

The regular meeting of the Municipal Utilities Board was held at 1:00 p.m. on Tuesday, November 12, 2024, at the Utility Building with the following members present: Bartels, Hansen, Hawley, Vice President Carruthers and City Council Liaison Avery. Absent: Harvey.

### ADOPTION OF AGENDA

The agenda was adopted.

### MINUTES

Minutes of the regular meeting held October 15, 2024, and the special meeting held October 28, 2024, were read and approved.

### APPROVAL OF BILLS AND CLAIMS

Motion was made by Hawley, seconded by Hansen that the following bills and claims be approved. All members present voted in favor of the motion.

Allegra, Printed Supplies, \$1650.13; AMP Electric Construction Inc, Labor/Supplies, \$451.48; Appera, Supplies, \$63.68; Applied Industrial Tech, Supplies, \$2397.76; Aureon Network Services, LNP Fees, \$240.00; Bally Sports North, Contract Fee, \$8224.54; Beynon, Holly, Travel, \$20.40; Blooston, Mordkofsky, Dickens & Prendergast, LLP, Legal Service, \$536.50; Bluefin Payment Systems, Credit Card Processing Fee, \$15195.22; Border States Elec Supply, Inventory, \$673.80; Border States Elec Supply, Supplies, \$17690.91; Border States Elec Supply, Uniforms, \$4695.39; Borns, Justin, Travel, \$82.41; Bowes Construction Inc, Dirt Removal, \$281.25; Brookings Auto Mall, Vehicle Maintenance, \$84.90; Brookings Dumpster Service, Sanitation Service, \$539.72; Brookings Municipal Utilities, Office Utility Bill, \$48337.22; Brookings Radio, Advertising, \$1500.00; Business Track, Credit Card Processing Fee, \$10931.30; Card Connect, Credit Card Processing Fee, \$10229.90; Carquest Auto Supply, Work Equip Maintenance/Supplies, \$134.19; Carus LLC, Chemicals, \$5082.00; CDW Government Inc, Computer Supplies, \$163.78; Century Link, Telephone Expense, \$594.41; Chart Inc, Supplies, \$783.76; City of Brookings, Contract Fee, \$6502.73; Civil Design Inc, Engineering Consulting, \$660.00; Connections Inc, EAP Service, \$1025.82; Cooperative Network Services, LLC, Consulting Fees, \$568.75; Core & Main, Supplies, \$1123.24; Cornerstone Group, Website Work, \$200.00; Courtesy Plumbing Inc., Repair/Supplies, \$1250.65; Credit Collections Bureau, Delinq. Account Collection, \$128.48; Cubby's Sports Bar & Grill, Event Supplies, \$210.00; Culligan of Brookings, Bottled Water, \$66.00; Cummins Inc, Generator Maintenance, \$1391.30; Dakota Service & Repair, Supplies, \$9.34; DANR, Permit, \$250.00; Dave's Window Cleaning, Inc, Window Service, \$78.00; Dept Of The Treasury, Federal Tax, \$6106.91; DGR Engineering Inc, Engineering Service, \$7218.00; DHE, LLC, Maintenance Fee, \$996.63; Directory Resources Co LLC, Software Maintenance, \$1250.00; Ditch Witch UnderCon, Direction Drill Repairs, \$26880.93; Einspahr Auto Plaza, Vehicle Maintenance, \$135.99; Ethanol Products LLC, Chemicals, \$1276.08; Fastenal Company, Supplies, \$1076.25; Ferguson Waterworks #2516,

Water Meters, \$7125.00; First Bank & Trust - Visa, Supplies, \$112.91; Flagshooter, Inc, Paint, \$1237.25; Foerster Supply Inc, Supplies, \$116.00; Foerster Testing Limited, Compaction Tests, \$500.00; Fox Corporation, Contract Fee, \$137.55; Franz Reprographics, Plotter Maintenance, \$150.00; General Repair Service Inc, Repair/Supplies, \$8288.69; Golden West Technologies Inc., Tech Support, \$3461.64; Grainger, Supplies, \$383.99; Graybar Electric Company, Supplies, \$471.48; Gridor Const., Inc., Water Treatment Plant, \$2185458.00; H & W Contracting, LLC, SW/SE Interceptor Replacement, \$682080.22; Hach Chemical Company, Supplies, \$1404.40; Hamlin Building Center, Supplies, \$462.75; Hello Larsons, LLC, Event Supplies, \$172.80; Henkin Schultz Comm Arts, Communications Consultant, \$850.00; Homestead Do It Center, Supplies, \$5.00; Innovative Systems, Software/Hardware Maintenance, \$21900.00; Interstate Telecommunications Cooperative, Telephone Expense, \$373.88; Jensen, Kami, Travel, \$20.40; Justice Fire & Safety Inc, Fire Extinguisher/Maintenance, \$454.00; Karl's TV & Appliance Inc, Supplies, \$559.98; L G Everist Inc, Quartzite, \$241.38; Level Lift, LLC, Concrete Raising, \$498.87; Lowe's, Supplies, \$2097.69; Lowe's, Systems/Cabling Inv, \$318.33; Lumen, Telco Settlement, \$272.22; Mack, Scott, Travel, \$459.59; Macksteel Warehouse Inc, Supplies, \$2217.36; Martin's Inc, Barrel Cart, \$60.00; Martin's Inc, Diesel/Oil, \$6198.82; Master Blaster Inc., Maintenance/Supplies, \$1090.58; Matheson Tri-Gas Inc, Supplies, \$583.53; Midcontinent Comm., Contract Fee, \$798.26; Midwest Boiler Repair, Maintenance, \$26102.09; Millborn Seeds Inc, Grass Seed/Fertilizer, \$313.89; Millennium, Supplies, \$2480.00; Missouri River Energy Services, Supplemental Power, \$1036332.51; Missouri River Energy Services, WAPA Allocation, \$203730.98; Moss Adams LLP, Consulting Service, \$600.00; MVTL Laboratories Inc., Wastewater Analysis, \$285.90; My Cable Mart LLC, Supplies, \$41.61; Napa Auto Parts, Supplies, \$846.17; NCTC, TV Programs Fee, \$82493.82; Nexstar Broadcasting, Inc., Contract Fee, \$12656.01; Niklason Masonary, Concrete/Supplies, \$3300.00; Northwestern Energy, Natural Gas, \$104.46; Office Peeps Inc, Supplies, \$841.28; Pete Lien & Sons Inc, Chemicals, \$8451.70; Prunty Construction Co, Inc, Raw/Treated Water Pipelines, \$700549.11; Prussman Contracting Inc, Lead Water Service Replacement, \$71756.00; Prussman Contracting Inc, Main Repair/Equipment Rental, \$11175.15; Quadient, Inc., Postage Meter Rental, \$832.00; Ramsdell F&M Ltd., LP Fill, \$13.86; RC First Aid, Supplies, \$216.00; RDO Equipment Co, Work Equipment Maintenance, \$1385.21; Resco, Aluminum Poles, \$13642.05; Resco, Supplies, \$991.20; Safety Benefits Inc, Registration, \$225.00; Schomp's Mechanical Services, Labor/Supplies, \$449.42; Schoon's Pump N' Pak, Vehicle Gasoline, \$3428.03; SD Assn of Rural Water Systems, Membership Dues, \$1265.00; SD Dept of Rev, Enhanced 911, \$13175.12; SD State Treasurer, Communication Impaired Fee, \$1820.90; SD Treasurer, Sales/Excise Tax, \$147772.10; SDN Communications, Circuit Lease, \$2395.23; Skinner Striping, Asphalt, \$19094.43; South Dakota Newspaper Services. Inc, Employment Advertising, \$2534.30; South Dakota One Call, Locate Fee, \$733.95; Springbrook, Credit Card Processing Fee, \$2774.46; Springbrook Holding Company LLC, Software Support, \$5825.00; Stuart C. Irby, Supplies, \$8395.00; Sturdevant's Auto Value, Supplies, \$59.00; Swiftel Communications, Office Phone Bill, \$130603.33; Tech Sales Company, Equipment/Maintenance, \$623.00; T-Mobile, PCS Phone Service, \$55.42; United Parcel Service, Freight, \$251.19; Universal Service Adm. Co, USAC Contribution, \$33356.52; USA Bluebook, Supplies, \$2324.24; Volkers, Matt, CDL License, \$35.00; Wesco, AMI Gatekeeper, \$65954.00; Wesco, Supplies, \$2764.00; Winter Contracting, LLC, Raw/Treated Water Pipelines, \$658483.41; WW Tire Service Inc, Work Equipment Maintenance, \$681.21; Xcel Energy/NSP, Utility Bill, \$9.05; Alfaro, Maria, Telephone Refund, \$31.63; ALLEN, COLTEN, Refund Check, \$75.29; Ammann, Madison, Telephone Refund,

\$57.98; Bertsch, Dolores, Telephone Refund, \$199.95; BK HOME BUILDERS, Refund Check, \$30.82; BK HOME BUILDERS, Refund Check, \$62.31; Bowers, Nolan, Telephone Refund, \$57.98; BOZIED OIL CO (IMPOUND), Refund Check, \$395.71; BROOKINGS PROFESSIONAL OFFICES, Refund Check, \$64.55; Budget Truck Rental, Telephone Refund, \$42.13; Ceres Women's Fraternity, Telephone Refund, \$31.41; Dotson, Manley, Telephone Refund, \$8.95; Farm Equipment Plus, LLC, Telephone Refund, \$167.80; Fee, Matthew, Telephone Refund, \$47.43; Fischer, Zachary, Telephone Refund, \$59.05; Gauger, Kendra, Telephone Refund, \$28.99; Goeden, Caitlyn, Telephone Refund, \$59.68; Goldsmith, Thresa, Telephone Refund, \$265.77; GRIDOR CONSTRUCTION INC, Refund Check, \$60.74; Gridor Construction, Inc, Telephone Refund, \$54.47; Gustafson, Bradley, Telephone Refund, \$23.72; Hausmann Construction, Telephone Refund, \$132.84; Higgins, Timothy, Telephone Refund, \$35.62; Hiltunen, Erik, Telephone Refund, \$76.44; Houtman, Kristi, Telephone Refund, \$6.56; Howard, Theresa, Telephone Refund, \$136.33; Hunter, Jager, Telephone Refund, \$170.00; Hyett, Jeffrey, Conserve/Demand Incentive, \$150.00; Innovation Village, Telephone Refund, \$125.14; Johnson, Vickie, Telephone Refund, \$50.86; Kayongo-Male, Diane, Telephone Refund, \$164.82; Koenig, John, Telephone Refund, \$32.82; Kopp, John, Telephone Refund, \$47.43; Kramer, Brian, Conserve/Demand Incentive, \$25.00; Krienert, Katie, Telephone Refund, \$63.25; Lingle, Emily, Telephone Refund, \$90.29; Mandl, Christopher, Telephone Refund, \$13.18; Neville, Amanda, Telephone Refund, \$65.90; Northern Natural Gas, Telephone Refund, \$26.39; Oliveira, Pedro, Telephone Refund, \$63.25; PCI ROADS LLC, Refund Check, \$3458.68; Prusa, Brent, Telephone Refund, \$60.11; REGENCY HOMES, Refund Check, \$70.68; REGENCY HOMES, Refund Check, \$68.97; REGENCY HOMES, Refund Check, \$72.85; RENTALS IN BROOKINGS, Refund Check, \$239.74; Roddy, Conner, Telephone Refund, \$210.00; Rothschadl, Jaelyn, Telephone Refund, \$25.44; ROUNDS CONSTRUCTION, Refund Check, \$3457.21; Sagenet/Casey's General Stores, Inc, Telephone Refund, \$3.83; Screenworks Nep, Telephone Refund, \$138.39; Sehr, Matthew, Telephone Refund, \$6.56; Selectel Inc, Telephone Refund, \$124.04; Starling, Nicole, Telephone Refund, \$3.93; Steuck, David, Telephone Refund, \$153.17; The White Frame, Telephone Refund, \$12.86; Ust, George, Telephone Refund, \$3.99; Wadsworth, William Jr, Telephone Refund, \$66.60;

#### PERSONNEL INFORMATION

Department Salaries (October): Electric, \$265,326.42; Water, \$129,552.11; Wastewater, \$126,805.48; Telephone, \$318,317.26; Retirement, \$50,473.15; Social Security, \$59,132.75; Insurance, \$105,738.65; Deferred Comp, \$15,382.01.

Salary Changes: H. Beynon, \$5,271.55; K. Briggs, \$9,920.65; B. Drexler, \$9,895.83; C. Kabris, \$17,167.62; S. Mack, \$7,931.87; C. Bachman, \$9,920.65; T. Hohn, \$8,021.81; M. Kuechenmeister, \$9,358.78; E. Witt, \$14,211.89; C. Coverstone, \$7,387.52; P. Egeberg, \$11,355.75; K. Krogman, \$7,931.87; S. Meyer, \$24,840.70; B. Peterson, \$7,452.21; L. Sebring, \$8,098.46; L. Voegeli, \$5,959.48; L. Julius, \$18,413.50; R. Halgerson, \$13,815.96; T. Rymerson, \$32.47; R. Thompson, \$10,729.16; T. VanderWal, \$10,729.16.

New Hires: Z. Barthel, \$22.16; E. Hegdahl, \$22.91;

#### PRESENTATION BY TIM REED – BROOKINGS ECONOMIC DEVELOPMENT

Tim Reed, CEO of Brookings Economic Development Corporation was present to give an annual review of the Brookings Economic Development Corporation.

#### EXECUTIVE SESSION

Motion was made by Hansen, seconded by Bartels to adjourn to an executive session to consult with legal counsel and review communications from legal counsel about proposed or pending litigation or contractual matters and discuss marketing or pricing strategies. All members present voted in favor of the motion.

The Board reconvened in open session.

SURPLUS EQUIPMENT TO BE TRANSFERRED – VERMILLION WIRELESS SHELTER

Motion was made by Hansen that the following Resolution No. 33-24 be approved.

RESOLUTION NO. 33 - 24

RESOLUTION AUTHORIZING  
TRANSFER OF PROPERTY

WHEREAS the City of Brookings Municipal Utilities owns property which is no longer necessary for public use; and

WHEREAS said property is located at 604 High Street in Vermilion, South Dakota, and described as follows:

One nine foot (9') by sixteen (16') Equipment Shelter  
Two Attached Air Conditioner Units  
All Remaining Contents attached within the shelter  
One Concrete Shelter Pad

WHEREAS the City of Vermillion has agreed to accept ownership of said property.

NOW, THEREFORE, BE IT RESOLVED by the Brookings Municipal Utilities Board that the Board hereby orders that the above referenced property be transferred to the City of Vermillion, South Dakota, for \$0.00 in accordance with the provisions of SDCL Sections 6-5-1 and 6-5-2.

BE IT FURTHER RESOLVED that the Executive Vice President/General Manager or his designee be authorized and directed to execute any document necessary to complete the transfer of the property to the City of Vermillion, South Dakota.

Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Bartels. All members present voted in favor of the motion.

SURPLUS EQUIPMENT FOR DESTRUCTION- AIR COMPRESSOR AND CO EQUIPMENT

Motion was made by Hawley that the following Resolution No. 34-24 be approved.

RESOLUTION NO. 34 - 24

RESOLUTION ORDERING DISPOSITION OF SURPLUS EQUIPMENT

WHEREAS the City of Brookings Municipal Utilities owns property which is no longer necessary, useful or suitable for municipal purposes; and

WHEREAS said property is as follows:

Local 2 Air Compressor

Honeywell Model 241J6D2000, S/N 370-7-167260-261-L

Central Office Equipment

Infinera fiber optic transport MPLS platform

NOW, THEREFORE, BE IT RESOLVED by the Brookings Municipal Utilities Board that the Board hereby orders that the above referenced property be declared surplus equipment to be destroyed in accordance with the provisions of SDCL 6-13.

Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Bartels. All members present voted in favor of the motion.

SURPLUS EQUIPMENT FOR DESTRUCTION – LIGHTWAVE & ASSOCIATES  
PLATFORM

Motion was made by Hawley that the following Resolution No. 34-24 be approved.

RESOLUTION NO. 35 - 24

RESOLUTION ORDERING DISPOSITION OF SURPLUS EQUIPMENT

WHEREAS the City of Brookings Municipal Utilities owns property which is no longer necessary, useful or suitable for municipal purposes; and

WHEREAS said property is as follows:

Facilities operated under the Light Wave Toll Facility Joint Venture Agreement:

Fiber Optic Cable Facilities

- Approximately 70.75 route miles of underground and/or buried fiber optic cable facilities connecting Brookings to Dell Rapids and Dell Rapids to Sioux Falls.

Brookings located fiber optic transport equipment

- Alcatel DML-3X50 platforms located at the South Remote, North Remote and Host Central Offices in Brookings, SD.
- Northern Telecom (NTI) – FMT-150, FD-565 & DMT-300 platforms and associated peripheral equipment located at the East Remote, South Remote, North Remote and Host Central Offices in Brookings, SD.

Sioux Falls located fiber optic transport equipment

- Northern Telecom (NTI) – FMT-150B platforms and associated peripheral equipment located at the AT&T and SDN Communications central offices in Sioux Falls, SD.

NOW, THEREFORE, BE IT RESOLVED by the Brookings Municipal Utilities Board that the Board hereby orders that the above referenced property be declared surplus equipment to be destroyed in accordance with the provisions of SDCL 6-13.

Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Tim Harvey, President

The motion was seconded by Bartels. All members present voted in favor of the motion.

SURPLUS EQUIPMENT TO BE TRADED IN – HYDRAULIC CRIMPER

Motion was made by Hansen that the following Resolution No. 36-24 be approved.

RESOLUTION NO. 36 - 24

RESOLUTION ORDERING DISPOSITION OF SURPLUS  
EQUIPMENT TO BE TRADE-IN

WHEREAS the City of Brookings Municipal Utilities owns property which is no longer necessary, useful or suitable for municipal purposes; and

WHEREAS said property is as follows:

Anderson Hydraulic Crimper

NOW, THEREFORE, BE IT RESOLVED by the Brookings Municipal Utilities Board that the Board hereby orders that the above referenced property be declared surplus equipment to be traded in in accordance with the provisions of SDCL 6-13.

Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Hawley. All members present voted in favor of the motion.

CHANGE ORDER NO. 5 – WATER TREATMENT PLANT PROJECT

Motion was made by Hawley, seconded by Hansen to approve Change Order No. 5 for the Water Treatment Plant Project. All members present voted in favor of the motion.

CHANGE ORDER NO. 2 – WATER MAIN IMPROVEMENT PROJECT – PHASE 2

1<sup>ST</sup> – SH

2<sup>ND</sup> –KB

Motion was made by Hansen, seconded by Bartels to approve Change Order No. 2 for the Water Main Improvement Project – Phase 2. All members present voted in favor of the motion.

FINAL PAYMENT ON THE WATER MAIN IMPROVEMENT PROJECTION – PHASE 2

Motion was made by Hawley that the following Resolution No. 36-24 be approved.

RESOLUTION NO. 37 - 24

RESOLUTION APPROVING WORK AND AUTHORIZING  
FINAL PAYMENT ON WATER MAIN IMPROVEMENT  
PROJECT – PHASE 2

BE IT RESOLVED by the Brookings Municipal Utilities Board that final payment in the amount of \$658,483.41 to Winter Contracting LLC be approved for the Water Main Improvement Project – Phase 2.

BE IT FURTHER RESOLVED that the work for said project be approved.



Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Hansen. All members present voted in favor of the motion.

FINAL PAYMENT ON THE SEWER INTERCEPTOR PROJECT – PHASE 2

Motion was made by Bartels that the following Resolution No. 38-24 be approved.

RESOLUTION NO. 38 - 24

RESOLUTION APPROVING WORK AND AUTHORIZING  
FINAL PAYMENT ON SEWER INTERCEPTOR PROJECT – PHASE 2

BE IT RESOLVED by the Brookings Municipal Utilities Board that final payment in the amount of \$ 682,080.22 to H&W Contracting be approved for the Sewer Interceptor Project – Phase 2.

BE IT FURTHER RESOLVED that the work for said project be approved.

Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Hawley. All members present voted in favor of the motion.

APPLICATION FOR WATER/SEWER CONNECTION – WOOD DUCK TRAIL & KESTREL LANE

Motion was made by Hansen, seconded by Bartels that the application for extension of water and sewer mains and connection into the city water and sewer system requested by Prairie Hills LLC in Wood Duck Trail/Circle & Kestrel Lane be approved. All members present voted in favor of the motion.

APPLICATION FOR WATER/SEWER CONNECTION – 7<sup>TH</sup> AVENUE SO. & 8<sup>TH</sup> STREET SO.

Motion was made by Hawley, seconded by Hansen that the application for extension of water and sewer mains and connection into the city water and sewer system requested by Elm Inc. in 7<sup>th</sup> Avenue South & 8<sup>th</sup> Street South be approved. All members present voted in favor of the motion.

APPLICATION FOR WATER/SEWER CONNECTION – CLOVERFIELD PLACE

Motion was made by Bartels, seconded by Hansen that the application for extension of water and sewer mains and connection into the city water and sewer system requested by Dakota Land Design in Cloverfield Place in the Northern Plains Addition be approved. All members present voted in favor of the motion.

BIDS

AWARDING OF BIDS

WATER METERS

Motion was made by Hawley, seconded by Bartels to reject all bids for Water Meters due to non-compliant bids received and to authorize the staff to rebid Water Meters for the Water Department. All members present voted in favor of the motion.

APPROVAL OF 2025 BUDGET

Motion was made by Hansen that the following Resolution No. 39-24 be approved.

RESOLUTION NO. 39 - 24

RESOLUTION APPROVING THE 2025 BUDGET

BE IT RESOLVED by the Brookings Municipal Utilities Board that the Budget for the fiscal year 2025 be hereby adopted as presented this 12<sup>th</sup> day of November, 2024.

	2025 <u>Receipts</u>	2025 <u>Disbursements</u>
Electric Fund	\$ 34,679,527	\$ 34,500,207
Telephone Fund	\$ 12,401,061	\$ 7,816,314
Wastewater Fund	\$ 7,182,841	\$ 10,172,371

Water Fund	<u>\$ 42,394,279</u>	<u>\$ 31,778,968</u>
Total	\$ 96,657,708	\$ 84,267,860

Adopted this 12th day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Bartels. All members present voted in favor of the motion.

### WATER RATE ADJUSTMENT

Motion was made by Hawley that the following Resolution No. 40-24 be approved.

### RESOLUTION NO. 40 - 24

### RESOLUTION AMENDING WATER RATE SCHEDULE

BE IT RESOLVED by the Brookings Municipal Utilities Board that the Utilities Board Rules and Regulations governing the Water Utility, Article IV, Rates and Charges, Section 3-2, 3-3 and 3.3.1 be amended to read as follows:

### WATER SYSTEM

#### Section 3-2. Water - Residential

A residential user shall be defined as a domestic dwelling unit such as houses, mobile homes, and permanent multi-family dwellings with a separate water meter.

The owner or occupant of each residential premise to which water is supplied by Brookings Municipal Utilities shall pay service charge per meter dependent upon the size of meter as set forth below.

#### Service Charges:

<u>Meter Size</u>	<u>Monthly Service Charges</u>
5/8, 3/4" or 1"	\$22.00
1 1/4" or 1 1/2"	\$69.50

2”

\$102.50

Service charges for all meters larger than 2” shall be made according to the Commercial Service Charge Schedule. Service charges will be determined at the time application is made.

Usage Charge:

The following rates shall be applicable to all water provided during the monthly billing period:

All Cubic Feet	<del>\$1.239</del> <u>\$1.608</u> per 100 cu. ft.
Surcharge 2023 Bond Issue	\$2.450/100 cu. ft. water used

The following additional conditions shall be applicable to all water provided during the billing periods ending in July, August and September:

Each customer will be assigned a Summer Peak Usage Adjustment Level (SPUAL). The SPUAL will be set at an amount equal to 300% of the greater of the Winter Residential City Monthly Average (WRCMA) or the average of the customer’s most recent usage for the billing cycles ending in December, January, February and March at the customer’s current residence. The WRCMA will be calculated each year (rounded up to the nearest tenth) after the billing cycle ending in March. Usage data from the most recent previous three year’s billing cycles ending in December, January, February and March will be used in the calculation (12 bills in all).

Any customer who does not have water usage history with the utility at the premises at which he or she has requested service shall be assigned the WRCMA for purposes of computing their SPUAL.

All water consumed above the assigned SPUAL on bills dated July, August and September will be provided at the rate of two times the published rate per 100 cu. ft. of water.

Irrigation water rates are determined by multiplying the applicable consumption rate and service charge by a factor of 1.40. The service charge shall be \$7.00 per billing cycle for billing cycles ending November through April for irrigation meters left in place during these billing periods.

A \$50.00 fee shall be applied to all reinstalled irrigation meters.

Rural water rates are determined by multiplying the applicable consumption rate and service charge by a factor of 1.10.

Rural water rates for customers connected to the Aurora distribution line are determined by multiplying the applicable consumption rate and service charge by a factor of 1.10.

Section 3-3. Water – Commercial/Industrial/Institutional.

A commercial user shall include any facility operating as a business, either profit or nonprofit, and all publicly owned facilities, except consumers listed under residential, industrial, and institutional.

An Industrial user is an entity permitted by Brookings Municipal Utilities Industrial Waste Pretreatment Program.

An Institutional user shall include an entity of local, state, or federal government, including colleges, and universities, that discharge to the wastewater collection system through one or more master connections as opposed to individual connections for each building. An institutional user may operate its own private collection system.

The owner or occupant of each non-residential premise to which water is supplied by Brookings Municipal Utilities shall pay a service charge per meter dependent upon the size of meter as set forth below.

Service Charges:

<u>Meter Size</u>	<u>Monthly Service Charges</u>
5/8", 3/4" or 1"	\$ 22.00
1 1/4" or 1 1/2"	\$ 69.50
2"	\$ 102.50
3"	\$ 200.00
4"	\$ 305.50
6"	\$ 594.00
8"	\$1,015.00
10"	\$1,445.00

Service charges will be determined at the time application is made.

Usage Charge:

The following rates shall be applicable to all water provided during the monthly billing period:

All Cubic Feet	<del>\$1.239</del> <u>\$1.608</u> per 100 cu. ft.
Surcharge 2023 Bond Issue	\$2.450/100 cu. ft. water used

The following additional conditions shall be applicable to all water provided during the billing periods ending in July, August and September:

Each customer will be assigned a Summer Peak Usage Adjustment Level (SPUAL). The SPUAL will be set at an amount equal to 300% of the greater of the Winter City Monthly Average (WCMA) or the average of the customer's most recent usage for the billing cycles

ending in December, January, February and March at the customer's current premise. The WCMA will be calculated each year (rounded up to the nearest tenth) after the billing cycle ending in March. Usage data from the most recent previous three year's billing cycles ending in December, January, February and March will be used in the calculations (12 bills in all).

Any customer who does not have water usage history with the utility at the premises at which he or she has requested service shall not be assigned a SPUAL until after they have established a three month billing history.

All water consumed above the assigned SPUAL on bills dated July, August and September will be provided at the rate of two times the published rate per 100 cu. ft. of water.

Irrigation water rates are determined by multiplying the applicable consumption rate and service charge by a factor of 1.40. The service charge shall be \$7.00 per billing cycle for billing cycles ending November through April for irrigation meters left in place during these billing periods.

A \$50.00 fee shall be applied to all reinstalled irrigation meters.

Rural water rates are determined by multiplying the applicable consumption rate and service charge by a factor of 1.10.

Rural water rates for customers connected to the Aurora distribution line are determined by multiplying the applicable consumption rate and service charge by a factor of 1.10.

#### Section 3-3.1. Water – Purchased Rural Water Customers

Water rates assigned to the customers purchased from Brookings Deuel Rural Water System (BDRWS) through the BDRWS/BMU Agreement signed September 26, 2023, shall follow the same customer rules as identified in Section 3.2 – Water – Residential or Section 3.3 – Water - Commercial/Industrial/Institutional with the exception rates listed below:

<u>Meter Size</u>	<u>Monthly Service Charges</u>
5/8", 3/4" or 1"	\$43.00
Usage Charge shall be:	
All Cubic Feet	<del>\$.636</del> \$1.006/100 per cu. ft.
Surcharge 2023 Bond Issue	\$2.450/100 cu. ft. water used

The exception rates will apply until the purchase price without interest from the BDRWS/BMU Agreement is reduced to zero by the difference between the exception rates and published BMU water rates.

BE IT FURTHER RESOLVED by the Brookings Municipal Utilities Board that these rate changes become effective with the January 2025 billing.

Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Hansen. All members present voted in favor of the motion.

#### WASTEWATER RATE ADJUSTMENT

Motion was made by Hansen that the following Resolution No. 41-24 be approved.

#### RESOLUTION NO. 41 - 24

#### RESOLUTION AMENDING WASTEWATER RATE SCHEDULE

BE IT RESOLVED by the Brookings Municipal Utilities Board that the Utilities Board Rules and Regulations governing the Wastewater Utility, Article IV, Rates and Charges, Section 2-2, 2-3, 2-4 and 2-5 be amended to read as follows:

#### RATES AND CHARGES

#### WASTEWATER SYSTEM

#### Section 2

#### Section 2-2. Wastewater -- Residential.

A residential user shall be defined as a domestic dwelling unit such as houses, mobile homes, and permanent multi-family dwellings with a separate water meter.

Wastewater will be computed at the rate of 100 cubic feet of water used in the billing cycles ending in December, January, February and March plus a customer charge based on the schedule below. The average monthly bill of these four billing cycles will determine the monthly wastewater charge for the following eight cycles.

#### Monthly Billing Rate

Customer Charge	<del>\$17.05</del> <u>\$17.90</u> per month
Usage per 100 cu. ft. of water used charged	<del>\$4.879</del> <u>\$5.123</u> /100 cu. ft.

#### Section 2-3. Wastewater – Commercial

A commercial user shall include any facility operating as a business, either profit or nonprofit, and all publicly owned facilities, except consumers listed under residential, industrial, and institutional.

Wastewater will be computed by one of the following two methods, at the Utilities option: 1) at the rate of 100 cubic feet of water used, plus a customer charge based on the schedule below for each month of the year, or 2) based on metered wastewater flow at the rate of 100 cubic feet of wastewater, plus a customer charge based on the schedule below for each month of the year.

Monthly Billing Rate

Customer Charge	<del>\$17.05</del> <u>\$17.90</u> per month
Usage per 100 cu. ft. of water used / or wastewater flow	<del>\$4.879</del> <u>\$5.123</u> /100 cu. ft.

Section 2-4. Wastewater – Industrial

An Industrial user is an entity permitted by Brookings Municipal Utilities Industrial Waste Pretreatment Program.

When an Industrial (Pretreatment) permit is required, the applicable fees shall be as follows:

Wastewater Contribution Permit Application Fee -	\$100
Annual Wastewater Contribution Permit Fee -	\$30

Wastewater will be computed by one of the following two methods, at the Utilities option: 1) at the rate of 100 cubic feet of water used, plus a customer charge based on the schedule below for each month of the year, or 2) based on metered wastewater flow at the rate of 100 cubic feet of wastewater, plus a customer charge based on the schedule below for each month of the year.

Monthly Billing Rate

Customer Charge	<del>\$17.05</del> <u>\$17.90</u> per month
Usage per 100 cu. ft. of water used / or wastewater flow	<del>\$4.879</del> <u>\$5.123</u> /100 cu. ft.

Section 2-5. Wastewater – Institutional

An Institutional user shall include an entity of local, state, or federal government, including colleges, and universities, that discharge to the wastewater collection system through one or more master connections as opposed to individual connections for each building. An institutional user may operate its own private collection system.

Wastewater will be computed by one of the following two methods, at the Utilities option: 1) at the rate of 100 cubic feet of water used, plus a customer charge based on the schedule below for each month of the year, or 2) based on metered wastewater flow at the rate of



100 cubic feet of wastewater, plus a customer charge based on the schedule below for each month of the year.

Monthly Billing Rate

Customer Charge	<del>\$17.05</del> <u>\$17.90</u> per month
Usage per 100 cu. ft. of water used / or wastewater flow	<del>\$4.879</del> <u>\$5.123</u> /100 cu. ft.

BE IT FURTHER RESOLVED by the Brookings Municipal Utilities Board that these rate changes become effective with the January 2025 billing.

Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Bartels. All members present voted in favor of the motion.

TRANSFER TO CITY GENERAL FUND

Motion was made by Hansen that the following Resolution No. 42-24 be approved.

RESOLUTION NO. 42 - 24

RESOLUTION AMENDING RESOLUTION NO. 34-23  
PROVIDING FOR TRANSFER OF UTILITY SURPLUS FUNDS  
TO THE CITY GENERAL FUND

WHEREAS the Brookings Municipal Utilities Board passed Resolution No. 34-23 providing the transfer of Utility surplus funds to the City General Fund beginning January 1, 2024; and

WHEREAS it is the intent of the Brookings Municipal Utilities Board to change the above referenced transfer levels of surplus funds to the General Fund and an additional transfer to the General Fund for the purpose of funding General Fund initiatives to improve regional economic development; and

WHEREAS the annexation of Brookings Municipal Utilities property into the corporate city limits of the City of Brookings created municipal sales tax changes that impacted the contractual obligations of the Brookings Municipal Utilities Water Fund; and

WHEREAS it is the intent of the Brookings Municipal Utilities Board to change the Electric Fund Annual Transfer by an amount identified by Water Treatment Plant (WTP)

Change Order #2 – Municipal Sales Tax and Reduction in South Dakota Sales Tax for the WTP  
passed by the Brookings Municipal Utilities Board on June 12, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Brookings Municipal Utilities Board that Resolution No. 34-23 be amended to provide that, beginning January 1, 2025, transfers be made to the City General Fund from the Electric and Telephone Funds in amounts as established by the following:

**Electric Fund**

Total Annual Transfer of \$2,430,000 to the City General Fund  
and  
Additional \$25,000 transfer to the Brookings Economic Development Corporation

**Telephone Fund**

Total Annual Transfer of \$175,000 to the City General Fund  
and  
Additional \$25,000 transfer to the Brookings Economic Development Corporation

Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Hawley. All members present voted in favor of the motion.

HEALTH INSURANCE CONTRIBUTION RATES

Motion was made by Hawley that the following Resolution No. 43-24 be approved.

RESOLUTION NO. 43 - 24

RESOLUTION AUTHORIZING HEALTH INSURANCE  
CONTRIBUTION RATES

WHEREAS Resolution No. 37-96 established a self funded program for the provision of health insurance; and

WHEREAS the Brookings Municipal Utilities Board intends to establish the levels of employee and employer contributions to fund the program.

NOW, THEREFORE, BE IT RESOLVED that the 2025 employee and employer monthly contributions to the self funded health insurance program be established as follows:

	<u>Employer's Share (75%)</u>	<u>Employee's Share (25%)</u>	<u>Total</u>
Single	\$ 637.04	\$212.34	\$ 849.38
Employee/Spouse	\$1,360.79	\$453.59	\$1,814.38
Employee/Minor Dependents	\$1,200.18	\$400.06	\$1,600.24
Family	\$1,921.81	\$640.60	\$2,562.41

Adopted this 12th day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Bartels. All members present voted in favor of the motion.

#### EXECUTIVE SESSION

Motion was made by Hansen, seconded by Bartels to adjourn to an executive session for the purpose of discussing personnel.

The Board reconvened in open session.

#### LONG TERM INCENTIVE COMPENSATION PLAN

Motion was made by Hawley that the following Resolution No. 43-24 be approved.

#### RESOLUTION NO. 44 - 24

#### RESOLUTION ORDERING THE ESTABLISHMENT OF THE LONG TERM INCENTIVE COMPENSATION PLAN

WHEREAS the City of Brookings Municipal Utilities Board wishes to provide financial incentives to a select group of employees who contribute to the continued growth, development and future business success of Brookings Municipal Utilities (BMU); and

WHEREAS BMU is a governmental entity as defined under the IRS code; and

WHEREAS BMU wishes to establish and maintain a Long Term Incentive Compensation Plan (Plan) as described in Section 457(f) of the Internal Revenue Code; and

WHEREAS the Utility Board members have reviewed the proposed Long Term Incentive Compensation Plan (the "Plan") and find it satisfactory; and

WHEREAS the Plan is intended to be a plan that is not qualified within the meaning of Internal Revenue Code 401(a) and that is unfunded and is maintained by BMU primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees and will become effective on January 1, 2025; and

WHEREAS the Plan shall be administered and construed in a manner consistent with said intent and in accordance to any applicable state laws to the extent that such laws are not preempted by federal law.

NOW, THEREFORE, BE IT RESOLVED by the Brookings Municipal Utilities Board that the Board hereby orders that the above referenced Long Term Incentive Compensation Plan be established and administered by BMU effective January 1, 2025.

Adopted this 12<sup>th</sup> day of November, 2024.

ATTEST:

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Seth Hansen, Secretary

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Doug Carruthers, Vice President

The motion was seconded by Bartels. All members present voted in favor of the motion.

ADJOURNMENT

The meeting adjourned.

ATTEST:

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Seth Hansen, Secretary

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Tim Harvey, President