



City of Flandreau City Council Meeting

Agenda

5:30 p.m., Monday

August 3rd, 2020

Duncan Park

Corner of 3rd Ave. & Prairie St.

6:30 p.m., Monday

August 3rd, 2020

Wm. J. Janklow Community Center

802 W. Community Dr.

Flandreau, SD

Meeting called by: Mayor Sutton

Type of meeting: Regular

Agenda topics

5:30 p.m. – Duncan Park

Dedication of New Skate Park and Dog
Exercise Park

6:30 p.m. – Wm J. Janklow Community Center

Regular Council Meeting

Pledge of Allegiance

Alderman Bjerke

2

Adopt Agenda

2

Approve Minutes – July 20th, 2020

2

Approve Minutes – July 28th, 2020

2

Approve Bills for City

Visitors to be Heard

Visitors to be Heard is the opportunity for persons to address the Council on items not on the Agenda. If the item can be handled administratively without Council action, the Mayor will refer it to the City Administrator. If the item requires Council action, it will be scheduled for an upcoming meeting. Persons wishing to comment on items on the Agenda shall request to speak following presentation of the agenda item and after the Mayor opens the item up for public comment.

Presentation

10 Boys and Girls Club of Moody County

Administrative Reports

5 Mayor's Report Mayor Sutton

5 City Administrator's Report Jeff Pederson

2 Approve Administrative Reports

Old Business

None

New Business

2 First Reading of Ordinance No. 599, An Ordinance Establishing a Discretionary Formula for the Assessment of Property Taxes on New Structures and Additions Within the City of Flandreau, Moody County, South Dakota

5 Request for Waiver of Sidewalk Requirement for Pulscher Farms Subdivision

10 Memorandum of Understanding with Flandreau Santee Sioux Tribe for Crescent Street Bridge

2 Airport Transfer of Entitlements

5 Review of Utilities Collection Policy During COVID-19 Pandemic

2 Application for Temporary On-Sale Liquor License – Bar X Bar

2 Application for Temporary On-Sale Liquor License – Fajita's Bar & Grill

2 Application for Temporary On-Sale Liquor License – Fat Boys Bar

2

Application for Temporary On-Sale Liquor
License – Mad Mary's

Council Comments

Special notes:

Other business properly referred to the City Council.

Jeff Pederson
City Administrator

Distribution:

Mayor Sutton
Alderman Bjerke
Alderman Ekern
Alderman Fargen
Alderman Pesall
Alderman Tufty
Alderman Unger

Cc:
Newspaper: Moody County Enterprise
Radio: Carol Kiecksee
City Attorney: Corey Bruning

**CITY OF FLANDREAU
1005 W. Elm Avenue
Flandreau, SD 57028-1404**

**COUNCIL PROCEEDINGS
July 20th, 2020**

The City Council of the City of Flandreau, South Dakota, met in regular session on Monday, July 20th, 2020 at 6:30 p.m. at the William J. Janklow Community Center.

Present: Mayor Dan Sutton. Aldermen: Brad Bjerke, Mark Ekern, Mike Fargen, Bob Pesall, Karen Tufty, and Jason Unger. Absent: None. Also present were City Administrator Jeff Pederson; Finance Officer Karen Gundvaldson; Corey Bruning, City Attorney; Seth Pearman, Flandreau Santee Sioux Tribal Attorney; and Brenda Wade Schmidt, Moody County Enterprise.

The proposed agenda was reviewed and amended to add a request to close Wind Street between Pipestone and 2nd Avenues on August 8th, 2020. Motion by Pesall and seconded by Unger to adopt the amended agenda. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Ekern and seconded by Tufty to approve the minutes of July 6th, 2020. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Unger and seconded by Pesall to allow the following claims for the City and to pay them: Payroll 7/15/2020: general, 16,845.96; 3rd penny, 241.55; water, 3,763.13; electric, 5,949.56; sewer, 3,361.49; airport, 152.49; solid waste, 363.72; (21459) Ahlers Automotive, repairs, 1,487.71; Beth A Kayner, summer rec-mad scientist, 350.00; Border States Electric Supply, supplies, 513.34; Christiansen Complete Water, supplies, 26.05; Cintas, rentals, 263.47; Cybercoach, repairs/supplies/contract, 819.07; Dan Hall, summer rec-computer programming, 315.00; DGR Engineering, electric dist. improvements, 1,310.00; Ekern Home Equipment, repairs/supplies, 302.00; Ferguson Waterworks, supplies, 247.08; FHS Cheerleaders, summer rec-cheer camp, 200.00; Fuller Paving, mill areas/patch, 24,154.62; GreatAmerica Financial SVCS, contract, 212.55; Hannah Parsley, summer rec-art camp, 500.00; Hansen-Thomas, replace sidewalk, 2,142.86; Hawkins, supplies, 50.00; Heiman, supplies, 418.20; Helms & Associates, professional fees, 2,368.61; ICMA, annual fees, 792.00; Iott's Greenhouse, supplies, 119.00; Jaymar, supplies, 67.21; Kortney Amdahl, summer rec-cheer camp, 200.00; Krull's Garage, repairs/supplies, 467.00; Maddie Hursey, summer rec-art camp, 500.00; Maynards of Flandreau, supplies, 334.91; Melissa Opsahl, summer rec-mad scientist/supplies, 459.95; Metron-Farnier, water meters, 1,722.86; MidAmerican Energy, gas bill, 120.31; Mitch Miller, summer rec-computer programming, 315.00; MN Municipal Utilities Assoc., training, 3,337.50; Moody County Enterprise, advertising, 858.97; Ottertail Power Co., airport electric, 150.00; Postmaster, postage, 265.00; Powers Oil Co., gas/diesel, 728.84; River's Edge Cooperative, gas/oil, 942.85; SD Supplemental Retirement Plan, retirement, 342.31; Solomon Corp.,

transformers, 5,790.00; South Dakota One Call, supplies, 147.84; Sparkle Car Wash, wash vehicle, 17.78; Sturdevant's Auto Supply, supplies, 545.45; Vadim Municipal Software, contract, 9.52; Waxdahl NAPA Plus, supplies, 819.14; Wyss Associates, professional fees, 12,925.00; (21501). June EFTs: Dakotacare, health insurance, 15,088.07; EFTPS, taxes, 17,521.96; Missouri River Energy Services, energy cost, 77,754.86; SD State Treas-Sales Tax, taxes, 7,621.21; US Dept. of Agriculture, water bond payment, 3,381.00; US Dept. of Agriculture, 2019 water & sewer payment, 21,487.00. June Electronic Loan/Bond Payments: First National Bank, Sales Tax Bond, 5,409.25; Loader Loan, 17,022.14; Aquatic Center, 15,673.64; IP TIF, 3,333.08; WEP TIF, 11,043.25; ALCO TIF, 13,998.00; SVHTS TIF, 30,004.59. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

There were no Visitors to be Heard.

Mayor Sutton shared that he met recently with Tony Reider, FSST President, to discuss the Crescent Street Bridge. He is encouraged by discussion of other opportunities for joint ventures between the City and Tribe.

City Administrator Pederson thanked the Flandreau Development Corporation for the use of their Facebook page to live-stream the Council meeting this evening. Work continues on the fencing at the dog park; he noted that it would be nice to have a ribbon cutting for the new skateboard and dog parks upon completion. Initial steps have begun for application for a Community Development Block Grant for a new fire hall. He anticipates a survey of low to moderate income will need to be completed as part of the process. Pederson is hopeful that additional CARES Act funds may be funneled through the CDBG program.

Motion by Bjerke and seconded by Tufty to approve the Administrative Reports. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Old Business: None

New Business: Motion by Pesall and seconded by Fargen to approve Resolution 2020-05, 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. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Ekern and seconded by Bjerke to approve Resolution 2020-06, A Resolution Regarding the Plat of Lots 1 and 2 of Maridee Addition. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Unger and seconded by Ekern to appoint Alderman Mike Fargen, Fire Chief Don Peters, community representatives Kevin Christenson, Linnea Janssen, and Josh Weston, to the Task Force for Fire Hall Site Selection, as recommended by Mayor Sutton. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Motion by Bjerke and seconded by Pesall to authorize Bar X Bar, Fajita's Bar and Grill, and Fat Boys Bar to close Wind Street between Pipestone and 2nd Avenues to hold a bean bag tournament on August 8th, 2020 from 2:00 PM to

2:00 AM, and to waive the \$25 fee that each bar would be assessed for a temporary liquor license associated with the event. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Mayor Sutton provided background regarding the Crescent Street Bridge and the events leading up to the grant application submitted to DOT for demolition. His recent meeting with Tribal President Tony Reider centered around a Memorandum of Understanding regarding transfer of ownership of the bridge from the City to the Tribe. Drafting of the MOU is being completed by City Attorney Corey Bruning and Tribal Attorney Seth Pearman, who were both present to share information. Should the grant be awarded, the transfer would take place after demolition is complete. If the Tribe is unable to obtain grant funding or financing within five years, ownership of the bridge would revert back to the City. Maintenance responsibility would also be addressed in the MOU. Once the draft of the MOU is completed, it will be presented to both the Tribe and City for approval. Numerous questions, concerns, and comments from visitors present were addressed. Emily Firman Pieper stated concern that the City would no longer be eligible for funding at a later date should the Tribe be unsuccessful in obtaining the funding and building a new bridge within five years. Jeff Weigel indicated he feels the existing bridge could be repaired and questioned the cost to do so. Elizabeth Wakeman and Adrienne Brant James both spoke in favor of the demolition, transfer of ownership, and construction of a new bridge for vehicular traffic, indicating it is a step in the right direction.

There were no Council Comments.

The Mayor declared the meeting adjourned at 7:40 p.m.

Daniel D. Sutton
Mayor

ATTEST:

Jeff Pederson
City Administrator

**CITY OF FLANDREAU
1005 W. Elm Avenue
Flandreau, SD 57028-1404**

**COUNCIL PROCEEDINGS
July 28th, 2020**

The City Council of the City of Flandreau, South Dakota, met in special session on Tuesday, July 28th, 2020 at 5:30 p.m. via Zoom conference.

Present: Mayor Dan Sutton. Aldermen: Brad Bjerke, Mark Ekern, Mike Fargen, Bob Pesall, Karen Tufty, and Jason Unger. Absent: None. Also present were City Administrator Jeff Pederson; Finance Officer Karen Gundvaldson; Patrick Wyss and Melissa Bennett, Wyss Associates; and Brenda Wade Schmidt, Moody County Enterprise.

The proposed agenda was reviewed. Motion by Pesall and seconded by Ekern to adopt the proposed agenda. The following members voted aye: Bjerke, Ekern, Fargen, Pesall, Tufty, and Unger. Nays: None. Absent: None. Motion carried.

Patrick Wyss of Wyss Associates, Inc., presented the recently completed River's Bend Golf Course Analysis, sharing findings and recommendations concerning flood mitigation and future restoration opportunities. Included were primary and alternative cost projections as well as numerous documents pertaining to flood restoration and general golf course development guidelines.

There were no Council Comments

The Mayor declared the meeting adjourned at 6:24 PM.

Daniel D. Sutton
Mayor

ATTEST:

Jeff Pederson
City Administrator

CITY OF FLANDREAU
Council Approval Report for First National Bank--500330
 (Council Approval Report)

Vendor	InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
	4		AFLAC, ATTN: REMITTANCE PROCESSING SERVICES, 1932 WYNNTON RD., COLUMBUS, GA, 31999-0797							
	616820	07/12/20	SUPPLEMENTAL INSURANCE PAYABLE	08/03/20	\$66.95	\$66.95	602-00-2165	AFLAC Ins. Payable	\$0.00	(\$66.98)
	616820	07/12/20	SUPPLEMENTAL INSURANCE PAYABLE	08/03/20	\$274.43	\$274.43	603-00-2165	AFLAC Ins Payable	\$0.00	(\$185.54)
						\$341.38				
	127		AHLERS AUTOMOTIVE, 1102 W. 1ST AVE., FLANDREAU, SD, 57028-1000							
	100302	07/06/20	2014 FORD EXPLORER-LABOR-PASSENGER FRONT WINDOW SWITCH/SPOTLIGHT BULB/CHECK AC/FREON	08/03/20	\$180.26	\$180.26	101-02-4250	Repairs	\$10,000.00	(\$3,044.76)
	100367	07/15/20	2017 DODGE CHARGER-LABOR-WHEEL RIMS	08/03/20	\$397.50	\$397.50	101-02-4250	Repairs	\$10,000.00	(\$3,044.76)
	100316	07/08/20	2015 CHEVY SILVERADO-LABOR-OIL CHANGE	08/03/20	\$32.25	\$32.25	602-31-4250	Repairs	\$7,500.00	\$2,527.59
	100316	07/08/20	2015 CHEVY SILVERADO-LABOR-OIL CHANGE	08/03/20	\$32.24	\$32.24	604-31-4250	Repairs	\$12,000.00	(\$1,725.41)
						\$642.25				
	1888		APPLIED CONCEPTS, INC, PO BOX 972943, DALLAS, TX, 75397-2943							
	369324	07/14/20	REPAIRS-RADAR GUN	08/03/20	\$588.25	\$588.25	101-02-4260	Supplies	\$6,000.00	\$4,406.25
						\$588.25				
	1213		BRUNING & LEWIS LAW FIRM, PLLC, P.O. BOX 347, 310 S. WIND STREET, FLANDREAU, SD, 57028-1738							
	6-2020	06/30/20	PROFESSIONAL FEES	08/03/20	\$400.00	\$400.00	101-01-4220	Professional Fees	\$10,750.00	(\$13,500.00)
	6-2020	06/30/20	PROFESSIONAL FEES	08/03/20	\$37.50	\$37.50	101-02-4220	Professional Fees	\$1,250.00	\$762.50
	6-2020	06/30/20	PROFESSIONAL FEES	08/03/20	\$162.50	\$162.50	101-04-4220	Professional Fees	\$500.00	(\$9,737.50)
	6-2020	06/30/20	PROFESSIONAL FEES	08/03/20	\$687.50	\$687.50	603-31-4220	Professional Fees	\$2,500.00	(\$15,675.00)
	6-2020	06/30/20	PROFESSIONAL FEES	08/03/20	\$50.00	\$50.00	606-11-4220	Professional Fees	\$0.00	\$0.00
						\$1,337.50				
	1547		BUFFALO RIDGE CONCETE, INC., PO BOX 749, PIPESTONE, MN, 56164-0749							
	P298344	07/13/20	1 YD CONCRETE FOR DOG FENCE-DUNCAN PARK	08/03/20	\$126.00	\$126.00	101-08-4260	Supplies	\$17,500.00	(\$175.51)
						\$126.00				
	1269		CENEX FLEETCARD, PO BOX 64745, ST. PAUL, MN, 55164-0745							
	198295CL	07/23/20	GAS/OIL	08/03/20	\$1,258.12	\$1,258.12	101-02-4263	Gas/Oil	\$16,000.00	\$9,323.82
						\$1,258.12				
	1889		COLMAN BUILDING CENTER, 315 S SUMMIT, PO BOX 235, COLMAN, SD, 57017-							
	2007-022947	07/24/20	10 BAGS GRID LINE MARKER	08/03/20	\$107.50	\$107.50	101-08-4260	Supplies	\$17,500.00	(\$175.51)
						\$107.50				
	1728		DEREK GENZLINGER, 4404 W KOGEL DR, SIOUX FALLS, SD, 57107-6852							
	7-2020	07/28/20	SUMMER REC-INSTRUCTOR FOR FOOTBALL-2020	08/03/20	\$200.00	\$200.00	101-23-4901	Miscellaneous	\$8,300.00	\$2,697.75

CITY OF FLANDREAU
Council Approval Report for First National Bank--500330
 (Council Approval Report)

Vendor		Invoice Number	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
963	ELITE BUSINESS SYSTEMS, 700 EAST 41ST STREET, PO BOX 88232, SIOUX FALLS, SD, 57109-8232	47409	07/24/20	SAVIN IMC6000 PCL6 MONTHLY MACHINE LEASE/MONTHLY MA	08/03/20	\$119.58	\$119.58	602-32-4293	Contract/Agreement	\$5,600.00	\$2,283.03
47409	SAVIN IMC6000 PCL6 MONTHLY MACHINE LEASE/MONTHLY MA	47409	07/24/20	SAVIN IMC6000 PCL6 MONTHLY MACHINE LEASE/MONTHLY MA	08/03/20	\$119.58	\$119.58	603-32-4293	Contract/Agreement	\$10,100.00	\$6,760.72
47409	SAVIN IMC6000 PCL6 MONTHLY MACHINE LEASE/MONTHLY MA	47409	07/24/20	SAVIN IMC6000 PCL6 MONTHLY MACHINE LEASE/MONTHLY MA	08/03/20	\$119.58	\$119.58	604-32-4293	Contract/Agreement	\$5,600.00	\$2,377.50
1633	GRACE JOHANSON, 22979 478TH AVE, FLANDREAU, SD, 57028-6718	7-2020	07/31/20	SUMMER REC-JUNIOR/BEGINNER GOLF-2020	08/03/20	\$630.00	\$630.00	101-23-4901	Miscellaneous	\$8,300.00	\$2,697.75
1880	GRANICUS, DEPT CH-BOX 19634, PALATINE, IL, 60055-9634	129019	07/14/20	GRANICUS ENCODING APPLIANCE HARDWARE-SDI-SETUP & CONFIG	08/03/20	\$4,500.00	\$4,500.00	101-01-4293	Contract/Agreement	\$54,250.00	\$43,944.28
50	HEIMAN INC., 25814 RUDOLPH AVE, SIOUX FALLS, SD, 57107-6443	890206-IN	07/15/20	EXTRICATION GLOVE, LONG CUFF, LARGE	08/03/20	\$30.00	\$30.00	101-03-4260	Supplies	\$8,000.00	\$658.36
130	MOODY COUNTY AUDITOR, 101 E. PIPESTONE AVE. SUITE D, FLANDREAU, SD, 57028-1730	7-2020 3RD QTR	07/01/20	3RD QTR 2020 DISPATCH SERVICES	08/03/20	\$14,790.00	\$14,790.00	101-02-4293	Contract/Agreement	\$62,000.00	\$29,066.75
1887	MOODY COUNTY CONSERVATION DIST, 202 E 3RD AVE, FLANDREAU, SD, 57028-1802	7-2020	07/22/20	DEPOSIT REFUND FOR COM CENTER	08/03/20	\$250.00	\$250.00	101-00-2200	Customer Deposits	\$0.00	(\$1,800.00)
1838	PATRIOT ELECTRIC, INC., 209 E 2ND AVENUE, FLANDREAU, SD, 57028-1224	596	07/16/20	REPLACE BAD LIGHT ON SITE TRAILER-NEW LIGHT ON FIRE TRUCK-FIRE DEPT	08/03/20	\$795.59	\$795.59	101-02-4250	Repairs	\$10,000.00	(\$3,044.76)
596	HOSE REEL-FIRE DEPT	596	07/16/20	SWITCHES IN COM CENTER	08/03/20	\$9.66	\$9.66	101-03-4260	Supplies	\$8,000.00	\$658.36
596	LIGHTS IN CRYSTAL'S OFFICE	596	07/16/20	SUPPLIES-ELECTRIC TRUCK	08/03/20	\$86.29	\$86.29	101-10-4260	Supplies	\$2,000.00	(\$71.24)
596	LIGHTS IN CRYSTAL'S OFFICE	596	07/16/20	LIGHTS IN CRYSTAL'S OFFICE	08/03/20	\$86.30	\$86.30	602-32-4250	Repairs	\$300.00	(\$736.22)
596	LIGHTS IN CRYSTAL'S OFFICE	596	07/16/20	LIGHTS IN CRYSTAL'S OFFICE	08/03/20	\$86.29	\$86.29	603-31-4260	Supplies	\$15,000.00	\$4,540.08
596	ELECTRONIC BALLAST-AIRPORT	596	07/16/20	ELECTRONIC BALLAST-AIRPORT	08/03/20	\$22.26	\$22.26	603-32-4250	Repairs	\$300.00	(\$736.23)
74	PITNEY BOWES - PURCHASE POWERS, P.O. BOX 371874, PITTSBURGH, PA, 15250-7874						\$1,138.05	604-32-4250	Repairs	\$300.00	(\$736.22)
							\$22.26	606-11-4260	Supplies	\$800.00	(\$1,021.02)

CITY OF FLANDREAU
Council Approval Report for First National Bank--500330
 (Council Approval Report)

Vendor		Invoice Number	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
		7-2020	07/24/20	POSTAGE	08/03/20	\$166.67	\$166.67	602-32-4260	Supplies	\$6,500.00	\$3,060.42
		7-2020	07/24/20	POSTAGE	08/03/20	\$166.66	\$166.66	603-32-4260	Supplies	\$6,500.00	\$3,099.89
		7-2020	07/24/20	POSTAGE	08/03/20	\$166.67	\$166.67	604-32-4260	Supplies	\$6,500.00	\$3,102.56
							\$500.00				
275 RAMSDELL F&M LTD, 308 S VETERANS ST., FLANDREAU, SD, 57028-1437											
	347195	07/10/20	TOMAHAWK4#		08/03/20	\$88.20	\$88.20	101-04-4260	Supplies	\$13,500.00	\$6,474.51
	347274	07/15/20	TOMAHAWK4#		08/03/20	\$352.80	\$352.80	101-04-4260	Supplies	\$13,500.00	\$6,474.51
							\$441.00				
84 SD DEPT. OF HEALTH PUBLIC LAB SERVICES, 615 E 4TH ST, PIERRE, SD, 57501-9971											
	10594750	07/15/20	WATER SAMPLES		08/03/20	\$45.00	\$45.00	602-31-4297	Test Samples	\$600.00	\$60.00
							\$45.00				
92 SD RETIREMENT SYSTEM, P.O. BOX 968, SIOUX FALLS, SD, 57101-0968											
	7-29-2020	07/29/20	RETIREMENT		08/03/20	\$8,362.41	\$8,362.41	101-00-2161	Retirement Payable	\$0.00	(\$5,538.23)
	7-29-2020	07/29/20	RETIREMENT		08/03/20	\$113.00	\$113.00	211-00-2161	Retirement Payable	\$0.00	(\$75.10)
	7-29-2020	07/29/20	RETIREMENT		08/03/20	\$1,780.87	\$1,780.87	602-00-2161	Retirement Payable	\$0.00	(\$1,188.92)
	7-29-2020	07/29/20	RETIREMENT		08/03/20	\$2,886.84	\$2,886.84	603-00-2161	Retirement Payable	\$0.00	(\$1,857.44)
	7-29-2020	07/29/20	RETIREMENT		08/03/20	\$1,540.05	\$1,540.05	604-00-2161	Retirement Payable	\$0.00	(\$1,028.22)
	7-29-2020	07/29/20	RETIREMENT		08/03/20	\$67.85	\$67.85	606-00-2161	Retirement Payable	\$0.00	(\$45.52)
	7-29-2020	07/29/20	RETIREMENT		08/03/20	\$101.78	\$101.78	612-00-2161	Retirement Payable	\$0.00	(\$68.27)
							\$14,852.80				
141 SD SUPPLEMENTAL RETIREMENT PLAN, P.O. BOX 1098, PIERRE, SD, 57501-1098											
	7-29-2020	07/29/20	SUPPLEMENTAL RETIREMENT-JEFF PEDERSON		08/03/20	\$38.46	\$38.46	101-17-4135	Retirement-Special	\$1,000.00	\$461.56
	7-29-2020	07/29/20	SUPPLEMENTAL RETIREMENT- LUCAS DAILEY		08/03/20	\$50.00	\$50.00	602-00-2166	Retire. Supplemental Pay	\$0.00	\$50.00
	7-29-2020	07/29/20	SUPPLEMENTAL RETIREMENT-JEFF PEDERSON		08/03/20	\$38.46	\$38.46	602-32-4135	Retirement-Special	\$1,000.00	\$461.56
	7-29-2020	07/29/20	SUPPLEMENTAL RETIREMENT-RYAN SHERMAN		08/03/20	\$50.00	\$50.00	603-00-2166	Retire. Supplemental Pay	\$0.00	(\$100.00)
	7-29-2020	07/29/20	SUPPLEMENTAL RETIREMENT-JEFF PEDERSON		08/03/20	\$76.93	\$76.93	603-32-4135	Retirement-Special	\$2,000.00	\$922.98
	7-29-2020	07/29/20	SUPPLEMENTAL RETIREMENT- LUCAS DAILEY		08/03/20	\$50.00	\$50.00	604-00-2166	Retire. Supplemental Pay	\$0.00	(\$50.00)
	7-29-2020	07/29/20	SUPPLEMENTAL RETIREMENT-JEFF PEDERSON		08/03/20	\$38.46	\$38.46	604-32-4135	Retirement-Special	\$1,000.00	\$461.56
							\$342.31				
1665 STANDARD INSURANCE COMPANY, PO BOX 645311, CINCINNATI, OH, 45264-5311											
	7-2020	07/18/20	LIFE INSURANCE		08/03/20	\$4.22	\$4.22	101-00-2168	Life Insurance Payable	\$0.00	(\$4.22)
	7-2020	07/18/20	LIFE INSURANCE		08/03/20	\$63.48	\$63.48	101-02-4209	Insurance- Life A/P	\$764.00	\$416.70
	7-2020	07/18/20	LIFE INSURANCE		08/03/20	\$98.00	\$98.00	101-03-4209	Insurance- Life A/P	\$1,380.00	\$838.72

Council Approval Report for First National Bank--500330
 (Council Approval Report)

Vendor	InvoiceNumber	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$12.77	\$12.77	101-04-4209	Insurance- Life A/P	\$268.00	\$148.78
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$4.26	\$4.26	101-08-4209	Insurance- Life A/P	\$63.00	\$37.44
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$1.70	\$1.70	101-17-4209	Insurance- Life A/P	\$97.00	\$86.80
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$2.13	\$2.13	211-10-4209	Insurance- Life A/P	\$26.00	\$13.22
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$4.22	\$4.22	602-00-2168	Life Insurance Payable	\$0.00	(\$4.44)
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$10.65	\$10.65	602-31-4209	Insurance- Life A/P	\$128.00	\$64.10
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$10.22	\$10.22	602-32-4209	Insurance- Life A/P	\$199.00	\$137.90
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$13.44	\$13.44	603-00-2168	Life Insurance Payable	\$0.00	(\$13.44)
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$16.19	\$16.19	603-31-4209	Insurance- Life A/P	\$332.00	\$211.44
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$9.37	\$9.37	603-32-4209	Insurance- Life A/P	\$239.00	\$182.78
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$4.22	\$4.22	604-00-2168	Life Insurance Payable	\$0.00	(\$4.22)
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$10.65	\$10.65	604-31-4209	Insurance- Life A/P	\$128.00	\$64.10
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$5.54	\$5.54	604-32-4209	Insurance- Life A/P	\$145.00	\$111.76
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$1.02	\$1.02	606-11-4209	Insurance- Life A/P	\$12.00	\$5.88
	7-2020	07/18/20	LIFE INSURANCE	08/03/20	\$1.53	\$1.53	612-05-4209	Insurance- Life A/P	\$18.00	\$8.82
						\$273.61				
	1867		VADIM MUNICIPAL SOFTWARE, INC, 12709 COLLECTION CENTER DRIVE, CHICAGO, IL, 60693-0001							
	286500	07/20/20	UB EBILLING MONTHLY TRANSACTION FEES/BILL #634	08/03/20	\$1.63	\$1.63	602-32-4293	Contract/Agreement	\$5,600.00	\$2,283.03
	286500	07/20/20	UB EBILLING MONTHLY TRANSACTION FEES/BILL #634	08/03/20	\$1.62	\$1.62	603-32-4293	Contract/Agreement	\$10,100.00	\$6,760.72
	286500	07/20/20	UB EBILLING MONTHLY TRANSACTION FEES/BILL #634	08/03/20	\$1.63	\$1.63	604-32-4293	Contract/Agreement	\$5,600.00	\$2,377.50
						\$4.88				
	1456		VAST BROADBAND, PO BOX 35153, SEATTLE, WA, 98124-5153							
	7-2020	POLICE D	07/18/20 14996801-PHONE/CABLE/INTERNET-POLICE DEPT	08/03/20	\$183.64	\$183.64	101-02-4280	Utilities	\$11,500.00	\$5,963.64
	7-2020	FIRE DEPT	07/18/20 702302-PHONE/CABLE/INTERNET-FIRE DEPT	08/03/20	\$143.18	\$143.18	101-03-4280	Utilities	\$5,500.00	\$2,798.04
	7-2020	-POOL	07/18/20 702402-PHONE-POOL	08/03/20	\$58.40	\$58.40	101-07-4280	Utilities	\$15,000.00	\$13,669.21
	7-2020	COM CENT	07/18/20 11847702-PHONE-COM CENTER	08/03/20	\$70.68	\$70.68	101-10-4280	Utilities	\$11,750.00	\$6,593.11
	7-2020	OFFICE	07/18/20 702101-PHONE/CABLE/INTERNET-OFFICE	08/03/20	\$153.14	\$153.14	602-32-4280	Utilities	\$4,850.00	\$2,617.17
	7-2020	OFFICE	07/18/20 702101-PHONE/CABLE/INTERNET-OFFICE	08/03/20	\$153.14	\$153.14	603-32-4280	Utilities	\$5,600.00	\$3,138.71
	7-2020	OFFICE	07/18/20 702101-PHONE/CABLE/INTERNET-OFFICE	08/03/20	\$153.14	\$153.14	604-32-4280	Utilities	\$5,000.00	\$2,738.63
						\$915.32				
	136		VISION SERVICE PLAN, P.O. BOX 742788, LOS ANGELES, CA, 90074-2788							
	7-2020		07/18/20 VISION INSURANCE	08/03/20	\$150.63	\$150.63	101-00-2157	Vision Insurance Payable	\$0.00	(\$77.03)
	7-2020		07/18/20 VISION INSURANCE	08/03/20	\$2.08	\$2.08	211-00-2157	Vision Insurance Payable	\$0.00	(\$2.08)
	7-2020		07/18/20 VISION INSURANCE	08/03/20	\$29.93	\$29.93	602-00-2157	Vision Insurance Payable	\$0.00	(\$29.96)
	7-2020		07/18/20 VISION INSURANCE	08/03/20	\$37.44	\$37.44	603-00-2157	Vision Insurance Payable	\$0.00	(\$37.33)

CITY OF FLANDREAU
Council Approval Report for First National Bank--500330
 (Council Approval Report)

Vendor		Invoice Number	Date	Description	Due Date	Invoice Amt	Approved Amt	Account Number	Account Description	Budgeted \$	YTD Balance
		7-2020	07/18/20	VISION INSURANCE	08/03/20	\$20.38	\$20.38	604-00-2157	Vision Insurance Payable	\$0.00	(\$20.38)
		7-2020	07/18/20	VISION INSURANCE	08/03/20	\$1.00	\$1.00	606-00-2157	Vision Insurance Payable	\$0.00	(\$1.00)
		7-2020	07/18/20	VISION INSURANCE	08/03/20	\$1.50	\$1.50	612-00-2157	Vision Insurance Payable	\$0.00	(\$1.50)

\$242.96

\$43,915.67

Total Bills To Pay:

Agenda Action Form Flandreau City Council

Meeting Date: 8/3/2020

Title: Replacement of Discretionary Formula Ordinance No. 588 with Ordinance No. 599, An Ordinance Establishing a Discretionary Formula for the Assessment of Property Taxes on New Structures and Additions Within the City of Flandreau, Moody County, South Dakota

Motion Resolution Ordinance Other

Background Information: In 2018, the City of Flandreau put in place a Discretionary Ordinance to allow for abatement of property taxes over a five-year period for new construction or additions to existing commercial or industrial structures. Prior to then, a Discretionary Ordinance was in place for all of Moody County. During the 2020 Session, the Legislature passed HB 1259 which reorganized existing State statutes regarding the Discretionary Formula into a “one stop shop”. With the law taking effect July 1, the City needs to amend its Ordinance to incorporate the new Statute cites that replaced the former ones that were repealed. There will be no change in functionality of the Ordinance as a result of these changes.

Justification: Required to be put into place on July 1 for any new applications of the Discretionary Formula. Any properties to which the Discretionary Ordinance applied prior to July 1 are grandfathered in.

Financial Consideration: None in addition to previous policy for property tax abatement.

City Administrator’s Recommendation: Approve

Attachments: Ordinance No. 599, An Ordinance Establishing a Discretionary Formula for the Assessment of Property Taxes on New Structures and Additions Within the City of Flandreau, Moody County, South Dakota (replaces Ordinance No. 588)

ORDINANCE NO. 599

AN ORDINANCE ESTABLISHING A DISCRETIONARY FORMULA FOR THE ASSESSMENT OF PROPERTY TAXES ON NEW STRUCTURES AND ADDITIONS WITHIN THE CITY OF FLANDREAU, MOODY COUNTY, SOUTH DAKOTA.

WHEREAS, the City of Flandreau, Moody County, South Dakota, wishes to promote economic development and encourage new construction and improvements within its municipal corporate limits; and

WHEREAS, SDCL ~~10-6-35.4~~ 10-6-35.2 allows the City of Flandreau to adopt a discretionary formula for assessed value upon new structures and additions for a period of five years; now, therefore

BE IT ORDAINED that a discretionary formula be adopted for any new commercial/industrial structures, additions, or renovations, or reconstruction as defined in SDCL §§~~10-6-35.1~~ 10-6-35.2(1), ~~10-6-35.24~~ 10-6-35.2(4), ~~10-6-35.25~~ 10-6-35.2(5) and ~~10-6-54~~ 10-6-35.2(7) with a true and full value of \$30,000.00 or more to be added to real property; and

BE IT FURTHER ORDAINED that the structure be assessed according to the discretionary formula for a period of five years according to the following percentages:

Year 1 following completion:	0%
Year 2 following completion:	25%
Year 3 following completion:	50%
Year 4 following completion:	75%
Year 5 following completion:	100%

BE IT FINALLY ORDAINED that this ordinance shall only apply to structures or additions to existing structures begun and completed after the effective date of this ordinance.

Dated this 3rd day of August, 2020.

Daniel D. Sutton
Mayor

ATTEST:

Jeff Pederson
City Administrator

First Reading: August 3rd, 2020
Second Reading: August 17th, 2020
Published: August 26th, 2020
Effective: September 15th, 2020

(SEAL)

Agenda Action Form Flandreau City Council

Meeting Date: 8/3/2020

Title: Request for waiver of sidewalk requirement for Pulscher Farms Subdivision

Motion Resolution Ordinance Other

Background Information: On November 4, 2019, the City Council approved a Preliminary Plat for the Pulscher Farms Subdivision, which is located West of Wind Street adjoining Lafayette and Center Streets. The Preliminary Plat showed three clusters of twin-home construction in the Subdivision, for a total of twenty individual living units. Approval of the Preliminary Plat was made with the condition that Pulscher own and maintain sewer and water extensions from the City main lines to the building sites. Pulscher has now submitted a Final Plat for approval by the Planning Commission and the City. Section 204.3(C) of the Subdivision Ordinance requires that certain conditions be met prior to action being taken to approve the Final Plat, one of which is the required construction by the developer of sidewalks as contained in Section 4.05. In lieu of construction being completed at the time of the submission of the Final Plat, the developer may either file a Security Bond or Certified Check with the City or file an acceptable Letter of Assurance that the construction will be completed within a maximum timeframe. There is language in Section 4.05 that appears to empower the City Council to waive the requirement for sidewalks, and it is based upon that language that Pulscher is requesting a waiver of the sidewalk construction requirement. Unfortunately, Section 4.05 does not contain reference to any conditions by which a waiver would be deemed to be appropriate.

Justification: Pulscher points to the lack of sidewalks in the Southview Subdivision as justification for a waiver in this nearby location.

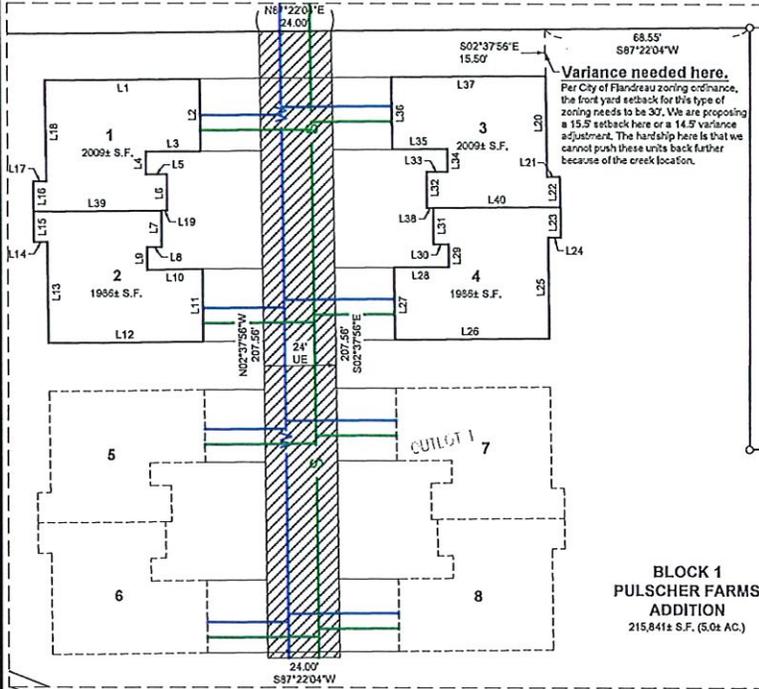
Financial Consideration: None to the City.

City Administrator's Recommendation: Deny the request based upon the density of population within the Subdivision and the surrounding area and the need/benefit of safe opportunities for pedestrian mobility in the area.

Attachments: Copy of Preliminary Plat

PRELIMINARY PLAT OF
BLOCK 1; AND LOTS 1, 2, 3 AND 4 IN BLOCK 1 OF PULSCHER FARMS ADDITION,
 AN ADDITION TO THE CITY OF FLANDREAU, MOODY COUNTY, SOUTH DAKOTA

23091-00

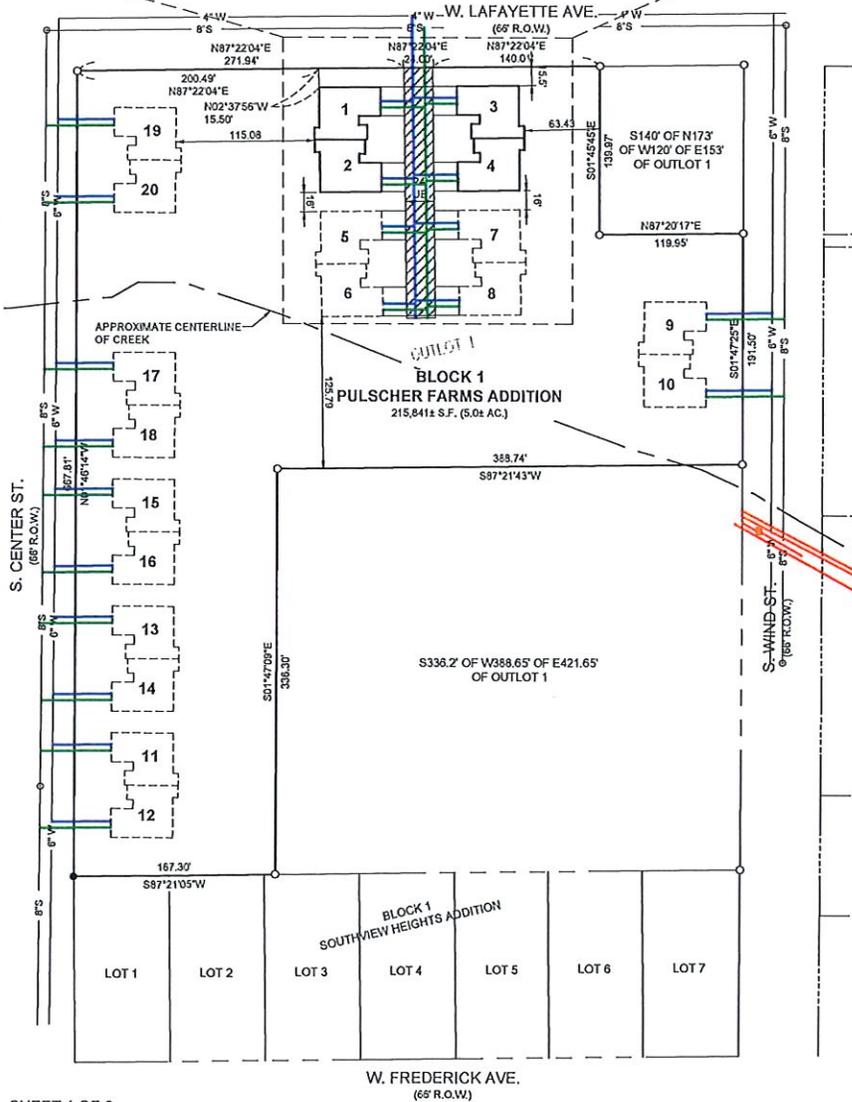


VACATION NOTICE
 THIS PLAT SHALL VACATE THAT PORTION OF OUTLOT 1 OF W1/2 OF SE1/4 OF SECTION 28-T107N-R46W, AS SHOWN HEREON, RECORDED ON AUGUST 17, 1910, IN BOOK 19, PAGE 213-215 THEREIN.

EASEMENT NOTE
 ALL THE "COMMON AREA" SHALL BE A PERPETUAL EASEMENT INCLUDING THE RIGHT TO INGRESS AND EGRESS, TO CONSTRUCT AND MAINTAIN ALL UTILITIES ON, UNDER, AND THROUGH THE COMMON AREA PROPERTY MORE DISTINCTLY DESCRIBED AS BLOCK 1 OF 777 ADDITION

Line Table			Line Table		
LINE #	LENGTH	DIRECTION	LINE #	LENGTH	DIRECTION
L1	51.48	N87°22'04"E	L21	4.33	N87°22'04"E
L2	24.00	S2°37'56"E	L22	10.00	S2°37'56"E
L3	18.34	S87°22'04"W	L23	10.03	S2°37'56"E
L4	7.52	S2°37'56"E	L24	4.33	S87°22'04"W
L5	7.00	N87°22'04"E	L25	33.52	S2°37'56"E
L6	12.00	S2°37'56"E	L26	51.48	S87°22'04"W
L7	12.03	S2°37'56"E	L27	24.00	N2°37'56"W
L8	5.00	S87°22'04"W	L28	18.34	N87°22'04"E
L9	7.52	S2°37'56"E	L29	7.52	N2°37'56"W
L10	18.34	N87°22'04"E	L30	5.00	S87°22'04"W
L11	24.00	S2°37'56"E	L31	12.03	N2°37'56"W
L12	51.48	S87°22'04"W	L32	12.00	N2°37'56"W
L13	33.52	N2°37'56"W	L33	7.00	N87°22'04"E
L14	4.33	S87°22'04"W	L34	7.52	N2°37'56"W
L15	10.03	N2°37'56"W	L35	18.34	S87°22'04"W
L16	10.00	N2°37'56"W	L36	24.00	N2°37'56"W
L17	4.33	N87°22'04"E	L37	51.48	N87°22'04"E
L18	33.52	N2°37'56"W	L38	2.00	S87°22'04"W
L19	2.00	S87°22'04"W	L39	42.45	S87°22'04"W
L20	33.52	S2°37'56"E	L40	42.45	S87°22'04"W

DETAIL A
 SCALE: 1" = 40'



- LEGEND**
- MONUMENT FOUND
 - MONUMENT SET THIS SURVEY (5/8" REBAR WITH STAMPED PLASTIC CAP #10957)
 - ▨ PROPOSED UTILITY EASEMENT (UE)
 - PROPOSED DUPLEX
 - FUTURE DUPLEX



PREPARED BY:
 BANNER ASSOCIATES, INC.
 409 22nd AVE. S.
 BROOKINGS, SD 57006
 (605) 692-6342
 OCTOBER 2019

Agenda Action Form Flandreau City Council

Meeting Date: 8/3/2020

Title: Memorandum of Understanding between the City of Flandreau and the Flandreau Santee Sioux Tribe concerning the Crescent Street Bridge

Motion Resolution Ordinance Other

Background Information: On July 6, FSST Chairman Tony Reider appeared before the City Council to propose that the Crescent Street Bridge be transferred to the Tribe for the purpose of arrangement for its replacement with a new bridge. On July 20, legal counsel for the Tribe, along with the City Attorney, appeared before the City Council to discuss an outline for a Memorandum of Understanding between the two parties for that purpose that included a five-year time allowance with reversion back to the City if the Tribal effort for replacement is unsuccessful. At that meeting, the Tribe expressed its support for the effort by the City to seek funding from the South Dakota Department of Transportation for removal of the existing bridge. Subsequently, the City has been informed by the DOT that it's application for grant funds for bridge removal has been approved. Since the July 20 presentation, the parties have conducted further negotiations and have refined the Draft MOU to its present form. Significant additions to that Draft include language that recognizes cooperation between the parties relative to ongoing study and prospective improvements in and around the dam. Additionally, language was added that recognizes the likelihood for necessary improvements to North Crescent Street associated with construction of a new bridge, while not obligating either party to any timeline or funding responsibility.

Justification: The City Council has previously determined that the City would not seek bridge replacement funding but is supportive of the interest and effort of the Tribe to obtain funding for that purpose. It is necessary for the Tribe to show ownership of the river crossing in order to proceed with efforts to secure funding for a new bridge.

Financial Consideration: None beyond the commitment that the City previously made to the DOT to fund a portion of the bridge removal in return for the grant award.

City Administrator's Recommendation: Approve

Attachments: Memorandum of Understanding

**MEMORANDUM OF UNDERSTANDING
BETWEEN
FLANDREAU SANTEE SIOUX TRIBE
AND
CITY OF FLANDREAU, SOUTH DAKOTA**

This Memorandum of Understanding by, and between, the Flandreau Santee Sioux Tribe (the “Tribe”), and the City of Flandreau, South Dakota (the “City”) is hereby entered into as of the day that this agreement is signed by all parties below.

RECITALS

WHEREAS, the Tribe is a federally recognized Indian Tribe authorized to enter into this agreement by Article VIII, Section 1(a) and Article VIII Section 1(f) of the Tribe’s Constitution; and

WHEREAS, the City is a municipal government authorized to enter into this Agreement pursuant to the provisions of S.D. Const., Art. IX, § 3, and S.D. Codified Law § 1-24-1 *et seq.*; and

WHEREAS, the Tribe and the City are geographically adjacent, and have worked on various projects that are mutually beneficial to the governments’ citizens; and

WHEREAS, the Crescent Street Bridge (“Bridge”), structure number 51-147-097, was built in 1935, connecting two parcels of land in the City of Flandreau over the Big Sioux River. The downtown area of Flandreau is to the south of the Bridge, while the Flandreau Indian School sits to the north. Historically, the Bridge was used by many Tribal members to reach the Flandreau Indian School, a school operated by the Bureau of Indian Education (“BIE”), and is still utilized to some extent for that purpose today; and

WHEREAS, in October 2009, the Flandreau City Council (“City Council”) took action to close the Bridge; however, after receiving an inspection report on the Bridge, the closure became temporary and it was reopened once again for one-way traffic in 2010. In 2013, a second Bridge study was conducted which resulted in complete closure of the Bridge to traffic and pedestrians. No subsequent repairs of the Bridge have taken place since its closure and it has been left to deteriorate; and

WHEREAS, in 2020, the City Council commissioned the South Dakota Department of Transportation (“South Dakota DOT”) to perform a study on the Bridge cost alternatives to determine whether removal or repair of the Bridge would be a better option. The study found that the Bridge was ineligible for repair funding and that replacement of the Bridge would be approximately \$3,146,286, while complete removal would be between \$250,000-350,000; and

WHEREAS, on June 1, 2020, the City Council voted to approve a resolution authorizing the submittal of an application to fund the removal of the Crescent Street Bridge which was awarded at the end of July; and

WHEREAS, since June 2020, the City and Tribe have met, have discussed several different alternatives for the bridge, and have agreed to utilize the State DOT Grant funds to remove the bridge, and then transfer the applicable land, easements, and rights-of-ways to the Tribe to construct a new bridge, and to allow for the Tribe to maintain the bridge once construction is finished; and

NOW THEREFORE, it is hereby agreed by and among the parties as follows:

SECTION 1. LEGAL TRANSFER OF BRIDGE.

The City hereby conveys any and all rights it has to the Bridge, located at Two (2) Block North of 1st Avenue on Crescent Street, Structure Number 51-147-097, to the Tribe in consideration of One Dollar, for the construction of a new 260'-0" Four (4) Span Prestressed Concrete Girder Bridge with Concrete Abutments and Piers; 36'-8" Bridge Width Incl. 28'-0" Roadway, 6'-0" Sidewalk, or similar vehicular bridge with a pedestrian sidewalk.

The parties similarly agree that there will need to be additional improvements to Crescent Street both North and South of the bridge, to the areas near the bridge, and utilities nearby, and agree to provide all legal authorizations to effectuate the development of the areas necessary for construction and maintenance of the bridge, and road. Nothing in this paragraph, however, is intended to commit any party to any specific improvement, funding level, or timeline, outside of those specifically outlined in this Understanding.

Transfer will begin 10 business days after completion of the removal of the bridge.

SECTION 2. TERM OF CONSTRUCTION.

The Tribe must start construction of the bridge by December 31, 2025, or this agreement will cease, and title will revert back to the City.

SECTION 3. CITY RESPONSIBILITIES.

- (a) Removal of current bridge, and installation of appropriate signage and barriers after removal is complete.
- (b) Funding for City portion of bridge removal in accordance with State Grant.
- (c) Insurance for the Bridge at an amount that is reasonable for the structure up to removal and transfer to the Tribe, including builder's risk insurance during bridge removal.
- (d) Snow removal, mowing, and maintenance surrounding the bridge, and the development of a post-construction maintenance plan for snow removal, mowing, and maintenance surrounding the bridge with the City.

(e) Repair and replacement of signage after bridge construction.

(f) Communicate the findings of the Dam-Mitigation Study it has undertaken with the Tribe to enhance the area surrounding the Bridge, and coordinate any upgrades if the study finds such work to be feasible.

SECTION 4. TRIBE RESPONSIBILITIES.

(a) Construction of a new bridge which is at least 260'-0" Four (4) Span Prestressed Concrete Girder Bridge with Concrete Abutments and Piers; 36'-8" Bridge Width Incl. 28'-0" Roadway, 6'-0" Sidewalk, or a similar vehicular bridge with a pedestrian sidewalk

(b) Funding for bridge construction.

(c) The Tribe will be required to install appropriate signage after the bridge is completed.

(d) Insurance for the Bridge at an amount that is reasonable after the transfer, including builder's risk insurance during bridge construction.

(e) Structural maintenance of the bridge structure as required by the applicable authority, either the State of South Dakota or Federal Department of Transportation standards.

(f) The development of a post-construction maintenance plan for snow removal, mowing, and maintenance surrounding the bridge with the City.

SECTION 5. MISCELLANEOUS.

(a) This agreement shall not be construed as or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action under this agreement for any cause whatsoever.

(b) This agreement shall be in full effect and legally binding when it is signed and certified by each party.

(c) Nothing in this agreement shall be deemed as an express or implied waiver of any sovereign immunity rights enjoyed by either party in any forum. This agreement further does not authorize either entity to enforce laws within the other party's jurisdiction without a proper request.

(d) This agreement supersedes all prior oral and written agreements.

[Intentionally Left Blank for Signature Page]

SECTION 6. SIGNATURES.

The signatures below signify the authority to enter into the agreement on the date signed, and acceptance of this agreement's terms.

CITY OF FLANDREAU, SOUTH DAKOTA FLANDREAU SANTEE SIOUX TRIBE

By: _____

Dan Sutton

Its: **Mayor**

ATTEST:

By: _____

Jeff Pederson

Its: **City Administrator**

Date: _____

(CITY SEAL)

By: _____

Anthony Reider

Its: **President**

ATTEST:

By: _____

Donalda Montoya

Its: **Secretary**

Date: _____

(TRIBAL SEAL)

Agenda Action Form Flandreau City Council

Meeting Date: 8/3/2020

Title: Agreement for Transfer of Entitlements

Motion Resolution Ordinance Other

Background Information: A request has been received from the Federal Aviation Administration (FAA) to transfer \$18,500 of the City of Flandreau's 2017 airport entitlements to Clark County. The funds would be used for eligible projects at the Clark County Airport. Council will need to authorize the Mayor to sign the agreement; City Attorney Corey Bruning will then need to sign the agreement as the City's Representative.

Justification: Funds apportioned to the Flandreau Municipal Airport were not needed and would have lapsed if not used by another entity.

Financial Consideration: None

City Administrator's Recommendation: Approval

Attachments: Request for FAA Approval of Agreement for Transfer of Entitlements

Request for FAA Approval of Agreement for Transfer of Entitlements

In accordance with 49 USC § 47117(c)(2),

Name of Transferring Sponsor: City of Flandreau

hereby waives receipt of the following amount of funds apportioned to it under 49 USC § 47117(c) for the:

Name of Transferring Airport (and Locid): Flandreau Airport (4P3)

for each fiscal year listed below:

Entitlement Type (Passenger, Cargo or Nonprimary)	Fiscal Year	Amount
NP	2017	\$ 18,500
		\$
		\$
		\$
Total		\$ 18,500

The Federal Aviation Administration has determined that the waived amount will be made available to:

Name of Airport (and Locid) Receiving Transferred Entitlements: Clark County Airport (4P3)

Name of Receiving Airport's Sponsor: Clark County

a public use airport in the same state or geographical areas as the transferring airport for eligible projects under 49 USC § 47104(a).

The waiver expires on the earlier of _____ (date)

or when the availability of apportioned funds lapses under 49 USC § 47117(b).

For the United States of America, Federal Aviation Administration:

Signature: _____

Name: _____

Title: _____

Date: _____

Certification of Transferring Sponsor

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this _____ day of _____, _____.

Name of Sponsor: _____

Name of Sponsor's Authorized Official: _____

Title of Sponsor's Authorized Official: _____

Signature of Sponsor's Authorized Official: _____

Certificate of Transferring Sponsor's Attorney

I, _____ acting as Attorney for the Sponsor do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing Agreement under the laws of the state of _____. Further, I have examined the foregoing Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said state and 49 USC § 47101, et seq.

Dated at _____ (City, State), this _____ day of _____, _____.

Signature of Sponsor's Attorney: _____

Agenda Action Form Flandreau City Council

Meeting Date: 8/3/2020

Title: Application for Temporary On-Sale Liquor License

Motion Resolution Ordinance Other

Background Information: An application for a temporary on-sale liquor license has been submitted by Bar X Bar for a bean bag tournament. The temporary license will allow the consumption of alcoholic beverages outside of the establishment on Wind Street between Pipestone and 2nd Avenues on August 8th, 2020 from 2:00 PM to 1:00 AM.

Justification: Required per SDCL 35-4-124

Financial Consideration: \$25.00 Permit Fee waived per action at the July 20th, 2020 Council meeting.

City Administrator's Recommendation: Approval

Attachments: Application for Temporary On-Sale Liquor License

APPLICATION FOR TEMPORARY
ON-SALE SPECIAL ALCOHOLIC BEVERAGE LICENSE
ACCORDING TO SDCL 35-4-124

NAME OF APPLICANT: Bar X Bar
ADDRESS: 118 N. Wind St.
TELEPHONE NUMBER: 997-3112
EVENT: Bean Bag Tournament

I, the undersigned, hereby make application to the CITY OF FLANDREAU, SOUTH DAKOTA for a Temporary Special Alcoholic Beverage License to be operated at the following location:

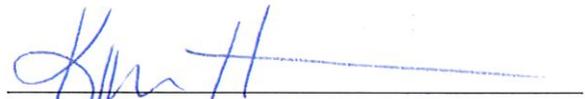
On Wind Street between Pipestone and 2nd Avenues

for the following period of time not to exceed twenty-four (24) hours:

From 2:00 o'clock p.m. on the 8th day of August, 2020
To 2:00 o'clock a.m. on the 9th day of August, 2020

In making this application, I understand that all State Laws governing alcoholic beverages licenses apply including the hours of authorized sale/consumption and the prohibitions regarding the presence and/or sale to minors.

Dated this 28 day of July, 2020


Applicant's Signature

TEMPORARY LICENSE

Having considered the foregoing Application and approving the same, the governing body of the City of Flandreau, South Dakota issues to said applicant a temporary on-sale license upon the property described above during the hours set forth in the application subject to and as authorized by SDCL 35-4-124.

Dated this _____ day of _____, 20____

CITY OF FLANDREAU, SD

By: _____
Mayor or Council President

APPROVED BY COUNCIL on the _____ day of _____, 20____

Agenda Action Form Flandreau City Council

Meeting Date: 8/3/2020

Title: Application for Temporary On-Sale Liquor License

Motion Resolution Ordinance Other

Background Information: An application for a temporary on-sale liquor license has been submitted by Fajita's Bar and Grill for a bean bag tournament. The temporary license will allow the consumption of alcoholic beverages outside of the establishment on Wind Street between Pipestone and 2nd Avenues on August 8th, 2020 from 2:00 PM to 1:00 AM.

Justification: Required per SDCL 35-4-124

Financial Consideration: \$25.00 Permit Fee waived per action at the July 20th, 2020 Council meeting.

City Administrator's Recommendation: Approval

Attachments: Application for Temporary On-Sale Liquor License

APPLICATION FOR TEMPORARY
ON-SALE SPECIAL ALCOHOLIC BEVERAGE LICENSE
ACCORDING TO SDCL 35-4-124

NAME OF APPLICANT: Fajitas Bar & Grill
ADDRESS: 114 N. Wind St.
TELEPHONE NUMBER: 997-5223

EVENT: Bean Bag Tournament

I, the undersigned, hereby make application to the **CITY OF FLANDREAU, SOUTH DAKOTA** for a Temporary Special Alcoholic Beverage License to be operated at the following location:

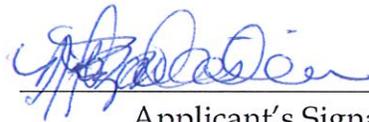
On Wind Street between Pipestone and 2nd Avenues

for the following period of time not to exceed twenty-four (24) hours:

From 2:00 o'clock p.m. on the 8th day of August, 20 20
To 2:00 o'clock a.m. on the 9th day of August, 20 20

In making this application, I understand that all State Laws governing alcoholic beverages licenses apply including the hours of authorized sale/consumption and the prohibitions regarding the presence and/or sale to minors.

Dated this 29 day of JULY, 20 20



Applicant's Signature

TEMPORARY LICENSE

Having considered the foregoing Application and approving the same, the governing body of the City of Flandreau, South Dakota issues to said applicant a temporary on-sale license upon the property described above during the hours set forth in the application subject to and as authorized by SDCL 35-4-124.

Dated this _____ day of _____, 20____

CITY OF FLANDREAU, SD

By: _____
Mayor or Council President

APPROVED BY COUNCIL on the _____ day of _____, 20____

Agenda Action Form Flandreau City Council

Meeting Date: 8/3/2020

Title: Application for Temporary On-Sale Liquor License

Motion Resolution Ordinance Other

Background Information: An application for a temporary on-sale liquor license has been submitted by Fat Boys Bar for a bean bag tournament. The temporary license will allow the consumption of alcoholic beverages outside of the establishment on Wind Street between Pipestone and 2nd Avenues on August 8th, 2020 from 2:00 PM to 1:00 AM.

Justification: Required per SDCL 35-4-124

Financial Consideration: \$25.00 Permit Fee waived per action at the July 20th, 2020 Council meeting.

City Administrator's Recommendation: Approval

Attachments: Application for Temporary On-Sale Liquor License

APPLICATION FOR TEMPORARY
ON-SALE SPECIAL ALCOHOLIC BEVERAGE LICENSE
ACCORDING TO SDCL 35-4-124

NAME OF APPLICANT: Fat Boys Bar
ADDRESS: 111 N. Wind St.
TELEPHONE NUMBER: 310-2625
EVENT: Bean Bag Tournament

I, the undersigned, hereby make application to the CITY OF FLANDREAU, SOUTH DAKOTA for a Temporary Special Alcoholic Beverage License to be operated at the following location:

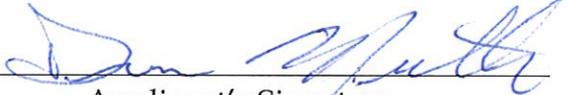
On Wind Street between Pipestone and 2nd Avenues

for the following period of time not to exceed twenty-four (24) hours:

From 2:00 o'clock p.m. on the 8th day of August, 2020
To 2:00 o'clock a.m. on the 9th day of August, 2020

In making this application, I understand that all State Laws governing alcoholic beverages licenses apply including the hours of authorized sale/consumption and the prohibitions regarding the presence and/or sale to minors.

Dated this 28 day of July, 2020


Applicant's Signature

TEMPORARY LICENSE

Having considered the foregoing Application and approving the same, the governing body of the City of Flandreau, South Dakota issues to said applicant a temporary on-sale license upon the property described above during the hours set forth in the application subject to and as authorized by SDCL 35-4-124.

Dated this _____ day of _____, 20____

CITY OF FLANDREAU, SD

By: _____
Mayor or Council President

APPROVED BY COUNCIL on the _____ day of _____, 20____

Agenda Action Form Flandreau City Council

Meeting Date: 8/3/2020

Title: Application for Temporary On-Sale Liquor License

Motion Resolution Ordinance Other

Background Information: An application for a temporary on-sale liquor license has been submitted by Mad Mary's for the Tawny Brewer/Weston Heinemann wedding reception and dance to be held at the William J. Janklow Community Center on August 22nd, 2020

Justification: Required per SDCL 35-4-124

Financial Consideration: \$25.00 Permit Fee will be credited to the General Fund

City Administrator's Recommendation: Approval

Attachments: Application for Temporary On-Sale Liquor License

APPLICATION FOR TEMPORARY ON-SALE SPECIAL ALCOHOLIC BEVERAGE LICENSE AT THE WILLIAM J. JANKLOW COMMUNITY CENTER ACCORDING TO SDCL 35-4-124

NAME OF APPLICANT: Mad Mary's
ADDRESS: 306 N Veterans St
TELEPHONE NUMBER: 605-695-3881

EVENT: Tawny Brewer & Weston Heineman Wedding Reception + Dance

I, the undersigned, hereby make application to the CITY OF FLANDREAU, SOUTH DAKOTA for a Temporary On-Sale Special Alcoholic Beverage License to be operated at the William J. Janklow Community Center for the following period of time not to exceed twenty-four (24) hours:

From 4:00 o'clock P.m. on the 22nd day of August, 2020
To 3:00 o'clock A.m. on the 23rd day of August, 2020

In making this application, I understand that all State Laws governing on-sale licenses apply including the hours of authorized sale/consumption and the prohibitions regarding the presence and/or sale to minors.

Dated this 14 day of July, 2020

[Handwritten Signature]
Applicant's Signature

TEMPORARY PERMIT

Having considered the foregoing Application and approving the same, the governing body of the City of Flandreau, South Dakota issues to said applicant a temporary on-sale license upon the property described above during the hours set forth in the application subject to and as authorized by SDCL 35-4-124.

Dated this ___ day of _____, _____.

CITY OF FLANDREAU, SD

By: _____
Mayor or Council President

APPROVED BY COUNCIL on the ___ day of _____, 20__