

**AGENDA  
CITY OF MILLER  
TUESDAY, SEPTEMBER 2, 2014  
7:00 P.M.**

**Call to Order**

**Pledge of Allegiance**

**Approval of Minutes pgs. 1-2**

**Approval of Agenda**

**Approval of Bills**

**Public Input**

**New Business**

1. Helms & Associates – Tentative Airport Runway Construction Bid
2. Joe Beranek – Golf Course Agreement
3. Scott or Tracy Bower – Dilapidated House
4. Infra-Track – Pay Request #3 pg. 3
5. Helms & Associates – Pay Request #9 pg. 4
6. Annexation Planning
7. Second Reading of Ordinance #652 – Municipal Gross Receipts Tax pg. 5
8. First Reading of Ordinance #653 – 2015 Appropriations pgs. 6-7
9. Airport Land Appraisal – Open Bid pg. 8
10. Economic Development – Strategic Planning Meeting pg. 8
11. Raise Purchase Limit for Department Heads from \$300.00 to \$500.00
12. Miller Municipal Code Recodification
13. Building Permit: Todd Meek – Office Building

**Correspondence**

DENR – Surface Water

Governor Dugaard pg. 9

County Auditor – Mid-Dakota Rural Water pg. 10

**Executive Session**

Personnel Matter Pursuant to SDCL 1-25-2(4)

**Adjourn**

“An honest man can feel no pleasure in the exercise of power over his fellow citizens...”  
Thomas Jefferson

**UNAPPROVED MINUTES  
CITY OF MILLER  
CITY COUNCIL MEETING  
AUGUST 18, 2014**

The City Council met in regular session at City Hall at 7:00 p.m. on Monday, August 18, 2014.

**MEMBERS PRESENT:** Mayor Ronald Blachford, Aldermen Tony Rangel, Tom Winsell, Joe Zeller, Alderwomen Mary Johnson and Kristin Kolda. Absent: Alderman Jim Odegaard.

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

Pledge of Allegiance was said by all present.

**AGENDA:** Motion by Alderwoman Kolda seconded by Alderman Winsell to approve the agenda. All members voted aye. Motion carried.

**MINUTES:** Motion by Alderwoman Johnson, seconded by Alderwoman Kolda to approve the minutes for the regular meeting held on August 4, 2014. All members voted aye. Motion carried.

**APPROVAL OF BILLS:** Motion by Alderman Zeller, seconded by Alderman Winsell to approve the bills. All members voted aye. Motion carried.

**DEPARTMENT HEAD REPORTS**

Department head reports were not given due to budget discussions.

**PUBLIC INPUT**

Kent and Jody Baumberger along with their children, Pierce and Faith, were present to thank the council for supporting the Miller Swim Club this year and show their trophies that they received at their final meet. The Miller Swim Club had a very successful year: Amanda Taylor was chosen as Coach of the Year, Trey Waldrop was voted Top Male Swimmer, and Shay Werdel was chosen for the Matt Rowen Team Dedicated Swimmer.

**NEW BUSINESS**

**Budget/Rate Increases/COL Increases/Finance Office Raises:** Mayor Blachford read the provisional budget to a large crowd. Motion by Alderwoman Kolda, seconded by Alderwoman Johnson to accept the provisional budget. All members voted aye. Motion carried. Motion by Alderman Rangel, seconded by Alderman Zeller to accept the Utility Committee recommendation for the following rate increases effective January 1, 2015: Water – 14%, Electric – 8%, Sewer – 11%. These increases are to cover the 2015 rate increase that the city will incur as well as 25% of the Finance Officer and Administrative Assistant wages and benefits added to each enterprise fund. All members voted aye. Motion carried. Motion by Alderwoman Johnson, seconded by Alderman Zeller to accept the Finance Committee recommendation of a 2% cost of living increase for all full-time employees effective January 1, 2015. All members voted aye. Motion carried. Motion by Alderwoman Kolda, seconded by Alderman Rangel to approve a pay increase of \$0.50/hour for Cindy Deuter and \$4.93/hour for Sheila Coss effective January 1, 2015. All members voted aye. Motion carried.

**First Reading of Ordinance #652 – Municipal Gross Receipts Tax:** Motion by Alderman Rangel, seconded by Alderman Zeller to approve the first reading of Ordinance #652. Roll call vote: Rangel – aye, Odegaard – absent, Zeller – aye, Johnson – aye, Winsell – aye, Kolda – aye. Motion carried.

**Building Permits:** Motion by Alderman Rangel, seconded by Alderwoman Kolda to approve building permits for Andy Poindexter – shed and Larry Anglin – shed. All members voted aye. Motion carried.

**Police Department Radio:** Motion by Alderwoman Johnson, seconded by Alderman Winsell to approve a purchase by Shannon Speck for a new handheld radio for approximately \$345.00. All members voted aye. Motion carried.

**Reschedule Next Meeting Date:** Motion by Alderman Rangel, seconded by Alderwoman Kolda to change our next scheduled meeting to Tuesday, September 2, 2015, due to the Labor Day holiday. All members voted aye. Motion carried.

**Dilapidated Houses:** Sheila Coss was instructed to contact attorney Jerry Wattier to determine the next step for the houses that should have been improved or removed by August 15, 2015.

**Resignation/Appointment of Council Member:** Motion by Alderman Rangel seconded by Alderwoman Johnson to accept the resignation of Alderwoman Kolda due to a change in residence effective immediately. Mayor Blachford commended Alderwoman Kolda for her service and dedication to the City of Miller. All members voted aye. Motion carried. Mayor Blachford recommended Gale Auch as Alderman Ward One. Motion by Alderman Rangel, seconded by Alderman Zeller to accept the recommendation of Mayor Blachford to appoint Gale Auch as Alderman Ward One. All members voted aye. Motion carried. Mayor Blachford gave the Oath of Office to Alderman Auch.

Motion by Alderman Zeller, seconded by Alderman Winsell to adjourn the meeting. There being no further business, the meeting was adjourned at 8:44 p.m. All members voted aye. Motion carried.

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Sheila Coss, Finance Officer

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Ronald Blachford, Mayor

**LEGAL NOTICE OF RECEIPT**

Copy of the official proceedings  
was received on: \_\_\_\_\_

Published once at the  
approximate cost of: \_\_\_\_\_



C:4

# Helms & Associates

PO Box 111  
Aberdeen, SD 57402-  
Tel: (605) 225-1212 Fax: (605) 225-3189  
TERRYH@HELMSENGINEERING.COM

## Invoice

CITY OF MILLER  
120 West 2nd Street  
MILLER, SD 57362

Invoice Date: Aug 26, 2014  
Invoice Num: 11448  
Billing Through: Aug 23, 2014

### MILLER AIRPORT RUNWAY DESIGN (A5638:02) - Managed by (201)

AIP # 3-46-0035-007-2013  
CONTRACT DATED 8/5/13  
INVOICE NINE

Project ID	Project Name	Contract Amount	% Comp.	Previously Billed	Amount Due
A5638:02	MILLER AIRPORT RUNWAY DESIGN	\$90,980.00	100.00	\$86,431.00	\$4,549.00

Total Amount Due: **\$4,549.00**

*This invoice is due upon receipt*

VERIFICATION OF CLAIM I declare and affirm under the penalties of perjury that this claim has been examined by me and to the best of my knowledge and belief, is in all things true and correct. Dated this 26<sup>th</sup> day of Aug 2014.  
HELMS AND ASSOCIATES *[Signature]*

APPROVAL:

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

### Account Summary

Services BTD	Expenses BTD	Billed To Date	Paid To Date	Balance Due
\$ 90,980.00	\$ 0.00	\$ 90,980.00	\$ 86,431.00	\$ 4,549.00

# DRAFT

## ORDINANCE NO. 652

**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 to 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 1<sup>st</sup> 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 as follows: 80% dedicated to the Miller Community Center and 20% dedicated to the municipal pool for construction costs, maintenance, staffing and operations of said facilities 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 18<sup>th</sup> day of August 2014.

MAYOR \_\_\_\_\_  
Ronald Blachford

SEAL

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

ORDINANCE #653  
ANNUAL APPROPRIATIONS ORDINANCE FOR 2015

SECTION 1. BE IT ORDAINED by the City of Miller, South Dakota, that the following sums are appropriated to meet the obligations of the municipality for the year 2015.

<u>GENERAL FUND</u>	<u>DEPARTMENT</u>	<u>AMOUNT</u>	
101-4111	Mayor/Council	30,725.00	
101-4115	Contingency	25,000.00	
101-4131	Elections	1,500.00	
101-4141	Attorney	16,500.00	
101-4142	Finance Office	53,566.00	
101-4192	Building	80,450.00	
101-4211	Police	307,653.00	
101-4221	Fire	33,500.00	
101-4291	Civil Defense	1,000.00	
101-4311	Street	309,375.00	
101-4351	Airport	78,791.00	
101-4490	Health & Welfare	2,000.00	
101-4511	Ballpark	16,175.00	
101-4514	Senior Citizens	1,000.00	
101-4521	Park	32,435.00	
101-4531	Pool	85,675.00	
101-4633	Zoning	800.00	
101-4651	Economic Development	132,000.00	
101-4701	Debt Service	<u>185,800.00</u>	
TOTAL GENERAL FUND	APPROPRIATIONS		1,393,945.00
CAPITAL IMPROVEMENT FUND			
501-4351	Capital Improvement Airport		3,150,000.00
ENTERPRISE FUNDS			
602-4335	Water	531,950.00	
603-4343	Electric	2,538,846.00	
604-4325	Sewer	<u>271,725.00</u>	
TOTAL ENTERPRISES			3,342,521.00
TOTAL APPROPRIATIONS			7,886,466.00

SECTION 2. That the following is a summary of the appropriated amounts and the means of financing each:

MEANS OF FINANCE:	
Current Tax Levy	330,000.00
Taxes other than current tax levy	2,700.00
Municipal Sales Tax	750,000.00
License & Permits	11,025.00
Intergovernment Revenue	88,500.00
Charges for Goods and Services	23,200.00
Fines & Forfeiture	250.00
Miscellaneous Revenue	30,000.00
Transfer from other Funds	<u>158,270.00</u>

GENERAL FUND  
 TOTAL MEANS OF  
 FINANCE 1,393,945.00  
 LESS: Appropriations. (1,393,945.00)

CAPITAL IMPROVEMENT AIRPORT  
 Federal Grant 2,900,000.00  
 State Grant 150,000.00  
 Industrial Development 100,000.00  
 TOTAL MEANS OF  
 FINANCE 3,150,000.00  
 LESS: Appropriations (3,150,000.00)

	<u>WATER FUND</u>	<u>ELECTRIC FUND</u>	<u>SEWER FUND</u>
Means of Finance:			
Estimated Revenue	<u>537,000.00</u>	<u>2,654,745.00</u>	<u>283,000.00</u>
TOTAL MEANS OF FINANCE	537,000.00	2,654,745.00	283,000.00
LESS: Appropriations	<u>(531,950.00)</u>	<u>(2,538,846.00)</u>	<u>(271,725.00)</u>
	5,050.00	115,899.00	11,275.00

SECTION 3: That the Finance Officer is directed to certify the following dollar amount of the Tax Levy in this Ordinance to the Hand County Auditor.

GENERAL TAX LEVY	\$343,869.00
CPI Increase (1.40%)	4,814.00
Growth (3.70%)	<u>12,723.00</u>
	361,406.00

(SEAL)

ATTEST: \_\_\_\_\_  
 Sheila Coss, Finance Officer

\_\_\_\_\_  
 Ronald Blachford, Mayor

Record of Votes: Alderman G. Auch -  
 Alderman T. Winsell -  
 Alderwoman M. Johnson -

Alderman J. Zeller -  
 Alderman J. Odegaard -  
 Alderman T. Rangel -

1st Reading: September 2, 2014  
 2nd Reading: September 15, 2014

Adoption: September 2, 2014  
 Publication: September 24, 2014

Published once at the  
 approximate cost of: \_\_\_\_\_



## Airport Land Appraisal

We were required to send letters to 3 licensed appraisers.

Letters were sent to on July 17, 2014 to:

Northern Plains Appraisal – Brookings

Engstrom Appraisals – Watertown

Siebrecht Agency, Inc. – Aberdeen

A copy of the bid letter was sent to Audrey Nelson with the SD DOT.

We received one bid from Northern Plains Appraisal that will be opened at the meeting.

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## Strategic Planning

We are having a community wide strategic planning session Sunday, September 14<sup>th</sup> at 2pm at the community center for anyone and everyone to be involved in and it is vital to get the city to participate in this event.



STATE OF SOUTH DAKOTA  
DENNIS DAUGAARD, GOVERNOR

August 4, 2014

Ron Blachford  
Mayor of Miller  
120 West 2nd Street  
Miller, SD 57362

Dear Ron,

I am writing to share an idea with you. You have probably seen many of the special historical markers that are at hundreds of sites across the state. They provide information about the history and people of South Dakota.

Recently, I learned that fourteen of our deceased Governors have historical markers about them in their hometowns or other places where they had lived. (See attached) Unfortunately, twelve of our deceased Governors do not have a marker in their birth town or town where they spent many years of their lives. (Also attached)

You are receiving this letter because your town might be a good place for a marker to provide information about one of those twelve deceased Governors who currently don't have a marker. The cost of having a marker made is about \$3,000. I already have volunteers to do the research and write the narrative to go on each of these twelve markers.

Because 2014 is the 125<sup>th</sup> Anniversary of Statehood, this would be a great year to create those twelve new markers. Therefore, I am asking you to consider the idea of putting the appropriate historical marker(s) in your town.

If you like this idea, would you please pass it along to a local organization, group, business, or person who might be willing to sponsor the \$3,000 marker?

The contact person in my office for this project is Jim Soyer who can be reached at 605.773.5689. He would be happy to work with you or anyone else who would like to sponsor this project in your town. If you do not wish to pursue the idea, please let Jim know.

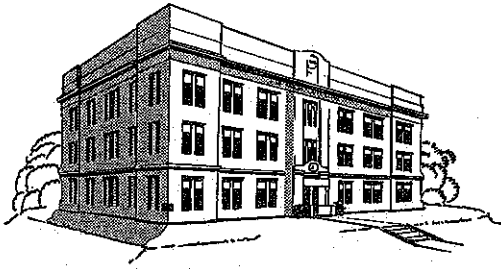
Thank you very much for considering this idea.

Sincerely,

A handwritten signature in cursive script that reads "Dennis".

Dennis Daugaard

Enclosures



## HAND COUNTY AUDITOR

415 WEST FIRST AVENUE  
MILLER, SOUTH DAKOTA 57362-1346

(605) 853-2182  
FAX: (605) 853-2769

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August 1, 2014

City of Miller  
120 W. 2<sup>nd</sup> Street  
Miller SD 57362

**RE: Application for Countywide Authorization to Lay Pipeline**

This is to notify you that Mid-Dakota Rural Water System, Inc. of 608 W. 14<sup>th</sup> Street, Miller, South Dakota, has hereby submitted an application for countywide authorization for maintaining, improving and expanding a water pipeline over, across or under public highways, except state trunk system highways, for the purpose of providing rural water service in the County of Hand, State of South Dakota, for a period of twenty years. Attached is the proposed resolution.

Please contact me if you have any questions. Thank you.

Sincerely,

Sandra Selting  
Hand County Auditor

[auditor.handcoem@midconetwork.com](mailto:auditor.handcoem@midconetwork.com)