

6/6/2022

Board of Directors

Lake Madison Sanitary District 23493 457th Ave

Madison SD 57042

Dear Sirs,

Enclosed please find a copy of a bill sent to Mike Reecy, 6582 Peninsula Point for repairing damage to a sewer line that resulted from your company failing to mark the sewer services on a job we did for Midco in the area. If any of you were on the board at the time, you will remember this situation. If not, here is a brief history. We performed a project for Midco in the area and your man, Scott decided he wasn't going to mark the services to the houses for whatever reasons. South Dakota One Call Law clearly states that in response to our One Call Locate Request, these lines should have been marked. As a result of them not being marked, we damaged several. One was at Ed Arshem's house and the other at Daryl and Penny Paklik's home. Because of the refusal by Scott to do what was required by One Call Law and subsequent refusals to accept responsibility for the damage caused, we decided to file complaints with the South Dakota One Call. In order to protect ourselves from other claims, we felt our only option was to file complaints on each of the 75 plus homes passed. The folks at the One Call weren't thrilled with the idea of having to deal with such a large number of complaints, but agreed it was the best option given the circumstances. I communicated all this to your attorney and after several conversations, he agreed (for you) to cover the damages caused during this project in exchange for our not filing the complaints. Your sewer district paid for Arshem's and Paklik's damage bills as agreed. I told your attorney that you would likely see one or two more over the next few years and that proved true. I was told that Scott had received this bill but Mr. Reecy has not heard from you folks. Please contact Mr. Reecy and let him know when he may expect payment.

Thank You,

Keith Toczek