

Castlewood City Council
April 6, 2020

The Castlewood City Council met in regular session on the above date at 7:00 p.m. with the following members present: Jeanette Bohls, Jeff Dahl, Heather Schmit, Michelle Barker, Ryman Dockter, Shawn Mullaney and Mayor Brian Ries. Also present: Sheila Gerhold, LeeAnne Dufek, Chad Schlotterbeck, Amelia Foster and Jeanne Pramann. Leslie and Austin Tvedt attended the meeting by teleconference.

The meeting was called to order by the mayor.

The agenda was presented for approval. The investment report and golf course rules were added to the agenda. A motion by Dockter and seconded by Bohls to approve the agenda with the additional items with all members present voting aye and motion passed.

The Pledge of Allegiance was led by Mayor Ries.

The minutes of March 2, March 16 and March 24, 2020 were approved on a motion by Mullaney and seconded by Schmit with all members present voting aye and motion passed.

The following bills were presented and ordered paid on a motion by Dockter and seconded by Barker with all members voting aye and motion passed:

GENERAL FUND: Wages \$5513.74; Richard Ries, quarterly comp time 1226.05; Electronic Federal Tax Payment, ss & wh 1761.16; SD Health Pool, group ins. 1470.94; SD Retirement Systems, retirement 970.22; Delta Dental, group ins. 82.40; Hamlin County Auditor, police contract 3250.00; First Premier Bank, library rent 150.00; Bass Sanitation, garbage haul 30.00; Brian Ries, cell phone 30.00; Hamlin Co. Republican, publishing 164.55; ITC Communications, utilities 150.49; Menard's, supplies 58.00; Watertown Wholesale, supplies 103.20; Blue Tarp Financial, Mac's, supplies 37.78; Ottertail, utilities 2384.25; McLeod's, election supplies 154.18; Northwest Energy, utilities 378.49; Estelline Coop, supplies 479.10; S&S Auto, repairs 80.00; Christian Book Distributors, books 113.76; Janice Schiernbeck, books 64.13; Richard Ries, mileage 164.64; John Deere Financial, repairs 67.70; Colonial Research, supplies 121.80; Northern Truck Equipment, new snow plow 8381.00; AFLAC, group ins. 87.58; Visa, repairs 549.80; H-D Electric, utilities 19.18.

TOTAL GENERAL FUND DISBURSEMENTS: \$28,044.14.

BUSINESS DISTRICT FUND: Castle Arts, website maintenance 260.00.

MUNICIPAL STREET FUND: Caldwell Sanford Deibert & Garry, LLP, professional fees 180.00.

WATER FUND: Boyd Law Firm, professional fees 454.50; Justin Ries, wages 235.49; Electronic Federal Tax Payment, ss & wh 39.02; Visa, postage 9.20; Rural Development, payment 1237.00; Richard Ries, cell phone 30.00; SD Public Health Laboratory, water testing 28.00; Core & Main, repairs 659.50; Ottertail, utilities 210.64; SD One Call, locates 1.05; Hawkins, Inc., chemicals 752.90.

TOTAL WATER FUND DISBURSEMENTS: \$3657.30.

SEWER FUND: Colonial Research Chemical, supplies 835.67; ITC Communications, autodialer 38.34; Ottertail, utilities 243.88.

TOTAL SEWER FUND DISBURSEMENTS: \$1117.89.

SOLID WASTE FUND: Bass Sanitation, contract 4950.00; Department of Revenue, sales tax 338.38.
TOTAL SOLID WASTE FUND DISBURSEMENTS: \$5288.89.

GOLF FUND: SD Health Pool, group ins. 615.40; Delta Dental, group ins. 41.20; Doug's Service & Marine, repairs 1015.31; Doug Gerhold, supplies 56.40; Castlewood Corner Market, supplies 27.63; Nivel Parts, repairs 79.65; ITC Communications, utilities 5.27; VGM Financial, cart lease 420.30; H-D Electric, utilities 314.73.
TOTAL GOLF FUND DISBURSEMENTS: \$2575.89.

TOTAL DISBURSEMENTS, all funds: \$41,124.11.

No one appeared for Public Comments.

Mayor's report. The mayor informed the council that he had signed a letter along with several other mayors and county commissioners on behalf of the SD Municipal League. The letter was addressed to Governor Kristi Noem asking her to declare a Public Health Emergency in South Dakota due to the COVID 19 pandemic.

Finance Officer's report. She reported that the election had been cancelled and the council needs to schedule a date for the election on a Tuesday in June. She was also having trouble with the city sign and spent several hours on the phone with Daktronics trying to get it working. She also said that Citizen's State Bank is getting a new color printer and they are donating their old printer to the city. She also asked the council if they wanted to get paid in May or wait until after the election. The consensus was to get paid in May as normal.

Building permits issued for March were Sheryl Ward for a deck.

Chad Schlotterbeck, Hamlin County Sheriff, addressed the council concerning our contract for law enforcement. The County Commissioners have requested to raise all contract hours \$1.00 for the year 2021. This would raise the City's hourly rate to \$31.00 or \$1300 per year. A motion by Dockter and seconded by Dahl to approve the raise and allow Mayor Ries to enter into the law enforcement contract with Hamlin County. All members present in favor and motion passed.

The old snow plow for the pickup is no longer in use for the city it is being deemed surplus. A motion by Barker and seconded by Dockter to approve the plow for surplus property to appoint Lonny Junker, Jeff Shepherd and Mitchell Barker for an appraisal committee. All members present in favor and motion passed.

The city received two paint quotes to paint the interior of the community building. One quote was from Sheryl Ward and Ron Hansen for \$1680 labor and the city will pay for the paint. The second quote was from Krueger's Painting for \$3088 labor and the city will pay for the paint. A motion by Bohls and seconded by Schmit to accept Sheryl Ward and Ron Hansen's quote with all members in favor and motion passed.

The Castlewood American Legion Post is asking the City if they can pay to have additional lighting installed for the flags on Highway 22. The city would be responsible for the electricity. A motion by Dahl and seconded by Barker to approve the request. All in favor and motion passed.

The directory for Lake Poinsett will be published soon and the golf course advertising is \$200 and the city advertising is \$400. A motion by Dockter and seconded by Dahl to again advertise in the directory with all members present in favor and motion passed.

The City has Certificates of Deposit coming due April 15, 2020 at First Premier Bank. After some discussion a motion by Dahl and seconded by Bohls to cash in the CD's and wait for the interest rates to increase. All in favor and motion passed.

Discussion was held on a delinquent water bill at the 8-plex apartment on First Avenue owned by Wade Heiser. The city cannot shut the water off without entering the apartment. The city had contacted Wade Heiser to shut the water off in this apartment and he didn't let us in there for a few months. A bill for past due bills are the responsibility of the tenant or owner. The city finally did get in there to shut the water off and sent the past due bill in the amount of \$380.16 to Wade Heiser. He had a new tenant move in and the city did not turn the water because the past due bill was not paid. The water was been turned on by the owner. A motion by Bohls and seconded by Mullaney to have the city attorney send Mr. Heiser a letter concerning the past due bill owed, tampering with a city water meter and requiring the apartment to either install a meter pit for the whole building or putting in meters that the city can shut off from the outside of the apartment at his cost. Heather Schmit abstained. Motion passed.

Discussion was held on an election date in June for the city election. A motion by Dahl and seconded by Barker to have Tuesday June 9th, 2020 for the city election date. All in favor and motion passed.

A letter from Dave Miller, Code Enforcement officer, to come back to Castlewood and follow up on his inspections from last fall. The City has used up the \$1500 that was originally sent and would have to pay another \$1500 to have follow up inspections done. Discussion was held on hosting a clean up day at the same time so residents can have their properties clean up. A motion by Bohls and seconded by Dahl to wait and discuss this at the May meeting. All in favor and motion passed.

A sweeping quote from Popham Construction was presented at this time. \$2300 to sweep all streets this spring and \$150 per month to sweep Oak Avenue and Main Street. A motion by Barker and seconded by Dockter to approve the quote. All in favor and motion passed.

Discussion was held on Resolution 20-03 which was passed on March 24, 2020. The Resolution is not enforceable. Mayor Ries presented a resolution which would only allow off sale liquor and curb side service for commercial establishments serving alcohol. A motion by Dahl and seconded by Bohls to approve the following resolution with a reevaluation at the May 4th meeting. Roll call vote: Aye: Dahl, Bohls & Barker. Nay: Schmit, Dockter, Mullaney. Mayor Ries broke the tie with an Aye vote and Resolution passed.

CITY OF CASTLEWOOD
SOUTH DAKOTA RESOLUTION 20-04

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the coronavirus COVID-19 disease to be a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency; due to the COVID-19 Virus pandemic; and

WHEREAS, on March 13, 2020, the Governor of the State of South Dakota has declared a public health emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health and safety; and

WHEREAS, on April 6, 2020, the Castlewood City Council met in a regular meeting at 7:00 pm to discuss the COVID-19 Pandemic and local public health issues and considerations, and take further action relating to the COVID-19 Pandemic; and

WHEREAS, on April 6, 2020, the Castlewood City Council approved Resolution 20-4, declaring the existence of a health emergency in the City of Castlewood as a result of COVID-19; and

WHEREAS, SDCL §9-32-1 gives a municipal governing body power to do what may be necessary or expedient for the promotion of health and suppression of disease.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLEWOOD, SOUTH DAKOTA, PURSUANT TO SDCL §9-32-1 AND THE POLICE POWERS GRANTED BY STATUTE, THAT DUE TO THE POTENTIAL FOR RAPID COMMUNITY SPREAD AND TRANSMISSION OF THE COVID-19 VIRUS IMMEDIATE ATTENTION IS REQUIRED TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE, IT SO HEREBY DECLARED AND ORDERED, AS FOLLOWS:

1. Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food and beverage are closed for dine-in customers and guests and for on-premises consumption; and, if able, are restricted and limited to curbside, drive-thru, takeout, and delivery services. The following exclusions apply: institutional or in-house food cafeterias that serve residents, employees, and clients of businesses, child care facilities, hospitals, assisted living, and long-term care facilities.

2. The following commercial establishments and places of public accommodation shall be and are hereby closed to ingress, egress, use, and occupancy by members of the public:

- a. Bars, taverns, and other places of public accommodation offering alcoholic beverages for on-premises consumption.
- b. Indoor and outdoor performance venues, and museums.
- c. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas. However, such facilities may operate with ten (10) or fewer total persons inside the facility at any time, by appointment only, and such premises not open for walk-in business.
- d. Arcades, bowling alley, and other similar recreational or entertainment facilities.

3. This Order does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.

4. The restrictions imposed by this Order do not apply to any of the following:

- a. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores,

and food pantries, other than those portions of the place of public accommodation subject to the requirements of section.

b. Health care facilities, child care facilities, residential care facilities and congregate care facilities.

However, owners, operators, and managers of such are strongly encouraged to implement CDC recommendations, to include social distancing and sanitization guidelines, in their place of business, until the expiration of this emergency order.

5. For purposes of this Order, "place of public accommodation" means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.

6. All other businesses not mentioned in this order are strongly encouraged to implement CDC recommendations, to include social distancing and sanitation guidelines in their place of business, until the expiration of this emergency order.

7. This Order does not alter any of the obligations under law of an employer affected by this Order to its employees or to the employees of another employer.

8. That any violation of this Resolution and Order shall be punishable as a Class II Misdemeanor with a fine not to exceed \$500 and or 30 days in jail or both for each violation. 9. That this resolution is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City of Castlewood, South Dakota and shall become effective immediately upon passage.

10. This Order shall take effect April 10, 2020 at 8:00 AM and continue until May 5, 2020; unless extended or terminated by further resolution.

AND I DO FURTHER PROCLAIM, that public notice of this resolution shall be given to and filed with the City Finance Officer of the City of Castlewood. ADOPTED and SIGNED this 6th day of April, 2020.

Brian Ries, Mayor

ATTEST:

Sheila Gerhold, Finance Officer

Golf course employees Erin Ruesink and Chelsea Ruesink at \$11.25 per hour were approved on a motion by Barker and seconded by Dahl with all members present and motion passed. Discussion was also held on what the golf course is implementing for the COVID 19 pandemic. A list of guidelines was given to the city council and will be posted at the golf course.

Austin and Leslie Tvedt were on teleconference to discuss golf course policies concerning a family membership with a cart lease. They feel if they only golf 9 holes per day they should be able to have 2 carts for their family membership fee. They also referenced members golfing more than 18 holes per day. A lengthy discussion followed. Mayor Ries is going to form a golf course committee consisting of himself, Sheila Gerhold, a councilman and a couple golfers. This will be discussed at the May meeting. Tvedt's also asked if a refund would be given if the course were to close down because of COVID 19 and the mayor indicated that would also be discussed.

Summer Recreation was discussed because of the COVID 19. Area towns are waiting to see what the next month brings. A motion by Dahl and seconded by Mullaney to hold off until the May meeting. All in favor and motion passed.

The 2019 Annual Report was presented by the finance officer. A motion by Schmit and seconded by Dahl to approve the annual report with all members present in favor and motion passed.

The investment report for the first quarter of 2020 was presented for approval. A motion by Bohls and seconded by Dahl to approve the investment report and to move the CD's being cashed in on 4-15-20 to Citizen's State Bank because interest rates are higher. All in favor and motion passed.

A motion by Schmit and seconded by Barker to approve the general journal entries for March with all members present in favor and motion passed.

A motion by Mullaney and seconded by Bohls to adjourn. The meeting adjourned at 8:40 p.m.

Sheila Gerhold
Finance Officer