Resolution No. 2026-2

A RESOLUTION OF THE SPRING CREEK/COW CREEK SANITARY DISTRICT ALLOWING THE DISTRICT TO INSTALL FORCEMAIN PIPNG AND PROVIDE SERVICE TO AREAS WITHIN THE DISTRICT.

BE IT RESOLVED by the Board of Trustees of the Spring Creek/Cow Creek Sanitary District (hereinafter "the District") that the District will provide for the design and installation of a sewer forcemain (hereinafter "forcemain") extending from the northern lot line of lot 4 on the west side of Anchor Down Avenue to manhole BH-12 near lot 25 on the south side of Castaway Loop (hereinafter "the Property") to accommodate the outward growth of developed lots within District boundaries. Such design and installation will be contingent upon the conditions listed herein:

1. A lift station shall first be installed in accordance with development plans approved by the District; and all lift station design documents shall be provided to the District.

2. Any developer of any proposed lift station shall comply with all applicable ordinances and resolutions.

3. Upon the completion of the lift station or the remittance of payment to the District to cover the costs of the design of the forcemain, the District will commence designing the forcemain. Should payment be remitted to the District for the cost of the design of the forcemain, such amount shall be reimbursed to the remitter upon installation of the forcemain and the completion and acceptance of the lift station.

4. Upon the completion of the lift station or the remittance of payment to the District to cover the costs of the installation of the forcemain, the District will commence installation of the forcemain. Should payment be remitted to the District for the cost of the installation of the forcemain, such amount shall be reimbursed to the remitter upon installation of the forcemain and the completion and acceptance of the lift station.

5. The maximum length of the forcemain shall not exceed 1,950 lineal feet and the maximum pipe diameter shall not exceed 6 inches nominally.

6. Prior to commencing work on the design and installation of the forcemain, the District shall be granted perpetual easements for such property in which the forcemain will be installed. The easements shall provide for a 15-foot permanent easement and a 20-foot construction access easement beyond the 15-foot permanent easement for construction and future repair, replacement, and general maintenance of the forcemain. The property developer shall be responsible for drafting the easement and the payment of all easement recording costs. The District shall bear no costs or expenses for the drafting and recording of the easements. All easements shall be in a form acceptable to the District.

7. As conditioned herein, the District shall be responsible for design, approval, and installation of the forcemain. The forcemain shall be terminated 10 feet from the valve vault of the lift station.

8. The District will follow all prevailing design criteria adopted by the Board for the design and installation of the forcemain. The design engineer employed by the District, may recommend deviations from the design criteria for the Board's consideration.

9. Nothing in this Resolution shall act to invalidate or modify the requirements of District Ordinance 10.

10. This Resolution shall take effect on passage.

11. This Resolution is authorized by South Dakota Codified Laws including, but not limited to, SDCL 34A-5-29.

If any one or more of the provisions above shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

PASSED AND ADOPTED by the Board of Trustees of the Spring Creek/Cow Creek Sanitary District on the ___ day of June 2026.

Kathleen Schuh
President, Board of Trustees

ATTEST:

JJ Linn
District Clerk