

**CITY OF PHILIP COUNCIL PROCEEDINGS  
REGULAR MEETING  
JANUARY 03, 2023**

A regular meeting of the Philip City Council was held on Tuesday, January 3, 2023, at 7:00 p.m. in the Community Room of the Haakon Co. Courthouse. Present were Mayor Brit Miller, Council Members Marty Gartner, Marion Matt, Joni Parsons, Terri Pelle, and Scott Pinney. Also present were City Administrator Brittany Smith, Finance Officer Monna Van Lint, Chief of Police Ben Buls, Police Officer AJ Bartlett, Shelly Reimann, Mike Schmidt and Brooke Edgar with Helms & Associates; and, City Attorney Stephanie Trask.

Absent: Council Member Greg Arthur.

The meeting was opened with the Pledge of Allegiance.

Motion was made by Matt, seconded by Pelle to approve the agenda as presented. Motion carried.

Motion was made by Gartner, seconded by Matt to approve the payment of the bills from the appropriated funds as listed below. Motion carried.

**This Month's Bills:**

Bad River Law Prof LLC	2023 SDML Atty Assoc Dues	20.00
Central SD Enhancement District	2023 Membership Dues	1133.14
ClubHouse Hotel	TAP Mtg Room 11/22	173.72
Corporate Trust – US Bank	SRF #4 Pay #34 1/23	11326.05
	SRF #5 Pay #34 1/23	7905.24
Dakota Pump Inc	LS Alarm 2023	600.00
Delta Dental	Employee Dental Ins 1/23	726.30
Diligent Corp	Mtg Software Fees 2023	2500.00
1 <sup>st</sup> Nat'l Agency	Cyber Ins 1/23-1/24	3131.59
	Ambulance Ins 2023	9187.00
	Fire Dept Ins 2023	6398.00
1 <sup>st</sup> Nat'l Bank	Safe Dep Box Rent 2023	12.00
Golden West Telecom	Telephone/Internet 11-12/22	657.11
Haakon Co Treasurer	Office Rent 1/23	500.00
HCS, LLC	IT Firewall Filtering 2023	300.00
Health Pool of SD	Health Ins 1/23	10871.93
Moses Building Center	Supplies 12/22	34.69
O'Connell Construction Inc	Snow Removal 12/22	11400.00
ONSOLVE, LLC	CodeRED Contract 2023	1273.39
Optilegra	Employee Vision Ins. 1/23	101.51
SD Airport Mgmt Assoc	2023 Membership Dues	25.00
SD Assoc Code Enforcement	2023 Membership Dues	75.00
SD Assoc of Rural Water Systems	Shipp Conf Reg 1/23	275.00
SD Building Officials Assoc	2023 Membership Dues	50.00
SD City Management Assoc	2023 Membership Dues	150.00
SD DANR	Wastewater Fees 2023	750.00
SD Dept. of Revenue	Sales Tax Payable 12/22	492.64
SD Gov't Finance Officers Assoc	2023 Membership Dues	70.00
SD Gov't Human Resource Assoc	2023 Membership Dues	50.00

SDML	2023 Membership Dues	1154.94
	SDML Leg Day Reg 1/23	30.00
SDML Workers Comp Fund	Work Comp Ins 2023	9510.00
SD Municipal Police Chiefs Assoc	2023 Membership Dues	97.00
SD Municipal Street Maint Assoc	2023 Membership Dues	35.00
SD Public Assurance Alliance (PAA)	Property/Liability Ins 2023	26754.21
	Retroactive Liability 2023-2024	2249.20
SD Water & Wastewater Assoc	2023 Dues – Pearson/Shipp	20.00
The Philip Pit Stop	Fuel 11-12/22	381.81
Vadim Municipal Software Inc	Asyst Connect Sub/Maint 2023	2646.00
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Total Expenditures – 01/03/23		\$113,067.47

**Old Business:**

None

**New Business:**

Motion was made by Matt, seconded by Pinney to approve the following annual resolutions for 2023 as follows and outlined below: Non-Discrimination Resolution; Official Depository; Official Newspaper; Purchase of CD’s; Dismissal & Snow Procedures—Holidays; City Council Meeting Dates; Rubble Site Operational Dates; Payroll Resolution; Departmental Travel; and Fire Department Volunteers. It was noted that the CMA interest allocation per fund for 2023 will be presented for approval during the next meeting. Motion carried with all members voting aye.

**Non –Discrimination Resolution**

“It is hereby provided that the City of Philip, South Dakota, prohibits discrimination in employment, programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. The City of Philip also affirms its commitment to providing equal opportunities and equal access to City of Philip facilities. The City of Philip is an equal opportunity provider and employer.”

**Official Depository**

To name the First National Bank in Philip, South Dakota as the official depository for the City of Philip, South Dakota.

**Official Newspaper**

To name the *Pioneer Review* as the official newspaper for the City of Philip, South Dakota.

**Purchase of CD’s**

To authorize the City Administrator or City Finance Officer to purchase Certificates of Deposit as he/she/they deem appropriate. Said Certificates of Deposit are to be maintained for safe keeping in the First National Bank of Philip’s vault.

**Dismissal & Snow Procedures – Holidays for City Employees**

The City of Philip recognizes the following holidays plus any other day proclaimed as a holiday by the Mayor, Governor of South Dakota, or the President of the United States. In addition, upon consent of the Mayor, the City Office may be closed when the County Courthouse is closed due to weather or other emergencies (refer to Personnel Policy 2.23 for compensation).

HOLIDAY	DAY OBSERVED*
New Year's Day	January 1
Martin Luther King Jr. Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Native American Day	Second Monday in October
Veteran's Day	November 11
Thanksgiving	Fourth Thursday in November
Thanksgiving Bonus	Friday after Thanksgiving
Christmas	December 25
Christmas Bonus	December 24 or 26 (when date falls during the work week & as decided by a majority of the employees)

\*If a holiday from the list above falls on a Saturday, the preceding Friday is observed as a city holiday (except Christmas Bonus). If a holiday falls on a Sunday, it is observed on the following Monday.

### **2023 City Council Meeting Dates**

January 3<sup>rd</sup>  
February 6<sup>th\*</sup>  
March 6<sup>th</sup>  
March 20<sup>th</sup> (Board of Equalization)  
April 3<sup>rd</sup>  
May 1<sup>st</sup>  
June 5<sup>th</sup>  
July 6<sup>th\*</sup>  
July 27<sup>th</sup> (Budget Planning Session)  
August 7<sup>th</sup>  
September 5<sup>th\*</sup>  
October 2<sup>nd</sup>  
November 6<sup>th</sup>  
December 4<sup>th</sup>  
December 28<sup>th</sup> (Year End)

\*Due to holiday or training.

All dates are subject to change at the direction of the Mayor or City Council, and do not include any special or emergency meetings that may be called throughout the year.

### **2023 Rubble Site Operational Dates**

January: Saturday, 7<sup>th</sup>  
February: Saturday, 4<sup>th</sup>  
March: Saturday, 4<sup>th</sup>  
April: Saturday, 1<sup>st</sup>  
May: Friday & Saturday, 5<sup>th</sup>–6<sup>th</sup> (Spring Clean Up Days; pick up day 8<sup>th</sup>); Friday, 12<sup>th</sup>; Saturday, 20<sup>th</sup>; Friday, 26<sup>th</sup>  
June: Saturday, 3<sup>rd</sup>; Friday, 9<sup>th</sup>; Saturday, 17<sup>th</sup>; Friday, 23<sup>rd</sup>  
July: Saturday, 1<sup>st</sup>; Friday, 7<sup>th</sup>; Saturday, 15<sup>th</sup>; Friday, 21<sup>st</sup>; Saturday, 29<sup>th</sup>

August: Saturday, 5<sup>th</sup>; Friday, 11<sup>th</sup>; Saturday, 19<sup>th</sup>; Friday, 25<sup>th</sup>  
 September: Friday, 1<sup>st</sup>\*; Friday, 8<sup>th</sup>; Saturday, 16<sup>th</sup>; Friday, 22<sup>nd</sup>; Saturday, 30<sup>th</sup>  
 October: Saturday, 7<sup>th</sup>; Friday, 13<sup>th</sup>; Saturday, 21<sup>st</sup>; Friday, 27<sup>th</sup>  
 November: Saturday, 4<sup>th</sup>  
 December: Saturday, 2<sup>nd</sup>  
 \*Due to holiday

**2023 Payroll Resolution**

Andrew Bartlett, Police Officer	\$45,760.00 salary - \$3,813.33 Gross/Month
William Buls, Chief of Police	\$52,000.00 salary - \$4,333.33 Gross/Month
Rickie Coyle, Temp Public Works Maint	\$25.00/hr.
Brian Pearson, Public Works Maintenance/Utility Billing	\$21.00/hr. - \$3,640.00 Gross/Month
Matthew Reckling, Public Works Director	\$26.75/hr. - \$4,636.67 Gross/Month
Tom Rodriguez, Temp General Public Works Maint	\$16.00/hr.
Robert Shipp, Public Works Maintenance II	\$21.50/hr. - \$3,726.67 Gross/Month
Brittany Smith, City Administrator	\$58,240.00 salary - \$4,853.33 Gross/Month
Monna Van Lint, Finance Officer	\$23.45/hr. - \$4,064.67 Gross/Month
Doreen Vetter, Community Development Director	\$20.00/hr.
Mayor	\$100.00/Mtg. and \$550.00/Qtr.
Council Members	\$65.00/Mtg. and \$400.00/Qtr.

**2023 Departmental Travel**

**MAYOR & CITY COUNCIL:** District Meeting; Elected Officials Workshop; SDML Annual Conference; and, any other meetings related to City business as allowed through the budget.

**ADMINISTRATION:** Annual Report Training; Budget Training; District Meeting; Election School; Legislative Day; Safety Conference; SD City Management Association Meetings; SD Governmental Finance Officers School; SD Human Resource School; SDML Annual Conference; SDML Board/Policy Meetings; and, any other meetings or trainings related to City business as allowed through the budget.

**FINANCE:** Annual Report Training; Budget Training; District Meeting; Election School; Safety Conference; SD Governmental Finance Officers School; SD Human Resource School; SDML Annual Conference; and, any other meetings or trainings related to City business as allowed through the budget.

**POLICE:** Certification/Recertification Trainings; Peace Officers; Police Chiefs; SDML Annual Conference; and, any other meetings or trainings related to City business as allowed through the budget.

**CODE ENFORCEMENT:** SD Association of Code Enforcement Training; SD Building Officials Conference; SDML Annual Conference; and, any other meetings or trainings related to City business as allowed through the budget.

**STREET:** MSHA Training; Pesticide Certification/Recertification; Safety Conference; Street Maintenance Conference; and, any other meetings or trainings related to City business as allowed through the budget.

**AIRPORT:** SD Airport Conference; and, any other meetings or trainings related to City business as allowed through the budget.

WEST NILE/MOSQUITO CONTROL: Mosquito Calibration; Mosquito Control Training; and, any other related to City business as allowed through the budget.

SWIMMING POOL: Certified Pool Operators Training; and, any other related to City business as allowed through the budget.

WATER: MSHA Training; SD Assoc. of Rural Water Systems Conference; Water Certification/Recertification Trainings; and, any other related to City business as allowed through the budget.

SEWER: MSHA Training; SD Water & Wastewater Association Conferences; Wastewater Certification/Recertification Trainings; and, any other related to City business as allowed through the budget.

**2023 Volunteer Fire Fighters**

Curt Arthur	Tyler Hauk	Jesse Potter
Greg Arthur	Gunner Hook	Blake Puhlman
Matt Arthur	Jacob Jedlicka	Beau Ravellette
Jade Berry	Wade Kroetch	Matt Reckling
Ryon Berry	Joe Millage	Mattisen Reckling, Jr. Volunteer
Gavin Brucklacher	Brit Miller	Jason Sampson
Lukas VanderMay, Jr. Volunteer	Alex Moos	Casey Sawvell
Nathan Drury	Brandon Moos	Mike Schultz
Tate Guptill	Branden Morrison	Brock Slovek
Marty Hansen	Mike Moses	Pieter Steyn
Brian Hanson	Trace O'Connell	Debra Walker
Brock Hanson	Race O'Connor, Jr Volunteer	Roger Williams
Brice Hanson	Brian Pearson	Ron Williams
Taylor Hanson	Jason Petersen	William Yoder, Jr
Jordan Hauk	Neal Petersen	

Motion was made by Gartner, seconded by Matt to approve Resolution #2001-02 as amended, Establishing City Rates and Fees for 2023. All rates and fees identified therein will remain the same as those adopted in 2022 except for the following as recommended and presented: all rubble site fees adjusted to include sales tax; increase to airport hangar rental rates; and increase to dog impound and care fees. Motion carried with all members voting aye. (A copy of the Resolution is on file in the city office and posted on the website.)

Motion was then made by Pelle, seconded by Parsons to approve Resolution #2001-03 as amended, Establishing Penalties, Fines and Fees for violation of City Ordinance for 2023. All penalties, fines and fees will remain the same as those adopted in 2022. Motion carried with all members voting aye. (A copy of the Resolution is on file in the city office and posted on the website.)

**2023 Election:**

Motion was made by Gartner, seconded by Pinney to approve the following resolution and corresponding agreement with the mayor's signature thereon to combine the 2023 Municipal Election with the School Election with only one polling place—old elementary gym. Motion carried with all members voting aye.

## **Resolution to Hold a Joint Election with the School**

**WHEREAS**, it appears to the governing body of the City of Philip that combining the municipal and school election would result in a reduction in cost to both governmental entities and,

**WHEREAS**, such a combined election would result in increased public interest and participation,

**BE IT THEREFORE RESOLVED**, that subject to the approval of the governing body of Haakon County School District 27-1, the municipal election normally scheduled for April 11, 2023, be held in conjunction with the school election scheduled for April 11, 2023, upon such agreement for cost sharing as may be mutually agreed.

Dated this 3<sup>rd</sup> day of January 2023.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

The following Council Member positions are up for election in 2023: Ward I (Scott Pinney); Ward II (Marty Gartner); and, Ward III (Terri Pelle and Joni Parsons). Nominating petitions for the positions may begin circulation no earlier than Jan. 27 and must be filed by Feb. 24, 2023.

### Airport Projects:

Mike Schmidt and Brooke Edgar, Engineers with Helms & Associates, introduced themselves as the new airport engineers. It was noted that they met with the Airport Committee prior to the meeting to review the future needs of the airport along with the airport capital improvement plan. They expressed their appreciation for the opportunity to serve the City of Philip and its airport users now and into the future.

Shelly Reimann addressed the Council regarding an option to include Philip in the SD Scavenger's Journey which is held annually in June. She explained that currently the route runs from Kadoka to Stickney, but they are looking to add both Philip and Wall in 2023. She shared a previous event advertisement book that identifies all the communities involved including their businesses, vendors, and events. The annual cost to be a part of the event is \$500.00.

By general consensus of the Council, CA Smith was directed to share Ms. Reiman's information with the Chamber of Commerce for Philip to be a part of the 2023 SD Scavenger's Journey.

### Meter Project:

Council was advised that minimal progress has been made since December 2022, and there are currently 247 meters active on the AMR.

### Artesian Well Project:

Council was informed that Weston Engineering was at the well briefly before the first storm event occurred in December. Mr. Hunt advised today that they plan to be back soon. (For the record, the contractor is being and will continue to be assessed a daily late penalty of \$300 against the amount owed since the Oct. 15<sup>th</sup> deadline--\$24,300 through today.)

Departmental Reports:

Administration

Council reviewed the 2022 sales tax collections which were reported at a record amount of \$645,250.14, an increase of \$15,729.91 or 2.44% from 2021. Appreciation was expressed to the local businesses and shoppers.

Motion was made by Matt, seconded by Gartner to adopt Personnel Policy 2.14.2, Credit Card Policies & Procedures, and, 2.22, Fraud, as presented and recommended by the city’s auditors. Motion carried.

Motion was then made by Matt, seconded by Pinney to adopt Personnel Policy 2.23, Weather or Emergency Closing, as presented. It was noted that the policy outlines and addresses the process for closing the city office and other city facilities as well as options for employee’s to be compensated during these times. Motion carried.

(Copies of the above policies are on file in the city office--included are part of the Personnel Policy Handbook.)

Economic Development

Motion was made by Gartner, seconded by Pelle to approve the first reading of the following Ordinance #2023-01. Motion carried with all members voting aye.

**ORDINANCE #2023-01  
2023 SUPPLEMENTAL APPROPRIATIONS ORDINANCE  
COMMUNITY DEVELOPMENT DIRECTOR**

**WHEREAS**, the City of Philip, South Dakota, entered into a Joint Agreement with Philip Charities and Philip Chamber of Commerce on September 6, 2022, to assist in funding and employing a Community Development Director; and,

**WHEREAS**, per the Joint Agreement, all entities agreed to contribute funding for the Director position; and,

**WHEREAS**, the City of Philip did not anticipate the Director position expenses and funding when preparing the fiscal year 2023 appropriations.

**NOW, THEREFORE, BE IT ORDAINED**, that the following Supplemental Appropriations Ordinance be and hereby is adopted in order to recognize the revenues and expenses that will be forthcoming for the Director position.

	<u>GENERAL FUND</u>
46500 ECONOMIC DEVELOPMENT	
41100 Salaries	\$ 17,150.00
41200 FICA & Medicare	\$ 1,350.00
42600 Supplies	\$ 750.00
42700 Travel/Dues	\$ 750.00
<b><u>TOTAL ECONOMIC DEVELOPMENT</u></b>	<b><u>\$ 20,000.00</u></b>
<b><u>TOTAL APPROP. &amp; ACCUM.</u></b>	<b><u>\$ 20,000.00</u></b>

**MEANS OF FINANCE**

The following designates the fund or funds that money derived from the following sources is applied to.

	<b><u>GENERAL FUND</u></b>
10400 CMA – UNASSIGNED CASH	
10400 Unassigned Cash	\$ 10,000.00
36700 CONTRIBUTIONS/DONATIONS	
36700 Contributions & Donations (Charities)	\$ 5,000.00
36700 Contributions & Donations (Chamber)	\$ 5,000.00
<b><u>TOTAL CONTRIBUTIONS/DONATIONS</u></b>	<b><u>\$ 10,000.00</u></b>
 <b><u>TOTAL MEANS OF FINANCE</u></b>	 <b><u>\$ 20,000.00</u></b>

Dated this \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Brit Miller, Mayor

ATTEST:

\_\_\_\_\_  
Monna Van Lint, Finance Officer

Passed First Reading: Jan. 3, 2023

Passed Second Reading:

Yeas: 5 Nays: 0

(Published: Jan. 12, 2023)

**Police**

The monthly report was reviewed with Chief Buls and Officer Bartlett.

**Street**

The quarterly report was reviewed.

Mayor Miller expressed his appreciation to the street department for an “outstanding job with snow removal.”

CA Smith advised that they are still hauling snow—to the cemetery land as the arena area is full. Should additional room be needed in the future, an option to doze up the snow piles in the arena area may need to be considered.

Mayor Miller also mentioned the recent damages to the new airport hangar building during snow removal. He expressed his disappointment and encouraged all employees to be as mindful and careful around all properties. Fiberglass reflective markers were also mentioned as a possible option to place behind the curb in certain areas to assist during snow removal.

**Water**

The monthly report was reviewed which noted a 6.92% water loss for the month of Dec. 2022, and an overall water loss of 7.66% for fiscal year 2022.

**Trainings/Travel:**

PWM Shipp will be attending the SDARWS Meeting on Jan. 10<sup>th</sup>-12<sup>th</sup> in Pierre.



All public works personnel (Reckling, Shipp, and Pearson) will be attending MSHA training on Feb. 2<sup>nd</sup> in Wall.

CA Smith will be attending the SDML Board meeting and Legislative Day on Feb. 7<sup>th</sup>–8<sup>th</sup> in Pierre.

**Public Comments:**

None.

**Other Business:**

City Offices will be closed Jan. 16<sup>th</sup> in observance of legal holiday.

The next Regular Council Meeting will be held on Monday, Feb. 6<sup>th</sup> at 7:00 p.m. in the Community Room.

With no further business to come before the Council, Mayor Miller declared the meeting adjourned at 7:54 p.m.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Brittany Smith, City Administrator

(Published once on January 12, 2023, at approximate cost of \$\_\_\_\_\_)