**LEOLA CITY COUNCIL MEETING**

**September 4, 2019**

**The Leola City Council met in the Council Room of the Municipal Building in regular session on Wednesday, September 4th, 2019. Mayor Thomas Theisen called the meeting to order at 7:34 P.M. with the following Council Members present, Jackie Rau, Gayle Seibel, Lindsey Bollinger, Richard Reis, Michael Yost, and Tim Collins, along with the Finance Officer Kappes. Absent: None. Also, present were Leif** **Redinger, Helms & Associates, Jacki Hoffman****, Economic Development Director and Steve Seibel.**

**Council Member Rau moved, with a second by Council Member Reis, to approve the Minutes of the August Meeting, with the correct addresses in the following two sentences as follows:**

**Follow-up site visits are scheduled on the Nuisance properties for September 4th with further action up to and including abatement scheduled to commence on or after September 9th, 2019 at 704 Lundquist.**

**Sarah Knoepfle came before the Council to discuss the Kallenberger properties, the conversation and what was decided, and she was informed of the abatement on 709 Conklin Street August 9th, which would be checked August 12th, would stand, and the Council was not going repeat the already discussed business items.**

**All present Council Members voted in favor of the corrections. Motion carried.**

**Council Member Reis moved, with a second by Council Collins, to accept the Audit Adjusted July 2019 Month-ending Treasurer’s Report and the August 2019 Month-end Treasurer’s Report. All present Council Members voted in favor. Motion carried.**

**The Council examined the bills:**

**Maintenance Salaried Payroll September Salary Streets/Park Fund Salary, Matches & Benefits 3,178.49**

**Maintenance Salaried Payroll September Water & Sewer Fund Salary, Matches & Benefits 3,237.93**

**Finance Office Salaried Payroll September Finance Office Salary, Matches-Retire, Sick Leave & Vacation 12,758.67**

**Gov’t Bldg. Payroll-Janitor August Janitor Hours-Zulma Velazquez 772.50**

**Library Payroll August-Librarians & Fill-in Hours 814.48**

**Lifeguard Payroll July/August-Lifeguard-Pool Preparation & Hours 4,345.31**

**Council Payroll 3rd Quarter Meeting Pay 6,615.07**

**Council Payroll August Hours-C & M Citizen’s Food Boxes Pay-P. Walz 19.59**

**County Employees Hours Hauling Gravel 1108.56**

**Office Department Payroll August Hours- D. Weiszhaar 965.62**

**Zoning Payroll-Reis August-Building Permits, etc. 107.65**

**Agtegra Cooperation Miscellaneous Parts & Repairs 82.23**

**American Solution for Business Office Supplies 129.10**

**Beck Law Office Attorney Fees 683.50**

**Cahill Bauer & Associates, LLC Audit Services – 2018 5,062.50**

**CorTrust Visa Subscription to Office 354 Home Renewal 99.99**

**Dependable Sanitation Inc. City Regular Garbage Collection 91.00**

**Gary’s Engine & Repair 6 Blades 156.90**

**Gene’s Oil Company August Gas & Diesel 362.98**

**Grabowska, ReNee Reimbursement for Lifeguard Certification 190.00**

**Homestead Building Supply Supplies & Materials 9.79**

**J & R Plumbing, Heating and AC LLC Water Heater-Hohm Park Apartments-Housing & Redevelopment Commission 1,145.62**

**J. P. Cooke Company 2020 Dog Tags, License Receipt Book & Shipping 72.25**

**Jensen Rock Sand Inc. 14.02 Hot Mix 834.19**

**Kappes, Candice Postage 23.80**

**Leola Public Library Reimbursement for DVDs, Books, Subscriptions 130.20**

**Lynch, Stuart & Rita Water Deposit After Water Use 12.00**

**McPherson County Herald Publishing –Mayor & Council 429.94**

**McPherson County Register of Deeds 10 Easements 300.00**

**Montana-Dakota Utilities August Electricity 2,980.18**

**Mueller, Holly Reimbursement of Snack for Concessions 96.40**

**Network Service Company-Heartland Vacuum, Vacuum Bags & Copy Paper 308.67**

**Northeast Finance Officer’s Group Bi-Annual Meeting 20.00**

**Olson, Dennis “Mike” Code Enforcement Officer Services & Expenses Over Contract 1,164.90**

**Readi Tech-DRN Labor on Computers-Lib 23.70**

**Rural Development 89th Loan Payment-Sewer Project 4,021.00**

**Sisseton Flower Shop Plant Wired to Sioux Falls-Council Member Collins 50.00**

**South Dakota Municipal League SDML Conference Registration-FO & Assistant 200.00**

**South Dakota Public Health Laboratory August Coliform Water Testing 15.00**

**South Dakota Association of Rural Water Systems Annual Class B Membership 370.00**

**Titan Machinery/Productivity Plus Account Switch Oil & Freight 36.61**

**Valley Telecommunications Phones, Faxing & Internet 439.70**

**Walz, Pam DVD & Book Reimbursement 292.22**

**Walz, Pam Reimbursement-Mileage - Food Baskets 33.60**

**WEB Water August Water Use Minus 1-$25.00 WEB Credit Certificates 6,030.60**

**Westside Heating and AC LLC Propane at Pool 200.00**

**Westside Heating and AC LLC Propane at Shop 296.00**

**TABLED BILLS**

**Network Service Company or Heartland Soap, Sanitizer, Toilet Paper, Coronet 2ply Facial & Other Products 396.24**

**WATER PROJECT BILLS TO BE APPROVED & PAID ONCE FUNDING IS RECEIVED**

**Helms and Associates Project Engineer 977.50**

**Helms and Associates Project Engineer Bidding 100% Complete 550.00**

**Milbank Winwater Water Project Water Meters, Software & Remote Training 66,490.49**

**Milbank Winwater Water Project Backordered Water Meters, Software & Remote Training 708.34**

**TOTAL WATER PROJECT ENGINEERING TO BE PAID ONCE FUNDING IS RECEIVED TOTAL 68,726.33**

**WATER PROJECT BILLS APPROVED & PAID WITH LOAN FUNDING & CDBG RECEIVED**

**Meierhenry Sargent LLP Bond Counsel Services 18,910.00**

**Helms & Associates 50% Bidding Complete 2,750.00**

**Helms & Associates 100% Contract Complete 166,500.00**

**Helms & Associates 75% Bidding Complete 1,375.00**

**Helms & Associates As Per Project Engineering Agreement 1,342.50**

**Dahme Construction Pay Estimate-Stored Materials & 5% Eligible to be Paid to Date on Project 301,949.17**

**Helms & Associates As Per Project Engineering Agreement 1,830.90**

**Dahme Construction Pay Estimate-Stored Materials & 5% Eligible to be Paid to Date on Project 94,672.76**

**Helms and Associates 90% Comp. Water System Bidding-$825 & Pump House Drawing & Contr. Change Order-$115 997.50**

**TOTAL WATER PROJECT PAID AFTER FUNDING WAS RECEIVED TOTAL $590,327.83**

**City Reimbursed Bid Publishing in the amount of $110.25 for publishing & Attorney Project Legal Fees $1,243.50**

**TOTAL WATER PROJECT SRF FUNDING RECEIVED TO DATE $591,571.33**

**Innovation Grant Monies yet to be spent by the Steering Committee 1,600.00**

**Council Member Collins left the Council Meeting during the discussion of the bills. Council Member Rau moved, with a second by Council Member Bollinger to approve the above bills, along with the table the bill for the Network Services Company-Heartland for $396.14, to pay Helm’s Associates $977.50 once funds are received and Milbank Winwater in the amount 66,490.49 once all material are received and funding is received. All present Council Members voted in favor. Motion carried.**

**McPherson County Deputy Sheriff Allie Hilgemann presented the Council with the Monthly County Law Enforcement Report.**

**Public Hearing on Budget Ordinance 2019-01 was held there being no one present objecting, Council Member Reis introduced the following Year 2020 Budget Ordinance 2019-01, to be read the second time and moved for its adoption. Council Member L. Bollinger seconded the motion. Upon roll call vote, all present Council Members voted in favor. Motion carried. The second reading was held as follows:**

**ORDINANCE 2019-01**

**CITY OF LEOLA**

**2020 APPROPRIATION BUDGET**

**PART I:**

**Be it ordained by the City of Leola, McPherson County, South Dakota, that the following sums are appropriated to meet the obligations of the Municipality.**

**GOVERNMENTAL FUND FUND AMOUNTS TOTALS**

**TOTAL GENERAL FUND-100**

**101-41000 GENERAL GOVERNMENT**

**41150 Contingency 40,082.50**

**41200 Mayor & Council 36,500.00**

**41300 Elections 1,000.00**

**41410 City Attorney 2,500.00**

**41420 Finance Office 73,750.00**

**41450 Insurance 40,000.00**

**41470 Unemployment 100.00**

**41490 Government Buildings 43,900.00**

**101-41000 TOTAL GENERAL GOVERNMENT 237,832.50**

**101-42000 PUBLIC SAFETY**

**42100 County Law Enforcement 45,500.00**

**42200 Fire-Siren 500.00**

**42300 Protection & Inspection-Code Enforcement 4,100.00**

**101-42000 TOTAL PUBLIC SAFETY 50,100.00**

**101-43000 PUBLIC WORKS**

**43100 Streets 143,200.00**

**43200 Sanitation 8,700.00**

**101-43000 TOTAL PUBLIC WORKS 151,900.00**

**101-44000 PUBLIC HEALTH**

**44130 West Nile Fund 2,800.00**

**44620 Ambulance-EMT'S 100.00**

**101-44000 TOTAL PUBLIC HEALTH 2,900.00**

**101-45000 CULTURE & RECREATION**

**45110 Golf Course 6,000.00**

**45120 Pool 100,150.00**

**45130 Rhubarb Committee 500.00**

**45150 School Alumni Committee 100.00**

**45160 Celebration & Fireworks Association 1,150.00**

**45220 Ball Diamond-Fields & Athletic Assoc. 4,000.00**

**45230 Parks 59,800.00**

**45500 Library 17,600.00**

**45700 Historical Preservation-Museum 100.00**

**101-45000 TOTAL CULTURE & RECREATION 189,400.00**

**101-46000 CONSERVATION & DEVELOPMENT**

**46310 Lot Redevelopment 4,650.00**

**46320 Leola Housing & Redevelopment 5,000.00**

**46510 Leola Credit Board 750.00**

**46520 Zoning & Planning Comm. 2,350.00**

**46530 Development-Dev. Corp. & School 600.00**

**46610 Economic Development 10,000.00**

**101-46000 TOTAL CONSERVATION & DEVELOPMENT 23,350.00**

**101-47000 TOTAL DEBT SERVICE 0.00**

**101-48000 TOTAL INTERGOVERNMENTAL EXPENDITURES 0.00**

**101-49000 MISCELLANEOUS -Judgments & Losses 0.00**

**101-51000 OTHER FINANCING USES 0.00**

**101-61000 FUND EQUITY USES 0.00**

**TOTAL GENERAL FUND APPROPRIATIONS 655,482.50**

**21700 REVOLVING LOAN-ENTERPRIZE LOAN FUND**

**128 REVENUE 25,350.00**

**172 EXPENDITURES 25,350.00**

**TOTAL SPECIAL REVENUE RETAINED 0.00**

**PART II.**

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

**GOVERNMENTAL FUNDS - 100**

**UNASSIGNED FUND BALANCE 271,282.50 TOTAL GENERAL**

**31000 TOTAL TAXES 344,100.00**

**32000 TOTAL LICENSES & PERMITS 4,000.00**

**33000 INTERGOVERNMENTAL REVENUE 30,000.00**

**34000 CHARGES FOR GOODS & SERVICES 3,700.00**

**35000 FINES AND FORFEITURES 0.00**

**36000 MISCELLANEOUS REVENUE 2,400.00**

**39000 OTHER SOURCES-BORROWED & TRANSFER IN 0.00**

**TOTAL MEANS OF FINANCE-GENERAL FUND 655,482.50**

**PART III.**

**PROPRIETARY FUNDS - 600 WATER SEWER**

**BEGINNING UNRESTRICTED CASH 5,250.00 50,000.00**

**ESTIMATED OPERATING REVENUE 120,000.00 48,000.00**

**ESTIMATED SEWER PROJECT FEE COLLECTIONS 18,000.00 58,000.00**

**AMOUNT TO BE BORROWED & GRANT-Cap Water Project 2,640,910.00 0.00**

**TRANSFER IN -Salary 15,000.00 0.00**

**TOTAL AVAILABLE 2,799,160.00 156,000.00**

**LESS APPROPRIATIONS (Operating Expenses) 139,250.00 47,000.00**

**Less Amount Needed For - Water Project 2,640,910.00 0.00**

**TRANSFER OUT-Salary 0.00 15,000.00**

**SET ASIDE FOR LOAN PAYBACK 18,000.00 48,252.00**

**TOTAL EXPENSE 2,798,160.00 110,252.00**

**ESTMATED RETAINED EARNINGS 1,000.00 45,748.00**

**PART IV.**

**The Finance Officer is hereby directed to certify the following dollar amounts of tax levies made in this Ordinance to the McPherson County Auditor.**

**PROPERTY TAXES, CPI-2.4% & 2.56% GROWTH 223,182.09**

**OPT OUT 30,000.00**

**TOTAL MONIES LEVIED FOR 253,182.08**

**ATTEST:**

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**Candice Kappes, Finance Officer Thomas Theisen, Mayor**

**The Council discussed the follow up from Mike Olson on properties receiving letters, those with set abatement dates and those properties now in compliance. The Council discussed the property at 709 Conklin Street, the fact the Sheriff’s Office had no documentation stating the property could not be cleaned up or construction needed to cease, or debris was unable to be moved etc., legally unable to cleaned up or complete construction. City maintenance cleaned up the right of way and leveled so water could drain. Kallenberger removed items in front of the garage. The Council discussed the fact the building permit had expired, and construction items should be removed, and they reviewed the notification letter with an abatement of 20th of September, along with a letter to be sent on damaged vehicle parked by the apartments at 865 Leola Avenue. Council Member Reis moved, with a second by Council Member M. Yost, that the abatement at 704 Lundquist being on Monday, September 9th. All present Council Members voted in favor motion carried. Mayor Theisen will meet with Mike Olson, Code Enforcement Officer.**

**Jacki Hoffman,** **Economic Development Director, for the Steering Committee updated the Council the curtains were now up at the school and fundraising was now being done for the Weight Room and that English/Spanish Classes are being planned at the School. Joyce Carmen joined the meeting at 8:30 P.M.**

**Hoffman informed the Council HAPI Homes Are Possible have $15,000.00-$17,000.00 in grant monies available for housing repairs and that there would be an informational meeting on it at 1:00 P.M. on Thursday, September 5th in the Meeting Room of the Municipal Building.**

**Hoffman also informed the Council Mike Dosch, Dosch Family Pharmacy in Eureka worked with Natalie Dempsey, Ten - 45 to have needed prescriptions picked up at the Ten - 45 daily.**

**Jacki Hoffman, Economic Development Director discussed with the Council plans to reorganize the Steering Committee, which was developed by the City, School and LDC to be called the LEAD (Leola Economic Advancement and Development). The LCAC is to be dissolved. There is to be a Community Meeting to determine the needs and wants of the Community. Any Community Member can ask to be a part of the LEAD, which will include two members representing each: School Board, City Council and the Leola Development Corporation. LEAD will create their own bylaws, apply for SD non-profit status as well as a Federal non-profit status 501c3.**

**Leif Redinger, Helms & Associates, and Council Member Seibel discussed the meetings at the pool held with**

**Jacki Hoffman from the Steering Committee and Jeff Tschappat, along with the meeting with Leif Redinger held prior to Council in the Council Room, with Council Member Seibel and Jacki Hoffman, Economic Development Director. The leak and being unsure how bad the pool leak is, along with ways of monitoring were discussed. Council Member Seibel will instruct Tschappat on how to monitor. First the monitoring of leak on a daily basis, air tested by a contractor, and that pool walls are structurally sound to determine our steps going forward. Redinger informed the Council, Bob Babcock had told him, Helms & Associates would engineer the Pool Liner Project pro bono due to the long-lasting relationship with the City and that Helm’s & Associates were currently engineering the Water Project and the Trails Grant. They would have to look at some charges if a lot of hours start to accumulate. No decision was made as Mayor Theisen wanted to discuss this later in executive session.**

**Joyce Carmen came before the Council and said Lein Construction was a subcontractor to work on the streets for Dahme Construction and will take the concrete from the Restricted Use Site on their return loads.**

**Joyce Carmen also discussed the lots she was going to use for a Community Garden, and she inquired on purchasing it and what type of building would be required to be put on within three years purchasing the lots. The Council discussed the cost of 90% of the assessed property would also be required. It was decided the Council would discuss it and get back to her.**

**The Council discussed the paperwork to be submitted to FEMA and it was decided to submit it without all the costs to repair the loader.**

**After discussion, Council Member Bollinger moved, with a second by Council Member M. Yost to pay Chase Martin $90.00 an hour for the four hours without a turned in bill. All present Council Members voted in favor. Motion carried.**

**The Council discussed the culvert east of Andrea Wald’s on Leola Avenue.**

**Finance Officer Kappes presented the Council with forms to be filled out assessing the surplus property. The Council discussed the surplus items to be assessed and it was decided Council Member Rau will contact three property owners and get the three assessments on the surplus** **1962 propane tank holding approximately 150 gallons of propane, and the surplus semi trash pump motor needed in order to advertise for bids.**

**The Finance Officer informed the Council the WEB water rates will be increasing effective on the City’s October bill. Based on the proposed cost increase applied to the city’s previous months WEB bill and number of active accounts and what would be needed to cover the increased charges. Council Member Rau moved, with a second by Council Member Bollinger, to increase the base rate of $30.00 by $4.00 to $34.00 with gallon used charges remaining the same. New charges will go into effect on December 2019’s use due in January 2020. All present Council Members voted in favor. Motion carried.**

**The Experience Works Program was tabled to the October Meeting for specifics about the program.**

**The Council discussed the SDML Conference to be held in Aberdeen on October 8-11, 2019. Sondra Waltman and Assistant Finance Officer Deb Weiszhaar will attend. Any of the Council planning to attend should contact the office so registration can be mailed and received before the September 20th deadline.**

**Council Member Rau moved, with a second by Council Member Bollinger, to table the hydrants at the Leola City Park until the October 7th Council Meeting.**

**The Council discussed some of the school gym classes using the swimming pool and the fact two of the city’s lifeguards had lifeguarded, along with the fact the city had paid lifeguards in the past when the Council were aware of the school’s use. Council Member Bollinger moved, with a second by Council Member Reis, to pay Rachel Pickell and Zachary Mueller three hours each at the regular pay. All present Council Members voted in favor. Motion carried.**

**The Council discussed the cost of a structures needing to be put on the property sold by the city requiring a building within three years. After discussion, Council Member Reis moved, with a second by Council Member Rau, that a building permit for at least a $500.00 structure to remain on the property. All present Council Members voted in favor. Motion carried.**

**The Council discussed the generator and that Maxwell Electric out of Britton will service the City’s generator when the County’s generator is serviced.**

**Council Member Seibel reported on quotes of approximately $1800.00 to get an electrical hydrant to be used for celebrations and the cost of getting electricity to a pole on the Sherman Street, along with the fact MDU wanted to supply to all the poles. It was decided not to do anything at this time.**

**The Council discussed and decided to table the small Jacobson tractor to the October 7th Meeting until quotes on tractors and wheel loader leases could be gone over the options with the Golf Association.**

**The Council examined the Monthly Library Report.**

**August Building Permits Issued: Roger DeRaad 19-17 and Lindsey Bollinger, 19-18.**

**Finance Officer Kappes informed the Council, Cahill Bauer & Associates, LLC, CPA’s audited the City during the week of August 12th. They discussed the adjustment of splitting of the SD Work Comp voucher to be expensed to water and sewer funds and adjusted the city’s water and sewer accounts for a returned check being held since their last audit. They will be meeting with Doug Yost and Jessica Lipke who were Mayor’s within 2018. The city should be receiving the official audit report on completion of compiling their report.**

**Council Member Rau introduced the following Ordinance 2019-02, to be read the 1st time and moved for its adoption. Council Member M. Yost seconded the motion. All present Council Members voted in favor. Motion carried. The first reading was held as follows:**

ORDINANCE NO.2019-02

AN ORDINANCE AMENDING TITLE 14 SECTION 14.0103 OF THE ZONING ORDINANCES OF THE CITY OF LEOLA.

BE IT ORDAINED BY THE MUNICIPALITY OF THE CITY OF LEOLA, MCPHERSON COUTY, SOUTH DAKOTA, that the following shall be added to Title 14 Section 14.0103 of the Zoning Ordinances of the City of Leola:

**After initial issuance of the issued building permit, the permit may be renewed for an additional one (1) year period at the cost of $100.00. A 2nd renewal for a one (1) year period shall be at the cost of $500.00. A 3rd renewal for a one (1) year period shall be at the cost of $500.00.**

First Reading: September 4th, 2019

Public Hearing & Second Reading: October 7th, 2019

Publication Dates: September 19, 2019 & October 17, 2019

Effective Date: November 4th, 2019

Mayor, City of Leola ATTEST: Finance Officer, City of Leola

NOTICE OF ADOPTION

ORDINANCE No. 2019-2 AMENDING TITLE 14 SECTION 14.0103 OF THE ZONING ORDINANCES OF THE CITY OF LEOLA.

NOTICE is hereby given that Ordinance No. 2019-02 being an Ordinance adding a provision to Title 14 Section 14.0103 of the Zoning Ordinances of the City of Leola, as set forth, was duly adopted by the City of Leola on the 4th day of September, 2019, and that such Ordinance shall be effective November 4th 2019.

Dated this 4th day of September 2019.

Mayor, City of Leola

**After discussion, Council Member Rau moved, with a second by Council Member Bollinger, to change the City Personnel Policies as follows: Policy #4.12 Residency Requirement: Residency within the McPherson County shall be a condition of employment for all employees. An applicant, however, shall not be discriminated against because of non-residency in the municipality and shall be given a reasonable amount of time not to exceed 60 days, if hired, to establish residency within McPherson County.**

**Policy # 7.2 Vacation Leave: Vacation/Sick Leave: 0-7 years gets 10 days’ vacation and 5 days of sick leave, 8+ years gets 15 days’ vacation and 5 days of sick leave. Note: During the first 12 months of employment, a maximum of 5 vacation days are available to be used during the first 6 months of employment.**

**All Council Members voted in favor. Motion carried.**

**The Council discussed the finance officer job position. Council Member Bollinger moved to hire Sondra Waltman at $35,000.00 a year at a monthly salaried rate, with a $500.00 increase at a six-month review, and an additional $500.00 after a one-year review, with her officially taking over as Leola City Finance Officer on October 1st, 2019. Council Member Rau seconded the motion. All present Council Members voted in favor.**

**The Council granted Sondra Waltman and Assistant Finance Officer Deb Weiszhaar permission to attend the Northeast Finance Officer’s Group Meeting in Aberdeen on September 19, 2019.**

**The Council discussed the upcoming Election Workshop in Pierre and it was decided to participate in the scheduled webinars when possible.**

**The Council discussed Dependable Sanitation’s large roll off would be here for the fall large item collection for city residents at the Leola City Shop, which has been advertised and posted. The roll off will be coming around Friday, September 13th and leaving Friday, September 27th with the Consignment Sale and Funky Finds scheduled for September 21st, 2019. Finance Officer Kappes will check with Dependable if it can be emptied or if a larger roll off is available.**

**Council Member Rau moved, with a second by Council Member L. Bollinger, to go into executive session at 11:10 P.M. to discuss personnel matters. All present Council Members voted in favor. Motion carried. Finance Officer Kappes left the Council Room during executive session. At 11:40 P.M., Mayor Theisen declared the Council out of executive session with no action taken.**

**There being no further business, Council Member Rau moved, with a second by Council Member** **Seibel, to adjourn. All present Council Member voted in favor. Motion carried.**

**The Leola City Council will meet in regular session on Monday, October 7th, 2019 at 7:30 P.M. in the Council Room of the Municipal Building**

**ATTEST:**

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**Candice Kappes, Finance Officer**