constructors, LLC engineer for Dakota Dunes CID and that they will incorporate Lot 20 into it as well Mr. Dooley also explained that the building permit is handled by Union County Planning and Zoning Commission and that they would need to reach out to them to express their concerns and possible amendment for the issuance of the building permit.

7. TREASURER/FINANCIAL REPORT

A motion was made by Ms. Finzen and seconded by Mr. Shorma to accept the May 2022 financial statements and June 2022 vouchers payable in the amount of \$338,858.73.

Motion passed 5-0.

8. NEW BUSINESS

- LOT 22 CROOKED TREE LANE

Following discussion and in light of the building permit application issue mentioned in the public comment, a motion was made by Mr. Melstad and seconded by Mr. Shorma to table this agenda item until a time when the building permit application is remedied.

Motion passed 5-0.

8. NEW BUSINESS (CONTINUED)

- MONTEREY DITCH STORMWATER PROJECT PAY ESTIMATE

Following discussion, a motion was made by Mr. Shorma and seconded by Mr. Melstad to approve the pay estimate to Mark Albenesius Inc of \$81,562.45 for the Monterey Ditch Stormwater Project.

Motion passed 5-0.

- SD DOT SIOUX POINT ROAD PEDESTRIAN PATH GRANT AGREEMENT

Following discussion, a motion was made by Ms. Finzen and seconded by Mr. Melstad to authorize the CID Board Chairman to sign the SD DOT Sioux Point Road Pedestrian Path Grant Agreement.

Motion passed 5-0.

- WINGED FOOT PRELIMINARY PLAT

Following discussion, a motion was made by Mr. Shorma and seconded by Ms. Finzen to approve the Winged Foot Preliminary Plat subject to performance bond in place from a reputable bonding company for work remaining with a completion date of August 31, 2022.

Motion passed 5-0.

- PROPOSED SHAY ROAD TIF DISTRICT

Following discussion, a motion was made by Mr. Shorma and seconded by Ms. Finzen to approve the Proposed Shay Road TIF District and the rezoning, subject to an appropriate development agreement that includes requirements and remedies for cleaning up the property before November 1, 2022.

Motion passed 4-1. (Messrs. Melstad voting nay)

- SET MONTHLY BOARD MEETING TIME AND DATE

Following discussion, a motion was made by Ms. Finzen and seconded by Ms. Shanafelt to Set Monthly Board Meeting Time and Date as of the 3rd Monday of each month starting at 6:00 p.m. and moving the following board meeting dates due to board meeting dates falling on a holiday. Those meeting dates are as follows:

- January 16, 2023 Regular Meeting – Move to Tuesday January 17, 2023 for Martin Luther King Jr. Day Holiday.

-February 20, 2023 Regular Meeting – Move to Tuesday February 21, 2023 for Presidents' Day Holiday.

-June 19, 2023 Regular Meeting – Move to Tuesday June 20, 2023 for Juneteenth Holiday.

8. NEW BUSINESS (CONTINUED)

- SET MONTHLY BOARD MEETING TIME AND DATE (CONTINUED)

- January 15, 2024 Regular Meeting – Move to Tuesday January 16, 2024 for Martin Luther King Jr. Day Holiday.

- February 19, 2024 Regular Meeting – Move to Tuesday February 20, 2024 for Presidents’ Day Holiday.

Motion passed 5-0.

- RESIGNATION OF DENNIS MELSTAD – BOARD MEMBER EFFECTIVE JUNE 30, 2022.

A motion was made by Mr. Shorma and seconded by Ms. Finzen to accept resignation of Dennis Melstad Board Member and Treasurer (Term Expires 2026) (effective date of resignation is June 30, 2022). The board wants to thank Dennis Melstad for his 31 years of dedicated service to the Dakota Dunes Community Improvement District.

Motion passed 5-0.

- PROCESS FOR FILING VACATED SEAT

The Board gave direction to provide Notice of Vacancy in the Dakota Dunes and North Sioux City Times and Leader Courier and post Notice on the Dakota Dunes CID Website under Meeting Minutes Tab. Staff are to take letters of interest to fill the vacancy for the remaining of Dennis Melstad’s term ending in 2026. The Board will consider applications for the position.

9. EXECUTIVE SESSION – CONTRACTUAL

A motion was made by Mr. Melstad and seconded by Mr. Shorma to move into an executive session at 8:42 p.m. to discuss a contractual matter.

Roll call was taken: Shorma – aye, Beaulieu – aye, Melstad – aye, Shanafelt – aye, Finzen – aye. Motion passed 5-0. Also in attendance were Jesse, Tramp and Dooley.

A motion was made by Mr. Melstad and seconded by Mr. Shorma to move out of the executive session at 9:01 p.m.

Roll call was taken: Shorma – aye, Beaulieu – aye, Melstad – aye, Shanafelt – aye, Finzen – aye. Motion passed 5-0.

No actions were taken on contractual matters.

10. OTHER

Mr. Shorma discussed information regarding the Yellowstone River flooding and impacts to Missouri River. Mr. Dooley discussed further that there will be no impact to Dakota Dunes.

10. OTHER (CONTINUED)

Mr. Dooley discussed recent issues with kids knocking on doors and bothering residents at night. Mr. Dooley has referred residents to contact Union County Sheriff's Office to report these situations. Mr. Dooley has additional security to help with the situation. Ms. Shanafelt suggested having security walk on foot to have a presence other than the night patrol vehicle.

11. ADJOURNMENT

A motion was made by Mr. Shorma and seconded by Ms. Finzen to adjourn at 9:05 pm.

Motion passed 5-0.

Submitted by,
Andrew Tramp, Secretary