

ORDINANCE NO. 2020-16

AN ORDINANCE OF THE CITY OF ALCESTER, SD, AMENDING THE 2018 REVISED ALCESTER ZONING REGULATIONS BY AMENDING CHAPTER 5, PD: PLANNED DEVELOPMENT DISTRICT.

BE IT ORDAINED BY THE CITY OF ALCESTER, SD:

*Section 1. That Chapter 5 of the 2018 Revised Alcester Zoning Regulations is amended to include Chapter 5.07, which reads as follows:*

**5.07 Planned Development Districts.**

- A. Old School Center.

*Section 2. That Chapter 5 of the 2018 Revised Alcester Zoning Regulations is hereby amended to include Chapter 5.08, which reads as follows:*

**5.08 Old School Center Planned Development District.**

- A. **Purpose and Scope.** This development consists of the land formerly occupied by the Alcester Hudson High School. It is the intention of this district to provide for a wide range of land uses that will socially and economically benefit the community.
- B. **Development Tracts.** The Old School Center Planned Development District shall consist of three (3) separate tracts of land as defined on the official map of the development on file with the Authorized Official.

**1. Tract 1.**

- a. **Permitted Uses.** Lots within Tract 1 may be used for one (1) or more of the following principal purposes only:
  - (1) Community garden.
  - (2) Government office.
  - (3) House of worship.
  - (4) Light manufacturing.
  - (5) Meeting hall.
  - (6) Mixed use commercial/residential.
  - (7) Motor vehicle service station.

- (8) Office.
- (9) Personal service business.
- (10) Public service facility.
- (11) Recreational facility.
- (12) Retail service or trade business.
- (13) Storage building.
- (14) Undeveloped land.

b. **Conditional Uses.** One (1) or more of the following principal land uses may be allowed per lot after review and approval of a conditional use permit by the Planning Commission:

- (1) School.

**2. Tract 2.**

a. **Permitted Uses.** Lots within Tract 2 may be used for one (1) or more of the following principal purposes only:

- (1) Assisted living facility.
- (2) Community garden.
- (3) Government office.
- (4) House of worship.
- (5) Light manufacturing.
- (6) Meeting hall.
- (7) Mixed use commercial/residential.
- (8) Multi-family dwelling.
- (9) Office.
- (10) Personal service business.

- (11) Public park.
- (12) Public service facility.
- (13) Recreational facility.
- (14) Retail service or trade business.
- (15) Storage building.
- (16) Undeveloped land.

b. **Conditional Uses.** One (1) or more of the following principal land uses may be allowed per lot after review and approval of a conditional use permit by the Planning Commission:

- (1) Day care center.
- (2) Group home.
- (3) School.

**3. Tract 3.**

a. **Permitted Uses.** Lots within Tract 3 may be used for one (1) or more of the following principal purposes only:

- (1) Assisted living facility.
- (2) Community garden.
- (3) Government office.
- (4) House of worship.
- (5) Meeting hall.
- (6) Mixed use commercial/residential.
- (7) Multi-family dwelling.
- (8) Office.
- (9) Personal service business.
- (10) Public park.

- (11) Public service facility.
  - (12) Recreational facility.
  - (13) Retail service or trade business.
  - (14) Storage building.
  - (15) Undeveloped land.
- b. **Conditional Uses.** One (1) or more of the following principal land uses may be allowed per lot after review and approval of a conditional use permit by the Planning Commission:
- (1) Day care center.
  - (2) Group home.
  - (3) School.
4. **Prohibited Principal Buildings and Uses.** Unless authorized pursuant to Chapter 2.01(A)(1)(a), all other land uses which are not specifically listed above as applying to the specific tract shall be prohibited in the Old School Center Planned Development District.
5. **Accessory Buildings, Structures, and Uses.** Accessory buildings, structures, and uses shall be regulated in conformance with the provisions of Chapter 10.01.
6. **Fence Regulations.** Fences shall be regulated in conformance with the provisions of Chapter 10.03.
7. **Off-Street Parking Regulations.** Chapter 10.10 shall not apply to the Old School Center Planned Development District.
8. **Sign Regulations.** Signs shall be regulated in conformance with the provisions of Chapter 10.08.
9. **Lot Area, Yard, and Height Regulations.** The maximum height and minimum lot area, width, and setback requirements within the Old School Center Planned Development District shall be as follows:
- a. The average front and rear yard setback existing on each street shall apply.
  - b. There are no side yard or minimum lot size or area restrictions.

- c. When abutting or adjacent to the R District, principal buildings shall have a minimum front yard of twenty (20) feet, minimum side yards of seven (7) feet, and minimum rear yard of twenty-five (25) feet.
- d. The maximum height of all buildings and structures shall not exceed forty-five (45) feet.
- e. See also Adjustments to Yard Regulations (Chapter 11) for specific exceptions.

Adopted this 2nd day of November, 2020.



Daniel Haeder, Mayor

ATTEST:



Patricia R. Jurrens, Finance Officer

Seal



First Reading: October 19, 2020  
Second Reading/Adoption: November 2, 2020  
Publication: November 12, 2020  
Effective Date: December 2, 2020

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ORDINANCE NO. 2020-09

AN ORDINANCE OF THE CITY OF ALCESTER, SD, AMENDING THE 2018 REVISED ALCESTER ZONING REGULATIONS BY AMENDING CHAPTER 4.02, R RESIDENTIAL DISTRICT, PERMITTED USES.

BE IT ORDAINED BY THE CITY OF ALCESTER, SD:

*Section 1. That Chapter 4.02 of the 2018 Revised Alcester Zoning Regulations is hereby relettered as follows:*

- A. Community garden.
- C. Single-family attached dwellings.
- D. Single-family detached dwelling.
- E. Undeveloped land.

*The purpose and intent of Section 1 of this Ordinance is to leave Chapter 4.02(B) as a vacant placeholder for the adoption of Section 2 of this Ordinance.*

*Section 2. That Chapter 4.02 of the 2018 Revised Alcester Zoning Regulations is hereby amended to sequentially include (B), which reads as follows:*

- B. Public service facility.

Adopted this 20 day of July, 2020.

\_\_\_\_\_  
Daniel Haeder, Mayor

ATTEST:

\_\_\_\_\_  
Patricia R Jurens, Finance Officer

Seal

First Reading: July 6, 2020  
Second Reading & Adoption: July 20, 2020  
Publication: July 30, 2020  
Effective Date: August 19, 2020

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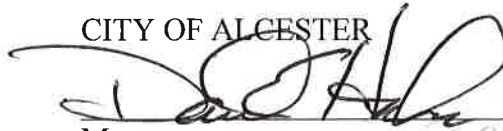
**ORDINANCE NO. 2020-08**

**AN ORDINANCE AMENDING THE ALCESTER ZONING REGULATIONS,  
CHAPTER 5, PD: PLANNED DEVELOPMENT DISTRICT FOR THE CITY OF  
ALCESTER**

**PLANNING & ZONING COMMISSION:**

Dated this 1 day of June, 2020.

CITY OF ALCESTER



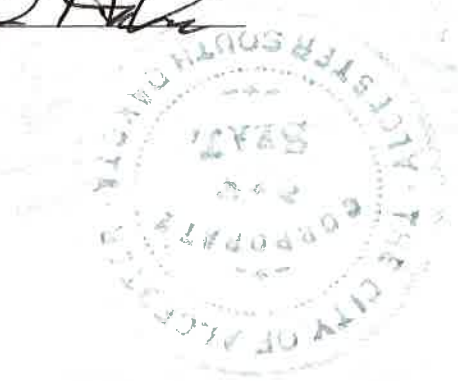
Mayor

ATTEST:



Patricia Jurrens, Finance Officer

Date of First Reading: June 1, 2020



**CITY COUNCIL:**

Dated this \_\_\_ day of \_\_\_\_\_, 2020.

CITY OF ALCESTER

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Patricia Jurrens, Finance Officer

Date of First Reading: July 6, 2020

Date of Second Reading:

Date of Publication

Effective Date

## CHAPTER 5. PD: PLANNED DEVELOPMENT DISTRICT

- 5.01 Purpose.** The purpose of this district is to permit flexibility of site design for tracts of land of considerable size consisting of not less than one city block which are developed, redeveloped or renewed as integrated and harmonious units, and where the overall design of such units is so outstanding or uniquely situated as to warrant modification of the standards set forth in the city's zoning regulations, subject to increased public review, while maintaining consistency with the city's comprehensive plan.
- 5.02 Consistency with Comprehensive Plan.** Developments within a planned development district shall comply with the polices and design standards of the comprehensive plan of the City of Alcester.
- 5.03 Application and Procedure for Planned Developments.** When a petitioner desires to request rezoning of an area to a planned development district, the petitioner shall submit an application containing an initial development plan, and the City Council and Zoning Commission shall consider the application in accordance with the procedure set forth below and in Chapter 16 of these regulations,
- A. Initial Development Plan. The initial development plan submitted to the Authorized Official containing the information specified in section 5.04 of this ordinance. The Finance Officer is hereby designated as the Authorized Official for the purposes of this ordinance. The City Council may appoint a different Authorized Official by resolution. In addition to review and comment by the Authorized Official under section 16.05(A) of the zoning regulations, the City Attorney shall review the application and initial development plan prior to the public hearing on the application.
  - B. Final Development Plan. Prior to obtaining building permits for construction on any lots in the Planned Development District, the applicant shall present a final development plan showing the information specified in 5.05 to the City Council, who shall have the sole authority to approve, deny, or amend the plan.
  - C. Amendments
    - 1. Major Amendments. Major amendments to the initial and/or final development plan shall require the approval of the City Council after review and recommendation for approval by the Authorized Official and the City Attorney.
    - 2. Minor Amendments. Minor amendments to the final development plan shall be submitted to the Authorized Official and the City Attorney for review on a copy of the final development plan showing the requested changes. The Authorized Official, after consulting with the City Attorney, may then approve the change in writing if he/she deems it appropriate and in compliance with the Comprehensive plan and all applicable laws.



**5.04 Initial Development Plan.** The Initial Development Plan shall include the following information:

- A. The Planned Development District name, the legal description, and the individual project name (if any).
- B. A preliminary plat in compliance with the City's adopted land subdivision regulations, including contoured site plans, identifying any deviations from the City's subdivision or setback regulations that are being requested.
- C. The proposed development scheme showing the following information:
  - 1. Size, location, and dimensions of all proposed lots, buildings and structures.
  - 2. A list and description of all proposed principal land uses that will be conducted within each building or structure.
  - 3. Off-street parking lot arrangement designating all proposed parking spaces and off-street loading spaces.
  - 4. The proposed minimum Lot Area, Yard, and Height Regulations for each principal land use.
  - 5. Proposed design features illustrating compatibility to the surrounding environment and neighborhood.
  - 6. The location and general description of any open spaces.
  - 7. Anticipated subarea development sequence or phases.

**5.05 Final Development Plan.**

- A. Final development plan approval shall expire one (1) year from the date upon which it becomes effective if no work has commenced. Upon written request to the Authorized Official and prior to the final development plan approval expiration date, a time extension for the final development plan approval may be granted.
- B. The final development plan shall show the following information:
  - 1. The subdivision name, the legal description, and the individual project name (if any).
  - 2. A final plat in compliance with the City's adopted land subdivision regulations, including contoured site plans, identifying any deviations from the City's subdivision or setback regulations that are being requested.

3. A scale drawing showing the following information will be required:
  - a. Size, location, and dimensions of proposed buildings and structures.
  - b. A list and description of all proposed principal land uses that will be conducted within each building or structure.
  - c. Off-street parking lot arrangement designating all proposed parking spaces and off-street loading spaces.
  - d. The proposed minimum Lot Area, Yard, and Height Regulations for each principal land use.
  - e. Any sidewalks, bikeways, or other recreational paths.
  - f. Any outdoor lighting, type and location, except for standard streetlights provided by the City.
  - g. Landscaping plans showing the type and location of any walls or fences; the placement of trees or shrubs, landscaping, berms and areas that will be sodded, or seeded grass.
  - h. All existing and proposed utilities, drainage ways, water courses and location of above ground existing utilities on adjacent properties.
  - i. Curb cuts and all private drives.
  - j. Existing principal land uses on adjacent properties and a description of how the proposed development is compatible with those properties.
  - k. Documentation of the ownership and maintenance responsibility of any common open spaces, buildings, or structures, including private streets.
4. Unless otherwise specifically differentiated on the initial development plan, all development standards shall be the same as those set forth in a designated zoning district, which shall be referenced and set baseline standards for each subarea as part of the final development plan.

#### **5.06 Amendments.**

- A. Major Amendments. The following changes in an initial and/or final development plan are considered major amendments:
  1. The addition or removal of any of the principal land uses.

2. Any adjustment to the size and shape of an individual lot's building envelope (increasing the height or reducing the building setback).
3. Any adjustment to a principal land use's minimum Lot Area, Yard, and Height requirements.
4. Any change in the arrangement of or minimum number of off-street parking spaces and off-street loading spaces.
5. Any other change to the baseline standards for each subarea approved as part of an initial and/or final development plan.

B. Minor Amendments. The following changes in an initial and/or final development plan are considered minor amendments:

1. Any change in the number or location of curb cuts.
2. Any decrease in the size of required open areas.
3. Any change in the street pattern.
4. Any adjustment of a building or structure within a previously established building envelope.
5. A change to anything other than the baseline standards for each subarea approved as part of an initial and/or final development plan.

ORDINANCE NO. 2020-18

AN ORDINANCE OF THE CITY OF ALCESTER, SD, REZONING PROPERTY AT 500 DAKOTA STREET, ORIGINAL ALCESTER CITY, BLOCK 23, TRACT 1, FROM THE R: RESIDENTIAL DISTRICT TO THE PD: PLANNED DEVELOPMENT DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ALCESTER.

BE IT ORDAINED BY THE CITY OF ALCESTER, SD:

*Section 1. 500 Dakota Street, Original Alcester City, Block 23, Tract 1 is hereby rezoned from R: Residential District to PD: Planned Development District, and the official zoning map of the City of Alcester shall be amended to include this rezoning.*

Adopted this 21<sup>st</sup> day of December, 2020.

\_\_\_\_\_  
Daniel Haeder, Mayor

ATTEST:

\_\_\_\_\_  
Patricia R Jurens, Finance Officer

Seal

First Reading: December 7, 2020  
Second Reading & Adoption: December 21, 2020  
Publication: December 31, 2020  
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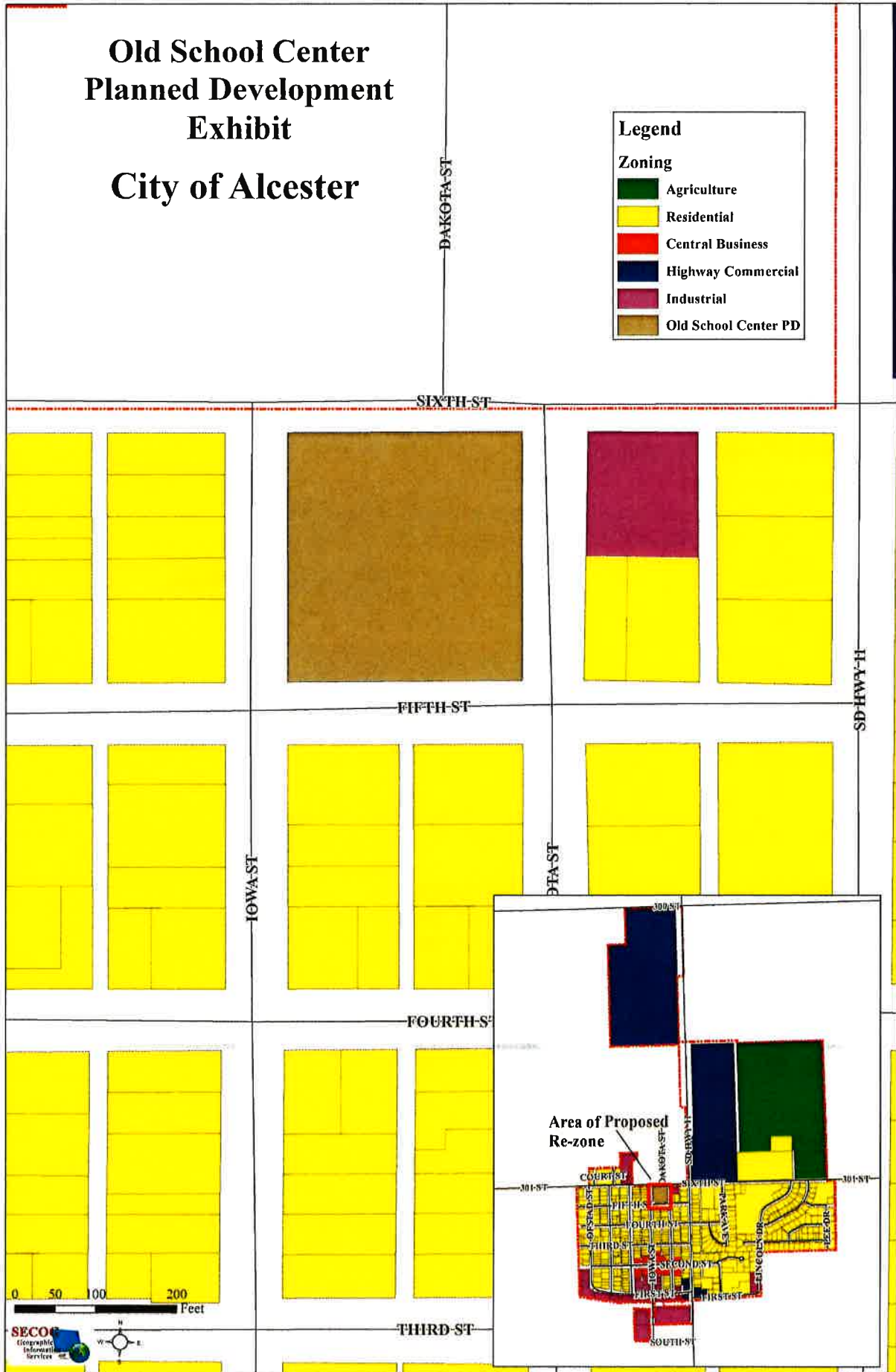
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# Old School Center Planned Development Exhibit City of Alcester

**Legend**

**Zoning**

- Agriculture
- Residential
- Central Business
- Highway Commercial- Industrial
- Old School Center PD



**City of Alcester**

**Grant Policy**

**Resolution No. 2020-17**

Adopted November 16, 2020

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## **Introduction**

The purpose of this policy is to ensure the compliant, efficient, fair and professional administration of grant funds in compliance with all local, state, and federal requirements. It applies to all public officials, officers, employees or agents of the City engaged in the award and administration of contracts supported by state, federal or local funds.

### **Administration–**

All grants, regardless of dollar amount, will be fully reviewed and approved by the Alcester City Council prior to award acceptance. A complete assessment of potential reporting requirements, current and future cost implications and any other legal or compliance measures will be prepared by the grant applicant and reviewed by Common Council; grant acceptance will occur during an official council meeting. The City Council has the sole responsibility for approving grant awards on behalf of the City.

The finance office and the requesting employee shall be designated as grant administrators. All grants exceeding \$5,000 will be assigned a project code in the accounting software to track all grant revenues and expenditures. Grant administrators are responsible for all aspects of the grant process, this includes researching and planning for grant acquisition, preparing and submitting grant proposals, providing complete documentation when requesting council action to accept grant funds, developing grant implementation plans, managing grant programs, preparing and submitting reports to grantors, and properly closing out grant projects.

All federal awards will be identifiable by using the Catalog of Federal Domestic Assistance (CFDA) title and number, award number, award year, name of federal agency, and the name (if applicable) of the pass-through agency. The City will follow the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Rules”) Codified at 2 C.F.R. §200.317 through 200.326 when managing federal awards, even when they are coming through a pass-through agency.

The designated grant administrators shall maintain internal controls over federal programs that provide reasonable assurance that the City is managing the award in compliance with all requirements including but not limited to; allowable costs review, procurement standards, contract provisions, affirmative hiring practices, and non-procurement debarment and suspension regulations. Debarment and suspension regulations restrict awards, sub-awards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities. The City is subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2CFR 180 (2 CFR 200.212) and must not make any award or permit any award at any tier to parties listed on the government-wide exclusions in the System for Award Management (SAM) [www.sam.gov](http://www.sam.gov) .



**Allowable costs review–**

The following criteria are highlighted in 2 CFR 200.403 as necessary for costs to be considered allowable.

The costs must:

- Be necessary and reasonable for the performance of the federal award (and be allocated to that use)
- Conform to limitations or exclusions regarding type or cost
- Be consistent with the policies and procedures the City would apply to non-federally financed work
- Be treated consistently with other comparable costs—for example, a cost may not be treated as a direct cost if a cost incurred for the same purpose in similar circumstances was allocated as an indirect cost
- Be determined in accordance with US Generally Accepted Accounting Principles (GAAP) except as otherwise provided in 2 CFR 200 (for state and local governments and Indian tribes only)
- Not be used to meet cost-sharing or matching requirements of any other federally financed program
- Be adequately documented (see documentation below)

**Conflict of Interest–**

No employee or official of the City shall have any interest, financial or otherwise, direct or indirect, or have any arrangement concerning prospective employment that will, or may be reasonably expected to bias the design, conduct, or reporting of a grant funded project on which he or she is working. It shall be the responsibility of the governing body, the finance office and the grant administrator for each grant-funded project to ensure that in the use of project funds, officials or employees of the City and non-governmental recipients or sub-recipients shall avoid any action that might result in or create the appearance of:

- Using his or her official position for private gain
- Giving preferential treatment to any person or organization
- Losing complete independence or impartiality
- Making an official decision outside official channels
- Affecting adversely public confidence in the grant funded program in particular and the City in general
- Soliciting or accepting gratuities, favors or anything of monetary value from contractors, potential contractors or subcontractors

**Penalties for violating conflict of interest policy–**

The City recognizes violations at 3 levels; mistakes, gross negligence and criminal fraud. Our goal is to address, resolve and disclose potential conflicts. If the City has reasonable cause to indicate that an insider of the organization has failed to disclose actual or possible conflicts of interest, including those arising from a transaction with a related interested person, the insider shall be informed of the basis for the belief and they will be afforded an opportunity to explain the alleged failure to disclose. If, after hearing the insider's response and making any further investigation as warranted by the circumstances, the Council determines that the insider has failed to disclose an actual or possible conflict of interest, the Council shall take prompt corrective action to ensure that such conduct ceases and will not recur. Correction action can include but is not limited to;

- The City determines the conflict cannot be avoided and shall be disqualified from eligibility for the grant award and the grant agreement is terminated
- The responsibility for the grant or grant program is reassigned to a different employee.

- Actions to be taken to mitigate or neutralize perceived or actual conflicts of interest include: revising the grantee's duties so that the conflict is mitigated; allowing the grantee to propose the exclusion of task areas that create a conflict, if appropriate; submitting an organizational conflict of interest avoidance or mitigation plan; or making all information available to all grantees and/or potential grantees in order to eliminate favoritism toward any one grantee.
- Violations of this policy may result in disciplinary action up to and including discharge, fines and possible imprisonment. Disciplinary actions shall be consistent with all other City policies, procedures, and state and federal laws.

#### **Accounting and Reporting–**

City accounting software has the ability to track revenues and expenditures related to grant funding sources through a project code system. The finance office will set up the project code in the accounting software and will communicate the code to the grant administrator responsible for purchasing and processing requests for payments related to the grant funds. It is the responsibility of the preparer of the claim voucher to document the project code on all vouchers to ensure the finance office staff can identify and track those items. Only allowable costs will be allocated to the grant.

#### **Budget–**

Grant funds will only be added to the budget once received. Federal and State Grant dollars can be added to a budget by a simple motion of the Council, other grant dollars will be added by supplemental appropriation ordinance. Any necessary budget supplements must be discussed with the finance office and approved by Council.

Department staff and Finance staff will maintain a close working relationship with respect to any grant activity to ensure compliance and a clear understanding of the project status.

#### **Documentation–**

All grant expenses must comply with the terms set forth in the grant application, grant award letter, City procurement policies and the guidelines in the OMB Compliance Supplement-Uniform Guidance, Title 2-Subtitle A-Chapter II - Part 200.

When using **federal funds**, the City will follow its own documented procurement procedures which reflect applicable state (bid laws, etc.) and local laws and regulations, **provided** that the procurements conform to applicable federal law and the standards identified in 2 C.F.R.§200.318 through 326. **When using federal funds, the City will follow the most restrictive requirements outlined in applicable state, local, OR federal laws and regulations.**

Documentation for all expenditures must be retained by the City for audit purposes and should include:

- Timesheets signed by the employee and approved by their department head for all grant related payroll expenses
- Complete purchasing documents for all expenditures (detailed receipts and/or invoices)
- City, State or Federal governmental agreement number
- Formal bids for all purchases over \$50,000
- Ledger showing all expenditure activity
- If required by grantor, check numbers, copies and payment dates for all payments made

Grant documents should be read carefully to ensure compliance with all grant requirements. Additional documentation may be required under the terms and conditions of the specific grant award to include, but not limited to, procurement justification, grant reconciliation frequency, cash match, calculation and tracking and records retention.

**Audit-**

If the City expends more than \$750,000 in a year of federal award dollars, either as the grantee or the sub-grantee, then we will be subject to a single or program specific audit. The single audit encompasses both our financial statements and the federal awards received by the City; whereas a program specific audit will audit one federal program and can only be used when the grantee receives grant awards only from one federal program. The City contracts with an external auditing firm to conduct both our annual and single audits as needed.

Any awarding agency may also specify additional audit requirements in a grant award letter or grant guidance document.

The Finance Office, with the assistance of the specific grantee city department head, shall follow up and take corrective action on all audit findings.

Approved this 16<sup>th</sup> day of November, 2020

Approved:

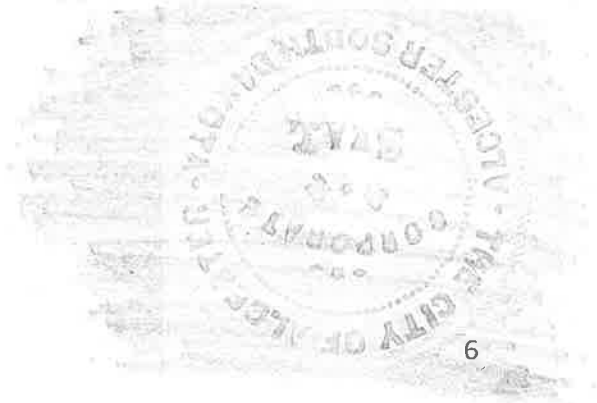


Daniel Haeder, Mayor

Attest:



Patricia R Jurrens, Finance Officer



**RESOLUTION NO. 2020-15A**

**A RESOLUTION OF THE CITY OF ALCESTER TO SET CITY POLICY REGARDING HEALTH INSURANCE COVERAGE AND AMENDING THE CITY'S POLICY THEREON**

WHEREAS The City of Alcester provides health insurance to fulltime employees pursuant to Policy 3.1 of the city's 2020 Policy Manual; and

WHEREAS the city desires to afford employees the opportunity to obtain their preferred form of health insurance coverage while saving the city the cost of providing coverage if possible,


NOW, THEREFORE, BE IT RESOLVED by the Alcester City Council in and for the City of Alcester, Union County, that section 6.4 of the City of Alcester Personnel Manual, 2020 Edition, be amended by adding the following:

Full time employees shall receive individual health insurance benefits and have the option to participate in additional coverage for family members at their own cost. Full-time employees may voluntarily waive employee health insurance benefits if they are covered under another qualified plan, such as a family policy offered through a spouse's employment. In lieu of the health insurance provided by the city, full time employees may receive compensation equal to the difference between the city's cost for fulltime coverage of the employee and the cost of coverage through the employee's spouse or other qualified plan, provided the difference in cost does not exceed the cost to the city to cover the employee individually. For employees electing compensation, the cost difference shall be evaluated annually at the beginning of the calendar year, and compensation shall be adjusted accordingly. The following waiver of medical coverage form shall be filled out by the employee and kept in the employee's personnel file.

In the event coverage under another qualified plan (i.e. a spouse's family plan) is less than the cost of individual coverage for the employee through the city, the city will compensate the employee the difference between the single rate and the family rate of the other qualified plan.

Dated this 19<sup>th</sup> day of October, 2020

CITY OF ALCESTER  
  
Daniel Haeder, Mayor

ATTEST:  
  
Patricia R Jurrens, Finance Officer

Date of Notice: October 19, 2020  
Date of Publication: October 29, 2020  
Effective Date: January 1, 2021



WAIVER OF MEDICAL COVERAGE

I, \_\_\_\_\_, understand that I am eligible for coverage through my employer.

I DO NOT want coverage for:

\_\_\_\_\_ Me and my dependents

\_\_\_\_\_ My spouse

\_\_\_\_\_ My dependents only

The reason I am declining coverage at this time is because I or my dependents have coverage provided through:

\_\_\_\_\_ Spouse's group plan

\_\_\_\_\_ Individual Policy

\_\_\_\_\_ Medicare

\_\_\_\_\_ Group Coverage Continuation (COBRA)

I understand that if I decide to apply for coverage at a later date, I and/or my dependents may be required to submit additional health information and that a pre-existing condition exclusion may apply.

I further understand that, in order to receive compensation in lieu of health insurance coverage under city policy, I am required to provide proof of the cost to insure me under another qualified plan for the purpose of determining the amount of compensation which I may receive.

I also understand that compensation will be limited to the difference between the city's cost of my fulltime coverage and the cost of coverage through another qualified provided the difference in cost does not exceed the cost to the city to cover the employee individually.

I understand that if coverage under another qualified plan (i.e. a spouse's family plan) is less than the cost of individual coverage for the me through the city, the city will compensate the me the difference between the single rate and the family rate of the other qualified plan.

Finally, I understand that the cost difference for coverage shall be evaluated annually at the beginning of the calendar year, and compensation shall be adjusted accordingly.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**RESOLUTION NO. 2020-13**

**RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.**

WHEREAS, the City of Alcester (the "City") has determined it is necessary to proceed with improvements to its wastewater system, including but not limited to Phase I of the Wastewater Treatment Facility and Collection System Improvements Project (the "Project"); and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") will be prepared; and

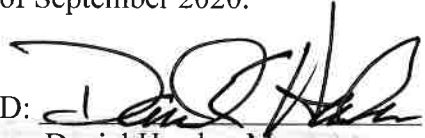
WHEREAS, it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project,

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed \$5,500,000 to the South Dakota Board of Water and Natural Resources for the Project.
2. The Mayor is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.
3. The Mayor or Board President is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

Adopted at Alcester, South Dakota, this 21<sup>st</sup> day of September 2020.

APPROVED:

  
Daniel Haeder, Mayor  
City of Alcester

(Seal)

Attest:

  
Patricia R Jurrens, Finance Officer

# CITY OF ALCESTER

## Resolution #2020-12

WHEREAS, the City of Alcester has determined the need for Phase 1 of the Wastewater Treatment Facility and Collection System Improvements Project; and

WHEREAS, financial assistance will be necessary to enable the City to construct the project; and

WHEREAS, the City of Alcester wishes to request assistance from the Community Development Block Grant (CDBG) Program of the South Dakota Governor's Office of Economic Development; and

WHEREAS, the City is required to designate a Project Certifying Officer for the purpose of signing required documents pertaining to the grant; and

WHEREAS, the City is required to designate an Environmental Certifying Officer for the purpose of signing required environmental documents pertaining to the grant.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The City of Alcester hereby authorizes the filing of a Community Development Block Grant application with the South Dakota Governor's Office of Economic Development, including all understandings and assurances contained therein.
2. Be it further resolved that the City of Alcester hereby authorizes its Mayor to act as Project Certifying Officer and Environmental Certifying Officer in connection with the application and other required forms and to provide such additional information as may be required by the South Dakota Governor's Office of Economic Development. In the Mayor's absence, the Council President is authorized to act as Project Certifying Officer and Environmental Certifying Officer in connection with the application and other required forms and to provide additional information as may be required by the South Dakota Governor's Office of Economic Development.

Dated this 21<sup>st</sup> day of September, 2020.

  
Daniel Haeder, Mayor

  
ATTEST: Patricia R. Jurens, Finance Officer

Seal:



**SPECIAL MAINTENANCE FEE  
RESOLUTION NO. 2020-11**

**A RESOLUTION OF THE CITY OF ALCESTER TO LEVY A SPECIAL  
MAINTENANCE FEE FOR THE MAINTENANCE OF STREET SURFACES WITHIN  
THE CITY PURSUANT TO SDCL 9-43-138**

WHEREAS, SDCL 9-43-138 provides for the assessment of a special maintenance fee for the maintenance or repair of public improvements, including street surfaces, of lots fronting and abutting any improvement within the municipality that is maintained by the municipality; and

WHEREAS, the City of Alcester maintains and repairs street surfaces on the public streets within city limits; and

WHEREAS, the budget committee of the city council and the city council as a whole have discussed the maintenance fee required to fund annual maintenance activities in fiscal year 2021 on public streets; and

WHEREAS, the city council finds it necessary to levy a special maintenance fee for the maintenance and repair of streets within the City of Alcester;

NOW, THEREFORE, BE IT RESOLVED by the Alcester City Council that, pursuant to SDCL 9-43-138, the city shall levy a special maintenance fee for the maintenance and repair of streets upon all taxable lots fronting and abutting any streets within the city as follows:

1. All lots to be assessed shall be assessed at the rate of \$1.00 per front foot.
2. In the case of corner lots, only the front footage abutting the street to which the front door of the property faces shall be assessed. In the event there is no structure on the corner lot, the longer street frontage of the lot shall be assessed.
3. All lots exempt from tax, pursuant to state law, which owners have applied for and obtained a property tax exemption from the Union County Director of Equalization are not subject to the special maintenance fee.
4. A detailed list of the legal descriptions, amount of front footage, and the amount of assessment shall be provided to the Union County Treasurer by the Alcester finance officer, to add the special maintenance fee to the general assessment against the property and to certify the fee assessed together with the regular assessment to the Union County Auditor to be collected in the same manner as municipal taxes are collected for general purposes.



BE IT FURTHER RESOLVED that all revenue received from the special maintenance fee shall be placed in a special revenue fund entitled "Street Maintenance Fund" for the maintenance and repair of public streets.

Dated this 8<sup>th</sup> day of September, 2020.

CITY OF ALCESTER



Daniel Haeder, Mayor

ATTEST:



Patricia Jurrens, Finance Officer

Date of Adoption: September 8, 2020

Date of Publication: September 17, 2020

Effective Date: January 1, 2021.



**SPECIAL MAINTENANCE FEE  
RESOLUTION NO. 2020-11**

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MAINTENANCE FEE FOR THE MAINTENANCE OF STREET SURFACES WITHIN  
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WHEREAS, the City of Alcester maintains and repairs street surfaces on the public streets within city limits; and

WHEREAS, the budget committee of the city council and the city council as a whole have discussed the maintenance fee required to fund annual maintenance activities in fiscal year 2021 on public streets; and

WHEREAS, the city council finds it necessary to levy a special maintenance fee for the maintenance and repair of streets within the City of Alcester;

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3. All lots exempt from tax, pursuant to state law, which owners have applied for and obtained a property tax exemption from the Union County Director of Equalization are not subject to the special maintenance fee.
4. A detailed list of the legal descriptions, amount of front footage, and the amount of assessment shall be provided to the Union County Treasurer by the Alcester finance officer, to add the special maintenance fee to the general assessment against the property and to certify the fee assessed together with the regular assessment to the Union County Auditor to be collected in the same manner as municipal taxes are collected for general purposes.

BE IT FURTHER RESOLVED that all revenue received from the special maintenance fee shall be placed in a special revenue fund entitled "Street Maintenance Fund" for the maintenance and repair of public streets.

Dated this 8<sup>th</sup> day of September, 2020.

CITY OF ALCESTER



Daniel Haeder, Mayor

ATTEST:



Patricia Jurrens, Finance Officer

Date of Adoption: September 8, 2020

Date of Publication: September 17, 2020

Effective Date: January 1, 2021.



FIRST AMENDMENT TO THE  
GRANT AGREEMENT  
BETWEEN  
SD DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
AND  
CITY OF ALCESTER

FIRST AMENDMENT made and entered into between the State of South Dakota, South Dakota Department of Environment and Natural Resources, 523 East Capitol, Pierre, South Dakota 57501-3182, ("State"), and the City of Alcester, PO Box 318, Alcester, SD 57001 (the "Sponsor").

WITNESSETH:

WHEREAS, the DENR and the Sponsor entered into an Grant Agreement (the "Agreement") dated December 16, 2019, for 80 percent of all Engineering Study costs not to exceed the sum of \$10,000, to have an Engineering Study of the Sponsor's wastewater infrastructure completed as described in Exhibit A according to the terms and conditions established by the State; and,

WHEREAS, section 8, of the Agreement provides, "This Agreement may not be amended except in writing, which writing shall be expressly identified as a part hereof, and be signed by authorized representatives of each of the parties hereto."; and,

WHEREAS, the State and the Sponsor mutually agree to extend the term of the Agreement in order to complete the Engineering Study.

NOW THEREFORE IT IS MUTUALLY AGREED AS FOLLOWS:

1. That section 3, of the Agreement be amended to read as follows:


"The term of this Grant Agreement shall commence upon execution of the agreement by both parties and shall end on December 31, 2020,"

2. That except as specifically amended hereby, the terms and conditions of the December 16, 2019, Agreement shall continue in full force and effect according to the tenor thereof.

IN WITNESS WHEREOF, the parties signify their agreement effective the date first written by the signatures affixed below.

CITY OF ALCESTER

STATE OF SOUTH DAKOTA

  
Daniel Haeder  
Mayor

8-27-2020  
(Date)

\_\_\_\_\_  
Hunter Roberts (Date)  
Secretary, Department of  
Environment and Natural Resources



## **City of Alcester Resolution Number 2020-10**

### ***A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECEIPT OF CARES ACT FUNDS TO ADDRESS THE COVID-19 PUBLIC HEALTH CRISIS***

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the “CARES Act”), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, the City of Alcester acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, the City of Alcester acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, the City of Alcester seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, the City of Alcester acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for the City of Alcester most recently approved as of March 27, 2020; and

WHEREAS, the City of Alcester acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Alcester that the Mayor of Alcester may execute any and all documents as required by the State in order to receive CARES Act funds.

It is further RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the City budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

It is further RESOLVED that the City will not request reimbursement from the State under the CARES Act for costs for which the City previously received reimbursement, or for which the City has a reimbursement request pending before another source.

Approved and adopted this 6<sup>th</sup> day of July, 2020.



Daniel E Haeder, Mayor  
City of Alcester, South Dakota

ATTEST:



Patricia R Jurrens, Finance Officer  
City of Alcester, South Dakota



## **RESOLUTION NO. 2020-07**

### **RESOLUTION RELATING TO SEWER UTILITY REVENUE REFUNDING BONDS; APPOINTING THE INITIAL REGISTRAR AND PAYING AGENT.**

BE IT RESOLVED by the City Council (the "Council") of the City of Alcester, South Dakota (the "City"), as follows:

#### **SECTION 1. RECITALS**

The City currently operates a municipal sewer utility under SDCL 9-40 (the "System"), consisting of a system or part of a system, for the purpose of providing sewage treatment for municipal, industrial, and domestic purposes. Pursuant to a resolution adopted by the Council on March 16, 2020 (the "Authorizing Resolution"), the Council authorized the issuance of its Sewer Utility Revenue Refunding Bonds, Series 2020 (the "Bonds"), for the purpose of refunding the City's Sewer Utility Revenue Bonds, dated as of May 22, 2003, evidencing a loan from the United States Department of Agriculture, the proceeds of which loan were used to pay a portion of the cost of improving the System.

Pursuant to Section 3.04 of the Authorizing Resolution, the City appointed the Finance Officer as the initial bond registrar, transfer agent, and paying agent (the "Registrar") for the Bonds. This Council determines it to be in the best interests of the City to remove the City Finance Officer as Registrar and appoint Zions Bancorporation, Chicago, Illinois ("Zions"), as the initial Registrar for the Bonds.

#### **SECTION 2. APPOINTMENT OF REGISTRAR**

This Council hereby appoints Zions as the initial Registrar for the Bonds. The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as described in Section 3.05 of the Authorizing Resolution.

The Mayor and the Finance Officer are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon thirty days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar.

#### **SECTION 3. EFFECTIVE DATE; REPEALS.**

This Resolution shall become effective upon passage and all provisions of ordinances, resolutions and other actions and proceedings of the City which are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

The above and foregoing resolution was moved for adoption by Dave Larsen seconded by Melissa Kay and upon roll call vote, Larsen, Kay, Talbott, Reppe, Ireland voted aye, and 0 voted nay, whereupon the Mayor declared the resolution to be duly passed and adopted.

[Signature], Mayor

Attest: [Signature]  
Finance Officer

Adopted: June 1, 2020  
Published: June 11, 2020  
Effective Date:





FORM OF "DEEMED FINAL" CERTIFICATE

The undersigned hereby certifies and represents to D.A. Davidson & Co. (the "Underwriter"), that he/she is an authorized officer of Alcester (City of), South Dakota (the "Issuer") and further certifies that:

(1) This Certificate is delivered to enable the Underwriter to comply with the provisions of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (the "Rule"), in connection with the offering of the Issuer's Sewer Utility Revenue Refunding Bonds, Series 2020 Bonds (the "Bonds").

(2) In connection with the offering of the Bonds, there has been prepared a Preliminary Official Statement, dated 6/1/2020 (the "Preliminary Official Statement"), setting forth, among other things, information concerning the Issuer and the Bonds.

(3) For the purpose of enabling the Underwriter to comply with the provisions of paragraph (b)(1) of the Rule, the Preliminary Official Statement is hereby "deemed final" as of its date for purposes of the Rule, except for the omission of such information as is permitted by such paragraph.

Dated: June 1, 2020.

ALCESTER (CITY OF), SOUTH DAKOTA

By   
Authorized Officer



**ORDINANCE NO. 2020-06**

**AN ORDINANCE AMENDING SECTION 1.0202, REGULAR MEETINGS, OF  
CHAPTER 1.02 OF THE REVISED MUNICIPAL ORDINANCES OF THE CITY OF  
ALCESTER**

1.0202 Regular Meetings. Unless otherwise designated by the City Council, regular meetings of the Council shall be held on the first and third Monday of each month at 6:00 p.m. The City Council shall meet at the Alcester City Hall or other designated place, to consider, take under advisement, and act upon such business as may come before it. If a regular meeting day falls upon a City observed holiday, the regular meeting shall be held on the following day or as rescheduled by the City Council. (SDCL 9-8-8). Notice of meetings held by the City Council shall be provided in accordance with SDCL 1-25-1.1.

Dated this 1 day of June, 2020.

CITY OF ALCESTER

  
Mayor

ATTEST:

  
Patricia Jurrens, Finance Officer

Date of First Reading:	May 18, 2020
Date of Second Reading:	June 1, 2020
Date of Publication	June 11, 2020
Effective Date	July 1, 2020



ORDINANCE NO. 2020-05

AN ORDINANCE OF THE CITY OF ALCESTER, SD REPEALING SECTIONS OF  
ORDINANCE 2020-04

WHEREAS, The City Council of Alcester, SD enacted Ordinance No. 2020-4, which implemented certain measures deemed necessary to slow the community spread of the coronavirus; and

WHEREAS, The Governor of the State of South Dakota has issued Executive Order 2020-20, which implements a "Back To Normal Plan" and rescinds Executive order 2020-12; and

WHEREAS, The City of Alcester has deemed it in the public interest to relax certain measures implemented to slow the community spread of the coronavirus;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ALCESTER, SD That all sections of Ordinance 2020-04 are hereby repealed, with the exception of subsections I and II of section 1, section 2, and section 5. Those portions not repealed will remain in effect until repealed or the termination date in section 2.

Because Ordinance 2020-04 was enacted for the immediate preservation of the public peace, health, or safety, the repeal of the sections mentioned above shall be effective immediately upon passage and publication of this ordinance.

Dated at Alcester, South Dakota this 1 day of June, 2020.

FOR THE GOVERNING BODY OF THE  
CITY OF ALCESTER, SOUTH DAKOTA

By:   
Mayor

ATTEST:

  
Patricia Jurrens, Finance Officer

First Reading: May 4, 2020  
Second Reading: June 1, 2020  
Publish: June 11, 2020  
Effective Date: June 11, 2020



**ORDINANCE NO. 2020- 04**

**COVID-19 TEMPORARY EMERGENCY ORDINANCE**

**A TEMPORARY EMERGENCY ORDINANCE TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF THE VIRUS RESPONSIBLE FOR THE COVID-19 DISEASE.**

**WHEREAS**, the City of Alcester has the authority pursuant to SDCL 9-29-1 and 9-32-1 to pass ordinances for the purpose of promoting the health, safety, morals, and general welfare, of the community; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

**WHEREAS**, on March 13, 2020, the Governor declared an emergency in the State of South Dakota in response to the COVID-19 pandemic; and

**WHEREAS**, on March 23, 2020, the Governor issued Executive Order 2020-08 setting forth guidelines and recommendations regarding personal, business, and healthcare precautions to be taken in response to the COVID-19 pandemic; and

**WHEREAS**, on March 24, 2020, the Governor announced that she is recommending that all K-12 schools in South Dakota remain closed until May 1, 2020; and

**WHEREAS**, on March 24, 2020, the Sioux Falls School District has closed all K-12 schools through May 1, 2020; and

**WHEREAS**, as of 12:00 p.m. on March 30, 2020, there are 4 confirmed cases of COVID-19 within Lincoln County; and

**WHEREAS**, as of 12:00 p.m. on March 30, 2020, there are 101 confirmed cases of COVID-19 within the State of South Dakota; and

**WHEREAS**, as of 12:30 p.m. on March 30, 2020, community spread of COVID-19 has been identified within Beadle, Yankton, Lyman, Lawrence, Hutchinson, Codington, Hughes, Lincoln, McCook, Pennington, and Minnehaha counties in the State of South Dakota; and

**WHEREAS**, the Centers for Disease Control and Prevention (“CDC”) recommend certain actions for the preparation and mitigation of community transmission of COVID-19, including, but not limited to, social distancing measures and restricting the size of gatherings; and

**WHEREAS**, SDCL 9-32-1 confers upon municipalities the power to do what may be necessary or expedient for the promotion of health or the suppression of disease.

**NOW, THEREFORE BE IT ORDAINED**, by the City Council of the City of Alcester hereby adopts the following second amended and restated regulations:

**Section 1:** That Regulations relating to COVID-19 are hereby adopted as follows:

**I. Definitions:**

1. "Social distancing" as used herein shall mean separation of at least six feet between individuals.
2. "Enclosed retail business that promotes public gathering" as used herein shall mean any enclosed facility operating as a bar, restaurant, brewery, café, casino, coffee shop, recreational or athletic facility, health club, or entertainment venue. Such term shall further include any parking lot and/or patio or other outdoor seating area for such facility.
3. "Patron" as used herein shall refer to a customer of the business as defined in subparagraph (b) above, and does not include employees or staff of such business.

**II. City-Owned Property**

1. The following City buildings and venues will remain closed to the general public:
  - a. City Hall
  - b. Alcester Public Library
  - c. In addition, the Mayor may declare all public parks, pools, and the Alcester Golf Course, or sections or portions thereof, and any and all other city property, or sections or portions thereof closed to the public pursuant to this ordinance if necessary to promote health and suppress disease.
2. Alcester City Hall will continue to be used for public meetings but will be closed to the public when a public meeting is not in session. The public is encouraged to participate in public meetings remotely in order to allow for proper social distancing as recommended by the CDC.

**III. Private Businesses**

1. Any enclosed retail business that promotes public gathering shall modify business practices in order to ensure that not more than ten patrons are on the premises for on-site use of the services and/or consumption of the goods at any given time. Such businesses are encouraged to consider utilizing business models that do not involve public gatherings, including takeout, delivery, drive-thru, curbside service, and off-site services.
  - a. The restrictions set forth in the above paragraph shall not apply to the following:
    - i. Healthcare facilities, residential care facilities, and congregate care facilities,
    - ii. Childcare facilities;
    - iii. Businesses that offer food and beverages solely for off-site

consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than the portion of such businesses that are subject to the requirements of paragraph 5 of these Regulations;

- iv. Hotel/motel room service;
- v. Traditional golf courses, but any bar or restaurant associated with a golf course shall abide by the above restrictions;
- vi. Any emergency facility necessary for the response to the current COVID- 19 emergency or any other community emergency or disaster.

The businesses and entities identified in this Section III(1)(a) shall take all reasonable measures to ensure social distancing and sanitation is being utilized as is feasible, and comply with federal and state health guidelines in order to prevent the spread of the virus causing COVID-19. Such businesses are further encouraged to consider, to the extent applicable and feasible, providing for special access periods for populations particularly vulnerable to COVID-19.

- b. Nothing herein shall act or be interpreted as authorization for any off-sale alcoholic beverage sales by any licensee in violation of their respective license as defined in SDCL Title 35.
2. The restrictions set forth above do not prohibit an owner, employee, contractor, vendor, or supplier of the above-addressed entities from entering, exiting, using, or occupying that place of business in their professional capacity, so long as procedures are implemented to ensure social distancing to the full extent reasonably possible.
  3. The business entity, owner, and supervising manager of any business that refuses to comply with these regulations as adopted by ordinance by the City Council shall be deemed to be in violation of the ordinance.
  4. All other employers, both for profit and not for profit, within the City of Alcester are urged and encouraged to:
    - a. Implement procedures to ensure social distancing between persons as is feasible and to ensure the business or entity operates in compliance with federal and state guidelines to prevent the spread of the virus causing COVID-19;
    - b. Allow employees and staff to telework if possible;
    - c. Limit unnecessary work gatherings;
    - d. Eliminate non-essential travel; and
    - e. Consider regular health checks including guidance from the CDC for COVID-19 screening if possible.

#### **IV. Citizens of Alcester**

1. All individuals within the City of Alcester are urged and encouraged to:
  - a. Review and practice the recommended CDC hygiene practices designed to stop the spread of the virus causing COVID-19;

- b. Know the signs and symptoms of COVID-19, call a healthcare provider for instructions if experiencing symptoms of COVID-19, and stay at home if sick;
- c. Understand that those who are particularly vulnerable to COVID-19, including those over the age of 60 and those suffering from respiratory or cardiac conditions, should take extra precautions and remain home if possible;
- d. Implement social distancing measures and support businesses that are adjusting their business model to reduce the spread of the virus causing COVID-19; and
- e. Assist those who work in essential jobs such as emergency personnel, medical professionals, and law enforcement.

**Section 2.** This ordinance shall remain effective until August 30, 2020, unless extended, amended, or terminated by ordinance.

**Section 3.** All ordinances which conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall apply to all locations within the city limits of Alcester.

**Section 5.** Each person in violation of this ordinance is guilty of a Class 2 misdemeanor and is subject to a fine of \$25.00 pursuant to the penalties established under §11.0101 of the codified Alcester Code of Ordinances. Each day a violation of this ordinance occurs is considered a separate offense.

**BE IT FURTHER ORDAINED,** that, pursuant to SDCL 9-19-13, this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City of Alcester and shall become effective immediately upon passage and publication.

Dated at Alcester, South Dakota this 15 day of April, 2020.

FOR THE GOVERNING BODY OF THE  
CITY OF ALCESTER, SOUTH DAKOTA

By Thomas Glas  
Thomas Glas, Mayor

ATTEST:

Patricia R. Jurrens  
Patricia R. Jurrens, Finance Officer

First Reading: April 6, 2020  
Second Reading: April 15, 2020  
Publish: April 23, 2020  
Effective Date: April 15, 2020



**ORDINANCE NO. 2020- 04**

**COVID-19 TEMPORARY EMERGENCY ORDINANCE**

**A TEMPORARY EMERGENCY ORDINANCE TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF THE VIRUS RESPONSIBLE FOR THE COVID-19 DISEASE.**

**WHEREAS**, the City of Alcester has the authority pursuant to SDCL 9-29-1 and 9-32-1 to pass ordinances for the purpose of promoting the health, safety, morals, and general welfare, of the community; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

**WHEREAS**, on March 13, 2020, the Governor declared an emergency in the State of South Dakota in response to the COVID-19 pandemic; and

**WHEREAS**, on March 23, 2020, the Governor issued Executive Order 2020-08 setting forth guidelines and recommendations regarding personal, business, and healthcare precautions to be taken in response to the COVID-19 pandemic; and

**WHEREAS**, on March 24, 2020, the Governor announced that she is recommending that all K-12 schools in South Dakota remain closed until May 1, 2020; and

**WHEREAS**, on March 24, 2020, the Sioux Falls School District has closed all K-12 schools through May 1, 2020; and

**WHEREAS**, as of 12:00 p.m. on March 30, 2020, there are 4 confirmed cases of COVID-19 within Lincoln County; and

**WHEREAS**, as of 12:00 p.m. on March 30, 2020, there are 101 confirmed cases of COVID-19 within the State of South Dakota; and

**WHEREAS**, as of 12:30 p.m. on March 30, 2020, community spread of COVID-19 has been identified within Beadle, Yankton, Lyman, Lawrence, Hutchinson, Codington, Hughes, Lincoln, McCook, Pennington, and Minnehaha counties in the State of South Dakota; and

**WHEREAS**, the Centers for Disease Control and Prevention (“CDC”) recommend certain actions for the preparation and mitigation of community transmission of COVID-19, including, but not limited to, social distancing measures and restricting the size of gatherings; and

**WHEREAS**, SDCL 9-32-1 confers upon municipalities the power to do what may be necessary or expedient for the promotion of health or the suppression of disease.



**NOW, THEREFORE BE IT ORDAINED**, by the City Council of the City of Alcester hereby adopts the following second amended and restated regulations:

**Section 1:** That Regulations relating to COVID-19 are hereby adopted as follows:

**I. Definitions:**

1. "Social distancing" as used herein shall mean separation of at least six feet between individuals.
2. "Enclosed retail business that promotes public gathering" as used herein shall mean any enclosed facility operating as a bar, restaurant, brewery, café, casino, coffee shop, recreational or athletic facility, health club, or entertainment venue. Such term shall further include any parking lot and/or patio or other outdoor seating area for such facility.
3. "Patron" as used herein shall refer to a customer of the business as defined in subparagraph (b) above, and does not include employees or staff of such business.

**II. City-Owned Property**

1. The following City buildings and venues will remain closed to the general public:
  - a. City Hall
  - b. Alcester Public Library
  - c. In addition, the Mayor may declare all public parks, pools, and the Alcester Golf Course, or sections or portions thereof, and any and all other city property, or sections or portions thereof closed to the public pursuant to this ordinance if necessary to promote health and suppress disease.
2. Alcester City Hall will continue to be used for public meetings but will be closed to the public when a public meeting is not in session. The public is encouraged to participate in public meetings remotely in order to allow for proper social distancing as recommended by the CDC.

**III. Private Businesses**

1. Any enclosed retail business that promotes public gathering shall modify business practices in order to ensure that not more than ten patrons are on the premises for on-site use of the services and/or consumption of the goods at any given time. Such businesses are encouraged to consider utilizing business models that do not involve public gatherings, including takeout, delivery, drive-thru, curbside service, and off-site services.
  - a. The restrictions set forth in the above paragraph shall not apply to the following:
    - i. Healthcare facilities, residential care facilities, and congregate care facilities,
    - ii. Childcare facilities;
    - iii. Businesses that offer food and beverages solely for off-site

consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than the portion of such businesses that are subject to the requirements of paragraph 5 of these Regulations;

- iv. Hotel/motel room service;
- v. Traditional golf courses, but any bar or restaurant associated with a golf course shall abide by the above restrictions;
- vi. Any emergency facility necessary for the response to the current COVID- 19 emergency or any other community emergency or disaster.

The businesses and entities identified in this Section III(1)(a) shall take all reasonable measures to ensure social distancing and sanitation is being utilized as is feasible, and comply with federal and state health guidelines in order to prevent the spread of the virus causing COVID-19. Such businesses are further encouraged to consider, to the extent applicable and feasible, providing for special access periods for populations particularly vulnerable to COVID-19.

- b. Nothing herein shall act or be interpreted as authorization for any off-sale alcoholic beverage sales by any licensee in violation of their respective license as defined in SDCL Title 35.
2. The restrictions set forth above do not prohibit an owner, employee, contractor, vendor, or supplier of the above-addressed entities from entering, exiting, using, or occupying that place of business in their professional capacity, so long as procedures are implemented to ensure social distancing to the full extent reasonably possible.
  3. The business entity, owner, and supervising manager of any business that refuses to comply with these regulations as adopted by ordinance by the City Council shall be deemed to be in violation of the ordinance.
  4. All other employers, both for profit and not for profit, within the City of Alcester are urged and encouraged to:
    - a. Implement procedures to ensure social distancing between persons as is feasible and to ensure the business or entity operates in compliance with federal and state guidelines to prevent the spread of the virus causing COVID-19;
    - b. Allow employees and staff to telework if possible;
    - c. Limit unnecessary work gatherings;
    - d. Eliminate non-essential travel; and
    - e. Consider regular health checks including guidance from the CDC for COVID-19 screening if possible.

#### **IV. Citizens of Alcester**

1. All individuals within the City of Alcester are urged and encouraged to:
  - a. Review and practice the recommended CDC hygiene practices designed to stop the spread of the virus causing COVID-19;

- b. Know the signs and symptoms of COVID-19, call a healthcare provider for instructions if experiencing symptoms of COVID-19, and stay at home if sick;
- c. Understand that those who are particularly vulnerable to COVID-19, including those over the age of 60 and those suffering from respiratory or cardiac conditions, should take extra precautions and remain home if possible;
- d. Implement social distancing measures and support businesses that are adjusting their business model to reduce the spread of the virus causing COVID-19; and
- e. Assist those who work in essential jobs such as emergency personnel, medical professionals, and law enforcement.

**Section 2.** This ordinance shall remain effective until August 30, 2020, unless extended, amended, or terminated by ordinance.

**Section 3.** All ordinances which conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 4.** This Ordinance shall apply to all locations within the city limits of Alcester.

**Section 5.** Each person in violation of this ordinance is guilty of a Class 2 misdemeanor and is subject to a fine of \$25.00 pursuant to the penalties established under §11.0101 of the codified Alcester Code of Ordinances. Each day a violation of this ordinance occurs is considered a separate offense.

**BE IT FURTHER ORDAINED,** that, pursuant to SDCL 9-19-13, this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City of Alcester and shall become effective immediately upon passage and publication.

Dated at Alcester, South Dakota this 15 day of April, 2020.

FOR THE GOVERNING BODY OF THE  
CITY OF ALCESTER, SOUTH DAKOTA

By Thomas Glas  
Thomas Glas, Mayor

ATTEST:  
Patricia R Jurrens  
Patricia R Jurrens, Finance Officer

First Reading: April 6, 2020  
Second Reading: April 15, 2020  
Publish: April 23, 2020  
Effective Date: April 15, 2020



## RESOLUTION FOR CITY OF ALCESTER 2020 FEES

A Resolution Setting Certain Fees and Charges For Services and Setting Other Designations Provided by the City of Alcester

WHEREAS, City Ordinances require certain license fees, charges for services, and other designations to be established by resolution; and

WHEREAS, the City of Alcester is required to have on file in City Hall a list of complete charges and designations;

NOW, THEREFORE BE IT RESOLVED THAT the City of Alcester hereby establishes the following fees and other designations effective for the 2020 license year (fees are for the calendar year unless otherwise stated):

### PERMITS AND LICENSES

#### Non-Resident Landfill Permit

Pickup Load \$ 10.00 (3.03.03)

Truck Load \$ 25.00 (3.03.03)

Resident Landfill Use \$ 6.00 per month (3.03.05)

Peddler Permit \$ 50.00 per day (4.01.02)

Additional Solicitors \$ 25.00 Each

#### Alcohol:

Permit/Public Location \$ 25.00 (\$200 Deposit) (4.03.09)

Special Permit License \$100.00 (4.03.10 /D)

Excavation Permits \$1,000.00 Deposit plus Certificate of Insurance (6.02.03)

#### Residential Building Removal Permit

House \$500.00

(Trailers houses/Garages/Outbuildings – no cost)

Fingerprint Cards \$ 10.00 per card

Annual Golf Cart Permits \$ 10.00

Building Permits \$ 25.00 + \$1.50/\$1,000 Materials Only

### WATER AND SEWER CONNECTION FEES

Water Connection Tapping Fee (to the Main) \$300.00

Water Connect Fee \$50.00

(Reconnect only if bill paid in full plus Disconnect Fee)

Sewer Connection Tapping Fee (to the Main) \$150.00

Utility Deposit \$150.00 (8.01.02)

(Refunded to Home Owner after 12 consecutively on time payments / Renters returned upon moving)

### AUDITORIUM

Residential/Nonresidential/Business \$200.00 per day \*

Non-Profit Organization \$50.00 per day \*<sup>1</sup>

Rummage Sales \$50.00 per day

Setup Days \$10.00 per day

Meeting Room \$10.00 per day

Security Deposit \$100.00

<sup>1</sup> For Events with attendance of more than 50 People – a Custodian must be on Staff at \$12 per hour.

## RESOLUTION FOR CITY OF ALCESTER 2020 FEES

<b>CATS / DOGS</b>	<b>(January-February)</b>	<b>(After Ord 2020-02)</b>
Annual License with Proof of Vaccinations		
Spayed / Neutered	\$10.00(5.02.13)	\$10.00(5.02.13)
Non-Spayed / Non-Neutered		\$25.00(5.02.13)
Fine for Failure to Properly License Animal	\$25.00(5.012.A)	
Violation per Month Fee	\$25.00(5.012.A)	
Fines for Animals Running at Large	\$50.00 (5.02.02)	
Ticket unpaid after 72 hours	\$75.00 (5.02.02)	
Ticket unpaid after 2 weeks	\$100.00 (5.02.02)	
Fines for Impounding Animals include Impounding Costs plus Fines		
First Impounding	\$50.00 (5.02.03) plus \$15 per day	
Second Impounding (within 12 months)	\$75.00 (5.02.03) plus \$15 per day	
Third or more Impounding	\$100.00 (5.02.03)	
Fines for Failure to clean up Animal Feces	\$50.00 (5.02.16 C)	
Ticket unpaid after 72 hours	\$75.00 (5.02.16 C)	
Ticket unpaid after 2 weeks	\$100.00 (5.02.16 C)	
Fines for Barking Dog	(5.02.16 E)	
First Offense	Warning	
Second Offense (within 6 months)	\$25.00	
Third Offense	\$50.00	
<b>FINES AND FEES</b>		
Fine for Landfill Misuse	\$200.00 (3.03.07)	
Fine for not covering load to Landfill	\$25.00 (3.03.03)	
Fine for Violating Alcohol Permits	\$500.00 per day (4.03.13)	
Fine for not shoveling snow from sidewalks		
Within 48 hours of snowfall	\$10.00 (6.03.03)	
Not shoveled after 24 hours more	\$25.00	
Tree Clearance 10 Feet above Sidewalks / 14 Feet above Streets		
Fine for Failure to Prune Trees		
Written Warning providing 30 days to complete		
After 30 days – City will assess the cost to complete (6.05.05)		
Recreational Vehicle/Trailer Parking on City Streets –72 hours maximum		
Failure to move RV/Trailer in 72 hours	Warning	
24 hours after Warning	\$25.00	
Failure to pay within 7 days	\$35.00	
Failure to pay summons	\$50.00 (7.05 J)	
Fine for illegal parking	\$25.00 (7.05.04)	
Failure to pay within 7 days	\$35.00 (7.05.04)	
Failure to pay summons	\$50.00 (7.05.04)	
Fine for Towing Vehicles	\$25.00 Fine + Towing Charges (7.05.04)	
Impounding Rate	\$25.00 per week	
Hold time for Impounded Vehicles	Not to exceed 60 days	
Fine for violation of snow removal parking	\$25.00 (7.05.08 D)	
Ticket unpaid after 72 hours	\$50.00 (7.05.08 D)	
Ticket unpaid after 2 weeks	\$75.00 (7.05.08 D)	
Fine for Illegal Parking in Handicap	\$100.00 (7.05.17)	
Bond Amount set by Council	\$500.00 (7.08.04)	

**RESOLUTION FOR CITY OF ALCESTER 2020 FEES**

Fine for Illegal Operation of a Golf Cart	\$25.00 (7.09.07)
Ticket unpaid after 72 hours	\$50.00 (7.09.07)
Ticket unpaid after 2 weeks	\$75.00 - \$100.00 (7.09.07)
Fine for Tampering with City Utilities	\$500.00 (8.01.10)

**CITY HALL OFFICES**

Black & White Photocopies .....	\$0.25/page
Color Photocopies .....	\$1.00/page
Faxes .....	\$ 2.00/Outgoing or Incoming
NSF Charges .....	Maximum allowed by SDCL 57A-3-421
Staff Time .....	Quoted after one hour of labor

**MAINTENANCE:**

Wheel Loader with Operator .....	\$150/hour
Skid Loader with Operator .....	\$130/hour
Mowing, Tractor & Rotary .....	\$85/hour
Dump Truck with Operator .....	\$80/load to City Dump
Mowing, Rider .....	\$60/hour
Black Dirt.....	\$45/Ton
Fill Dirt .....	\$20/Ton
Gravel .....	\$15/Ton
Labor.....	\$40/hour

**RECREATION FEES**

Pool Fees

Family Pass .....	\$80.00
Individual Pass .....	\$35.00
Daily.....	\$ 3.00
Lessons .....	\$25.00 per child
Private Lessons .....	\$50.00 per child

**GOLF FEES**

Memberships	Before 5/15	After 5/15
Family: .....	\$500.00	\$535.00
1 <sup>st</sup> Time Family (not a member the past 3 years) .....	\$350.00	\$350.00
Couple: .....	\$420.00	\$450.00
1 <sup>st</sup> Time Couple (not a member the past 3 years) .....	\$300.00	\$300.00
Individual: .....	\$335.00	\$360.00
1 <sup>st</sup> Time Individual (not a member the past 3 years).....	\$250.00	\$250.00
College Student .....	\$150.00	\$150.00
High School .....	\$ 50.00	\$ 50.00

Cart Storage Fees

Gas: .....	\$110.00
Electric .....	\$125.00

**RESOLUTION FOR CITY OF ALCESTER 2020 FEES**

**Clubhouse Rental\***

Member .....\$50.00 per day  
(Plus \$10 / hour for each hour past normal business hours)  
Non-Member .....\$75.00 per day  
(Plus \$10 / hour for each hour past normal business hours)

*\*Pursuant to Revised Municipal Ordinances for the City of Alcester 4.0308 and SDCL 35.1.5.6; no alcoholic beverages may be consumed on the Golf Course Premises that HAVE NOT been purchased from the Alcester Golf Clubhouse. Those renting the Clubhouse may bring in Tea, Coffee, Lemonade and other Non-alcoholic drinks for their guests.*

**GREEN FEES**

	<u>Weekdays</u>	<u>Weekends/Holidays</u>
9 Holes	\$11.00	\$13.00
18 Holes	\$16.00	\$19.00
Each Additional 9 holes (same day)	\$ 5.00	\$ 6.00
Fall Golf Rate (September & October)	\$ 50.00 –Unlimited Golf	

**Car Rental**

9 holes .....\$12.00  
18 holes.....\$16.00  
Annual Trail Fees.....\$40.00

**Campground Fees**

Per Day .....\$ 20.00  
Per Week.....\$120.00  
Longer stays .....Contact City Hall for Rates

As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption and replaces any previously stated rates.

Dated this 6 day of January 2020

Thomas Glas  
Thomas Glas, Mayor  
City of Alcester, South Dakota

ATTEST:  
Patricia R Jurrens  
Patricia R Jurrens  
Finance Officer

(seal)

Passed & Adopted: January 6, 2020

**ORDINANCE NO. 2020-02**

**AN ORDINANCE AMENDING THE EXISTING MUNICIPAL ORDINANCES OF THE  
CITY OF ALCESTER, SOUTH DAKOTA, TITLE 5, CHAPTER 5.02, SECTIONS  
5.0211, 5.0212, 5.0212A and 5.0213**

**Section 1. Purpose.** The purpose of this ordinance is to amend and/or repeal certain portions of the existing Municipal Ordinances of the City of Alcester related to the licensing .

**Section 2. The Municipal Ordinances of the City of Alcester Title 5, Chapter 5.02, Sections 5.0211, 5.0212, 5.0212A and 5.0213.0202 are hereby amended to read:**

5.0211 Licensing of Dogs and Cats Required. Each owner or keeper of a dog or cat of the age of six months or over shall within thirty days after the acquisition of such animal or within thirty days after the time such animal becomes six months old, cause such animal to be licensed by the City.

5.0212 Application for License. Every owner or keeper of a dog or cat within the City must submit an application for an animal license for each such animal owned six months old or older on or before the first day of January in each year. The application shall be furnished by the Finance Officer. All applications for license certificates must be accompanied by a rabies immunization certificate and the appropriate fee, as shown in Section 5.0213.

No license shall be issued to any owner of any dog or cat who does not present to the City Finance Officer of the City of Alcester, at the time of making application for such license, a certificate of vaccination for "rabies" issued by a veterinarian, duly licensed to practice veterinary medicine, which certificate must show the date of such vaccination and must state the period of time for which the dog or cat is effectively immunized, which period of immunization must be at least one (1) year from the date of the issuance of the license. In the event that the immunization period is less than one (1) year, the owner of said dog or cat must immediately provide a certificate of vaccination for rabies to the City Finance Officer of the City of Alcester within fifteen (15) days from the expiration date of immunization. A waiver of vaccination may be issued by the Finance Officer of the City of Alcester provided the dog or cat is too young for a vaccination to be administered. Failure to provide said certification or waiver as herein set forth shall constitute a violation of the dog/cat license ordinance and subject the owner to the penalties as hereinabove provided.

A certificate and tag shall be issued upon receipt of a proper application for license. The certificate at all times must be in the possession of the owner. The owner shall contact the Finance Officer to report change of ownership, loss or death of a licensed animal. If a tag or certificate is lost, either may be replaced for a fee of one dollar. The tag must be worn by all dogs and cats. It is the duty of the owner of any licensed dog or cat to assure proper tagging of said animal. The failure to do so shall be a violation of this Ordinance.



5.0212.A Penalties. The penalty for failing to obtain a dog or cat license or to properly display the metallic dog/cat tag as hereinabove set forth, shall result in a minimum fine for the first violation of \$25.00. It is deemed a separate violation of the dog/cat licensing ordinance for each 30 day period of noncompliance. The fine for all subsequent offenses shall not exceed the maximum fine as authorized for violation of the City ordinances of the City of Alcester.


5.0213 License Fee Schedule. The fee for licenses shall be as follows:

Dog/cat license (spayed or neutered)	\$10.00
Dog/cat license (not spayed or neutered)	\$25.00

The current fee schedule specifically addresses dog and cat licenses. The City Council may revise any or all license fees by resolution. The City Council may in special instances, after a hearing, exempt the license fee in individual cases.

Dated this 3 day of February, 2020.

CITY OF ALCESTER

  
Thomas Glas, Mayor

ATTEST:

  
Patricia Jurrens, Finance Officer

Date of First Reading: January 6, 2020  
Date of Second Reading: February 3, 2020  
Date of Publication: February 13, 2020  
Effective Date: March 4, 2020

ORDINANCE NO. 2020-01

AN ORDINANCE AMENDING THE EXISTING MUNICIPAL ORDINANCES OF THE CITY OF ALCESTER, SOUTH DAKOTA, TITLE 1, CHAPTER 1.02, SECTION 1.0202 REGULAR MEETINGS


**Section 1. Purpose.** The purpose of this ordinance is to amend and/or repeal certain portions of the existing Municipal Ordinances of the City of Alcester related to regular meetings.

**Section 2. Municipal Ordinances of the City of Alcester Title 1, Chapter 1.02, Section 1.0202 is hereby amended to read:**

1.0202 Regular Meetings. On the first Monday of each month at 6:00 p.m., the City Council shall meet at the Alcester City Hall or other designated place, to consider, take under advisement, and act upon such business as may come before it. If a regular meeting day falls upon a City observed holiday, the regular meeting shall be held on the following day or as rescheduled by the City Council. (SDCL 9-8-8)

Dated this 3 day of February, 2020.

CITY OF ALCESTER

  
Thomas Glas, Mayor

ATTEST:

  
Patricia Jurrens, Finance Officer

Date of First Reading: January 6, 2020

Date of Second Reading: February 3, 2020

Date of Publication ~~February 13, 2020~~ February 20, 2020

Effective Date ~~March 4, 2020~~ March 12, 2020

## RESOLUTION NO. 2020-03

### **RESOLUTION TO RELATING TO SEWER UTILITY REVENUE REFUNDING BONDS; AUTHORIZING AND DIRECTING THE ISSUANCE AND SALE THEREOF AND DEFINING THE TERMS AND MANNER OF PAYMENT AND SECURITY THEREOF.**

BE IT RESOLVED by the City Council (the "Council") of the City of Alcester, South Dakota (the "City"), as follows:

#### SECTION 1. RECITALS, AUTHORIZATION AND FINDINGS.

1.01. Recitals. The City currently operates a municipal sewer utility under SDCL 9-40 (the "System"), consisting of a system or part of a system, for the purpose of providing sewage treatment for municipal, industrial, and domestic purposes.

1.02. Authorization. The City is authorized to borrow money and issue its revenue bonds under South Dakota Codified Laws, Chapter 9-40 and 6-8B (the "Act"), in order to defray the cost of acquiring and constructing improvements to the System.

Pursuant to a Resolution adopted by the City on May 5, 2003, the City has heretofore entered into a Loan Agreement with the United States Department of Agriculture (the "USDA") and pursuant to Resolution No. 02-7 adopted by the City on July 15, 2002, the City has heretofore issued its Sewer Utility Revenue Bonds in the principal amount of \$449,000, dated as of May 22, 2003 (the "Refunded Obligations"), to evidence the loan from the USDA, the proceeds of which were used to pay a portion of the cost of improving the System (the "Improvements").

As authorized by the Act, the City has determined that it is necessary and desirable to issue its revenue refunding bonds in one or more series (hereafter, collectively, the "Series 2020 Bonds," and together with any Additional Bonds issued hereunder, the "Bonds"), the proceeds of which will be used, together with such available funds as may be required, to refund in a current refunding the outstanding aggregate principal amount of the Refunded Obligations.

The City is authorized to make all pledges, covenants and agreements authorized by law for the protection of the owners of the Series 2020 Bonds, including, without limitation, those covenants set forth in Sections 9-40-16 and 9-40-17 of the Act. The Series 2020 Bonds are payable solely from the revenue or income derived from the Net Revenues of the System.

**The Series 2020 Bonds shall constitute an indebtedness of the City within the meaning of the provisions and limitations of Article XIII § 4 of the South Dakota Constitution.**

1.03. Findings. It is hereby found, determined and declared to be in the best interests of the City to issue the Series 2020 Bonds, to be denominated "Sewer Utility Revenue Refunding Bonds, Series 2020" in accordance with the Act and under the terms and conditions set forth in this resolution (the "Resolution"). The City finds that the Improvements to be refinanced and the System as a whole will benefit all present and future users of the System.

## SECTION 2. SALE.

2.01. Sale. The City has retained AMKO Advisors (“AMKO”), as independent financial advisor in connection with the sale of the Series 2020 Bonds, and AMKO is hereby authorized to solicit proposals for purchase of the Series 2020 Bonds on behalf of the City. The aggregate principal amount of the Series 2020 Bonds shall not exceed the amount necessary to accomplish the refunding of the Refunded Obligations and to pay the costs of issuing the Series 2020 Bonds (including an original issue discount not to exceed 2% of the par amount of the Series 2020 Bonds and any bond insurance premium as may be required). The true interest cost of the Series 2020 Bonds shall not be greater than 3.50% per annum. The City Council is hereby authorized to accept or reject any proposals for purchase of the Series 2020 Bonds on behalf of the City.

2.02. Purchase Agreement. The execution of a Purchase Agreement (the “Purchase Agreement”) with the purchaser of the Series 2020 Bonds (the “Purchaser”) setting forth such final terms by the Mayor and Finance Officer is hereby approved and authorized and such execution shall be conclusive evidence of such agreement and shall be binding upon the City. The provisions of the Purchase Agreement as so executed, including all Exhibits and Appendices thereto, are incorporated herein by reference.

2.03. Appointment of Bond Counsel. The law firm of Dorsey & Whitney LLP, of Minneapolis, Minnesota (“Bond Counsel”), is hereby appointed as Bond Counsel for purposes of this issue of Series 2020 Bonds.

2.04. City Officers Authorized to Execute Documents. The Mayor, Finance Officer, and City Attorney are hereby authorized and directed to execute and deliver the Purchase Agreement and the documents required thereunder, the Official Statement, the Series 2020 Bonds, and any other documents required to complete the financing contemplated hereby. Execution and delivery of such documents by the Mayor, Finance Officer, and City Attorney shall constitute evidence that such items are consistent with the terms of this Resolution and have been duly authorized, executed and delivered by the City and are enforceable against the City in accordance with their terms, subject to customary exceptions relating to bankruptcy, reorganization, insolvency and other laws affecting creditors’ rights. The Mayor, Finance Officer, and City Attorney are further authorized to take such other actions as may be required to effectuate the terms and intent of this Resolution. In the event of the absence or disability of the Mayor, Finance Officer or City Attorney, each of their respective authorized designees are hereby authorized to act in the place and stead of the Mayor, Finance Officer and City Attorney, and to take all actions and execute all documents approved hereby.

## SECTION 3. TERMS, EXECUTION AND DELIVERY.

3.01. Date, Maturities and Interest Rates. The Series 2020 Bonds shall be issued in the denomination of \$5,000 each, or any integral multiple thereof, shall mature on the dates and in the respective years and amounts, and shall bear interest from date of original issue until paid or duly called for redemption payable on the dates and at the respective annual rates stated opposite such maturity years as shown on Exhibit A to the Purchase Agreement. The Series 2020 Bonds shall be issuable only in fully registered form. The interest thereon and, upon surrender of each Bond,

the principal amount thereof, shall be payable by check or draft issued by the Registrar described herein.

3.02. Dates and Interest Payment Dates. Each Series 2020 Bond shall bear a date of original issue as of the date on which the Series 2020 Bonds are delivered to the Purchaser. Upon the initial delivery of the Series 2020 Bonds pursuant to Section 3.06 and upon any subsequent transfer or exchange pursuant to Section 3.05, the date of authentication shall be noted on each Series 2020 Bond so delivered, exchanged or transferred. The interest on the Series 2020 Bonds shall be payable on the interest payment dates specified in the Purchase Agreement to the owner of record thereof as the close of business on the first day of the month if interest is paid on the fifteenth day of the month and the fifteenth day of the immediately preceding month if interest is paid on the first day of the month, whether or not such day is a business day.

3.03. Redemption. The Series 2020 Bonds shall be subject to redemption prior to maturity, at the option of the City, in the years and at the redemption prices set forth in Exhibit A to the Purchase Agreement in such order of maturities as may be designated by the City and, within any maturity, in \$5,000 principal amounts selected by the Registrar by lot, assigned in proportion to their principal amounts.

The Finance Officer shall cause notice of the call for redemption thereof to be published as and if required by law, and, at least thirty days prior to the designated redemption date, shall cause notice of the call thereof for redemption to be mailed, by first class mail, to the registered owners of any Series 2020 Bonds to be redeemed at their addresses as they appear on the bond register described in Section 3.5 hereof, but no defect in or failure to give such mailed notice shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. The notice of redemption shall specify the redemption date, redemption price, the numbers, and interest rates, of the Series 2020 Bonds to be redeemed and the place at which the Series 2020 Bonds are to be surrendered for payment, which is the office of the Registrar.

Official notice of redemption having been given as aforesaid, the Series 2020 Bonds or portions of Series 2020 Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Series 2020 Bonds or portions of Series 2020 Bonds shall cease to bear interest. Upon partial redemption of any Series 2020 Bond, a new bond or bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

3.04. Appointment of Initial Registrar. The City hereby appoints the Finance Officer of the City as bond registrar, transfer agent, and paying agent (the “Registrar”) for the Bonds.

3.05. Registration. The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep a bond register in which the Registrar shall provide for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Bonds. Whenever any Bonds are surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount, interest rate and maturity, as requested by the registered owner or the owner's attorney duly authorized in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument-of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Bonds, the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated bond or in lieu of and in substitution for any such bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate

bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be cancelled by it and evidence of such cancellation shall be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it shall not be necessary to issue a new Bond prior to payment.

3.06. Execution, Authentication and Delivery. The Series 2020 Bonds shall be prepared under the direction of the Finance Officer and shall be executed on behalf of the City by the signatures of the Mayor and the Finance Officer, and countersigned by an attorney actually residing in the State of South Dakota and duly licensed to practice therein, provided that all signatures may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Bond has been duly executed by the Registrar by the manual signature of its authorized representative. Bonds of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so prepared, executed and authenticated, the Finance Officer shall deliver the same to the Purchaser (or to DTC on behalf of the Purchaser) upon payment of the purchase price in accordance with the provisions of the Purchase Agreement and the Purchaser shall not be obligated to see to the application of the purchase price.

3.07. Form of Bonds. The Bonds shall be prepared in substantially the form on file with the Finance Officer.

3.08. Securities Depository. If directed by the Purchaser, the Bonds may be issued in book-entry-only form pursuant to the terms provided in this section.

(a) For purposes of this section the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds Bonds as securities depository.

“Representation Letter” shall mean the Representation Letter pursuant to which the sender agrees to comply with DTC’s Operational Arrangements.

(b) The Bonds shall be initially issued as separately authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. The Registrar and the City may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Bonds under this Resolution, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Registrar nor the City shall be affected by any notice to the contrary. Neither the Registrar nor the City shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the bond register as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this Resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. So long as any Bond is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Bond, and shall give all notices with respect to such Bond, only to Cede & Co. in accordance with DTC’s Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the City’s obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the City to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the City determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds in the form of bond certificates, the City may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Bonds in the form of certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) The execution and delivery of the Representation Letter to DTC by the Mayor or Finance Officer is hereby authorized and directed.



In the event that any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this Resolution. In the event Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Bonds, or another securities depository as owner of all the Bonds, the provisions of this Resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds in the form of bond certificates and the method of payment of principal of and interest on such Bonds in the form of bond certificates.

#### SECTION 4. SEWER REVENUE FUND.

4.01. Bond Proceeds and Revenues Pledged and Appropriated. A fund to be designated as the Sewer Revenue Fund (the “Fund”) is established and shall be maintained as a separate and special bookkeeping account on the official books of the City until the Bonds and any Additional Bonds (as defined herein) (together referred to as the “Bonds”) payable from the Net Revenues of the System, as provided in Sections 4.02 through 4.04 hereof and interest and redemption premiums due thereon have been fully paid, or the City’s obligation with reference to the Bonds has been discharged as provided in this Resolution. Net Revenues shall be the excess of revenues or income remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements, and operation including the interest on any general obligation bonds authorized to construct or acquire or improve such original utility and including the necessary debt service funds required to be provided for the retirement of said bond issues, and including the interest and debt service funds required annually to be paid or set aside on any refunding bonds issued to refund such general bonds issued for the original construction or acquisition or improvement of said utility, so extended, added to or improved.

All revenues appropriated for purposes of the System are appropriated to the Fund. All gross revenues derived from the operation of the System are segregated and irrevocably pledged and appropriated and shall be credited to the Fund as received.

The City shall aggregate the gross revenues derived the System, together with the expenses of the operation and maintenance of the System and shall account for them as provided in this Resolution. Such gross revenues shall include all gross income and receipts from rates, fees, charges and rentals imposed for the availability, benefit and use of the System as now constituted and of all replacements and improvements thereof and additions thereto, and from penalties and interest thereon, and from any sales of property acquired for the System and all income received from the investment of such gross revenues; but not any taxes levied or amounts borrowed or received as grants for construction of any part of the System.

The Fund shall be segregated and subdivided into separate accounts as designated and described in Sections 4.02 to 4.07, to segregate income and expenses received, paid and accrued for the respective purposes described in those Sections. The gross revenues received in the Fund shall be apportioned monthly or as soon as possible after the first day of each month, commencing the first calendar month following the delivery of the Series 2020 Bonds, which apportionment is hereinafter referred to as the “monthly apportionment.”

4.02. Construction Account. To the Construction Account shall be credited as received all amounts received from any claim with respect to the System received pursuant to Section 6.03 hereof and applied to repair, replacement and restoration of the System; any amount in excess of that necessary for such repair, replacement and restoration shall be transferred to the Revenue Bond Account.

4.03. Operating Account. On each monthly apportionment there shall first be set aside and credited to the Operating Account as a first charge on the gross revenues of the System such amount as may be required over and above the balance then held in the Operating Account to pay the reasonable and necessary operating expenses of the System which are then due and payable, or are to be paid prior to the next monthly apportionment. The term "operating expenses" shall mean the current expenses, paid or accrued, of operation maintenance and current repair of the System, calculated in accordance with generally accepted accounting principles and shall include, without limitation, administrative expenses of the City relating solely to the System premiums for insurance on properties thereof labor and the cost of materials and supplies used for current operation and for maintenance, and charges for the accumulation of appropriate reserves for current expenses which are not recurrent monthly but may reasonably be expected to be incurred in accordance with generally accepted accounting principles. Such operating expenses shall not include any allowance for depreciation or renewals or replacements of capital assets of the System and shall not include any portion of the salaries or wages paid to any officer or employee of the City, except such portion as shall represent reasonable compensation for the performance of duties necessary to the operation of the System, nor any amount property payable from any other account of the Fund moneys in the Operating Account shall be used solely for the payment of current operating expenses of the System, as herein defined. A sufficient balance shall be kept therein as working capital to cover the cost of one month's current operation. The Net Revenues of the System, as referred to in this Resolution, are hereby defined to include the entire amount of such gross revenues remaining after each such monthly apportionment after crediting to the Operating Account the amount required hereby.

4.04. Revenue Bond Account. Upon each monthly apportionment, there shall be set aside and credited to the Revenue Bond Account out of the Net Revenues of the System an amount equal to not less than one-twelfth of the total sum of the principal and interest to become due within the then next succeeding twelve months on all Bonds. Moneys from time to time held in the Revenue Bond Account shall be disbursed only to meet payments of principal and interest on Bonds as such payments become due; provided that on any date when all outstanding Bonds are due or prepayable by their terms, if the amount then on hand in the Revenue Bond Account together with the balance then on hand in the Reserve Account is sufficient with other moneys available for the purpose to pay all Bonds and the interest accrued thereon in full, it may be used for that purpose. If any payment of principal or interest becomes due when moneys in the Revenue Bond Account are temporarily insufficient therefor, such payment shall be advanced out of any Net Revenues theretofore segregated and then on hand in the Reserve Account, the Replacement and Depreciation Account or the Surplus Account. In the event that sufficient moneys are not available from the aforementioned sources, the City may, but shall not be required to, temporarily advance moneys to the Revenue Bond Account from other funds of the City on hand and legally available for the purpose, to the extent it may at the time legally do so, but any such advance shall be repaid from Net Revenues of the System within 24 months.

4.05. Reserve Account. If required by the Purchaser, there shall be established a Reserve Account. There shall be deposited into the Reserve Account an aggregate amount equal to Reserve Fund Requirement. Said balance shall be maintained by such additional credits to the Reserve Account as may be necessary. Moneys on hand in the Reserve Account shall be used only to pay maturing principal and interest when other moneys in the Revenue Bond Account are insufficient therefore. The "Reserve Fund Requirement" means an amount equal to the least of: (a) the maximum annual principal and interest requirements on the Bonds, excluding the annual principal and interest requirement in the last year the Bonds are outstanding, and any Additional Bonds for the then-current or any succeeding bond year; (b) 125% of the average annual principal and interest requirements on the Bonds and any Additional Bonds; or (c) 10% of the original principal amount of the Bonds and any Additional Bonds (net of original issue discount), determined at the time of initial issuance of the Bonds and any Additional Bonds and on the first day of each fiscal year thereafter while any Bonds or Additional Bonds are outstanding.

4.06. Replacement and Depreciation Account. There shall next be set aside and credited, upon each monthly apportionment, to the Replacement and Depreciation Account such portion of the Net Revenues, in excess of the current requirements of the Revenue Bond Account (which portion of the Net Revenues is referred to herein as Surplus Net Revenues), as the Council shall determine to be required for the accumulation of a reasonable reserve for renewal of worn out, obsolete or damaged properties and equipment of the System, which reserve shall be accumulated and maintained in an amount not less than 10% of the Operating Expenses for the preceding Fiscal Year. Moneys in this account shall be used only for the purposes above stated or, if so directed by the Council, to redeem Bonds which are prepayable according to their terms, to pay principal or interest when due thereon as required in Section 4.04 hereof, or to pay the cost of improvements to the System, provided that in the event that the City shall hereafter issue bonds for the purpose of financing the construction and installation of additional improvements or additions to the System, but which Additional Bonds cannot, upon the terms and conditions provided in Section 5, be payable from the Revenue Bond Account, Surplus Net Revenues from time to time received may be segregated and paid into one or more separate and additional accounts from the payment of such bonds and interest thereon, in advance of payments required to be made into the Replacement and Depreciation Account.

4.07. Surplus Account. Any amount of the Surplus Net Revenues from time to time remaining after the above required applications thereof shall be credited to the Surplus Account, and the moneys from time to time in that account, when not required to restore a current deficiency in the Revenue Bond Account as provided in Section 4.04 hereof, may be used for any of the following purposes and not otherwise:

(a) To redeem and prepay Bonds when and as such Bonds become prepayable according to their terms;

(b) To purchase Bonds on the open market, whether or not the Bonds so purchased or other such Bonds may then be prepayable according to their terms; and, if the Reserve Accounts is then funded to the full amount required to be maintained therein, and the balances in the Revenues Bond Account and the Replacement and Depreciation Account are sufficient to meet

all payments required or reasonably anticipated to be made therefrom prior to the end of the current fiscal year, then;

(c) To pay for repairs of or for the construction and installation of improvements or additions to the System, and, if the Reserve Accounts is then funded to the full amount required to be maintained therein; and the balances in the Revenue Bond Account and the Replacement and Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the then current fiscal year, then;

(d) To be held as a reserve for redemption and prepayment of the Bonds which are not then but will later be prepayable according to their terms; or

(e) To be used for any other authorized municipal purpose designated by the Council.

Except as provided in this Section 4.07, no moneys shall at any time be transferred from the Surplus Account or any other account of the Fund to any other fund of the City, or loaned to other municipal funds, and, except as permitted in Section 4.08, such moneys shall not be invested in warrants or other obligations payable from other funds.

4.08. Deposit and Investment of Funds. The Finance Officer shall cause all moneys pertaining to the Fund to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of Chapter 4-6A, SDCL, in a deposit account or accounts, which shall be maintained separate and apart from all other account of the City, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No moneys shall at any time be withdrawn from such deposit accounts except for the purposes of the Fund as authorized in this Resolution; except that moneys from time to time on hand in the Fund may at any time, in the discretion of this Council, be invested in securities permitted by the provisions of State law, provided that the Replacement and Depreciation Account and the Surplus Account may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the Fund from whose moneys and deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys in that account. The investment of the moneys on deposit in the Revenue Bond Account is further restricted by the provisions of Section 9 hereof.

4.09. Additional Revenues or Collateral. The City reserves the right at any time to pledge additional moneys, revenues or collateral as security for the Series 2020 Bonds and any Additional Bonds. Such pledge shall not be effective unless and until the City receives and provides to the Registrar an opinion of nationally recognized bond counsel stating that such pledge will not

adversely affect the validity or tax exemption of the Series 2020 Bonds and any Additional Bonds then outstanding.

## SECTION 5. PRIORITIES AND ADDITIONAL BONDS.

5.01. Priority of Bond Payments. Each and all of the Series 2020 Bonds shall be equally and ratably secured by and payable out of the Net Revenues of the System without preference or priority of any one Series 2020 Bond over any other by reason of serial number or otherwise, provided that if at any time the Net Revenues of the System are insufficient to pay principal and interest then due on all Series 2020 Bonds, any and all moneys then on hand shall be first used to pay the interest accrued on all outstanding Series 2020 Bonds, and the balance shall be applied toward payment of the maturing principal of Series 2020 Bonds in order of their maturities, the earliest maturing Series 2020 Bonds to be paid first, and pro-rata in payment of Bonds maturing on the same date.

5.02. Refunding Revenue Bonds. The City reserves the right and privilege of refunding any or all of the Series 2020 Bonds, but only subject to the following terms and conditions:

(a) Any matured Series 2020 Bonds may be refunded if moneys available for the payment thereof at maturity, within the limitation prescribed in Section 5.01 hereof, should at any time be insufficient to make such payment in full.

(b) Any Series 2020 Bonds may be refunded prior to maturity, as and when they become prepayable according to their terms.

(c) Provision may be made for the payment and refunding of any unmatured Series 2020 Bonds by the deposit with a duly qualified depository bank, as escrow agent, of a sufficient amount of cash, or of bonds or other general obligations of the United States, or of securities whose principal and interest payments are guaranteed by the United States, to pay the principal amount of such outstanding Series 2020 Bonds with interest to the earliest subsequent date, if any, upon which the same may be called for redemption and prepayment, and with interest to the maturity of any such Series 2020 Bonds which are not subsequently prepayable.

(d) Any refunding revenue bonds issued for the above purposes may be made payable from the Net Revenues of the System on a parity as to interest with all then outstanding bonds, provided that (1) the maturity of each refunding revenue bond shall be subsequent to the last maturity of any then outstanding bonds which are not refunded or to be refunded out of moneys on deposit with such escrow agent, and (2) no bondholder shall be required to accept a refunding revenue bond in exchange for any bond owned by him.

(e) So long as (i) the final maturity of the refunding bonds does not exceed the final maturity of the bonds being refunded, and (ii) maximum annual debt service on the refunding bonds is not more than 125% of the maximum annual debt service on the bonds being refunded, the refunding bonds need not meet the Net Revenues test for Additional Bonds set forth in Section 5.03.

5.03. Other Parity Bonds. The City reserves the right to issue additional bonds, payable from the Revenue Bond Account of the Fund, on a parity as to both principal and interest with the Series 2020 Bonds (the "Additional Bonds"), if (i) no default has occurred and is continuing under this Resolution, and (ii) the Net Revenues of the System, as defined herein, for the last complete fiscal year of the City preceding the issuance of such Additional Bonds has equaled at least 125% of the average annual principal and interest payable from the Revenue Bond Account in any subsequent calendar year during the term of the outstanding Bonds, on all Bonds then outstanding and on the Additional Bonds proposed to be issued. The Net Revenues of the System are hereby defined to mean, for any fiscal year, the total operating revenues of the System, less the total operating expenses thereof, to which shall be added investment income, depreciation and interest expense, all as determined in accordance with generally accepted accounting principles. For the purpose of the foregoing computation, the Net Revenues for the fiscal year preceding the issuance of Additional Bonds shall be the Net Revenues shown by the official books and records of the City, except that if the rates and charges for services provided by the System have been changed since the beginning of such preceding fiscal year, then the rates and charges in effect at the time of issuance of the Additional Bonds shall be applied to the quantities of service actually rendered and made available during such preceding fiscal year to ascertain the gross revenues, from which there shall be deducted to determine the Net Revenues the actual operation and maintenance cost for the last complete fiscal year as shown by the official books and records of the City plus any additional annual costs of operation and maintenance which the engineer for the City estimates will be incurred because of the improvement or extension of the System to be constructed from the proceeds of the Additional Bonds proposed to be issued. In no event shall any Additional Bonds be issued and made payable from the Revenue Bond Account if the City is then in default in any payment of principal or interest deficiency in the balances required by this Resolution to be maintained in any of the accounts of the Fund. Notwithstanding the provisions of Section 7 hereof requiring consent of the registered owners of all outstanding Bonds, the provisions of this Section may, with respect to the issuance of Additional Bonds, be waived or amended with the written consent of the registered owners of not less than three-quarters in principal amount of the outstanding Bonds.

5.04. Subordinate Lien Bonds. Notwithstanding the above provisions of Section 5, nothing contained in this Resolution or in the Bonds shall be construed to preclude the City from issuing bonds when necessary for the enlargement, improvement or extension of the System, provided such bonds, whether constituting a general obligation of the City or payable solely from sewer utility revenues, are expressly made a charge on and are payable only from the Surplus Net Revenues of the System as defined in Section 4.06 of this Resolution, and are not superior to or on a parity with the Series 2020 Bonds.

## SECTION 6. COVENANTS.

6.01. General. The City covenants and agrees with the registered owners from time to time of all Bonds that the recitals contained in Section 1 are correct; and that, subject to Section 6.05 hereof, until all Bonds are fully discharged as provided in this Resolution, it will continue to hold, maintain and operate the System and the Improvements as a public utility and convenience, free from all liens thereon or on the income therefrom other than the liens herein granted or provided for, will observe prudent utility practices, and will maintain, expend and account for the

Fund and the several accounts therein as provided in Section 4, and will issue no Additional Bonds or other obligations constituting a lien or charge on the Net Revenues of the System except upon the conditions and in the manner prescribed in Section 5, and will perform and cause all officers and employees of the City to perform and enforce each and all of the additional covenants and agreements set forth in this Section 6.

6.02. Competing Service. The City will not establish or authorize the establishment of any other system for the public supply of service or services in competition with any or all of the services supplied by the facilities of the System.

6.03. Property Insurance. The City will cause all buildings, properties, fixtures and equipment constituting a part of the System to be kept insured with a reputable insurance carrier or carriers, qualified under the laws of South Dakota, or a qualified municipal insurance pool, in such amounts as are ordinarily carried, and against loss or damage by such hazards and risks as are ordinarily insured against by public utilities owning and operating properties of a similar character and size, provided that if at any time the City is unable to obtain insurance, it will obtain insurance in such amounts and against risks as are reasonably obtainable. The proceeds of all such insurance shall be available for the repair, replacement or reconstruction of damaged or destroyed property, and any proceeds attributable to the System shall be deposited in the Construction Account and applied as provided in Section 4.02 hereof, and until paid out in making good such loss or damage, are pledged as security for the outstanding Bonds issued hereunder. All insurance proceeds received with respect to the System in excess of the amount required for restoration of the loss or damage compensated thereby shall be and become part of the revenues appropriated to the Fund. If for any reason insurance proceeds are insufficient for the repair, replacement and reconstruction of the insured property constituting a part of the System, the City shall supply the deficiency from revenues on hand in the Replacement and Depreciation Account and the Surplus Account, and may supply it from any other City funds, but is not obligated to the registered owners so to do unless the deficiency results from breach of the covenant in this Section 6.03.

6.04. Liability Insurance and Surety Bonds. The City will carry insurance against liability of the City and its employees for damage to persons and property resulting from the operation of the System, in amounts the City determines from time to time to be necessary or advisable by reason of the character and extent of such operation. It will also cause all persons handling money and other assets of the System and the Fund to be adequately bonded for the faithful performance of their duties and to account for and pay over such money to the City. All amounts received under such insurance and bonds shall be applied to the payment of the loss or damage covered thereby. The premiums for all insurance and bonds required by this Section 6.04 and Section 6.03 constitute part of the Operating Expenses of the System, but no insurance liabilities of the City in excess of amounts received under such insurance and bonds shall constitute

a lien or charge on revenues or any other assets herein or otherwise pledged to the Revenue Bond Account. Such insurance may be obtained through a qualified municipal insurance pool.

6.05. Disposition of Property. The City will not mortgage, lease, sell or otherwise dispose of any real or personal properties of the System, unless:

(a) Prior to or simultaneous with such mortgage, lease, sale or other disposition, all of the outstanding Bonds shall be discharged as provided in Section 8; or

(b) The properties to be mortgaged, leased sold or otherwise disposed of are unserviceable, inadequate, obsolete or no longer required for use in connection with the System, and all proceeds of the mortgage, lease, sale or other disposition of such properties are deposited into the Fund.

6.06. Books and Records. The City will cause proper and adequate books of record and account to be kept showing complete and correct entries of all receipts, disbursements and other transactions relating to the System as a part thereof, the gross revenues derived from the operation of the System, and the segregation and application of the gross revenues in accordance with this Resolution, in such reasonable detail as may be determined by the City in accordance with generally accepted accounting practice and principles. It will cause such books to be maintained on the basis of a fiscal year commencing January 1 and ending December 31, or such other period as this Council may determine, and to be audited annually.

6.07. Cost of Insurance and Accounting. The insurance and fidelity bond premiums and the cost of the bookkeeping and audits herein provided for and of the billings and collection of the sewer utility rates, charges and rentals, with respect to the System, shall be payable from the Operating Account.

6.08. Handling of Funds. The employees of the City, under the direction and control of the City Finance Officer, shall keep books of accounts, issue statements and collect bills for the rates, charges and rentals for the services and facilities provided by the System and for other money currently receivable on account thereof and shall, to the extent required by Section 6.10, provide for the discontinuance of service in case of nonpayment for services or noncompliance with regulations. All money collected with respect to the System shall be deposited daily with the Finance Officer. In the event of default on the part of the City in the payment of principal of or interest on any Bond promptly as each falls due, or in the keeping of any covenants herein contained, and if such default shall continue for a period of ninety days the Council will appoint a special superintendent for the System, with the power and responsibility to operate the System for the City, and to recommend to the Council such revisions of the rates and charges and operating policies as may be necessary to comply with this Resolution, and to assure that the Net Revenues will be sufficient to pay all principal of and interest on Bonds, and he shall in all things so operate the System as to comply fully with all the requirements and provisions of this Resolution. The right of the registered owners of the Bonds to require employment of such a superintendent shall not be exclusive, and in the event of a default as herein outlined, such registered owner or owners shall have the right to proceed at law or in equity to require the performance of the covenants



herein contained, in any form of action which shall to them seem appropriate. The rights and obligations of this Section shall be subject to the provisions of Section 9-40-33 of the Act.

6.09. Rules and Regulations. The rules and regulations for operation of the System and the use of utility service from the System shall be as provided in the existing ordinances and resolutions of the City, and any ordinances and resolutions subsequently adopted amendatory thereof or supplemental thereto.

6.10. Billings. The charges for sewer utility services will be billed at least monthly. The City shall take all appropriate legal action to collect the unpaid charges.

6.11. Remedies. Any registered owner of any Bond shall have the right, either at law or in equity, by suit, action or other proceedings, to protect and enforce the rights of all registered owners of the Bonds and to compel the performance of any and all of the covenants required herein to be performed by the City, and its officers and employees, including but not limited to the fixing and maintaining of rates, fees and charges and the collection and proper segregation of gross revenues and the application and use thereof. The registered owners of a majority in principal amount of outstanding Bonds shall have the right to direct the time, method and place of conducting any proceeding for any remedy available to the bondholders or the exercise of any power conferred on them, and the right to waive a default in the performance of any such covenant, and its consequences, except a default in the payment of the principal of or interest on any Bond when due. However, nothing herein shall impair the absolute and unconditional right of the registered owner of each Bond to receive payment of the principal of and interest on the Bond as such principal and interest respectively become due, and to institute suit for any such payment, any court having jurisdiction of the action may appoint a receiver to administer the System on behalf of the City with power to charge and collect rates, fees and charges sufficient to provide for the payment of the operating expenses and for the payment of any bonds or obligations outstanding against the System, and to apply the gross revenues in conformity with this Resolution and the laws of the State of South Dakota.

6.12. Rates and Charges. The City through the Council will maintain, revise, charge and collect rates and other charges for service furnished and made available by the System, according to schedules such that the gross revenues derived therefrom will be sufficient, when combined with other available funds, to pay when due all expenses of the operation and maintenance of the System, and all principal of and interest on the Bonds, to provide for the establishment and maintenance of adequate reserves therefor, and to provide an allowance adequate for recurring renewals and replacements of the System, and to fulfill the terms of all other agreements with registered owners of the City's bonds. Such rates and charges shall at all times be sufficient to produce Net Revenues (as defined in Section 5.3) for each fiscal year at least equal to (i) 100% of the principal of and interest on the Bonds coming due in such fiscal year, and (ii) together with the balance in the Surplus Account carried over from the preceding Fiscal Year, 115% of the principal of and interest on the Bonds coming due in the fiscal year.

## SECTION 7. AMENDMENTS.

7.01. Amendments Without Bondholder Consent.

(a) The City may amend this Resolution, if such amendment is required by a bond rating agency as a condition to its release of a rating on the Series 2020 Bonds, or by a municipal bond policy insurer as a condition of its issuance of a bond insurance policy with respect to the Series 2020 Bonds.

(b) The City reserves the right to amend this Resolution, from time to time and at any time, for the purpose of (i) curing any ambiguity or of curing, correcting or supplementing any defective provision contained herein, or (ii) making such provisions with regard to matters or questions arising hereunder as the City may deem necessary or desirable and not inconsistent with this Resolution, and which shall not adversely affect the interests or security of the registered owners of outstanding Bonds, or (iii) adding to the covenants and agreements herein contained, or to the gross revenues herein pledged, other covenants and agreements thereafter to be observed and additional gross revenues thereafter appropriated to the Account, or (iv) surrendering any right or power herein reserved to or conferred upon the City, or (v) authorizing the issuance of Additional Bonds in the manner and subject to the terms and conditions prescribed in Section 5. Any such amendment may be adopted without the consent of the registered owners of any of the Bonds.

7.02. Amendments With Bondholder Consent. With the consent of the registered owners of Bonds as provided in Section 7.03, the City may from time to time and at any time amend this Resolution by adding any provisions hereto or changing in any manner or eliminating any of the provisions hereof, provided, however, that, notwithstanding any provision hereof to the contrary, no amendment shall be adopted at any time without the consent of the registered owners of all affected Bonds which are then outstanding, if it would extend the maturities of any Bonds, would reduce the rate or extend the time of payment of interest thereon, would reduce the amount or extend the time of payment of the principal or redemption premium thereof, would give to any Bond or Bonds any privileges over any other Bond or Bonds, would reduce the sources of gross revenues appropriated to the Account, would authorize the creation of a pledge of said gross revenues prior to or on a parity with the Bonds (except as is authorized by Section 5), or would reduce the percentage in principal amount of such Bonds required to authorize or consent to any such amendment.

7.03. Notice and Consent. Any amendment adopted pursuant to Section 7.2 shall be mailed to each registered owner of a Bond affected thereby, and shall become effective only upon the filing of written consents with the City Finance Officer, signed by the registered owners of not less than two-thirds in principal amount of the Bonds which are then outstanding or, in the case of an amendment not equally affecting all outstanding Bonds, by the registered owners of not less than two-thirds in principal amount of the Bonds adversely affected by such amendment, subject to the requirements of Section 7.2 hereof requiring the approval of all affected Bondholders. Any written consent to an amendment may be embodied in and evidenced by one or any number of concurrent written instruments of substantially similar tenor signed by registered owners in person or by agent duly appointed in writing, and shall become effective when delivered to the City Finance Officer. Any consent by the registered owner of any Bond shall bind such owner and every future registered owner of the same Bond with respect to any amendment adopted by the City pursuant to such consent, provided that any registered owner may revoke such owner's

consent with reference to any Bond by written notice received by the City Finance Officer before the amendment has become effective. In the event that unrevoked consents of the registered owners of the required amount of Bonds have not been received by the City Finance Officer within one year after the mailing of notice of the amendment, the amendment and all consents theretofore received shall be of no further force and effect.

7.04. Proof. Proof of the execution of any consent, or of a writing appointing any agent to execute the same, or of the ownership by any person of Bonds, shall be sufficient for any purpose of this Resolution and shall be conclusive in favor of the City if made in the manner provided in this section. The fact and date of the execution by any person of any such consent or appointment may be proved by the affidavit of a witness of such execution or by the certification of any notary public or other officer authorized by law to take acknowledgment, certifying that the person signing it acknowledged to such notary or other officer the execution thereof. The amount of Bonds held by any person by or for whom a consent is given, and the distinguishing numbers of such Bonds, and the date of his holding the same, shall be proved by the bond register. The fact and date of execution of any such consent may also be proved in any other manner which this Council may deem sufficient; but this Council may nevertheless, in its discretion, require further proof in cases where it deems further proof desirable.

## SECTION 8. DEFEASANCE.

8.01. General. When the liability of the City on all Bonds issued under and secured by this Resolution and all interest thereon has been discharged as provided in this section, all pledges, covenants and other rights granted by this Ordinance to the registered owners of such Bonds shall cease.

8.02. Payment. The City may discharge its liability with reference to any Bonds which are due on any date by depositing with the Registrar for such Bonds on or before the date a sum sufficient for the payment thereof in full, or if any Bond shall not be paid when due, the City may nevertheless discharge its liability with reference thereto by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

8.03. Redemption. The City may also discharge its liability with reference to any Bonds which are called for redemption on any date in accordance with their terms, by depositing with the Registrar on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due thereon, provided that notice of such redemption has been duly given or provided for as described in this Resolution.

8.04. Escrow. The City may also at any time discharge its liability in its entirety with reference to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by calling such Bonds for redemption on the next date when they may be prepaid in accordance with their terms, by giving the notice required for such redemption or giving irrevocable instructions to the escrow agent described below to give such notice, and by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are direct non-callable obligations of the United States and are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such

dates as shall be required, without reinvestment, to provide funds sufficient to pay all principal, interest and redemption premiums, if any, to become due on such Bonds on or before said redemption date. No defeasance shall be made pursuant to this Section 8.04 unless there has first been presented to the escrow agent (i) a verification report as to the adequacy of the escrow prepared by an independent nationally-recognized certified public accountant and (ii) a written opinion of nationally-recognized bond counsel that such defeasance shall not cause the interest on any outstanding Bonds issued as tax-exempt bonds to be included in the gross income of the registered owners thereof for federal income tax purposes.

## SECTION 9. TAX MATTERS.

9.01. The System. The Improvements refinanced in whole or in part with proceeds of the Series 2020 Bonds are and will be owned and operated by the City and used by the City to provide sewer water system services to members of the general public. No user of the System is granted any concession, license or special arrangement with respect to the System or the Improvements. The City shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the System or security for the payment of the Series 2020 Bonds which might cause the Series 2020 Bonds to be considered “private activity bonds” or “private loan bonds” within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the “Code”).

9.02. General Covenant. The City covenants and agrees with the registered owners from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest, if the interest were intended to be tax-exempt, on the Series 2020 Bonds to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the “Regulations”), and covenants to take any and all actions within its powers to ensure that the basic interest, if the interest were intended to be tax-exempt, on the Series 2020 Bonds will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

9.03. Certification. The Mayor and the Finance Officer, being the officers of the City charged with the responsibility for issuing the Series 2020 Bonds pursuant to this Resolution are hereby authorized and directed to execute and deliver to the Purchaser thereof a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Series 2020 Bonds, it is reasonably expected that the proceeds of the Series 2020 Bonds will be used in a manner that would not cause the Series 2020 Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code and the Regulations.

9.04. Arbitrage Rebate. The City acknowledges that the Series 2020 Bonds are subject to the rebate requirements of Section 148(f) of the Code. The City covenants and agrees to retain such records, make such determinations, file such reports and documents and pay such amounts at such times as are required under Section 148(f) and applicable Regulations to preserve the exclusion of interest, if the interest were intended to be tax-exempt, on the Series 2020 Bonds from gross income for federal income tax purposes, unless the Series 2020 Bonds qualify for an exception from the rebate requirement pursuant to one of the spending exceptions set forth in

Section 1.148-7 of the Regulations and no “gross proceeds” of the Series 2020 Bonds (other than amounts constituting a “bona fide debt service fund”) arise during or after the expenditure of the original proceeds thereof.

9.05. Qualified Tax-Exempt Obligations. This Council hereby designates the Series 2020 Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code relating to the disallowance of interest expense for financial institutions, and hereby finds that the reasonably anticipated amount of tax-exempt obligations (within the meaning of Section 265(b)(3) of the Code) which will be issued by the City and all subordinate entities thereof during calendar year 2020 does not exceed \$10,000,000.

**SECTION 10. CONTINUING DISCLOSURE.**

The aggregate principal amount of the Series 2020 Bonds is less than \$1,000,000, therefore, the Series 2020 Bonds are not subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (as in effect and interpreted from time to time, the Rule). If requested by the Purchaser, the City is hereby authorized to enter into a continuing disclosure agreement or assist in the preparation of an official statement related to the Series 2020 Bonds.

**SECTION 11. REDEMPTION OF REFUNDED OBLIGATIONS.**


The Finance Officer is hereby directed to obtain written consent from the USDA authorizing the refunding of the Refunded Obligations on such date as the Finance Officer may determine.

**SECTION 12. EFFECTIVE DATE; REPEALS.**

This Resolution shall become effective upon passage and all provisions of ordinances, resolutions and other actions and proceedings of the City which are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

The above and foregoing resolution was moved for adoption by Melissa Kay, seconded by David Larsen and upon roll call vote, five voted aye, and none voted nay, whereupon the Mayor declared the resolution to be duly passed and adopted.

Attest:   
Finance Officer

  
Mayor

Adopted: March 16, 2020  
Published: March 26, 2020  
Effective Date: April 16, 2020



## RESOLUTION FOR CITY OF ALCESTER 2020 FEES

A Resolution Setting Certain Fees and Charges For Services and Setting Other Designations Provided by the City of Alcester

WHEREAS, City Ordinances require certain license fees, charges for services, and other designations to be established by resolution; and

WHEREAS, the City of Alcester is required to have on file in City Hall a list of complete charges and designations;

NOW, THEREFORE BE IT RESOLVED THAT the City of Alcester hereby establishes the following fees and other designations effective for the 2020 license year (fees are for the calendar year unless otherwise stated):

### PERMITS AND LICENSES

#### Non-Resident Landfill Permit

Pickup Load	\$ 10.00 (3.03.03)
Truck Load	\$ 25.00 (3.03.03)
Resident Landfill Use	\$ 6.00 per month (3.03.05)
Peddler Permit	\$ 50.00 per day (4.01.02)
Additional Solicitors	\$ 25.00 Each
Alcohol:	
Permit/Public Location	\$ 25.00 (\$200 Deposit) (4.03.09)
Special Permit License	\$100.00 (4.03.10 /D)
Excavation Permits	\$1,000.00 Deposit plus Certificate of Insurance (6.02.03)
Residential Building Removal Permit	
House	\$500.00
	(Trailers houses/Garages/Outbuildings – no cost)
Fingerprint Cards	\$ 10.00 per card
Annual Golf Cart Permits	\$ 10.00
Building Permits	\$ 25.00 + \$1.50/\$1,000 Materials Only

### WATER AND SEWER CONNECTION FEES

Water Connection Tapping Fee (to the Main)	\$300.00
Water Connect Fee	\$50.00
(Reconnect only if bill paid in full plus Disconnect Fee)	
Sewer Connection Tapping Fee (to the Main)	\$150.00
Utility Deposit	\$150.00 (8.01.02)
(Refunded to Home Owner after 12 consecutively on time payments / Renters returned upon moving)	

### AUDITORIUM

Residential/Nonresidential/Business	\$200.00 per day *
Non-Profit Organization	\$50.00 per day * <sup>1</sup>
Rummage Sales	\$50.00 per day
Setup Days	\$10.00 per day
Meeting Room	\$10.00 per day
Security Deposit	\$100.00

<sup>1</sup> For Events with attendance of more than 50 People – a Custodian must be on Staff at \$12 per hour.

## RESOLUTION FOR CITY OF ALCESTER 2020 FEES

<b>CATS / DOGS</b>	<b>(January-February)</b>	<b>(After Ord 2020-02)</b>
Annual License with Proof of Vaccinations		
Spayed / Neutered	\$10.00(5.02.13)	\$10.00(5.02.13)
Non-Spayed / Non-Neutered		\$25.00(5.02.13)
Fine for Failure to Properly License Animal	\$25.00(5.012.A)	
Violation per Month Fee	\$25.00(5.012.A)	
Fines for Animals Running at Large	\$50.00 (5.02.02)	
Ticket unpaid after 72 hours	\$75.00 (5.02.02)	
Ticket unpaid after 2 weeks	\$100.00 (5.02.02)	
Fines for Impounding Animals include Impounding Costs plus Fines		
First Impounding	\$50.00 (5.02.03) plus \$15 per day	
Second Impounding (within 12 months)	\$75.00 (5.02.03) plus \$15 per day	
Third or more Impounding	\$100.00 (5.02.03)	
Fines for Failure to clean up Animal Feces	\$50.00 (5.02.16 C)	
Ticket unpaid after 72 hours	\$75.00 (5.02.16 C)	
Ticket unpaid after 2 weeks	\$100.00 (5.02.16 C)	
Fines for Barking Dog	(5.02.16 E)	
First Offense	Warning	
Second Offense (within 6 months)	\$25.00	
Third Offense	\$50.00	
 <b>FINES AND FEES</b>		
Fine for Landfill Misuse	\$200.00 (3.03.07)	
Fine for not covering load to Landfill	\$25.00 (3.03.03)	
Fine for Violating Alcohol Permits	\$500.00 per day (4.03.13)	
Fine for not shoveling snow from sidewalks		
Within 48 hours of snowfall	\$10.00 (6.03.03)	
Not shoveled after 24 hours more	\$25.00	
Tree Clearance 10 Feet above Sidewalks / 14 Feet above Streets		
Fine for Failure to Prune Trees		
Written Warning providing 30 days to complete		
After 30 days – City will assess the cost to complete (6.05.05)		
Recreational Vehicle/Trailer Parking on City Streets –72 hours maximum		
Failure to move RV/Trailer in 72 hours	Warning	
24 hours after Warning	\$25.00	
Failure to pay within 7 days	\$35.00	
Failure to pay summons	\$50.00 (7.05 J)	
Fine for illegal parking	\$25.00 (7.05.04)	
Failure to pay within 7 days	\$35.00 (7.05.04)	
Failure to pay summons	\$50.00 (7.05.04)	
Fine for Towing Vehicles	\$25.00 Fine + Towing Charges (7.05.04)	
Impounding Rate	\$25.00 per week	
Hold time for Impounded Vehicles	Not to exceed 60 days	
Fine for violation of snow removal parking	\$25.00 (7.05.08 D)	
Ticket unpaid after 72 hours	\$50.00 (7.05.08 D)	
Ticket unpaid after 2 weeks	\$75.00 (7.05.08 D)	
Fine for Illegal Parking in Handicap	\$100.00 (7.05.17)	
Bond Amount set by Council	\$500.00 (7.08.04)	

**RESOLUTION FOR CITY OF ALCESTER 2020 FEES**

Fine for Illegal Operation of a Golf Cart	\$25.00 (7.09.07)
Ticket unpaid after 72 hours	\$50.00 (7.09.07)
Ticket unpaid after 2 weeks	\$75.00 - \$100.00 (7.09.07)
Fine for Tampering with City Utilities	\$500.00 (8.01.10)

**CITY HALL OFFICES**

Black & White Photocopies .....	\$0.25/page
Color Photocopies .....	\$1.00/page
Faxes .....	\$ 2.00/Outgoing or Incoming
NSF Charges .....	Maximum allowed by SDCL 57A-3-421
Staff Time.....	Quoted after one hour of labor

**MAINTENANCE:**

Wheel Loader with Operator .....	\$150/hour
Skid Loader with Operator .....	\$130/hour
Mowing, Tractor & Rotary .....	\$85/hour
Dump Truck with Operator .....	\$80/load to City Dump
Mowing, Rider .....	\$60/hour
Black Dirt.....	\$45/Ton
Fill Dirt .....	\$20/Ton
Gravel .....	\$15/Ton
Labor.....	\$40/hour

**RECREATION FEES**

Pool Fees	
Family Pass .....	\$80.00
Individual Pass .....	\$35.00
Daily.....	\$ 3.00
Lessons .....	\$25.00 per child
Private Lessons .....	\$50.00 per child

**GOLF FEES**

Memberships	Before 5/15	After 5/15
Family: .....	\$500.00	\$535.00
1 <sup>st</sup> Time Family (not a member the past 3 years) .....	\$350.00	\$350.00
Couple: .....	\$420.00	\$450.00
1 <sup>st</sup> Time Couple (not a member the past 3 years) .....	\$300.00	\$300.00
Individual: .....	\$335.00	\$360.00
1 <sup>st</sup> Time Individual (not a member the past 3 years).....	\$250.00	\$250.00
College Student .....	\$150.00	\$150.00
High School .....	\$ 50.00	\$ 50.00

**Cart Storage Fees**

Gas: .....	\$110.00
Electric .....	\$125.00



**RESOLUTION FOR CITY OF ALCESTER 2020 FEES**

**Clubhouse Rental\***

Member .....\$50.00 per day  
(Plus \$10 / hour for each hour past normal business hours)  
Non-Member .....\$75.00 per day  
(Plus \$10 / hour for each hour past normal business hours)

*\*Pursuant to Revised Municipal Ordinances for the City of Alcester 4.0308 and SDCL 35.1.5.6; no alcoholic beverages may be consumed on the Golf Course Premises that HAVE NOT been purchased from the Alcester Golf Clubhouse. Those renting the Clubhouse may bring in Tea, Coffee, Lemonade and other Non-alcoholic drinks for their guests.*

**GREEN FEES**

	<u>Weekdays</u>	<u>Weekends/Holidays</u>
9 Holes	\$11.00	\$13.00
18 Holes	\$16.00	\$19.00
Each Additional 9 holes (same day)	\$ 5.00	\$ 6.00
Fall Golf Rate (September & October)	\$ 50.00 –Unlimited Golf	

**Car Rental**

9 holes .....\$12.00  
18 holes.....\$16.00  
Annual Trail Fees.....\$40.00

**Campground Fees**

Per Day .....\$ 20.00  
Per Week.....\$120.00  
Longer stays .....Contact City Hall for Rates

As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption and replaces any previously stated rates.

Dated this 4 day of January 2020.

Thomas Glas  
Thomas Glas, Mayor  
City of Alcester, South Dakota

ATTEST:  
Patricia R Jurrens  
Patricia R Jurrens  
Finance Officer

(seal)

Passed & Adopted: January 6, 2020