

**AGENDA
CITY OF MILLER
MONDAY, JULY 21, 2014
7:00 P.M.**

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes pgs. 1-3

Approval of Bills

Department Head Reports pgs. 4

New Business

1. Budget/Rate increases/COL increases/Finance Office Raises
2. First Reading of Ordinance #650 – Municipal Gross Receipts Tax pg. 5
3. Building Permits: Andy Poindexter – move shed; Larry Anglin - shed
4. Police Department Radio
5. Annual Conference – Spearfish, October 7-10 pg. 6
6. Reschedule Next Meeting – Tuesday, September 2, 2014
7. Dilapidated Houses
8. Resignation/Appointment of Council Member

Adjourn

Never let the urgent crowd out the important. Kelly Catlin Walker

**CITY OF MILLER
CITY COUNCIL MEETING
AUGUST 4, 2014**

The City Council met in regular session at City Hall at 7:00 p.m. on Monday, August 4, 2014.

MEMBERS PRESENT: Mayor Ron Blachford, Aldermen Tony Rangel, Jim Odegaard, Joe Zeller, and Tom Winsell; Alderwomen Mary Johnson and Kristin Kolda (Hargens).

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

Pledge of Allegiance was said by all present.

MINUTES: Motion by Alderwoman Johnson, seconded by Alderman Zeller to approve the minutes for the regular meeting held on July 21, 2014. All members voted aye. Motion carried.

AGENDA: Motion by Alderman Zeller, seconded by Alderman Rangel to approve the agenda. All members voted aye. Motion carried.

APPROVAL OF BILLS: Motion by Alderwoman Johnson, seconded by Alderman Rangel to approve the bills. All members voted aye. Motion carried.

PUBLIC INPUT

Joe Beranek was present to mention that the most recent lease for the golf course is dated 1986 and needs to be updated. We will contact our attorney for a new lease and put it on a future agenda to be approved. Norma Gortmaker spoke on behalf of her family regarding their concerns about the trees that are covering the electrical wires to their parents' house and Bob's Drive-In as well as the motorhomes that are parked near their property that have not been licensed for several years. Alderman Rangel will contact Bill Lewellen regarding the trees and electrical wires and stated that we will be working on sending letters to property owners that have "abandoned" vehicles.

NEW BUSINESS

Swim Team – Triathlon & Pool Pass: Mark Ketelhut was present to ask for the city's support for the Miller Swim Club fundraiser. Motion by Alderwoman Johnson, seconded by Alderwoman Kolda to approve use of the pool and donation of a 2015 Family Pool Pass for the fundraiser to be held August 9, 2014. All members voted aye. Motion carried.

2015 Donation Requests: The following entities were present to ask for assistance from the city in 2015: Hand County Historical Society - \$2,400.00 donation and \$2,400.00 utility assistance; Hand County Library - \$540.00 utility assistance; Hand in Hand Daycare - \$875.00 utility assistance; Helping Hands - \$600.00 utility assistance; Miller Baseball Association - \$4,000.00; Miller Youth Golf Program - \$1,000.00; Miller Fire Department for fireworks - \$2,000.00; On Hand Economic Development - \$132,000.00; Volunteers of America/RSVP - \$1,000.00; Wheels and Meals - \$2,000.00. These requests will be forwarded to the committees for review with budgets.

Airport Fall Seminar: Motion by Alderman Rangel, seconded by Alderman Odegaard to have James Bonebright attend the Fall Airport Conference in Bismarck, ND September 22-23, 2014. We will be receiving funds from the Federal Government in 2014 and 2015 to redo our runway according to FAA standards. All members voted aye. Motion carried.

Building Permits: Motion by Alderman Odegaard, seconded by Alderman Zeller to approve the following building permits: Roger Bowar – remove trailer house and W. Darlene Cox – fuel tank cover. All members voted aye. Motion carried.

Helms & Associates Pay Request: Motion by Alderwoman Odegaard, seconded by Alderwoman Kolda to approve a pay request from Helms & Associates for \$11,827.40 for the airport runway design. All members voted aye. Motion carried.

Infra-Track Pay Request: Motion by Alderwoman Kolda, seconded by Alderwoman Johnson to approve a pay request from Infra-Track in the amount of \$55,272.15 for the sewer/storm sewer cleaning and camera project. All members voted aye. Motion carried.

DENR Water System Evaluation: No action necessary upon review of the DENR Water System Evaluation.

KBA Audit Review: Motion by Alderman Rangel, seconded by Alderman Odegaard to approve the audit completed by Kohlman, Bierschbach & Anderson and give the mayor permission to give written comments as deemed necessary. All members voted aye. Motion carried.

Motion by Alderman Zeller, seconded by Alderman Winsell to adjourn the meeting. There being no further business, the meeting was adjourned at 8:06 p.m. All members voted aye. Motion carried.

Ronald Blachford, Mayor

Sheila Coss, Finance Officer

LEGAL NOTICE OF RECEIPT:

Copy of the official proceedings

was received on: _____

By: _____

Bills August 2014 (1)

3D Communications	Radio, Antenna	\$818.92
Associated Supply Co, Inc	Powder, Reagent	\$47.66
AT&T Mobility	Cell Phone	\$91.69
Boney's Parts Plus	Weedeater Repair	\$50.20
Brad Manning Digging & Septic	Jet Lewellen & Degeest	\$180.00
Brown County Sheriff's Office	Prof Fees	\$26.29
Builders Cashway Inc	Paint, Supplies	\$664.64
City Utilities	Utilities	\$204.20
Delta Dental	Ins	\$1,070.45
Donlin Building Inc	Flat, O2 Tank	\$31.25
EFTPS	FICA	\$8,699.83
Fastenal Company	Spindle, Rain Suits	\$310.00
Flint Hills Resources, LP	Asphalt	\$16,396.78
Hawkins Inc	Azone	\$1,661.71
Helms & Associates	Runway Design	\$11,827.40
Hughes Electric	Power Outlet	\$225.18
Infra-Track Inc	Televising	\$55,272.15
Mid-American Research Chemical	Spray Paint	\$268.58
MicroFix Inc	Computer Repair	\$60.00
Milbank WinWater Company	Supplies	\$1,773.64
Nationwide Retire Solutions	Ins	\$105.30
Olson Construction	Asphalt Replacement	\$2,504.09
Rural Development	Loan	\$4,514.00
SD Dept of Health	Tests	\$264.00
SD Dept of Public Safety	Teletype Service	\$2,340.00
SD Dept of Revenue	Sales Tax	\$8,288.03
SD Retirement	Retirement	\$10,580.57
Stobbs Sales Inc	14 Silverado Running Boards Mud Flaps	\$600.00
Storey Kenworthy	Laser Util Bills	\$438.63
TransAmerica	Ins	\$1,495.18
Unum	Ins	\$87.00
VSP	Ins	\$216.60
Washington National Ins Co	Ins	\$40.30
Wellmark BCBS	Ins	\$7,070.50
Wells Fargo Bank, N.A.	Bond Pymt	\$33,553.36
Payroll Checks		\$26,899.06
**** Paid Total ****		<u>\$199,877.70</u>

Police Department Report

The DOT has asked us to help monitor the State Highways in town for the "Sandwich Signs" that announce community events. They are no longer allowed to be placed in the middle of the street. The signs can be placed on the sidewalks.

The police department will be participating in the mobilization campaign "Labor Day-Drunk Driving Enforcement Crackdown. The mobilization goes from August 13-September 1. During this time an extra officer will be out from time to time enforcing the safety laws. Officer's time will be paid for by the Overtime Grant I received last October.

I had a Firearms qualification shoot scheduled for the officers on August 13, 2014. The Firearms instructor had another commitment that day. I plan on setting something up in September.

Report to Council Street Department August 14, 2014

We have been busy getting the streets ready to oil.

We hot mixed some areas where there were problems holding the street together.

We have been fogging mosquitoes because the number of Culex Tarsalis mosquitoes is relatively high but each week the numbers are falling.

When we send the mosquitoes in to be tested for West Nile we send them in bottles of up to 50. (SD Dept. of Health wants us to send them that way) So far, of all vials of mosquitoes sent in, 1 came back positive with West Nile. I don't know how many in that vial had it though.

Hand County Highway helped us oil and we got 33.5 blocks oiled in one day. The day before, David and myself called upwards to 75 people to let them know. (Not easy with some people having cell phones and no home phones).

We installed a long culvert to accommodate semi traffic.

We cut down a few Dutch Elm trees.

Aaron has cut several trees out of the creek along the west side of the park. It looks much nicer now.

Electric Department 8/18/2014

1. Retiring old system.
2. Installed new transformer for Cement plant's new system.
3. Fountain will have to come out soon, lake is getting to low.
4. Midco will start taking their cable off the poles in about a month.
 - a. We will start removing poles when they are done.

DRAFT

ORDINANCE NO. 650

AN ORDINANCE IMPOSING A MUNICIPAL GROSS RECEIPTS TAX FOR THE MUNICIPALITY OF MILLER, HAND COUNTY, SOUTH DAKOTA UPON GROSS RECEIPTS OF LEASES OR RENTALS OF LODGING ACCOMODATIONS AND SALE OF ALCOHOLIC BEVERAGES AND SALES OF FOOD AND BEVERAGES IN ESTABLISHMENTS WHERE THE PUBLIC IS INVITED TO EAT.

BE IT ORDAINED by the Municipality of Miller, Hand County, South Dakota as follows:

Section 1: PURPOSE: The purpose of this Ordinance is provide additional needed revenue for the Municipality of Miller, Hand County, South Dakota by imposing a municipal gross receipts tax pursuant to the powers granted to the municipality by the State of South Dakota, by SDCL 10-52A, and acts amendatory thereto.

Section 2: EFFECTIVE DATE AND ENACTMENT OF TAX: From and after the 1st day of January, 2015 there is hereby imposed a municipal gross receipts tax at the rate of one percent (1%) upon the gross receipts of all leases or rentals of hotel, motel, campsite or other lodging accommodations within the municipality for periods of less than 28 consecutive days, the sales of alcoholic beverages as defined in SDCL 35-1-1 and the sale of food and beverages where the public is invited to eat, dine or purchase and carry out prepared food for immediate consumption. The tax applies to the gross receipts of all persons or entities engaged in business within the jurisdiction of the Municipality of Miller, Hand County, South Dakota, who are subject to the South Dakota Retail Occupational Sales and Service Tax, SDCL 10-45 and acts amendatory thereto.

Section 3: COLLECTION: Such tax is levied pursuant to the authorization granted by SDCL 10-52A and acts amendatory thereto, and shall be collected by the South Dakota Department of Revenue and Regulation in accordance with the same rules and regulations applicable to the State Sales Tax and under such additional rules and regulations as the Secretary of Revenue of the State of South Dakota shall lawfully prescribe.

Section 4: INTERPRETATION: It is declared to be the intention of this ordinance and the taxes levied hereunder that the same shall be interpreted and construed in the same manner as all sections of the South Dakota Retail Occupational Sales and Service Act, SDCL 10-45 and acts amendatory thereto, and that this shall be considered a similar tax except for the rate thereof to that tax.

Section 5: USE OF REVENUE: Any revenues received under this ordinance may be used only for the purpose of land acquisition, architectural fees, construction costs, payment for civic center, auditoriums or athletic facility buildings, including the maintenance, staffing and operations of such facilities, and the promotion and advertising of the municipality, its facilities, attractions, activities and any other lawful activity as is envisioned in SDCL 10-52A.

Section 6: PENALTY: Any person failing or refusing to make reports or payments prescribed by this ordinance and the rules and regulations relating to the ascertainment and collection of the tax herein levied shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$200.00 or imprisoned in the municipal jail for 30 days or both such fine and imprisonment. In addition, all such collection remedies authorized by SDCL 10-45, and acts amendatory thereto, are hereby authorized for the collection of these excise taxes by the Department of Revenue.

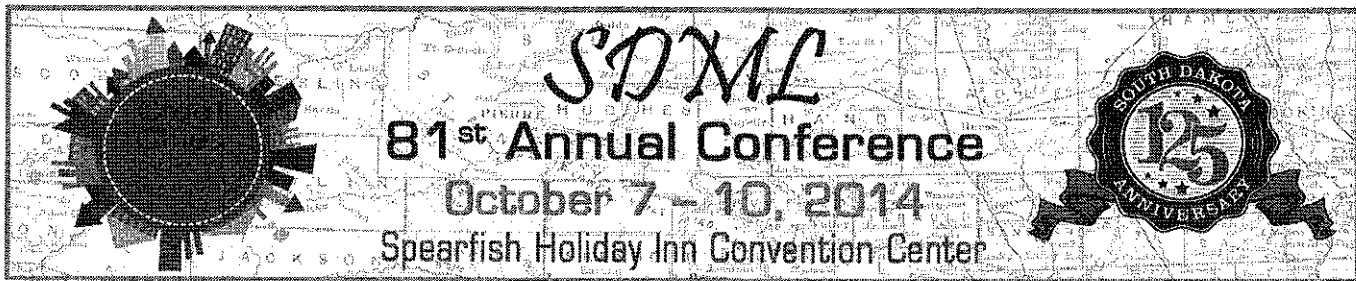
Section 7: SEPARABILITY: If any provision of this ordinance is declared unconstitutional or the application thereof to any person or circumstances held invalid the constitutionality of the remainder of the ordinance and applicability thereof to other persons or circumstances shall not be affected thereby.

Dated this 18th day of August 2014.

MAYOR _____
Ronald Blachford

ATTEST: _____
Sheila Coss, Finance Officer

First Reading: 08-18-2014
Second Reading: 09-02-2014
Passage and approval: 09-02-2014
Published: 09-10-2014



REGISTRATION FEES

Please use the Conference Registration Form to register. We prefer payment to be mailed with the completed registration form, however you may also fax your registration form to 605-224-8655 or email it to april@sdmunicipalleague.org and send your payment in separately.

Prepaid	On-Site	One-Day Prepaid or On-Site	Spouse/Guest Prepaid or On-Site	Company Representative Prepaid or On-Site
Members—\$100* Non-Members—\$200	Members—\$115* Non-Members—\$200	\$65	\$65	\$500**
<i>Includes entire conference agenda. Conference materials and name badges are prepared in advance for easier and faster check-in at the conference.</i>	<i>Includes entire conference agenda. Prepaid registration is encouraged to expedite registration upon check-in and to ensure adequate planning of meeting space and meals.</i>	<i>Applies to a single day at conference. If attending two or more days, you must pay the regular full registration fee. Prepaid and On-site registration fees are the same for One-Day registrations.</i>	<i>Includes all socials and meal functions. Prepaid and On-Site registration fees are the same for Spouse/Guest registrations.</i>	<i>Includes entire conference agenda. Prepaid and On-Site registration fees are the same for Company Representative. Those interested in being an Exhibitor should contact Carrie at: 1-800-658-3633</i>

*Members are officials and employees of a municipality that pay annual dues to the SD Municipal League.
 **Company representatives are individuals representing a company, business or organization who are not participating in the exhibitor program. If you are unsure which category you should register under, please contact the League at 1-800-658-3633.

Room Reservations**

Spearfish Holiday Inn Convention Center
 (Host Hotel) 605-642-4683
 Fairfield Inn: 605-642-3500
 Rodeway Inn: 605-642-2350
 Hampton Inn: 605-642-3003
 Quality Inn: 605-642-2337
 Howard Johnson: 605-642-8105
 Best Western: 605-642-7795
 Days Inn: 605-642-7101
 Super 8: 605-642-4721

**Room Reservations must be made directly to the hotels
 **All rooms are subject to state and municipal taxes unless paid by a municipality's check or billed to the municipality.

SOCIAL ACTIVITIES

- ♦ Tuesday afternoon—Golf Tournament
- ♦ Wednesday evening—Exhibit Area Social
- ♦ Thursday morning—11th Annual Fun Walk/Run
- ♦ Thursday evening—President's Reception & "Celebrate South Dakota" Dinner & Entertainment

GUEST MEALS

♦♦Guests not registered for conference wanting to attend meal functions may do so and can pay at the conference registration desk.

REFUND POLICY

- ♦♦100% refund if cancelled on or before Sept. 16th
- ♦♦50% refund if cancelled between Sept. 17th-23rd
- ♦♦**NO REFUNDS AFTER SEPTEMBER 23rd**

*Auxiliary aids and reasonable accommodation shall be made upon request to ensure that all programs and activities are fully accessible to all individuals.
 If you would like to request special accommodation, please contact the League office at 605-224-8654 or 1-800-658-3633.*

SOUTH DAKOTA MUNICIPAL LEAGUE

ANNUAL CONFERENCE REGISTRATION FORM

Municipality Represented: _____

- Please TYPE OR PRINT your information as you would like it to appear on the name tag.
- For each attendee, check the box(s) of the days they will be attending. Registration Fee Schedule is below.
- **FIRST TIME CONFERENCE ATTENDEES:** Please check the box next to your name and include your email. This only applies to SDML Members that are attending the Annual Conference for the first time.

Name <small>*If you are a First Time Attendee, please check the box next to your name.</small>	Title	Email <small>*If you are a First Time Attendee, please list your email to receive additional information.</small>	Wed 8 th	Thurs 9 th	Fri 10 th	Amount Paid
<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TOTAL AMOUNT ENCLOSED: \$						

Please Return Registration By **September 16, 2014** to:
***No Refunds After September 23, 2014**

South Dakota Municipal League
 208 Island Drive
 Fort Pierre, SD 57532

Payment Must Accompany Registration
 (Sorry No Credit Cards Accepted)

CONFERENCE REGISTRATION FEES		
SDML Members*	Pre-Registration for multiple day attendance– must be postmarked or received by 9/16/14	\$100.00
SDML Members*	Registration for multiple day attendance – received after 9/16/14	\$115.00
Non-member/Government/Non-Profit	Registration for multiple day attendance – received at any time	\$200.00
Company Representative**	Registration – received at any time	\$500.00
Spouse/Guest	Registration – received at any time	\$65.00
Single Day Attendee	Registration for only a single day of attendance – received at any time for only a single day of attendance **Does not apply to Company Representatives	\$65.00

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 If you are unsure which category you should register under, please contact the League at 1-800-658-3633 or april@sdmunicipalleague.org.

SDML OFFICE USE ONLY:	DATE: _____	CHECK #: _____	AMOUNT: _____
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