

**CITY COUNCIL MEETING**  
**August 12, 2024**

The Faulkton City Council met in regular session on August 12, 2024 in the City Hall meeting room with Finance Officer Emily Bauer and the following council members present: Linda Bartholomew, Chris Geiger, Dave Hadrick, Ryan Kast, Jamie Kaup and Steve Wanner. Mayor Slade Roseland called the meeting to order at 7:00 p.m. with all those present reciting the Pledge of Allegiance.

**2024.8.74 Approve Proposed Agenda:** Councilman Geiger moved, seconded by Hadrick to approve the agenda. Unanimous.

**2024.8.75 Minutes:** Councilwoman Bartholomew made the motion, seconded by Geiger to approve the minutes of the July 8, 2024 meeting. Unanimous.

**2024.8.76 Financial Report:** Motion by Councilman Wanner, seconded by Bartholomew to approve the finance report. Unanimous.

**2024.8.77 Claims:** The following bills were approved for payment on a motion by Councilman Bartholomew, seconded by Kaup. Unanimous. **Payroll Total: \$29,119.00** Mayor: \$600.00, Finance Officer: \$3998.48, Street Department: \$5,648.52, Water & Sewer Department: \$5,023.82, Rubble Site: \$1,092.00, Carousel: \$518.75, Summer Maintenance: \$1,223.25, Pool: \$11,014.18

---

ASSOCIATED SUPPLY COMPANY, INC	\$192.04	SUPPLIES
BAUER'S SUPER VALU	\$30.95	SUPPLIES
BERMAC INC.	\$53.44	GAS
CHS INC	\$916.88	SHOP LP
CITY OF FAULKTON	\$1,977.00	CITY WATER/SEWER
FAULK CO HIGHWAY DEPT	\$522.49	GAS/DIESEL
FAULK COUNTY RECORD	\$51.10	MINUTES
FAULKTON DRUG	\$2.39	SUPPLIES
FRESH PRODUCE	\$8,982.13	TOURSIM
HANSONS INC.	\$7,190.71	RUBBLE SITE PIT
HEALTH POOL OF SD	\$5,846.28	GROUP HEALTH INS. PREMIUM
HOLDREN WELDING & REPAIR	\$300.00	MOWER REPAIR
HOMAN HARDWARE	\$1,296.78	SUPPLIES
INTERNAL REVENUE SERVICE	\$5,728.76	941 TAXES
JENSEN ROCK & SAND, INC	\$1,639.95	COLD MIX
M&N LODGE	\$100.00	METER REFUND-106 11TH AVE N
MACEK, DIANE	\$64.00	METER REFUND-915 HURON ST
MCLENDON, VALERIE	\$100.00	METER REFUND-215 11TH AVE S
MENARDS-ABERDEEN	\$59.94	SUPPLIES
NORTH WESTERN ENERGY	\$4,437.10	ELECTRICITY
QUILL CORP	\$401.96	SUPPLIES
RURAL DEVELOPMENT	\$4,256.00	WATER PRJ DEBT PYMNT
RURAL DEVELOPMENT - SEWER	\$8,944.00	SEWER PROJECT DEBT PAYMENT

RYMAN, NANCY	\$22.00	METER REFUND-1106 MAIN ST
SD DEPT OF TRANSPORTATION	\$31.25	AIRPORT WINDSOCK
SD DEPT. OF HEALTH (LAB)	\$15.00	LAB FEES
SD RETIREMENT	\$1,728.71	SD RETIREMENT
SD SOLID WASTE MANAGEMENT ASSC	\$60.00	ANNUAL DUES
SD SUPPLEMENTAL RETIREMENT PLA	\$250.00	ROTH CONTRIBUTION
SOUTH DAKOTA 811	\$26.25	LOCATE FEES
VICTOR LUNDEEN COMPANY	\$262.80	CHECKS
WEB WATER	\$16,188.99	WEB WATER
WINWATER	\$3,108.66	WATER METERS
WOODS FULLER	\$150.00	AIRPORT LAND

**Maintenance Report:** Mayor Roseland stated that Kopecky will be out of work for a few weeks. Jensen Rock & Sand are still coming to pave streets, just not sure on a date yet. The water tower and pumps had a valve issue after the power surge on Sunday, but the issue has been resolved.

**OLD BUSINESS**

**Airport Land Acquisition Update:** James Moore, Woods Fuller, updated Bauer on the lack of correspondence with the landowner the city has been trying to purchase land from for two years. Moore suggested the council approve a resolution of necessity and move forward with a lawsuit. Bauer did not have a resolution at the time of the meeting.

**2024.8.78 Resolution 2024-03 Water Rates:** Councilman Wanner moved, seconded by Geiger to approve, adopt and publish the following resolution. Unanimous.

**RESOLUTION #2024-03**

**RESOLUTION TO ESTABLISH NEW WATER RATE FOR THE CITY OF FAULKTON, SD**

WHEREAS, the current water rates are not sufficient to cover the cost of producing water and provide for upgrades of the water delivery infrastructure; and

WHEREAS it is in the best interest of the city of Faulkton to set rates which will allow for proper maintenance and upgrades of the system.

NOW, THEREFORE, BE IT RESOLVED by the Faulkton City Council for Faulkton, South Dakota, that water rates for all residential and commercial users shall be as follows:

Each consumer, within city limits, shall pay a minimum charge of thirty-one dollars (\$31.00) per month with no water usage included. Water used during such month shall be at the rate of \$0.00807 per gallon, equivalent to \$8.07 per one thousand (1,000) gallons. Each consumer, outside the city limits, shall pay a minimum charge of forty-six dollars and fifty cents (\$46.50) per month with no water usage included. Water used during such month shall be at the rate of \$0.01211 per gallon, equivalent to \$12.11 per thousand (1,000) gallons.

BE IT FURTHER RESOLVED that these water rates and sewer rates shall go into effect payable October 1, 2024.

Dated this 12<sup>th</sup> day of August 2024.

\_\_\_\_\_  
Slade Roseland, Mayor

Attest:

**NEW BUSINESS**

**Truck Route:** Mr. Vander Vorst, Faulkton Area School Superintendent, had asked the council to consider moving the truck route by the school. Currently the truck route for school deliveries is 13<sup>th</sup> Ave to Court Street and then 11<sup>th</sup> Ave to Hwy 212. Vander Vorst stated the school closes 11<sup>th</sup> Ave during the day, because students crossing the street to use the playground. Vander Vorst asked if the truck route could continue down Court Street to 10<sup>th</sup> Ave and then Hwy 212. Discussion was had about the condition of Court Street from 11<sup>th</sup> Ave to 10<sup>th</sup> Ave. That street doesn't hold up very well in the spring, due to snow melting. The council decided to allow the trucks to use Court Street to 10<sup>th</sup> Ave for the time being, but load limits will be enforced during the spring.

**2024.8.79 Ordinance 2024-01 – Amending the Budget Timeline:** Mayor Roseland read for its First Reading Ordinance No. 2024-01 entitled, "Amending Title 1 – Administration, Chapter 1-2 Financial Regulations, to move the Municipal Budget Deadline." Motion was made by Councilman Geiger, seconded by Kast to have the second reading at our September meeting. Motion carried.

**2024.8.80 IM 28 – Potential Impact on City Sales Tax Revenue:** Mayor Roseland discussed the potential impact on city sales tax if Initiated Measure 28 is approved. Estimates of \$66,000 in revenue loss for the City is what the state calculated for Faulkton. Mayor Roseland stated citizens should educate themselves on the matter (they can visit the Secretary of State's website for the attorney general's opinion) and exercise their right to vote. But as a city we need to stand in opposition to a large revenue being removed from our budget. The council approved the following resolution with a motion from Councilwoman Bartholomew and seconded by Kaup. Unanimous.

**Resolution 2024-04**

WHEREAS Initiated Measure 28 was certified for the November 2024 General Election Ballot by the South Dakota Secretary of State;

WHEREAS Initiated Measure 28, if passed, would remove state, municipal and tribal taxes on all items sold for human consumption except alcohol and prepared food;

WHEREAS "human consumption" is undefined in South Dakota Codified Law or the South Dakota Constitution. Black's Law Dictionary defines "consumption" as "the act of destroying a thing by using it; the use of a thing in a way that exhausts it.";

WHEREAS South Dakota Codified Law 34-45-1(7) defines tobacco products as "any item made of tobacco intended for human consumption, including cigarettes, cigars, pipe tobacco, and smokeless tobacco, and vapor products as defined in § 34-46-20.";

WHEREAS South Dakota Codified Law 10-52-2 allows incorporated municipalities to impose a tax on the sale, use, storage and consumption of items that conform in all respects to the state tax on such items up to two percent;

WHEREAS Initiated Measure 28 is in direct conflict with existing state law and the Attorney General's explanation of the measure states legislative or judicial clarification would be needed if the measure passes;

WHEREAS The City of Faulkton levies a two-percent sales tax and collected \$434,328 in the 2023 fiscal year and \$255,446 year-to-date in the 2024 fiscal year;

WHEREAS The City of Faulkton estimates annual lost revenue of \$66,000 unless Initiated Measure 28 is rejected by voters in South Dakota;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Faulkton, that Initiated Measure 28 would negatively impact our community and its residents.

Dated this 12<sup>th</sup> day of August 2024.

\_\_\_\_\_  
Slade Roseland, Mayor

ATTEST:

\_\_\_\_\_  
Emily Bauer, Finance Officer

**2024.8.81 Adjournment.** There being no other business to come before the council, the meeting adjourned on a motion by Councilman Geiger. Time: 7:15 p.m.

\_\_\_\_\_  
Slade Roseland, Mayor

\_\_\_\_\_  
Emily Bauer, Finance Officer