

Bridgewater City Council Regular Meeting Minutes
March 9, 2020 7:00 pm

The City Council of the City of Bridgewater met in the Council Room for their regular meeting on Monday 3/09/2020. The meeting was called to order at 7:00 pm by President Travis Holthaus. Answering roll call were Bob Anderson, Tony Hofer, Travis Holthaus, Lacey Weber, and Alicen Strombeck. Absent was Mark Vondra. Others present: Finance Officer-Joan Julson, Maintenance-Todd Letcher, DGR Engineers-Trent Bruce & Scott LaVoy, Bridgewater Rural Fire Board-Ross Glanzer & Doug Gilbert, Jerry Paweltzki, Steve Sievers, and Veryl Haynes.

Pledge of Allegiance was recited.

The minutes of last month's meetings were sent to the council for reading prior to the meeting. Motion by Weber, second by Strombeck to approve the February 10th regular meeting and February 21st special meeting minutes. All present voted aye. Motion carried.

The February Financial statement was sent out to the council for reviewing prior to the meeting. After discussion, a motion was made by Hofer, second by Weber to approve the February Financial Statement. All present voted aye. Motion carried. Council had been given the 2017-2018 Audit Report at the February meeting to take home and read. There being no questions, a motion was made by Anderson, second by Weber to accept the 2017-2018 Audit Report. All present voted aye. Motion carried.

The bills for the month of February were reviewed. A motion was made by Weber, second by Strombeck to approve the February bills. All present voted aye. Motion carried.

Maintenance report by Letcher. He reported that he's been working on getting items ready for summer work and dealing with the rising water level out at the lagoon. We are having too much clean water going into the sanitary system and we're going to have some serious problems out there if it continues.

Public Input:

- Veryl Hayes was here on behalf of the American Legion. He thanked the council again for the money for the Girls State program.
- Jerry Paweltzki discussed the lagoon fence needs repair. Council did question as to why we had to repair the fence when it was his cattle that it was needed for. The council doesn't understand why it's our responsibility to keep his cows off the lagoon property. City Attorney will be contacted for opinion. He also asked if the ravines could be cleaned out or burned off.

President Holthaus moved on as there being no other public input.

Fire: Bridgewater Rural Fire Board was here to extend the Contract for another year and approve the 2021 Budget. Motion by Strombeck, second by Weber to extend the contract with the Bridgewater Rural Fire District for another year and approve the 2021 Budget. All present voted aye. Motion carried.

Streets & Alleys: Motion by Anderson, second by Weber to surplus the 1968 Cat Motor Grader since it no longer serves the purpose it was purchased for. All present voted aye. Motion carried. Different options on selling it were discussed and will be decided on at a later date.

Water & Sewer: Trent Bruce (DGR) gave an update on the Main Street Project with Premier Contracting (Scott Olson-deceased) that still needs finalizing. This has already been in the attorneys hands for handling, so we'll just wait until we hear from our attorney.

Storm Sewer Project: Trent Bruce & Scott LaVoy spoke on the project – mainly detention ponds, updated plans that have been submitted to review agencies, excess millings storage area, curb & gutter assessments are estimated to be about \$25 per linear foot, liquidated damages, insurance requirements, cost estimated is coming in at about \$2,950,000 including contingencies, project timeline with projected assessment hearing date to be April 6th and bid date to be April 22nd with contract award to be at the May 11th meeting. Project substantial completion date would be Nov 2020 with the final completion date to be Summer of 2021. Council discussed that it would actually be good to have the first lift of asphalt go over the winter just in case a spot would boil up, so it would be able to be repaired in the Spring before the final lift of asphalt goes on.

Motion by Weber, second by Strombeck to authorize President Holthaus to sign the Community Access Agreement between the SD DOT & the City for the project. All present voted aye. Motion carried.

Motion by Weber, second by Strombeck to approve & sign the SRF Reimbursement Request #1 for the Storm Sewer Project for \$131,276. All present voted aye. Motion carried.

Motion by Anderson, second by Hofer to pass Resolution #20-0309A – Amending the sewer user fee schedule. Roll Call Vote – all present voted aye. Motion carried.

**CITY OF BRIDGEWATER
RESOLUTION # 20-0309A**

A RESOLUTION OF THE CITY OF BRIDGEWATER TO AMEND SECTION 8.0208A SEWER USER FEE SCHEDULE AND PROCESS (FLAT RATE STRUCTURE).

WHEREAS SDCL 9-48-26 provides for the sewer rates to apply to all users, including but not limited to residential including apartments, public, and commercial users: and

WHEREAS the City of Bridgewater sewer charges shall fall due on the first day of each month and payable before 15 days after: and

WHEREAS the City of Bridgewater did pass Resolution #19-1210D – A Resolution Segregating the Surcharge for Improvements to the City of Bridgewater Wastewater System, for Payment of a Revenue Borrower Bond and Yearly Review of Rate: and

THEREFORE BE IT RESOLVED the City of Bridgewater established a storm sewer debt service surcharge of \$24.45 payable by each customer of its system who receives or benefits from the services of the project financed by the CW-04 loan with the Borrower Bond Series 2020. The collection of the surcharge shall start on January 1, 2020. The surcharge shall remain in effect until such time as the borrower bond is paid in full, it shall be collected at the same time as other charges of the system, and establish a surcharge account (Storm Sewer Debt Service Account) to segregate the income from other system income for bookkeeping purposes to be pledged to the South Dakota Conservancy District. The surcharge shall be reviewed from year to year and modified in order to provide the required 110 percent debt coverage.

PASSED AND APPROVED this 9th day of March, 2020, by the City Council of the City of Bridgewater, South Dakota by the following vote:

Ayes: 5

Nays: 0

Absent: 1

City of Bridgewater
By: Travis Holthaus
Its Council President

ATTEST:

Joan M Julson
Municipal Finance Officer
(SEAL)

Law Enforcement: February Law Enforcement report so noted.

Parks & Rec: Weber applied for Xcel Energy grant for some park & main street benches.

Planning & Zoning: A resignation from the Planning & Zoning Board from Sandi Tschetter was noted by the council.

Motion by Anderson, second by Hofer to pass Resolution #20-0309B – Conflict of Interest Policy. Roll Call Vote – all present voted aye. Motion carried.

**City of Bridgewater
Resolution # 20-0309B**

**RESOLUTION OF THE CITY OF BRIDGEWATER TO AMEND
ARTICLE 2 – GENERAL POLICIES IN THE PERSONNEL MANUAL**

WHEREAS, the City of Bridgewater does desire to add a conflict of interest policy to the Personnel Manual for its elected and appointed officials;

NOW THEREFORE BE IT RESOLVED, that the City of Bridgewater shall be authorized to amend Article 2 – General Policies in the City of Bridgewater Personnel Manual as follows:

2.13 Conflict Of Interest Policy For Elected And Appointed Officials

The City of Bridgewater seeks to prevent and avoid any conflicts of interest in the conduct of its business operations and to avoid the appearance of such conflicts to the public it serves. Each elected and appointed official has the duty to place the interests of the citizens of Bridgewater foremost in any dealings on behalf of the City and has a continuing responsibility to comply with this Policy. This policy applies to any elected or appointed official who serves on the City Council, who serves on any board, committee, or commission of the City, or who is appointed to serve the City in any capacity pursuant to SDCL Chapter 9-14 (collectively referred to as "Official").

Conflicts of interest may exist when an Official, or an immediate family member of such Official, has a personal or financial interest clearly separate from that of the general public on a matter before the Official. An immediate family member for purposes of this policy is any person related to an Official within the first degree of consanguinity and includes a spouse, parent, child, grandparent, grandchild or an individual claimed by the Official or his/her spouse as a dependent for federal income tax purposes. Such conflicts of interest may be financial or personal, direct or indirect, and the existence of a conflict of interest is dependent upon the unique facts of a particular situation.

It is the policy of the City of Bridgewater to follow state law regarding conflicts of interest, and this policy is not intended to be stricter than the applicable requirements of state law. Generally, state law provides that an Official may not have a personal financial interest in any City transaction for the purchase of labor or services, materials or supplies, or real or personal property that belongs to the City. An exception to this general rule may apply if the transaction is reasonable and just, if the contract is made without fraud or deceit and if the Official discloses the conflict and recuses himself/herself from participation in the decision for which there is a conflict of interest. These exceptions include the following:

- (1) A contract for \$5,000 or less;*
- (2) A contract awarded by competitive bidding procedures if more than one competitive bid is submitted or, if only one competitive bid is submitted, the procedures in SDCL 6-1-2.1 have been followed;*
- (3) A contract for professional services;*
- (4) A contract awarded off of the state contract list at the established price or less;*
- (5) A contract that does not require competitive bidding when there is no other source of supply or services and when the total of any such contracts does not exceed \$50,000 for a public improvement or \$25,000 for a contract for supplies or services; or*
- (6) A contract with an entity for which competitive bidding is not required unless the majority of the governing body are members or stockholders who collectively have a controlling interest, or any governing board Official is an officer or manager or such entity.*

No Department Supervisor who is authorized in his/her official capacity to sell or lease any property or to make any contract may be personally interested, directly or indirectly, in any such sale, lease, or contract.

Procedure When Conflicts of Interest Exist

If an Official who is a member of the City Council, or a board, committee, or commission has a disqualifying interest in a matter before the body on which the Official serves, he/she shall disclose the conflict to the body prior to its consideration of the matter. Once this disclosure is made, the Official shall not formally participate in the official discussion, any executive session, or any vote on the matter. If the

Official has a conflict of interest in the matter and chooses to participate in the discussion, the Official should leave the dais and speak on the item from the audience as a member of the public.

If it is alleged that an Official has a disqualifying conflict of interest in a matter before the City Council, or a board, committee, or commission on which the Official serves, and if the Official does not voluntarily refrain from participating in the matter, then the Official may be disqualified from officially participating in consideration of the matter upon a two-thirds vote of the Council, board, committee, or commission on which the Official serves. The City Council, or a board, committee, or commission voting to disqualify such Official must make a specific finding of the disqualifying conflict of interest for which it has excluded the Official from participating in the matter under consideration. An Official disqualified in this manner may not participate in the official discussion, any executive session, or any vote on the matter.

If any Official desires assistance to determine if that Official, or another Official, has a disqualifying conflict of interest, the Official may request an advisory opinion from the City Attorney's Office. Such opinion shall be made available to all members of the City Council, or the board, committee, or commission about which the opinion is provided, but shall not be available for public inspection unless a majority of the members of the City Council or the board, committee, or commission to which the opinion is provided votes to make such opinion public.

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Ayes: 5

Nays: 0

Absent: 1

City of Bridgewater
By: Travis Holthaus
Its Council President

ATTEST:

Joan M Julson
Municipal Finance Officer
(SEAL)

Motion by Hofer, second by Weber to pass Resolution #20-0309C – Internal Controls Policy. Roll Call Vote – all present voted aye. Motion carried.

City of Bridgewater
Resolution # 20-0309C

**RESOLUTION OF THE CITY OF BRIDGEWATER TO AMEND
ARTICLE 2 – GENERAL POLICIES IN THE PERSONNEL MANUAL**

WHEREAS, the City of Bridgewater does desire to add an internal control policy to the Personnel Manual;

NOW THEREFORE BE IT RESOLVED, that the City of Bridgewater shall be authorized to amend Article 2 – General Policies in the City of Bridgewater Personnel Manual as follows:

2.14 INTERNAL CONTROLS POLICY

- 1) Classification of Employees
 - a. Finance Officer
 - b. Maintenance Superintendent
 - c. Hire 1 to 2 PT – Seasonal Maintenance Worker
 - d. Hire 1 PT – Seasonal Summer Youth Activity Director
 - e. Paid Volunteer Ambulance EMT's & EVOC drivers
 - f. Volunteer Fire Dept

- 2) Internal Controls: Due to the size of the municipality the separation of duties to meet the guidelines of the OMB Circular A-133 are not met. The following are the internal controls used by the City of Bridgewater:
 - a. **Utility Billing** - The Finance Officer handles all of the incoming money through the Utility Billing (Water, Sewer, Storm Sewer, Garbage) fees. In 2016, the city implemented credit card payments and in late 2019

ACH (direct deposit) for the utility accounts; this reduces some of the money handled by the office. All deposits are receipted by the Finance Officer.

- b. **Additional Money** - The majority of the additional money (sales tax, county taxes) is deposited directly into the City's bank accounts by the County and State which is receipted by the Finance Officer.
- c. **Payroll** – The Finance Officer prepares the payroll, reviewing & figuring timecards, cross checking figures on an excel spreadsheet, and compares figures as they are entered into the payroll program. Payroll checks and vouchers are signed by the Mayor or Council President or Council Vice-President and Finance Officer. The Council reviews total figures at the monthly meeting. Finance Officer also prepares monthly, quarterly, and annual payroll reports. Maintains all municipal employee personnel records, including the payroll, payroll deductions and sick and annual leave accumulations.
- d. **Vendor checks** are written monthly; reviewed and approved by the City Council at the monthly Council meeting. Vouchers are initialed by a Council person after review and approval at the monthly meeting. Voucher checks are signed by the Mayor or Council President or Council Vice-President and Finance Officer. The City Council is given a report of all receipts and expenses along with a list of bank accounts with their balance – this information is presented in the form of a Finance Report on a monthly basis. Along with the Expenditure Report the Council receives a Monthly Budget Report.
- e. **Petty Cash in the Finance Office** - \$200.00 for postage, office supply purchases, and utility billing petty cash – reconciled by the Finance Officer. For those paying their utility bills with cash in the Finance Office, it is noted on the utility billing stub we keep and, on their receipt portion, it is marked that the bill was paid with cash. The Utility bill cash payment is entered in the next utility billing batch as paid with cash. The utility billing batch is receipted by the Finance Officer. The cash drawer is reconciled several times during the month and a check and voucher are done at months end and presented to the council at the monthly meeting.
- f. **Ambulance Billing** – The Finance Officer prepares all the billing for all ambulance trips. Ambulance trip reports are reported to the State by the ambulance EMT's. All ICD-10 coding for Medicare, Medicaid, and insurance billing is done by the Finance Officer. The majority of the ambulance payments are set up to be directly deposited, so very little cash or checks for ambulance bills are handled in the Finance Office. These deposits are receipted by the Finance Officer as received. Medicare/Medicaid assignment or insurance contract write-offs are done at least once during the year. All HIPPA laws are strictly enforced during this procedure.

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Ayes: 5

Nays: 0

Absent: 1

City of Bridgewater

By: Travis Holthaus

Its Council President

ATTEST:

Joan M Julson

Municipal Finance Officer

(SEAL)

Motion by Weber, second by Strombeck to have a spring clean up date on April 25th (first choice) with April 18th (second choice). Council decided on a max of 4 roll off dumpster also. All present voted aye. Motion carried. Weber also drafted up a letter to send out to everyone in city limits concerning this clean up with a reminder to be mindful of property maintenance such as pet waste, painting, unlicensed vehicles, household garbage or building materials. Council thought this was also a good idea.

Information on the Coronavirus and our water & wastewater treatment was also noted.

Council noted that they will meet on Monday March 16th at 7 pm as Board of Equalization.

Steve Sievers asked council permission to address a couple of items since he didn't make it in time for the Public Input. He spoke about sump pumps running into the sanitary system, issues with lagoon running over, and also asking the council to look at his land where M/S Pump-N-Stuff sits before the Equalization meeting.

Council did discuss the implementation of at least a \$1000 fine for a sump pump being run into your house sewer drain and not outside. This will be discussed further at the April meeting.

There being no further business, a motion was made by Weber, second by Strombeck to adjourn. Motion carried. Time 8:50 pm.
Next regular meeting is April 6, 2020.

Travis Holthaus - President

Joan M Julson – Finance Officer

Claims:

Payroll by Dept.: Ambulance 3796.40; Dump 42.26; Finance Office 998.96; Liquor 213.76; Parks 146.86; Sewer 897.82; Storm Sewer 79.23; Streets 2568.37; Water 979.17; EFTPS-Feb payroll taxes, 3073.85; SD Retirement System-employee & city match, 773.28.

Supplies: A-OX Welding Supply–shop, 87.97; Campbell's/Runnings–mostly shop supply, 244.20; Core & Main–curb stop box & 2 meters (meters reimbursed by customers), 386.96; Farmers Alliance–shop & firehall propane, 1126.04; Julson, Jim–amb cot battery & charger, 139.65; Mac's–shop supply, 157.81; Matheson TriGas–shop cutting torch gas, 54.29; McKesson Medical–amb supply, 228.62; Menards–FO supply, 39.86; Post Master–water/sewer/garbage bill stamps, 70.00; Potter Tire & Service–Feb gas, diesel supply, 649.58; SD Federal Property Agency–shop tools, 504.25; Stern Oil Co–Legion Hall propane, 690.00; Sturdevant's–shop supply, 256.32.

Repairs & Maintenance: Meyer Motor, LLC-fire trk repairs, 72.24

Beer and Liquor: (paid in February & reimbursed by The North 40): Beal Distributing Inc, 1441.15; Dakota Beverage, 580.30; Republic National Dist, 705.73.

Miscellaneous: A&B Business Inc–copier lease agreement, 72.81; Bridgewater Development Corp–monthly donation, 200.00; Bridgewater Tribune (Salem Special)–February publishing, 171.13; McCook County–Contracted Law Enforcement monthly payment, 2112.50; Nordwald Rentals–April rent (Payable 04/01/20), 350.00; Petty Cash-amb supply, stamps, FO supply, 111.16; RBS Sanitation-Feb garbage pick-up, 2565.00; RBS Sanitation-Feb dumpster fees (Legion Hall, firehall, shop), 150.36; Ramkota Hotel-amb convention in Pierre 2 rooms 2 days, 384.00; SD Dept Public Health Laboratory-water testing, 15.00; SD One Call-1 faxed locate for Feb., 1.12; SD State Treasurer–Feb garbage, etc. sales tax (We received a 1.5% allowance for timely payments - \$3.58), 235.01; Solem American Legion Post-extra for 4 Girls Staters, 800.00.

Utilities (Paid in February): Golden West, 325.27; Hanson Rural Water, 4027.05; Xcel Energy, 2101.64.

Insurance: AFLAC-reimbursed by employees, 200.96; Health Pool of SD, 3311.12.

Professional: Eich Law Office-Jan/Feb statement, 581.80; GeoTek-Storm Sewer geotechnical exploration for project, 5500.00.

Published once at the approximate cost of \$220.25