

AVON, SOUTH DAKOTA – July 28, 2003

A special meeting of the Avon City Council was held on the above date at the Avon City Building at 7:00 p.m. Roll Call: Aldermen: Kuhlman, Tolsma, Tjeerdsma, Reister, and Finance Officer Berndt. Absent: Mayor Bechtold and Aldermen Cameron and Mensch. Also present Roger Frey, Beth Dykstra and Kelly Tjeerdsma.

President Kuhlman called the meeting to order at 7:05 p.m.

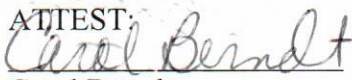
Finance Officer Berndt presented Supplemental Budget Ordinance #278 for second reading. Motion by Alderman Tolsma and seconded by Alderman Reister to approve the second reading of Ordinance #278. Roll call: Tolsma, Tjeerdsma, Reister and Kuhlman all voted "aye". Cameron and Mensch absent. Motion carried.

Finance Officer Berndt gave an update on the bonding process as well as a time line of the steps in the process. No action was required at this time.

The Park Board and Pool Committee were invited to attend, only two members were in attendance besides member of the Council and Finance Officer Berndt who also serve on the committees. A discussion as to what items should be ordered now to allow anchors to be installed in the concrete and which items could be ordered at a later date. So more prices will be gathered and then the Finance Officer and Mayor will need to order several of the items now. No other action was taken.

Having no other business, motion by Tjeerdsma and seconded by Tolsma to adjourn at 8:12 p.m. All voted "aye". Motion carried. The meeting was adjourned.


Paul Kuhlman - President

ATTEST:

Carol Berndt
City Finance Officer
(SEAL)

MINUTES FOR AVON, SOUTH DAKOTA – August 4, 2003

A regular meeting of the Avon City Council was held on the above date at the Avon City Building at 7:00 p.m. Roll Call: Mayor Bechtold, and Aldermen: Tjeerdsma, Tolsma, Cameron, Reister, Kuhlman and Finance Officer Berndt. Absent: Alderman Mensch. Also present were Orval Elliott, Roger Frey, Jack Brodeen, Allen Kocmich, Melissa Petrik, Lori and Brittany Kocmich.

Meeting called to order by Mayor Bechtold at 7:05 p.m.

Motion by Tolsma and seconded by Reister to approve the agenda with the addition of the Audit Report and Library Board Appointment. All voted “aye”. Motion carried.

Motion by Tjeerdsma and seconded by Tolsma to approve the minutes of the July 7 and 28 meetings as written. All voted “aye”. Motion carried.

Mayor Bechtold opened the floor for public concerns no comments were presented.

The following claims were presented for payment:

General Fund			
A-1	June gas		\$ 392.05
Avon Clarion	publishing		\$ 269.02
Avon Swim Team	reimburse for dues		\$ 1,036.25
Bob's Candy	pool supplies		\$ 816.96
B & L Communication	battery		\$ 78.00
Cellularone	police cell phone		\$ 34.82
Community Bank	withholding and social security		\$ 2,354.74
Community Bank	loan payment		\$ 1,655.14
D & L	July Gas		\$ 443.08
Farmers Coop	spray ball fields		\$ 81.62
Golden West	monthly bill		\$ 266.27
Gall Inc	Police Uniforms		\$ 296.78
Hawkins	pool chemicals		\$ 704.00
LMVC	Baseball Dues		\$ 45.00
Myers Dray	collections and dumpster		\$ 2,771.00
NWPS	electricity		\$ 1,386.50
Pier and Pier Ins	property, vehicle, liability		\$ 14,659.00
Pioier Equipment	filters		\$ 176.62
Recreonics	vacuum		\$ 1,454.35
Readers Den	Library Books		\$ 99.86
Slectro	Loader Scaffold		\$ 324.84
Schoenfish & Co. Inc	2 year audit		\$ 3,382.00
SBC	misc. supplies		\$ 82.00
SD Dept. of Revenue	sales tax on garbage		\$ 122.96
SD Dept of Health	pool sample		\$ 48.00
SD Retirement	payroll contribution		\$ 849.08
True Value	misc. supplies		\$ 136.97
WalMart	Library books		\$ 34.79
Wellmark	Insurance		\$ 1,064.30
Office- salary			\$ 842.79
Streets -salary			\$ 2,087.57
Police - salary			\$ 2,022.29
Library - salary			\$ 484.06
Sanitation - salary			\$ 147.76
Park and Rec - salary			\$ 9,186.38
TOTAL			\$ 49,836.85
WATER/SEWER			

BY Water	Monthly charge	\$ 5,102.04
DSG	hydrant parts	\$ 593.48
Golden West	phone shop	\$ 50.85
Luke Backhoe	work on Pine	\$ 86.70
Revenue & Reserve	transfer	\$ 374.17
Payer Hardware	samples	\$ 30.64
SD Dept of Health	water sample	\$ 12.00
SD Dept of Health	discharge samples	\$ 164.00
	Water Total	\$ 5,794.22
	Sewer Total	\$ 619.66
TOTAL		\$ 6,413.88
April Namminga	Water Deposit Return	\$ 25.00
AMBULANCE		
D & L Oil	July gas	\$ 44.30
Golden West	phone	\$ 72.72
Verizon Wireless	phone	\$ 21.97
TOTAL		\$ 138.99
TOTAL EXPENSES		\$ 56,414.72

Motion by Tolsma and seconded by Kuhlman to pay the foregoing claims with the addition of Commercial Asphalt for \$38,246.18. All voted "aye". Motion carried.

The following receipts were presented for approval:

RECEIPTS FOR JULY 2003

City of Avon—water	\$ 5,274.67
City of Avon—late fees	\$ 138.39
City of Avon—sewer	\$ 2,192.00
City of Avon—garbage	\$ 3,074.00
City of Avon—tax	\$ 123.08
Revenue & Reserve—transfer	\$ 374.17
Carol Berndt - Retirement Payment	\$ 57.00
Debbie Thompson - Retirement Payment	\$ 155.77
Ambulance - Medicare	\$ 334.06
Wellmark	\$ 46.19
Dept. of Revenue— 1st Penney sales tax	\$ 3,279.40
2nd Penney sales tax	\$ 2,554.30
Pool Donations	\$ 100.00
Pool Fees	\$ 2,599.27
Ball Team Dues	\$ 1,125.00
Spirit Walk park fee	\$ 5.00
Dog tags	\$ 15.00
Williams Septic	\$ 80.00
State of SD - Liquor Tax Reversion	\$ 549.28
State of SD - Amusement Tax	\$ 144.00
State of SD - Highway Bridge Tax	\$ 1,071.09
Bon Homme Co. Treasurer—General	\$ 324.21
Mobile Home	\$ 16.64
Penalties	\$ 3.35
Motor Vehicle	\$ 259.62

\$ 23,795.49

Motion by Reister and seconded by Mensch to accept the foregoing receipts. All voted "aye".
Motion carried.

Motion by Reister and seconded by Cameron to Change the September meeting to Thursday
September 4, 2003. All voted "aye". Motion carried.

Mayor Bechtold informed the Council that Joanne Bryan has resigned from the Library
Board, that Charmine Pelton has assumed the role of Chairman and asked that the Council consider
naming Laurie Jurrens to fill the remainder of Joann Bryan's term. Motion by Kuhlman and seconded
by Reister to appoint Laurie Jurrens to the Library Board to fill the remainder of the term. All voted
"aye". Motion carried.

Eric Ambrosion of District III arrived at 7:20 p.m.

Mayor Bechtold informed the Council that the Pool will close on Sunday August 17th and then
on Monday demolition will begin.

Motion by Tolsma and seconded by Reister to run electricity underground from the box to the
pump house. All voted "aye". Motion carried.

Frank and Jarred Kloucek arrived at 7:30 p.m.

At this time Mayor Bechtold turned the floor over to Melissa Petrik. The Council was asked
to file paperwork to apply for a Rural Development Grant on behalf of Melissa who wants to receive a
Governors House and make it a Daycare Center.

Melissa and Eric answered questions that the Council asked and then Frank Kloucek
addressed the Council on Melissa's behalf.

Frank and Jarred Kloucek left at 8:15 p.m.

Tom Alberts arrived at 8:30 p.m. Melissa Petrik, Lori and Brittany Kocmich left at 8:30 p.m.

At this time the Council asked Tom Alberts since he was aware of the project to advise the
Council as the City Attorney. He recommended that they have access to her current financial
information at the present daycare. At question were the liability of the loan dollars and the risk the
city would be taking.

Bob Reister and Allen Kocmich left at 8:45 p.m.

At this time the Council turned its attention to the Bond paper work. Each member received
the actual bond motion, which follows.

Council member Tolsma read and presented the following resolution and moved that the same
be passed:

"RESOLUTION CALLING AN ELECTION FOR THE PURPOSE OF
APPROVING BOND ISSUE FOR CONSTITUTIONAL DEBT
PURPOSES"

WHEREAS, it is deemed necessary that the storm sewer supply system be improved, and it is deemed
necessary that the City contribute to the cost thereof, and

WHEREAS, the City of Avon is without necessary funds to provide for the cost of said improvements
and incidental construction,

NOW, THEREFORE, BE IT RESOLVED:

Declaration of Necessity.

The City hereby declares that it is necessary to improve the storm sewer system of the City of Avon, for
municipal, industrial and domestic purposes, by making improvements to the storm sewer supply of the City and
other incidental improvements.

Calling Special Election.

The City of Avon hereby submits the question of issuance of bonds which constitutes the 10% over the
first 5% of constitutional debt as defined in Article XIII Section 4 of the South Dakota Constitution to the voters
of the City at a special election.

Purpose of Bonds.

The estimated total cost of the proposed improvements, including construction, engineering, fiscal, legal and other proper costs is approximately an amount not to exceed \$120,000, including pertinent grants. The bonds shall be issued to pay a portion of the cost of the improvements. The cost of the improvements shall be defrayed by the issuance of negotiable Bonds pursuant to, subject to and in conformity with any of the following SDCL § 9-25.

General Bonds.

Pursuant to said Chapter 6-8B, the City of Avon shall, upon the requisite majority of the voters of the City voting to issue bonds, issue its negotiable Bonds which constitute indebtedness for constitutional purposes in an amount not to exceed \$120,000 and to be amortized over a period of not to exceed 40 years from the date thereof to be negotiated, discounted or disposed of on a basis of yield in such amount as may be authorized by statute, resolution or ordinance, effective as of the date of issuance, sale and delivery of such bonds, and for the purpose of defraying the costs of said improvements to the municipal storm sewer supply system.

Election Details.

A special election shall be held on the 9th day of September 2003, and there shall be submitted to the voters of the City of Avon, the following question:

SHALL THE CITY OF AVON, BON HOMME COUNTY, SOUTH DAKOTA, ISSUE ITS NEGOTIABLE BONDS WHICH CONSTITUTES INDEBTEDNESS FOR CONSTITUTIONAL PURPOSES IN AN AMOUNT NOT EXCEEDING \$120,000, BEARING INTEREST AT SUCH MAXIMUM RATE AS SHALL BE DETERMINED BY THE CITY COMMON COUNCIL AND FOR A TERM NOT TO EXCEED 40 YEARS AFTER THE DATE OF ISSUE, FOR THE PURPOSE OF IMPROVING THE STORM SEWER SUPPLY OF THE CITY OF AVON.

SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED?

The election shall be held on the 9th day of September 2003, between the hours of 7:00 o'clock in the forenoon and 7:00 o'clock in the evening, at the same places as the general election in the City of Avon, Bon Homme County, South Dakota.

Notice of Election.

The Finance Officer of the City of Avon is hereby instructed and directed to give legal notice of such election and to cause a copy thereof to be published twice, once each week, in the *Avon Clarion*, the official newspaper of the City of Avon, Bon Homme County, South Dakota, giving the voters of the City of Avon notice of such election, the last publication to be not less than twenty (20) days prior to such election; to give notice of their appointments to the above-named judges and to provide the necessary ballots for submitting said question to the voters.

Notice of Voter Registration.

The voter registration deadline shall be August 25, 2003. The Finance Officer of the City of Avon is hereby instructed and directed to give legal notice of voter registration and to cause a copy thereof to be published twice, once each week, in the *Avon Clarion*, the official newspaper of the City of Avon, Bon Homme County, South Dakota, giving the voters of the City of Avon notice of such voter registration, the last publication to be not less than ten (10) nor more than fifteen (15) days prior to voter registration.

Effect of Passage.

This resolution is necessary for the immediate preservation of the health and safety, and shall take effect from and after its passage and publication thereof.

Passed and approved this 4th day of August, 2003.

Russell Bechtold - Mayor

ATTEST:

Carol Berndt - Finance Officer


The motion for adoption of the foregoing Resolution was duly seconded by Member Kuhlman and upon vote being taken thereon, the following voted YEA: Tolsma, Kuhlman, Tjeerdsma, and Cameron. Mensch and Reister Absent

Whereupon said Resolution was declared duly passed and adopted.

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF BON HOMME)

I, the undersigned, being the duly qualified and acting Finance Officer of the City of Avon, Bon Homme County, South Dakota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of the City Common Council of said City held on August 4, 2003, with the original thereof on file in my office, and the same is a full, true and complete transcript therefrom insofar as the same relates to the resolution for issuance of Bonds and calling special election.

WITNESS my hand as such Finance Officer this 4th day of August, 2003.



Finance Officer
City of Avon
Bon Homme County, South Dakota

Tom Alberts left at 9:00 p.m.

Orval Elliott and Jack Brodeen left at 9:10 p.m.

At this time Finance Officer Berndt did inform the Council that the Grant the Chamber is seeking to pay for the Playground equipment at the park would need to be run through the city. However the work and the dollars would come through the Chamber so that will need to be completed prior to the 19th of September.

Eric Ambrosion left at 9:20 p.m.

Finance Officer Berndt presented the 2-year audit performed by Schoenfish to the Council. The public is welcome to look at the report during office hours. Due to the cost of coping the report you are asked to look at the report in the library and not remove it from the building.

Finance officer Berndt presented Sales Tax Ordinance #279 for approval. Motion by Tjeerdsma and seconded by Kuhlman to accept the ordinance. Roll call vote: Kuhlman, Tolsma, Tjeerdsma and Cameron all voted "aye". Mensch and Reister absent. Motion carried.

Motion by Tolsma and seconded by Tjeerdsma to set a Special Meeting for Wednesday August 13th at 7:00 p.m. All voted "aye". Motion carried. At the meeting they will discuss the 2004 budget, have the second reading of Sales Tax Ordinance, the LWCF grant, and the daycare issue.

Tolsma introduced the following resolution:

RESOLUTION PROVIDING FOR TRANSFER OF FUNDS
FROM CONTINGENCY FUND TO INSURANCE

BE IT RESOLVED that the moneys in the Contingency Fund established to supplement the General Budget, be transferred to the following funds in the General Fund of the City of Avon, Bon Homme County, South Dakota, to supplement those accounts necessary to conduct the indispensable function of government of the City of Avon:
Insurance: Policies – \$8,886.00.

Passed and approved this 4th day of August 2003.



Russell Bechtold - Mayor

ATTEST:

Carol Berndt
Carol Berndt - City Finance Officer

(SEAL)

Seconded by Cameron. Roll call vote: Kuhlman, Tolsma, Tjeerdsma and Cameron all voted "aye". Mensch and Reister absent. Motion carried.

Motion by Kuhlman and seconded by Cameron to adjourn at 10:20 p.m. All voted "aye". Motion carried.

Russell Bechtold
Russell Bechtold - Mayor

ATTEST:

Carol Berndt
Carol Berndt
City Finance Officer
(SEAL)