

**AGENDA  
CITY OF MILLER  
MONDAY, JUNE 4, 2018  
7:00 P.M.**

**Call to Order**

**Pledge of Allegiance**

**Approval of Agenda**

**Approval of Minutes pgs. 1 - 3**

**Approval of Bills**

**Public Input**

**Department Head Reports pgs. 4 - 6**

**New Business**

1. Arbogast Easement/Building Permit pgs. 7 - 9
2. Kienow Alley Concerns
3. Project Skills Employee pg. 10
4. Summer Employee Wage Question pg. 11
5. Dave Nelson – Solar Panels pgs. 12 - 14
6. Elected Officials Workshop pg. 15
7. Debit/Credit Workshop pg. 16
8. Water & Sewer Project Pay Request  
Menning Backhoe LLC - \$157,181.14 pgs. 17 - 18
9. Liquor License Changes pg. 19
10. Building Permit: Jade VanZee - shed

**Executive Session**

Personnel Matters Pursuant to SDCL 1-25-2(1)

**Adjourn**

**CITY OF MILLER**  
**CITY COUNCIL MEETING**  
**MAY 21, 2018**

*The City of Miller is an equal opportunity employer.*

The City Council met in regular session at the community center at 7:00 p.m. on Monday, May 21, 2018.

**MEMBERS PRESENT:** Mayor Ron Blachford, Aldermen: Jim Odegaard, Tony Rangel, Jeff Swartz, and Joe Zeller. Alderwoman SuAnne Meyer. Absent: Alderman Bob Steers.

**CALL TO ORDER:** Mayor Blachford called the meeting to order.

Pledge of Allegiance was said by all present.

**AGENDA:** Motion by Alderman Odegaard, seconded by Alderman Zeller to approve the agenda as amended. All members voted aye. Motion carried.

**MINUTES:** Motion by Alderwoman Meyer, seconded by Alderman Swartz to approve the minutes for the regular meeting held on May 7, 2016. All members voted aye. Motion carried.

**APPROVAL OF BILLS:** Motion by Alderman Odegaard seconded by Alderman Rangel to approve the bills. Alderwoman Meyer mentioned that we should only pay C&C \$15.00 for the customer service and leadership classes as we are members of the C&C. Sheila Coss will check into this. All members voted aye. Motion carried.

**PUBLIC INPUT**

Alderwoman Meyer mentioned the article in the *South Dakota Municipalities* magazine regarding our electric department. Miller has enjoyed some of the lowest if not the lowest rates in South Dakota. Miller is currently the second lowest electric rate in South Dakota. Alderman Zeller, "Atta boy, Bill." Mayor Blachford, "Congratulations to Bill Lewellen."

**UNFINISHED BUSINESS**

**Hire Summer Help:** Motion by Alderwoman Meyer, seconded by Alderman Odegaard to hire the following summer help according to Resolution 2018-1: Brittany Forman for the street department and Shana Green and Kylie Oligmueller as lifeguards. All members voted aye. Motion carried.

**SPN Invoice #17216:** Motion by Alderman Swartz, seconded by Alderman Zeller to pay SPN Invoice #17216 for \$1,505.00. All members voted aye. Motion carried.

**NEW BUSINESS**

**Kirk McClymont – KALM Energy:** Kirk McClymont from KALM Energy presented the idea of having liquid natural gas available to the Miller community.

**Jared Luze – DGR Engineering:**

**Electric Project Supply Bid Award:** Motion by Alderwoman Meyer, seconded by Alderman Rangel to accept the engineer's recommendations for the following bids: Bid No. 1 – Primary Power Cable: to WESCO of Sioux City, IA with cable manufactured by Okonite for \$239,619.00. Bid No. 2 – Padmount Switchgear: Irby Utilities (Irby) of Rapid City, South Dakota providing the low bid. Irby's bid includes switchgear manufactured by S&C for \$103,885.00. Bid No. 3 – Single Phase (1Ø) Padmount Distribution Transformers and Boxpads: Rural Electric Supply Cooperative (RESCO) of Moorhead, Minnesota providing the low bid with transformers manufactured by ERMCO for \$168,624.10. Proposal No. 4 – Three Phase (3Ø) Padmount Distribution Transformers and Boxpads: Rural Electric Supply Cooperative (RESCO) of Moorhead, Minnesota providing the low bid. RESCO's bid includes transformers manufactured by ERMCO for \$145,566.20. Total of all contracts will be \$657,694.30. This is below the engineer's estimate of \$834,499.00. All bids are available to view at city hall. Roll call vote: Alderwoman Meyer – aye, Alderman Rangel – aye, Alderman Odegaard – aye, Alderman Zeller – aye, Alderman Swartz – aye, Alderman Steers – absent. Motion carried.

**Miller Substation & Transmission Line:** Motion by Alderman Rangel, seconded by Alderman Odegaard to have American Engineering Testing, Inc. do the Geotechnical

Exploration for the new substation and transmission line for \$6,900.00. All members voted aye. Motion carried.

**Advertise for Bids for Electric Power Transformer:** Motion by Alderman Zeller, seconded by Alderman Swartz to advertise for bids for the Electric Power Transformer to be opened June 13, 2018, at 3:00 p.m. All members voted aye. Motion carried.

**DGR Electric Project Invoices:** Motion by Alderman Rangel, seconded by Alderman Odegaard to pay DGR invoices 229291 – 229294 for a total of \$29,371.39. All members voted aye. Motion carried.

**DOT Agreement:** Motion by Alderman Swartz, seconded by Alderman Odegaard to have Mayor Blachford sign the DOT Agreement to evaluate the need for new signs, existing signs and posts on participating roads at no cost to the city. All members voted aye. Motion carried.

**SPN – Engineer Agreement Amendment No. 2:** Motion by Alderman Rangel, seconded by Alderwoman Meyer to approve the SPN engineer agreement amendment # 2 for Phase I. All members voted aye. Motion carried.

**SPN – Water/Sewer Phase II Preconstruction meeting:** A preconstruction meeting for Phase II of the water/sewer project will be held at city hall (firehall if city hall is unavailable) on May 31 at 10:00 a.m.

**Building Permits:** Motion by Alderman Rangel, seconded by Alderman Odegaard to approve a building permit for Jim & Marilyn Dyer to replace a deck contingent upon Terry Manning's approval. All members voted aye. Motion carried.

**Code Enforcer:** Motion by Alderman Odegaard, seconded by Alderman Rangel to have code enforcer, Mike Olson, send out his recommended notices and to allow him to send future notices without prior council approval as long as the list is sent to council members. All members voted aye. Motion carried.

**Keith Blachford House:** Mayor Blachford left at 8:05 prior to discussion, Alderman Rangel presided over the meeting. Keith Blachford was present to voice his concerns regarding damage to his basement last fall as a result of the project. Motion by Alderwoman Meyer, seconded by Alderman Odegaard to withhold sufficient funds to cover the repairs from the contractor's next pay request pending attorney approval. All members voted aye. Motion carried.

Motion by Alderman Zeller, seconded by Alderwoman Meyer to adjourn the meeting. There being no further business, the meeting was adjourned at 8:36 p.m. All members voted aye. Motion carried.

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Ronald Blachford, Mayor

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Sheila Coss, Finance Officer

LEGAL NOTICE OF RECEIPT

Copy of the official proceedings

was received on: \_\_\_\_\_

Published once at the

approximate cost of: \_\_\_\_\_

**Bills May 2018 (2)**

B & L Communications	Service	185.00
Best Western Ramkota Hotel	Lodging	173.98
BSE	Supplies	175.34
Creative Product Sourcing	Supplies	147.15
DGR Engineering	Cap Imp	29,371.39
Donlin Building Inc	Supplies	84.95
Elan	Supplies	1,161.35
Fastenal Company	Supplies	19.21
Hand County Publishing	Publications	212.72
Heartland Consumers Power Dist	Power	53,319.46
Hughes Electric	Repairs	4,978.93
Larry's Repair	Repairs	150.00
Bill Lewellen	Reimb	425.99
Light and Siren	Equipment	5,557.34
MARC	Supplies	189.13
Miller C & C	Training	30.00
Miller Rexall Drug	Supplies	5.49
Oakley Farm & Ranch Supply	Supplies	116.43
OCCS	Code Enforcement	1,417.00
OHED	Industry	663.10
Petty Cash	Postage	40.85
Prairieland Collections Inc	Prof Fees	45.00
Rural Development	Loans	16,403.00
SD Dept of Labor & Regulation	Penalty	25.00
SD Dept of Revenue	Sales Tax	13,580.47
Stobbs Sales Inc	Repairs	131.13
**** Paid Total ****		<u>\$128,609.41</u>

<b>Payroll by Department:</b>		5/15/2018		
	Department	w/o OT	OT	Total
41410	FINANCE OFFICE	1,206.29		1,206.29
42110	POLICE	10,228.80	673.85	10,902.65
43110	STREET	4,803.57	53.21	4,856.78
43210	SEWER	4,899.88	865.57	5,765.45
43310	WATER	4,899.80	865.56	5,765.36
43410	ELECTRIC	10,430.00		10,430.00
		<u>\$36,468.34</u>	<u>\$2,458.19</u>	<u>\$38,926.53</u>

**City Council Meeting  
Department Head Reports  
June 4, 2018**

**Police Department Report**

1. On May 29, 2018, the officers attended firearms training. Trooper John Schroeder was the instructor.
2. On May 14, 2018, Officer Henrickson had D.A.R.E. graduation for the 5<sup>th</sup> grade class at Miller Elementary.
3. The police department is participating in the Mobilization "Click It or Ticket". The Mobilization period goes from May 14 to June 3.
4. On May 26, 2018, Officer Jim Henson assisted the Hand County Sheriff's Office with a sobriety checkpoint.

**Street Department Report**

**Water Department Report**

**Electric Department Report**

1. Easements for project.
2. Installing bollards around transformers.
3. Installed 40 LED lights on back streets
  - a. Back streets are done. We will start on the highways next summer.
4. Retiring old sub one.

**Finance Office Report**

1. Sales Tax Report – see attachment
2. Cindy and I will attend HR/FO School in Sioux Falls this week, June 5-June 8.

<b>Sales Tax Comparison</b>			
	<b>2018</b>	<b>2017</b>	15% to On Hand
January	\$23,299.28	\$28,271.75	\$9,553.43
	\$40,390.23	\$38,297.36	
February	\$30,619.20	\$18,302.51	\$4,592.88
		<del>\$46,394.38</del>	
March	<del>\$36,729.22</del>		\$14,015.56
	\$9,159.84	\$17,918.19	
	\$47,548.01	\$38,845.19	
April	\$4,420.67	\$17,266.97	\$663.10
May	\$40,241.28	\$40,653.33	\$2,588.80
	\$17,258.69	\$20,161.74	
June	<del>\$41,913.78</del>	\$38,664.67	\$6,287.37
July			\$0.00
August			\$0.00
September			\$0.00
October			\$0.00
November			\$0.00
December			\$0.00
<b>Total</b>	<b>\$291,582.20</b>	<b>\$304,776.09</b>	<b>-4.33%</b>
		up/down from last year	<b>-\$13,193.89</b>

**Received \$9,079.92 due to an audit.**

## Gross Receipts Tax - Split Fund 211

Month	Current Year		
	Total	City 20%	OHED 80%
JAN	\$3,066.71 \$980.65	\$613.34 \$196.13	\$2,453.37 \$784.52
FEB	\$2,367.74	\$473.55 \$0.00	\$1,894.19 \$0.00
MAR	<b>\$1,414.71</b> \$955.73 \$1,937.96	<b>\$282.94</b> \$191.15 \$387.59	<b>\$1,131.77</b> \$764.58 \$1,550.37
APR	\$800.69	\$160.14 \$0.00	\$640.55 \$0.00
MAY	<b>\$1,100.27</b> \$1,739.43	<b>\$220.05</b> \$347.89 \$0.00	<b>\$880.22</b> \$1,391.54 \$0.00
JUN	<del>\$1,472.87</del>	<del>\$294.57</del> \$0.00 \$0.00	<del>\$1,178.30</del> \$0.00 \$0.00
JUL		\$0.00 \$0.00	\$0.00 \$0.00
AUG		\$0.00 \$0.00	\$0.00 \$0.00
SEP		\$0.00 \$0.00	\$0.00 \$0.00
OCT		\$0.00 \$0.00	\$0.00 \$0.00
NOV		\$0.00 \$0.00	\$0.00 \$0.00
DEC		\$0.00 \$0.00	\$0.00 \$0.00
	<b>\$15,836.26</b>	<b>\$3,167.25</b>	<b>\$12,669.01</b>

\$2,280.06	\$456.01	\$1,824.05
\$1,413.45	\$282.69	\$1,130.76
\$1,928.34	\$385.67	\$1,542.67
\$1,355.06	\$271.01	\$1,084.05
\$1,262.77	\$252.55	\$1,010.22
\$1,250.08	\$250.02	\$1,000.06
<del>\$2,344.60</del>	<del>\$468.90</del>	<del>\$1,875.69</del>
	\$0.00	\$0.00
<del>\$1,633.92</del>	<del>\$326.78</del>	<del>\$1,307.14</del>
<del>\$1,294.66</del>	<del>\$258.93</del>	<del>\$1,035.73</del>
	\$0.00	\$0.00
<del>\$1,588.88</del>	<del>\$317.77</del>	<del>\$1,271.11</del>
\$1,665.77	\$333.15	\$1,332.62
\$1,287.10	\$257.42	\$1,029.68
<del>\$2,607.14</del>	<del>\$521.43</del>	<del>\$2,085.71</del>
	\$0.00	\$0.00
<del>\$2,254.33</del>	<del>\$450.87</del>	<del>\$1,803.46</del>
\$1,432.90	\$286.58	\$1,146.32
\$1,923.60	\$384.72	\$1,538.88
	\$0.00	\$0.00
	\$0.00	\$0.00
\$576.75	\$115.35	\$461.40
\$1,452.73	\$290.55	\$1,162.18
	\$0.00	\$0.00
\$1,797.07	\$359.41	\$1,437.66
\$1,429.41	\$285.88	\$1,143.53
	\$0.00	\$0.00
\$2,364.16	\$472.83	\$1,891.33
\$1,563.89	\$312.78	\$1,251.11
<b>\$41,042.07</b>	<b>\$8,208.41</b>	<b>\$32,833.66</b>

Difference from Previous Year		
Total	-415.28	-2.56%
City	-83.06	-2.56%
OHED	-332.22	-2.56%

Pay OHED through AP using expense code: 211-4651-4510

OHED 80%

Check # \_\_\_\_\_

Check Date \_\_\_\_\_

APR \$880.22

MAY \$1,391.54

**\$2,271.76**

Prepared by:  
Anson Law Office  
Elton R. Anson  
Attorney at Law  
214 North Broadway  
Miller, SD 57362  
Ph: 605-853-0000

## EASEMENT AGREEMENT

THIS AGREEMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2018, between the City of Miller, a municipal corporation, 120 1st St W, Miller, SD 57362, (herein after referred to as "Grantor"), and Larry D. Arbogast and Janice R. Arbogast of 325 W 2<sup>nd</sup> St, Miller, SD 57362, (hereinafter referred to as "Grantees"), their successors and assigns.

### RECITALS

WHEREAS, Grantor owns certain real estate located in the City of Miller, Hand County, South Dakota, referred to as:

The West Twenty-six (26) feet of the boulevard adjacent to Lot Eleven (11), Block Twenty-two (22), Eudell J. Miller's Addition to the City of Miller.

WHEREAS, Grantees seek a temporary easement through and within the above property, for the purpose of constructing and maintaining a fence that will be situated along the West and North Sixty (60) feet of said Lot 11, adjacent to West 3<sup>rd</sup> Avenue and approximately Twenty (20) feet from Grantees' property line.

In consideration of the mutual promises and obligations contained herein, the Grantor and Grantee hereby covenant and agree as follows:

#### 1. GRANT OF EASEMENT.

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants unto Grantee, their successors and assigns, a temporary easement for the life of the above described fence.

The temporary easement is hereby given and granted for the sole purpose of constructing and maintaining said fence.



2. BINDING EFFECT.

The rights and responsibilities set forth in this Agreement shall insure to and bind the parties hereto, their heirs, representatives, successors, and assigns and also constitute covenants running with the land.

IN TESTIMONY WHEREOF, the parties hereto have set their hands the day and year first above written.

CITY OF MILLER

BY: \_\_\_\_\_  
Ronald Blachford, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Coss, City Finance Officer

\_\_\_\_\_  
Larry D. Arbogast

\_\_\_\_\_  
Janice R. Arbogast

STATE OF SOUTH DAKOTA    )  
                                          )  
COUNTY OF HAND            )

On this the \_\_\_\_ day of \_\_\_\_\_, 2018, before me, the undersigned officer, personally appeared Larry D. Arbogast and Janice R. Arbogast, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

(SEAL)

\_\_\_\_\_  
Notary Public: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

# *Jacob Gaspar*

428 East 10<sup>th</sup> Ave.  
Miller, SD 57385

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## **WORK EXPERIENCE:**

**Greenline Implement  
Miller, SD 57350**

Various warehouse duties including breaking down boxes, stacking pallets, housekeeping chores and stocking products.

**Various tasks on the ranch helping his father.**

## **EDUCATION:**

Upcoming senior at Miller High School,  
Miller, SD

## **Extracurricular activities:**

Band and various sports

**References: Upon request**

SEASONAL EMPLOYEES

10% CDL/WSI

Base Pay	\$8.85	(No Experience)	\$9.74
Returning with 1 year longevity	\$9.03	(Base plus 2% of Base)	\$9.93
Returning with 2 years longevity	\$9.20	(Base plus 4% of Base)	\$10.12
Returning with 3 years longevity	\$9.38	(Base plus 6% of Base)	\$10.32
Returning with 4 years longevity	\$9.56	(Base plus 8% of Base)	\$10.52
Returning with 5 years longevity	\$9.74	(Base plus 10% of Base)	\$10.71

Ron,

The City of Miller has reviewed the application from Dave Nelson for a cogeneration , small power production facility (solar panels). The application will be approved pending an inspection and approval of the interconnection system and metering by the State of South Dakota electrical inspector.

Mayor Ron Blachford

APPLICATION FOR  
**COGENERATION AND SMALL POWER PRODUCTION FACILITIES**

Return Completed Application to: City of Miller  
120 West 2nd Street  
Miller, SD 57362

Customer's Name: Dave Nelson  
Address: 603 E. 1st St Miller, SD 57362  
Contact Person: Dave Nelson  
Telephone Number: 605-204-0016  
Service Point Address: 603 E. 1st St Miller, SD 57362

Information prepared and submitted by: Ron Disbrow  
Name, address, phone number if other than Customer: 47908 oak Ridge  
Pk. Harrisburg, SD 57032 605-929-9692

Ron Disbrow  
Signature

The following information shall be supplied by the Customer or Customer's designated representative. All applicable items must be accurately completed in order that the Customer's generating facilities may be effectively evaluated by the City or interconnect with the utility system.

**GENERATOR**

Number of Units: 2 Inverters  
Manufacturer: SolarEdge  
Type:  Synchronous  Induction  Inverted  
Fuel Source Type (Solar, Natural Gas, Wind, etc.): Solar  
Kilowatt Rating (95 F at location): 11.52  
Kilovolt-Ampere Rating (95 F at location): 11.52  
Expected Capacity Factor 11.52  
Power Factor: >.99 Voltage Rating: 240 Ampere Rating: 48  
Number of Phases: 1 $\phi$  Frequency: 60

Do you plan to export power:  yes  no

If yes, maximum amount expected: 11 kw

Pre-Certification Label or Type Number: N/A

Expected Energizing and Start-up Date: June 8

Normal Operation of Interconnection: (examples: provide power to meet base load, demand management, standby, back-up, other (please describe): meet base load and store in battery for night use and backup

For cogeneration facilities, what is the estimated frequency and duration of the Customer needing to call on the City for power? N/A

One-line diagram attached:  yes

Has the generator manufacturer supplied its dynamic modeling values to the City?  
 yes (Note: Requires a yes for complete application. For Pre-Certified Equipment, answer is yes.)

Layout sketch showing lockable, "visible" disconnect device:  yes  
will be located where utility requests

CUSTOMER XXXXXXXXX

Dave Nelson  
Customer Name

By: Dave Nelson By: \_\_\_\_\_

Title: owner Title: \_\_\_\_\_

Date: 5-18-18 Date: \_\_\_\_\_

# SOUTH DAKOTA MUNICIPAL LEAGUE

## 2018 Elected Officials Workshop

Wednesday, July 18, 2018

Ramkota Hotel and Conference Center • Pierre, SD

### Agenda

- 9:00 a.m.     **Registration – outside Amphitheater II**
- 9:30 a.m.     **Welcome and Introduction to the League – Amphitheater II**  
*Lori Martinec, Director of Research and Training, South Dakota Municipal League*
- 9:35 a.m.     **Snapshot of Liability and Work Comp Issues – Amphitheater II**  
*Lynn Bren, Director of Member Services, SD Public Assurance Alliance*  
*Brad Wilson, CIC, AIC, SDWCS, Administrator, SDML Work Comp Fund*
- 10:30 a.m.    **Municipal Officials and Employees – Amphitheater II**  
*Laurie Gronlund, Human Resource Director, City of Pierre*
- 11:00 a.m.    **Liquor Licensing and Laws – Amphitheater II**  
*Jason Evans, Deputy Director, Property and Special Taxes Division, SD Department of Revenue*
- 11:45 a.m.    **Lunch (provided) – Galleries DEF&G**
- 12:30 p.m.    **Financial and Compliance Matters - Amphitheater II**  
*Rod Fortin, Director of Local Government Assistance, South Dakota Department of Legislative Audit*
- 2:00 p.m.     **Open Meetings and Executive Sessions - Do's and Don'ts – Amphitheater II**  
*Steven Blair, Assistant Attorney General, Office of the Attorney General*
- 3:00 p.m.     **Conflict of Interest for Municipal Officials – Amphitheater II**  
*Steven Blair, Assistant Attorney General, Office of the Attorney General*
- 3:30 p.m.     **Adjourn**



# SOUTH DAKOTA MUNICIPAL LEAGUE

## 2018 Municipal Debit/Credit Workshop

June 27, 2018

Ramkota Hotel and Conference Center • Pierre, SD

**Course Description:** This one day workshop is designed for new finance officers, but has proven beneficial for veteran business officials and office support staff as well. The focus for this workshop will be the logical flow of information through the accounting system to the annual report, internal controls and documentation. Budget and legal compliance will be addressed throughout each segment of the workshop.

**Agenda: 8:00 AM – 4:30 PM (Lunch Provided)**

- Accounting Overview
- Governmental Accounting Principles
- Computerized and Manual Accounting Systems
- Budgets and Budgetary Accounting
- Taxes Receivable
- Revenues
- Expenditures
- General Journal/General Ledger
- General Long-Term Debt
- Capital Asset Accounting
- Annual Report



**Presenter:** Rod Fortin, Director of Local Government Assistance, Department of Legislative Audit  
Rod has audited and provided financial and compliance assistance to cities, counties, schools and other local governments for over 20 years.

**Municipality:** \_\_\_\_\_

Please Print Name and Title:

Name	Title	Email
_____	_____	_____
_____	_____	_____
_____	_____	_____

Number Attending \_\_\_\_\_ @ \$25.00 each = \$ \_\_\_\_\_  
\*Make checks payable to SDML, Sorry no credit cards accepted.

Please return this form and payment by **June 15, 2018\*** to: South Dakota Municipal League  
208 Island Drive  
Fort Pierre, SD 57532  
\*No refund will be given after June 15, 2018

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<b>SDML OFFICE USE ONLY:</b> DATE: _____ CHECK #: _____ AMOUNT: _____
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# Contractor's Application For Payment No. Nine

Application Period: December 21, 2017 TO May 26, 2018 Application Date: May 29, 2018	From (Contractor): Menning Backhoe LLC Via (Engineer): SPN & Associates Engineers Project No.: 14607	
To (Owner): City of Miller Contract: Bid Schedules A - D with Alternate 1		
Project: Phase 1 Utilities Improvements		

### APPLICATION FOR PAYMENT

#### Change Order Summary

Approved Change Orders	Number	Additions	Deductions
One	\$	139,888.91	
Two	\$	8,744.00	
Three	\$	2,183.96	
Four	\$	60,482.67	
Five	\$	25,603.67	
		<b>TOTALS \$</b>	<b>236,903.21 \$</b>
		<b>NET CHANGE BY</b>	<b>236,903.21</b>
		<b>CHANGE ORDERS</b>	

#### CONTRACTOR'S CERTIFICATION

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: \_\_\_\_\_ Date: \_\_\_\_\_

1. ORIGINAL CONTRACT PRICE..... \$ 5,046,534.99
2. Net change by Change Orders..... \$ 236,903.21
3. Current Contract Price (Line 1 ± 2)..... \$ 5,283,438.20
- 4 a. Total Completed to Date..... \$ 3,133,781.57
- b. Total Material Remaining in Storage..... \$ 137,652.62
- c. Value of Non-Conforming Work..... \$
- d. (Total Value of Work completed and Material Stored to Date)..... \$ 3,271,434.19
5. RETAINAGE:
  - a. 2 % x \$ 1,802,941.88 Work & Materials B.S.A, C & D.. \$ 36,058.84
  - b. 5 % x \$ 1,468,492.31 Work & Materials B.S.B..... \$ 73,424.62
  - c. Total Retainage (Line 5a +Line 5b)..... \$ 109,483.45
6. AMOUNT ELIGIBLE TO DATE (Line 4d-Line 5c)..... \$ 3,161,950.74
7. PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 3,004,769.60
8. AMOUNT DUE THIS APPLICATION..... \$ 157,181.14
9. BALANCE TO FINISH, PLUS RETAINAGE  
 (Total Contract Price Less Line 5c above)..... \$ 2,121,487.46

Payment of: \$ 157,181.14  
 (Line 8 or other-attach explanation of other amount)

is recommended by: \_\_\_\_\_  
 (Engineer)

Payment of: \$ 157,181.14  
 (Line 8 or other-attach explanation of other amount)

is approved by: \_\_\_\_\_  
 (Owner)

Approved by: \_\_\_\_\_  
 Funding Agency (if applicable)

# Contractor's Application For Payment No. Nine

Period Ending: 5/26/2018

## Project Summary

	Contract Amounts	Current Project Value	Current Status	Retainage	Previous Payment	Amount Due	Rural Development	DWSRF
Bid Schedule A	\$1,523,489.98	\$1,524,689.53	100%	\$30,493.79	\$1,488,450.54	\$5,745.20	\$3,517.47	\$2,227.73
Bid Schedule B	\$3,481,695.87	\$1,330,839.69	38%	\$66,541.98	\$1,122,573.43	\$141,724.28	\$126,239.81	\$15,484.46
Bid Schedule C	\$225,815.50	\$225,815.50	100%	\$4,516.31	\$221,299.19		\$0.00	\$0.00
Bid Schedule D	\$52,436.85	\$52,436.85	100%	\$1,048.74	\$51,388.11	\$0.00	\$0.00	
Materials Stored		\$137,652.62		\$6,882.63	\$121,058.33	\$9,711.66	\$5,174.44	\$4,537.22
<b>Total</b>	<b>\$5,283,438.20</b>	<b>\$3,271,434.19</b>	<b>62%</b>	<b>\$109,483.45</b>	<b>\$3,004,769.60</b>	<b>\$157,181.14</b>	<b>\$134,931.72</b>	<b>\$22,249.41</b>

**Sec. 8-37. - Special event alcoholic beverage licenses.**

Pursuant to SDCL 35-4-124 and 35-4-125, the city regulates and restricts permits for special alcohol beverage licenses issued in conjunction with special events. The following provisions shall apply:

- (1) Any license issued pursuant to SDCL 35-4-124 shall be issued for a period of time established within the sole discretion of the city council.
- (2) No person or organization may be issued a permit pursuant to SDCL 35-4-124 more than ten times any one calendar year.
- (3) The license must comply with the regulations set forth on the application and all applicable state laws set forth in SDCL 35-4 and chapter 5.04 [this article] concerning alcoholic beverages.
- (4) The fee for a license issued shall be as provided in the city fee schedule per event which must accompany the special alcoholic beverage license application.
- ~~(5) A public hearing is required before approval and issuance of any license.~~
- (6) A valid copy of certificate of insurance or letter from insurer confirming the policy is in place naming the city as an additional insured for the activities described in the special event application.
- (7) Applicant must provide security guards to help police the area where alcoholic beverages are sold and served.

(Code 1989, § 5.04.170; Ord. No. 634, 3-5-2012)

**SUNDAY SALES RESTRICTIONS** will be lifted by State Law beginning July 1, 2018. Do we want to continue to enforce the current restrictions?

If we remove the Sunday Sales restrictions, will we increase the cost for each type of license by the amount of our current Sunday Sales fees?

Alcoholic Beverage Licenses:	
On-sale Liquor	1,000.00
Off-sale Liquor	250.00
On/Off-sale Wine	500.00
On-sale for Sundays - wine	250.00
On-sale for Sundays - liquor	200.00
Off-sale for Sundays - liquor	250.00
On/Off-sale Malt Beverage	300.00
Off-sale Malt Beverage	200.00
Liquor License Transfer	150.00
Special event - per event	50.00
Special city council meeting for special event license	350.00