

**AGENDA  
CITY OF MILLER  
MONDAY, APRIL 20, 2015  
6:00 P.M.**

**Call to Order**

Pledge of Allegiance  
Approval of Agenda

**Executive Session**

Legal Counsel Pursuant to SDCL 1-25-2 (3)

Approval of Minutes *pgs. 1-3*  
Approval of Bills  
Public Input

**Public Hearing**

7:30 Special Event Liquor License – Hand County Health, Wellness and Community Foundation

**New Business**

1. Building Permits

Norma Beaner – permit from 2006  
Josh Koeck – governor’s house  
Dave & Del Wientjes – remove/replace shed  
Andrew Roeber – front & rear decks  
Steve Ford – living addition to garage

2. Airport Land Appraisal *pgs. 4-6*

3. Modification of Airport Design Standards *pg. 7*

4. Jim Danburg Sewer Bills *pgs. 8-9*

5. Rustler Roost Flower Project *pg. 10*

6. Canvass Election Votes

7. Second Reading of Ordinance #660 *pg. 11*

8. Yard Ordinance Letter/Code Enforcement *pg. 12*

**Executive Session**

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

9. Hire Summer Employees

Adjourn

**UNAPPROVED  
CITY OF MILLER  
CITY COUNCIL MEETING  
APRIL 6, 2015**

The City Council met in regular session at City Hall at 7:00 p.m. on Monday, April 6, 2015.

**MEMBERS PRESENT:** Mayor Ron Blachford, Aldermen Gale Auch, Jim Odegaard, Tony Rangel, Tom Winsell, and Joe Zeller Absent: Alderwoman Mary Johnson.

**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. All members voted aye. Motion carried.

**MINUTES:** Motion by Alderman Auch, seconded by Alderman Winsell to approve the minutes for the regular meeting held on March 16, 2015 and the special meeting held on March 23, 2015. All members voted aye. Motion carried.

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

**DEPARTMENT HEAD REPORTS:**

**Electric Department:** Motion by Alderman Zeller, seconded by Alderman Rangel to have Bill Lewellen order the necessary parts for the fountain in the park for approximately \$1600.00. All members voted aye. Motion carried. We received a \$4200.00 grant from Heartland for LED street lights. The digger truck was taken to Terex in Watertown for its annual inspection and to fix a broken hydraulic hose. The bucket truck will get its annual inspection and its down rigger fixed by Terex.

**Police Department:** The new patrol car arrived on March 17<sup>th</sup> and will be taken to Platte to have B & L Communications install the necessary equipment. Chief Speck and Sheriff DeBoer attended a Highway Safety Grant meeting in Pierre. The officers attended a six hour class on domestic violence/sexual assault on March 25<sup>th</sup>.

**Street Department:** Motion by Alderman Rangel, seconded by Alderman Odegaard to purchase a 2 year comprehensive warranty on the 2010 loader for \$2421.00. All members voted aye. Motion carried. Ron Hoftiezer will be applying for another grant for West Nile prevention. David Phinney and Ron Hoftiezer attended the annual MSHA refresher course. Signs have been ordered for the 20 mph speed limit near the park, and they will be put up as soon as the resolution is published on April 15<sup>th</sup>.

**Water/Sewer Department:** The airport closed at 8:00 a.m. on April 6<sup>th</sup>, and grinding on the runway started by 8:10 a.m. The hydrant meter will be attached tomorrow and Muth Electric will be installing an outlet for the T & R Contracting trailer to hook up next to the pilot's lounge. Lenny Fischer will also hook up water to the trailer. The electrical building at the airport needs repairs and hopefully painted by the summer employees. The door at the chemical room at the pool needs replaced. The sewer line in the avenue behind the library needs some work. It was originally put in as

a private line but several houses have been tied into it. Jim Danburg will bring the bills he has incurred as a result of sewer back up for the council to review.

**Finance Office:** Wayne Ames certified several employees for First Aid and CPR. There will be another training for the officers, council members and anyone who missed the first training. The election school will be held April 8<sup>th</sup> and the election will be April 14<sup>th</sup>. We are making plans for the city wide cleanup with the SD National Guard and Hand County Rubble Site.

**NEW BUSINESS:**

**Business Appreciation & Water Certificates:** Marvin Augspurger was presented with a certificate of appreciation for 57 years of business in Miller. Chris Niederauer and Connie Templeton were unable to attend; however certificates of appreciation for 35 years of service were sent to them. James Bonebright and Terry Manning received certificates from the DENR for meeting the state requirements for safe drinking water in the City of Miller.

**Kurt Joy – Skateboard Park:** Kurt Joy and Chad Wharton were present to ask the city's permission to provide the ramps necessary for a skateboard park to be constructed on one of the tennis courts next to the pool. Motion by Alderman Rangel, seconded by Alderman Odegaard to pursue the skateboard park as long as certain conditions are met and signs are erected, insurance is in place by the city, and the supplies are all donated. All members voted aye. Motion carried.

**Fuel Bids:** The City of Miller received fuel bids from North Central Farmers Elevator and 4 Caballeros, Inc. (Cowboy Country Store). Motion by Alderman Rangel, seconded by Alderman Auch to accept the bid from 4 Caballeros, Inc. for the remainder of 2015. All members voted aye. Motion carried.

**Election Worker Wages:** Motion by Alderman Odegaard, seconded by Alderman Auch to pay the election workers \$10.00 per hour for the election school and Election Day. All members voted aye. Motion carried.

**Volunteer Firemen:** Motion by Alderman Winsell, seconded by Alderman Odegaard to add Gary Neyens to the volunteer firemen roster for worker's compensation insurance coverage. All members voted aye. Motion carried.

**Airport Modifications:** Motion by Alderman Rangel, seconded by Alderman Odegaard to have Mayor Blachford sign the FAA Great Lakes Region Modification of Airport Design Standards. All members voted aye. Motion carried.

**Helms Pay Request:** Motion by Alderman Winsell, seconded by Alderman Auch to approve a pay request from Helms & Associates for \$7657.06 for the airport construction engineering. All members voted aye. Motion carried.

**First Reading of Ordinance #660:** Motion by Alderman Odegaard, seconded by Alderman Rangel to approve the first reading of Ordinance #660 – Supplementation of the Police and Debt Service Budgets. Roll call vote: Alderman Rangel – aye, Alderman Odegaard – aye, Alderman Zeller – aye, Alderwoman Johnson – absent, Alderman Winsell – aye, Alderman Auch – aye. Five ayes and one absent. Motion carried.

**Deposits for Commercial Property:** The council would like to increase the utility deposit for commercial property. They would like Electric Superintendent, Bill Lewellen to find out what other cities with electrical service charge for commercial property utility deposits. This topic was tabled for further research.

**Property Cleanup Plans:** All residents received a letter regarding the city's plans to enforce Ordinance #644 – Property Maintenance. We will coordinate dates with Hand County for the free dump day and, possibly, the SD National Guard to assist residents with their cleanup efforts. Another letter will be sent out with the April utility bill. It will demonstrate the enforcement plan and show each area by ward. Code enforcement will begin in Ward I to be followed by Ward II and Ward III.

**Cop Car Appraisal:** Mayor Blachford appointed Aldermen Rangel, Odegaard and Zeller to determine an appraisal amount for the 2009 Dodge Charger police car. We will advertise for bids to be opened at the May 4<sup>th</sup> meeting.

**Correspondence:** Mayor Blachford and the council received a “thank you” letter from Joe Fiala, Governor's Office of Economic Development for the office space in city hall for the past three years.

Motion by Alderman Zeller, seconded by Alderman Winsell to adjourn the meeting. There being no further business, the meeting was adjourned at 9:16 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: \_\_\_\_\_

## Sheila Coss

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**From:** Brooke Edgar <brookee@helmsengineering.com>  
**Sent:** Thursday, April 16, 2015 4:25 PM  
**To:** Sheila Coss  
**Cc:** Terry Helms; Corey Helms; Michael Schmit; Jim Bonebright  
**Subject:** Land Acquisition  
**Attachments:** land\_acquisition\_public\_airports.doc; 5638 Prelim Plats.pdf; Draft Offer DOT form.doc; DRAFT Offer to Land Owner.docx

Sheila,

The acquisition will need to follow the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs. FAA, Advisory Circular 150/5100-17, Land Acquisition and Relocation Assistance for Airport Improvement Program (AIP) Assisted Projects is our guidance (specifically chapter 3).

First Step: Written offer to Land Owner. I have attached a draft letter from the City, along with the standard form used by the DOT. A person identified by the City as the "agent" should be the person to deliver these along with the other documentation as referenced in the letter. This person should be available to answer questions or at least get the answers to any questions the land owners may have. Many cities would have their lawyer involved and potentially have them as the agent. Along with those documents, the appraisals, review appraisals, plats and the attached brochure should be delivered. The FAA recommends also delivering a proposed purchase agreement, usually prepared by your attorney.

Upon the delivery date, usually a written acceptance or counteroffer is requested within 30 days.

Documentation is key. Whomever you choose to be the "agent" I would recommend them documenting each conversation (with the time and date) they have with the land owners, just so we have it.

Let me know if you have questions and if there is anything else we can do to assist with the process. After this step, there is more paperwork that needs to be filled out but we will get to that when the time comes.

Good luck!

Brooke B. Edgar

**Helms**  
ASSOCIATES

CIVIL ENGINEERS & LAND SURVEYORS  
221 Brown County Highway 19  
PO Box 111  
Aberdeen, SD 57401  
Phone: (605)225-1212  
Mobile: (605)380-4863  
Fax: (605)225-3189  
Email: [brookee@helmsengineering.com](mailto:brookee@helmsengineering.com)

**Reconciliation of Final Value Estimates**

	Cost	Income	Sales Comparison	Conclusion
Before Value Estimate	\$ 174,000.00	\$ 175,000.00	\$ 173,000.00	\$ 173,000.00
After Value Estimate	\$ 157,000.00	\$ 160,000.00	\$ 160,000.00	\$ 160,000.00
Difference	\$ 17,000.00	\$ 15,000.00	\$ 13,000.00	\$ 13,000.00

**Appraiser's Allocation of Taking & Damages (Division of the Estate)**

Land:

2.720	Acres Dry crop	X \$ 4,779.41	= \$ 13,000.00	
		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
2.720	Total			\$ 13,000.00

Temporary Easements

N/A		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
	Total			\$ 0.00

Improvements in Taking

	Station Number			
N/A			\$	
			\$	
			\$	
			\$	
			\$	
	Total for Improvements	=		\$ 0.00

Damages to Impts Remaining

	Station Number			
			\$	
			\$	
			\$	
	Total damages to Improvements	=		\$ 0.00

Land Severance

		X \$	= \$	
		X \$	= \$	
		X \$	= \$	
	Total Land Severance	=		\$ 0.00
	Total Compensation	=		\$ 13,000.00
	Rounded (not including fence)	=		\$ 13,000.00

Fence in Taking

1,132.400	Feet Livestock Fence	X \$ 2.20	= \$ 2,491	
	Feet	X \$	= \$	
	Feet	X \$	= \$	
	Feet	X \$	= \$	
	Feet	X \$	= \$	
	Total Fence	=		\$ 2,491
	Total Compensation Including Fence	=		\$ 15,491
	Total Compensation Rounded	=		\$ 15,491

Is There A Leashold Interest

Yes

No

Sign Value is Included in Land Value

Yes

No

N/A

Additional Temporary Easements are Considered at the Following: N/A



## Brokers Opinion Of Value

Legal Description: Lot 5 Block 4 Mitchelltree Addition to the City of Miller, County of Hand

Lot Description: 137.88' X 84.07 vacant lot located on the North East side of Miller.

County Assessed Valuation: \$15,512.00

Comparable Sales:     09-2012 Lot 9 Blk 1 Prairie Vista Add'n \$15,000.00  
                              05-2012 Lot 6 Block 1 Prairie Vista Add'n \$17,500.00  
                              05-2012 Lot 7 Block 1 Prairie Vista Add'n \$17,500.00  
                              08-2011 Lot 4 Block 5 Mitchelltree Add'n \$4,500.00

Comparable Listings: Lot 6&7 Block 4 Atlantic Addition 100'X145' List Price \$12,000.00  
                              Lot 3 Block 4 Mitchelltree Addition 84'X100' List Price \$3,000.00  
                              Prairie Vista Development Lots List Price \$15,000.00-\$20,000.00

Notes: Historically most of the lots along this area have sold for approximately \$3,000.00 to \$4,500.00. The subject lot is significantly larger than comparables. Many of the residential type lots have recently sold between \$10,000.00 and \$17,750.00. The subject lot is located on a low maintenance access and would not be suitable for a residential structure, however; it would be suitable for a shop or storage type building or for parking storage. The value of the existing lot listings range from \$3,000.00 to \$17,500.00.

It is my opinion that this property has a value of approximately \$6,000.00.

Daniel L. Coss R.E. Broker #9982

# Helms & ASSOCIATES

CIVIL ENGINEERS & LAND SURVEYORS

221 BROWN CO. HWY. #19  
PO BOX 111  
ABERDEEN, SD 57402-0111

PHONE (605) 225-1212  
TOLL FREE 1-888-378-4394  
FAX (605) 225-3189

December 31, 2014

Sheila Coss, Finance Officer  
City of Miller  
120 W 2<sup>nd</sup> St.  
Miller, SD 57362

Re: Runway 15/33 Reconstruction  
Miller Municipal Airport  
Miller, South Dakota  
AIP #3-46-0035-008-2014  
Helms# A-5638

Dear Sheila:

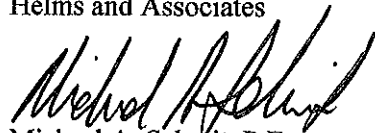
Enclosed is a Modification of Airport Design Standards to increase the allowable Calcium Oxide (CaO) content in Fly Ash used in Portland Cement Concrete from 13% to 15%. Fly Ash is used as a substitute for cement which helps keep the cost of concrete down but it also helps mitigate the the effects of alkali silica reactivity between the cement and the aggregates. Fly Ash is a by-product produced and there are a limited number of suppliers in the region. The region's supplier of Fly Ash does supply material that meets FAA specifications; however, the consistency at which the material meets that specification requires us to submit this modification. This modification will in no way affect the quality of the concrete mix or reduce the pavement life.

Currently, the Airports District Office has the authority to increase the maximum CaO content to 15% based on several requests made throughout North Dakota and South Dakota as projects in both states get material from the same fly ash supplier. I have also attached the alkali silica testing showing the importance of the fly ash for further justification for the FAA.

Please have the Mayor sign and date the form where tabbed, and return it to our office for processing.

If you have any questions, comments, or need any additional information regarding this matter, please contact our office at your convenience.

Sincerely,  
Helms and Associates



Michael A. Schmit, P.E.

W/Enclosure



Brad Manning Digging & Septic Service

PO Box 86

Miller, SD 57362

# Invoice

PLEASE NOTE:  
OUR MAILING ADDRESS IS:  
PO BOX 86, MILLER SD 57362

Date	Invoice #
3/30/2015	Jim 3-30

Bill To
Jim Danburg 117 E 4th Street Miller SD 57362

P.O. No.	Terms
	Due on receipt

Qty	Description	Rate	Amount
	Jet and camera sewer line to unplug Steve Vanzee residence and Jim Danburg residence	200.00	200.00T

	<b>Subtotal</b>	\$200.00
	<b>Sales Tax (6.0%)</b>	\$12.00
	<b>Total</b>	\$212.00
	<b>Payments/Credits</b>	\$0.00
	<b>Balance Due</b>	\$212.00

**Thank you, we appreciate your business!**

Due to the rising costs of operating and maintaining our business, we ask that you submit full payment upon receipt of this invoice.  
Thank You For Your Business!



103 East 6<sup>th</sup> Ave.  
 Miller, South Dakota 57362  
 605-853-2877  
 Cell 605-204-0702

CUSTOMER'S ORDER NO. \_\_\_\_\_ PHONE \_\_\_\_\_ DATE 4-2-14

NAME Jim Danberg

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MOSE. RETD.	PAID OUT	
QTY.	DESCRIPTION					PRICE	AMOUNT
1	Jumbo Wax ring						2.30
	Labor						52. <sup>00</sup>
	Ex Tax						1.21
							<u>60.51</u>
	Plug drain line in						
	Vangas at Danberg house						
	for sewage backup, for						
	Brad Manning Jetting lines						
RECEIVED BY _____							

All claims and returned goods MUST be accompanied by this bill.  
 2% Interest will be charged after 30 days. Minimum charge \$2 per month.

Thank You

# Rustler Roost/ Prairie Good Samaritan

## Flowers for the path-project

The Miller Rustler Roost children are undertaking this community service project to bring a little joy to the residents of the Prairie Good Samaritan Center.

We are asking you to become one of our sponsor's. In becoming a sponsor of a plot you get to choose what you would like to see and at what price you would be willing to spend. In turn the Rustler Roost children will plant and care for your plot.

\*Each plot will be marked with your business as the sponsor.

These plots will be located in the garden walk path on the North side of the Center.

Flowers will be purchased locally and you may choose the kind of flower's you prefer.

\_\_\_\_\_ **Choice one** is a 4' x4' plot with 5 hybrid petunias for \$25.00

\_\_\_\_\_ **Choice two** is 4' x4' plot with 6-4pks of various flowers for \$20.00

\_\_\_\_\_ **Choice three** is 2' x2' plot with 3-4pks of various flowers for \$10.00

Please remit payment at time of contract.

Business \_\_\_\_\_

Thank you, Rustler Roost

ORDINANCE #660

BE IT ORDAINED BY THE CITY OF MILLER that the following sum is supplementary appropriated to meet the obligation of the municipality.

101 – General Fund

4211	Police	
4345	Vehicle & Machinery	\$26,086.00
4701	Debt Service	
4410	Principal	\$ 5,939.16
4420	Interest	\$ 60.84

Source of Funding

101 – General Fund

3900	3912	Long Term Debt Issued	\$32,086.00
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Ronald Blachford, Mayor

(SEAL)

ATTEST:

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Sheila Coss, Finance Officer

Record of Votes:

Alderman Rangel –

Alderman Odegaard –

Alderman Zeller –

Alderwoman Johnson –

Alderman Winsell –

Alderman Auch –

1<sup>st</sup> Reading – April 6, 2015

2<sup>nd</sup> Reading – April 20, 2015

Adoption – April 20, 2015

Publication – April 29, 2015

# SD Association of Code Enforcement (SoDACE) Information and Training Conference

May 6-7, 2015 • Highland Conference Center • Mitchell, SD

## Wednesday, May 6

8:30 – 9:00 am **Registration – Pre-Function Area**  
*outside Winchester/Remington/Beretta*

3:15 – 5:00

**Condemnation Procedures and Cost Assessments\***

*Tom Frieberg, Frieberg, Nelson & Ask L.L.P.*

9:00 – 9:15 **Welcome – Winchester/Remington/Beretta**

*Geoff Fillingsness, Code Enforcement Officer, City of Beresford*

*\*An A-Z packet of materials will be provided for this session.*

9:15 – 11:45 **Towards a More Effective Code Enforcement Strategy**  
*Dale Powers, MA, AICP*

5:30

**Social and Dinner and Presentation of the Code Enforcement Officer of the Year Award – Benelli**

*(Nomination Form online at [www.sdmunicipalleague.org](http://www.sdmunicipalleague.org).)*

Mr. Powers is an independent code enforcement consultant based in Clear Lake, MN. He has nearly 20 years experience working with and for local governments. As a city administrator, city planner, county planner, and zoning administrator, he has worked in urban, suburban, and rural communities. His paper, *Towards a More Effective Code Enforcement Strategy*, was published in the March 2012 edition of the American Institute of Certified Planner's trade publication *Practicing Planner*.

## Thursday, May 7

9:00 – 10:15 am **Code Enforcement Training and Certification: Reviewing options for cities and towns in SD – Winchester/Remington/Beretta**  
*Roy Fyffe, American Association of Code Enforcement (AACE)*

11:45 – 1:00 pm **Lunch – Benelli**

1:00 – 2:30 **Towards a More Effective Code Enforcement Strategy cont'd**

10:15 – 10:30 **Break – Pre-Function Area**

2:30 – 2:45 **Break – Pre-Function Area**

10:30 – Noon **Code Enforcement Training and Certification cont'd**

2:45 – 3:15 **Business Meeting**

**Registration Fee:** **Advance Registration:** \$50/SoDACE member and \$90/non-member.  
**On-site Registration:** \$60/SoDACE member and \$100/non-member.

**Accommodations:** One block of rooms has been reserved at the Comfort Inn and Suites (605-990-2400) at a rate of \$89.00 + tax. A second block of rooms has been reserved at the Hampton Inn (605-995-1575) at a rate of \$79.00 + tax. **\*\*IMPORTANT:** to guarantee this rate your reservation must be made by April 21, 2015. Be sure to mention you are with SoDACE.

## REGISTRATION

SD Code Enforcement Training Conference • May 6-7, 2015

Municipality \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_ Email \_\_\_\_\_

\_\_\_\_\_

**Return registration with payment by April 17, 2015 to:** South Dakota Association of Code Enforcement  
*No refunds will be given after April 17, 2015.* 208 Island Drive, Ft. Pierre, SD 57532

Office Use Only: Date: \_\_\_\_\_ Check #: \_\_\_\_\_ Amount: \_\_\_\_\_