

DAKOTA DUNES COMMUNITY IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS REGULAR MEETING
OCTOBER 19, 2020 - 7:00 P.M.
335 SIOUX POINT ROAD, SUITE 200

MINUTES

The Board of Supervisors met in a regular session on October 19, 2020, at 7:00 p.m., at 335 Sioux Point Road, Suite 200. Members present were: Messrs. Anderson, Beaulieu, Melstad and Shorma. Member not present was: Ms. Shanafelt. Also present were: Mr. Jesse, of Crary Law Firm, counsel for the CID. Employees present were: Jeff Dooley and Andrew Tramp.

1. PLEDGE OF ALLEGIANCE

Chairman Beaulieu led the recital of the Pledge of Allegiance.

2. APPROVAL OF SEPTEMBER 21, 2020 REGULAR MEETING MINUTES

A motion was made by Mr. Melstad and seconded by Mr. Anderson to approve the minutes of the September 21, 2020 regular meeting.

Motion passed 4-0.

3. PUBLIC COMMENT

No public present at meeting.

4. TREASURER/FINANCIAL REPORT

A motion was made by Mr. Anderson and seconded by Mr. Shorma to accept the September 2020 financial statements and October vouchers payable in the amount of \$189,270.38.

Motion passed 4-0.

- RENEWAL OF SECURITY NATIONAL BANK GENERAL FUND CD #3

Name of Bank	12 Month - 500,000 CD
1st Financial Bank USA	No Offer
Liberty National Bank SD	0.75%
Pioneer Bank	0.40%
Security National Bank SD	No Offer

Following discussion, a motion was made by Mr. Shorma and seconded by Mr. Melstad to reinvest the \$500,000.00 Certificate of Deposit (CD) with Liberty National Bank SD, with the highest interest rate of 0.75% for a 12 month term. The CD will be quoted by all banks again as it renews in 12 months.

Motion passed 4-0.

- RENEWAL OF PIONEER BANK GENERAL FUND CD #1 / LIBERTY NATIONAL BANK 2011 & 2014 FLOOD DEBT

Following discussion, a motion was made by Mr. Anderson and seconded by Mr. Melstad to cash in the \$263,318.62 Certificate of Deposit (CD) from Pioneer Bank and use the funds to pay off two loans at Liberty National Bank: 2011 Flood Loan for \$174,950.54 and 2014 Flood Loan for \$111,837.07 a total of \$286,787.61 including principal and interest. Repayment consists of \$263,318.62 from the Certificate of Deposit and \$23,468.99 from the General Fund Money Market account at Liberty National Bank that is restricted for Debt Service.

Motion passed 4-0.

5. NEW BUSINESS

- ORDINANCE 2020-02 – AN ORDINANCE AMENDING CHAPTER 7 – UTILITIES: SECTION 156 - METERS

Following discussion, a motion was made by Mr. Melstad and seconded by Mr. Shorma to approve the first reading of Ordinance 2020-02 An Ordinance Amending Chapter 7 – Utilities Section 156 – Meters.

FIRST READING ORDINANCE NO. 2020-02

AN ORDINANCE AMENDING CHAPTER 7 – UTILITIES; SECTION 156 – METERS

BE IT ORDAINED by the Board of Supervisors of the Dakota Dunes Community Improvement District, South Dakota, that the following section be amended in its entirety to read as follows:

Sec. 7-156. Meters.

(A) On or after the effective date of this Ordinance, the District will furnish and maintain all meters and related equipment with automatic meter reading for meter sizes up to 5/8" x 3/4". Meters over 5/8" x 3/4" and related equipment required to provide automatic meter reading service shall be purchased by the owner after approval by the District. Meters shall be installed by the owner in a location to be approved by the District. Installation and replacement shall be the owner's expense. After installation, all meters shall become property of the District.

(B) The District shall maintain meters and related equipment which malfunction. The owner or occupant where the meter is installed will be responsible for all other maintenance, including but not limited to, damage resulting from acts or omissions of anyone except the District, its employees and agents, care and protection from freezing or from being improperly set. The cost of repairs, if performed by the District, shall be charged to the owner or occupant.

(C) In case of any damage to the meter, or related equipment, or in case of its stoppage or imperfect working, the Owner or occupant shall give immediate notice to the District Manager.

(D) In the event that any of the following occur:

- (i) technology updates become necessary to the meter system;
- (ii) a meter has exceeded its useful life;
- (iii) the meter has produced a “zero meter read”;
- (iv) the meter no longer communicates readings;

access will be requested by the District to update or replace the meter.

Access to the meter shall be first requested by a phone call to the number of record of the property Owner(s). If this is unsuccessful notice will then be posted to the door of the Owner(s). If no response is received after the timeframe identified on the posted notice, then a formal twenty (20) day written notice shall be issued to the property Owner(s). Such formal notice shall indicate that the water to the property will be shut off if a response to the meter update request is not received within the twenty (20) day notice period.

Adopted this 19th day of October, 2020, by the Board of Supervisors of the Dakota Dunes Community Improvement District.

Kenneth Beaulieu, Chairman

ATTEST:

Andrew Tramp, District Secretary

Date of First Reading: October 19, 2020

Date of Second Reading and Passage: November 16, 2020

The above Ordinance shall be in full force and effect 20 days after publication pursuant to South Dakota law.

Date of Publications: To be determined

Effective Date: To be determined

Motion passed 4-0.

- **ORDINANCE 2020-03 – AN ORDINANCE AMENDING CHAPTER 7 – UTILITIES: SECTION 53 CONNECTION CHARGE AND SECTION 84 – CONNECTION CHARGE**

Following discussion, a motion was made by Mr. Anderson and seconded by Mr. Melstad to approve the first reading of Ordinance 2020-03 An Ordinance Amending Chapter 7 – Utilities: Section 53 Connection Charge and Section 84 – Connection Charge.

FIRST READING ORDINANCE NO. 2020-03

AN ORDINANCE AMENDING CHAPTER 7 – UTILITIES; SECTION 53 – CONNECTION CHARGE; AND SECTION 84 – CONNECTION CHARGES;

BE IT ORDAINED by the Board of Supervisors of the Dakota Dunes Community Improvement District, South Dakota, that the following sections be amended in their entirety to read as follows:

Sec. 7-53. Connection Charge.

(A) **Connection Process.** No connection (or tap) shall be made to the water supply system or main until the applicant for whom such connection is to be made has signed the *agreement* required by ordinance, and a plumber's permit has been issued authorizing said plumber to make such connection. All connections will conform to the application and this ordinance and Appendix A of Chapter 7, Article III, Division 2. Residential water service lines shall not exceed 2" in diameter and shall be installed with a tracer wire from the water main through the valve box to the surface of the foundation. Owner shall be responsible for installation, maintenance and service of the water line from the water main line. Developer may provide water lines to the Property, however, Owner shall remain liable for said water line.

In all cases the District will provide a list of acceptable materials to be used, however, District makes no representations or warranties as to the quality of said materials. The District shall not be responsible for the materials and equipment accepted by plumber for his use.

(B) Prior to connection to the District public water supply the Developer and/or Owner shall submit an engineer's plan which must comply with all District specifications and standards for initial approval by the District Board. Upon initial approval by the District Board the Developer and/or Owner must complete installation of all infrastructure including a new public water main which meets all District standards and specifications. An inspection, to include standard final testing and obtaining lien waivers where necessary, shall then be completed prior to the final approval by the District Board and acceptance by the Board for public use.

(C) **Criteria for connection.** The District Manager or his/her designee shall first determine if the following criteria have all been met prior to permitting connection:

- (1) The District has the capacity for the proposed connection;
- (2) All platting and zoning requirements have been met;
- (3) The property or properties requesting a connection is/are currently subject to and in compliance with the Community Association or Commercial Association Declaration of Covenants, Conditions and Restrictions.
- (4) Any District connection fees approved by Resolution of the Board have been paid in full.
- (5) The requesting property is consistent with the Land Use Plan adopted by the District.

Sec. 7-84. Connection Charges.

(A) Criteria for connection. The District Manager or his/her designee shall first determine if the following criteria have all been met prior to permitting connection:

- (1) The District has the capacity for the proposed connection;
- (2) All platting and zoning requirements have been met;
- (3) The property or properties requesting a connection is/are currently subject to and in compliance with the Community Association or Commercial Association Declaration of Covenants, Conditions and Restrictions.
- (4) Any District connection fees approved by Resolution of the Board have been paid in full.
- (5) The requesting property is consistent with the Land Use Plan adopted by the District.

(B) Prior to connection to the District public waste water collection works the Developer and/or Owner shall submit an engineers plan which must comply with all District specifications and standards for initial approval by the District Board. Upon initial approval by the District Board the Developer and/or Owner must complete installation of all infrastructure including a new public sewer main which meets all District standards and specifications. An inspection, to include standard final testing and obtaining lien waivers where necessary, shall then be completed prior to the final approval by the District Board and acceptance by the Board for public use.

(C) Any new sanitary sewer main shall be televised and inspected by the District Manager for approval. Any corrections and re-televising deemed necessary must be completed prior to placing the line in service. All costs for this process will be the responsibility of and will be paid by the Owner.

Adopted this 19th day of October, 2020, by the Board of Supervisors of the Dakota Dunes Community Improvement District.

Kenneth Beaulieu, Chairman

ATTEST:

Andrew Tramp, District Secretary

Date of First Reading: October 19, 2020

Date of Second Reading and Passage: November 16, 2020

The above Ordinance shall be in full force and effect 20 days after publication pursuant to South Dakota law.

Date of Publications: To be determined Effective Date: To be determined

Motion passed 4-0.

6. OTHER

Mr. Dooley reported that the Water/Sewer budget for 2021 will be discussed at the next meeting on November 16, 2020.

Mr. Dooley reported that Kalins Indoor Comfort installed an Iwave ion purifier to the HVAC system to purify the air to help disinfect the air during the COVID-19 pandemic.

Mr. Dooley reported that masks are being required at the maintenance building and at the office to prevent COVID-19 spread.

7. EXECUTIVE SESSION – LEGAL

No executive session was held to discuss legal matters.

8. ADJOURNMENT

A motion was made by Mr. Melstad and seconded by Mr. Anderson to adjourn at 7:44 pm.

Motion passed 4-0.

Submitted by,
Andrew Tramp, Secretary