

AGENDA
CITY OF MILLER
MONDAY, July 15, 2013
7:00 P.M.

Call to Order
Pledge of Allegiance
Approval of Agenda
Approval of Minutes Pg. 1-2

Approval of Bills

Hearing of Delegations

Public Input –Doug DeBoer

Department Head Reports

7:15 – 7:45 1. Water/Sewer – Terry Aaker, Street Pg. 3
7:45 – 7:55 2. Police Pg. 4
7:55 – 8:00 3. Finance Office Pg. 5 - 9

Public Hearings

8:00 Liquor License Transfer

8:10 Variance Hearing – Peterman – cancelled

8:20 Variance Hearing – Anderson

New Business

1. John Irvine- Code Enforcer
2. Hondah – Street dance
3. School Street connecting to East 8th Street
4. Building permits:
 - Jim Anderson – garage
 - James Welsh – deck
 - Patricia Van Zee – storage shed
 - Evangelical Lutheran Good Samaritan Society - Home

Correspondence

Mid-Dakota Pg. 10 - 13

Miller Fire Department Pg. 14

DENR Pg. 15 - 16

Adjourn

**CITY OF MILLER
CITY COUNCIL MEETING
JULY 1, 2013**

The City Council met in regular session at City Hall at 7:00 p.m. on Monday, July 1, 2013.

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

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

Pledge of Allegiance was said by all present.

MINUTES: Motion by Alderman Winsell, seconded by Alderwoman Johnson to approve the minutes for the regular meeting held on June 17, 2013. All members voted aye. Motion carried.

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

PUBLIC INPUT: Nehemia Volquardsen, Emergency Manager and Sheriff Doug DeBoer were present to discuss the problem of designated storm shelters throughout town. Mary Johnson and Ron Blachford will be on a committee to discuss storm shelter locations and devise a plan for immediate shelter of Miller residents and visitors during storm warnings.

Department Head Reports

Fire Department: Fire Chief Steve Resel stated that 14 sets of new bunker gear have arrived and that everything is on schedule to shoot off fireworks from the area east of the football field on Saturday, July 6th.

Building Permits: Motion by Alderwoman Johnson, seconded by Alderman Odegaard, to approve building permits for Scott Gibson to move in a garage/storage shed; Larry Blaseg to replace the front deck with a front porch; Scott Peterson to replace front steps with a deck and replace back steps. All members voted aye. Motion carried.

Pool: Motion by Alderwoman Johnson, seconded by Alderman Zeller to approve a triathlon fundraiser for the Miller Swim club by allowing the use of the pool and tennis courts, closing the street in front of the pool, and having the police officers available to assist with safety along the routes on August 17th. The City will also donate one 2014 pool pass for a door prize. All members voted aye. Motion carried. Motion by Alderwoman Johnson, seconded by Alderman Zeller to offer private swim lessons at a rate of \$10.00/30 minutes, \$3.00 will be for the city and \$7.00 for the lifeguard. All members voted aye. Motion carried.

Sewer Project: The utilities committee recommended that Terry Aaker from SPN come to the July 15th meeting to discuss the future of our water, sewer, storm sewer infrastructure,

available grants to pay for the necessary upgrades, and the implementation of a surcharge to start saving for the project.

Electric Project: Motion by Alderman Odegaard, seconded by Alderman Winsell to approve the pay request from Strata for \$182,596.78. All members voted aye. Motion carried.

Community Center: Motion by Alderwoman Johnson, seconded by Alderman Odegaard to appoint Tony Rangel to serve as the City of Miller representative on the Community Center committee. All members voted aye. Motion carried.

Data Technologies, Inc: Motion by Alderman Rangel, seconded by Alderman Zeller to approve the purchase of software for Utility Billing, Payroll and General Ledger from Data Technologies, Inc at a cost of approximately \$24,000 to be paid ½ in 2013 and ½ in 2014. All members voted aye. Motion carried.

Motion by Alderman Zeller seconded by Alderman Winsell to adjourn the meeting. All members voted aye. Motion carried. There being no further business, the meeting was adjourned at 8:48 p.m.

Sheila Coss, Finance Officer

LEGAL NOTICE OF RECEIPT

Copy of the official proceedings
was received on: _____
Published once at the
approximate cost of: _____

**Report to Council
Street Department
July 11, 2013**

At Crystal Park we installed cushion material around some of the swings.

We applied Mag Water to the Alco road and the dump road also.

David fixed the brakes on both of our packers.

We have been patching potholes around town.

I mowed the road ditches around town.

We have been spraying the weeds on the streets and sidewalks on Main Street.

We cut down a large tree that blew down and several "Dutch Elm" trees in the Park.

We installed a flag pole in Crystal Park. The Miller School gave us the old Elementary pole.

I sprayed for Algae at Crystal Park.

David and several summer help painted the stripes and handicap areas on Main Street.

We sprayed the grass for mosquitoes at Crystal Park.

We have been raising manhole covers around town to help reduce unnecessary bumps.

We helped the Electric Dept. distribute the planned outage fliers.

Police Department Report
July 15, 2013

On July 6, 2013, officers from the Miller Police Department did traffic control for the Fourth of July parade. Officer Henson and myself also assisted with traffic control for the annual Carr Chiropractic Run that took place on July 6, 2013. All went well with the parade and Fourth of July activities.

We had to use a matron within the last week to help transport. Sheila was unable to find any pay rate for the use of a matron. At the meeting I would like to have a pay rate set for these services.

Finance Office
Report to Council
July 15, 2013

1. Sales Tax Report – see attachment
2. Pool comparison
3. I am working on the budget. Committees need to meet prior to July 31st to work on the individual budgets.
4. I am working on the property/casualty insurance renewal.
5. Quote for new computer in my office. Laura did budget for one.

Sales Tax Comparison			
	2013		2012
January	\$41,715.91		\$28,228.75
	\$26,960.14		\$50,517.59
	\$55,712.13		
Feburary	\$20,850.27		\$21,702.51
	\$28,990.38		
March	\$26,867.27		\$39,500.70
	\$36,946.03		\$22,249.77
			\$28,777.89
April	\$22,193.42		\$21,992.49
	\$35,118.20		\$38,246.99
May	\$23,189.58		\$16,559.56
	\$31,597.69		\$32,008.70
June	\$32,507.58		\$23,684.78
	\$41,325.59		\$40,829.00
July			
August			
September			
October			
November			
December			
Total	\$382,258.28		\$364,298.73

Receipt for Feb. '12 pymt was missed. Corrected in '13.

up from last year

\$17,959.55

Note: The first payment in January 2013 is actually the last payment in December 2012
 It is not calculated in the "Total" line item on this sheet.
 (It wasn't in the bank until January 2013.)

6

Swimming Pool Comparisons
2013

	TOTAL		POOL FEES		LESSONS		PARTIES		# OF SWIMMERS		DAYS OPEN	
May-12	\$2,552.00	\$1,560.00	\$992.00	\$0.00	n/a	closed						
May-13	\$4,417.00	\$3,029.00	\$1,388.00	\$0.00	n/a	open house						
May Comparison	\$1,865.00	\$1,469.00	\$396.00	\$0.00	n/a	n/a						
June 5-30, 2012	\$8,066.00	\$7,114.00	\$702.00	\$250.00	2814	26						
June 1-30, 2013	\$5,093.00	\$4,443.00	\$450.00	\$200.00	2551	27						
June Comparison	(\$2,973.00)	(\$2,671.00)	(\$252.00)	(\$50.00)	(263)	1						
July 1-31, 2012	\$3,413.00	\$2,821.00	\$42.00	\$550.00	3925	31						
July 1-31, 2013	\$0.00											
July Comparison	(\$3,413.00)	(\$2,821.00)	(\$42.00)	(\$550.00)	(3925)	-31						
August 1-19, 2012	\$1,125.00	\$663.00	\$12.00	\$450.00	1164	17						
August 1-?, 2013	\$0.00											
August Comparison	(\$1,125.00)	(\$663.00)	(\$12.00)	(\$450.00)	(1,164)	(17)						
OVERALL COMPARISON	\$15,156.00	\$12,158.00	\$1,748.00	\$1,250.00	7,903	74						
	\$9,510.00	\$7,472.00	\$1,838.00	\$200.00	2,551	27						
	(\$5,646.00)	(\$4,686.00)	\$90.00	(\$1,050.00)	(5352)	-47						

POOL RECEIPTS

June 2013

DATE	TOTAL	POOL FEES	LESSONS	PARTIES	
June 1, 2013					closed
June 2, 2013	\$355.00	\$355.00			
June 3, 2013	\$235.00	\$199.00	\$36.00		open 7-9
June 4, 2013	\$528.00	\$402.00	\$126.00		
June 5, 2013					closed
June 6, 2013	\$266.00	\$214.00	\$52.00		
June 7, 2013	\$533.00	\$391.00	\$42.00	\$100.00	
June 8, 2013					closed
June 9, 2013	\$143.00	\$131.00	\$12.00		
June 10, 2013	\$771.00	\$761.00	\$10.00		
June 11, 2013	\$381.00	\$357.00	\$24.00		
June 12, 2013	\$63.00	\$63.00			open 7-9
June 13, 2013	\$110.00	\$110.00			
June 14, 2013	\$112.00	\$112.00			
June 15, 2013	\$125.00	\$25.00		\$100.00	open 1-5
June 16, 2013	\$47.00	\$37.00	\$10.00		
June 17, 2013	\$406.00	\$386.00	\$20.00		
June 18, 2013	\$32.00	\$32.00			
June 19, 2013	\$126.00	\$102.00	\$24.00		
June 20, 2013	\$81.00	\$47.00	\$34.00		
June 21, 2013	\$2.00	\$2.00			open 7-9
June 22, 2013	\$24.00	\$24.00			open 1-5
June 23, 2013	\$45.00	\$45.00			
June 24, 2013	\$241.00	\$211.00	\$30.00		
June 25, 2013	\$105.00	\$85.00	\$20.00		
June 26, 2013	\$64.00	\$64.00			
June 27, 2013	\$48.00	\$48.00			
June 28, 2013	\$53.00	\$53.00			
June 29, 2013	\$48.00	\$38.00	\$10.00		open 1-5
June 30, 2013	\$149.00	\$149.00			
TOTALS	\$5,093.00	\$4,443.00	\$450.00	\$200.00	

July 12, 2013

Price Quote For: City of Miller - Sheila

Hi Sheila,

Thank you for requesting pricing information from MicroFix. Please look this over and let me know if you would like to see any changes to these specifications, or any other options:

MicroFix Computer Systems as described below \$ 1,148.00

Micro Tower

Asus Micro Motherboard

Intel i5-3470 - 3.2GHz Processor

4GB DDR3 RAM

500GB Seagate SATA Hard Drive

LG DVD+/-RW Drive

Integrated Sound Card

Integrated Gigabit Network Adapter

Integrated Intel Video Adapter

External Components:

20" Viewsonic VA2037m-LED Monitor with Integrated Speakers

Keytronic KT800 Keyboard

Microsoft Optical Mouse

Software installed:

Microsoft Windows 8 Professional 64-Bit downgraded to Windows 7 Professional 64-Bit

Service

2 year MicroFix warranty

MicroFix Computer Tower as described below \$ 964.00

Micro Tower

Asus Micro Motherboard

Intel i5-3470 - 3.2GHz Processor

4GB DDR3 RAM

500GB Seagate SATA Hard Drive

LG DVD+/-RW Drive

Integrated Sound Card

Integrated Gigabit Network Adapter

Integrated Intel Video Adapter

Software installed:

Microsoft Windows 8 Professional 64-Bit downgraded to Windows 7 Professional 64-Bit

Service

2 year MicroFix warranty

Some Options:

Upgrade 20" Viewsonic Monitor to 22" Viewsonic Monitor add: \$50.00

Upgrade 20" Viewsonic Monitor to 24" Viewsonic Monitor add: \$140.00

Upgrade 20" Viewsonic Monitor to 27" Viewsonic Monitor add: \$\$259.00

Upgrade DDR3 RAM from 4GB to 8GB add: \$50.00

Microsoft Office Professional 2013 add: \$425.00

(Word, Excel, Outlook, PowerPoint, Access, Publisher and OneNote 2013)

Microsoft Office Home & Business 2013 add: \$235.00

(Word, Excel, Outlook, PowerPoint & OneNote 2013)

Norton Antivirus add: \$45.00

The computer is priced for pick up at MicroFix. If you would like the computer delivered and setup or need data transferred, it would be at our hourly rate of \$70.

Please feel free to contact us with any questions you may have. You may also contact us by Email at sales@microfixinc.com. We appreciate the opportunity to provide this information to you.

Thank You,

Judy K. Smith
Office Manager



June 28, 2013

BOARD OF DIRECTORS

RICK BENSON
Wolsey
Rural 5

LENNIS FAGERHAUG
Wessington Springs
Rural 4

DWIGHT GUTZMER
Highmore
Municipal

ROBERT JONES
Huron
Municipal

JAMES MCGILLVREY
Wolsey
Municipal

JEFFREY MCGIRR
Huron
Municipal

STEVE ROBBENNOLT
Gettysburg
Rural 1

GARY STRASBURG
Rockham
Rural 3

BRUCE VENNEN
Pierre
Rural 2

608 W. 14th Street
PO Box 318
Miller, SD 57362

PH: 605-853-3159
TF: 1-800-439-3079
FX: 605-853-3245

www.mdrws.com
office@mdrws.com

KURT PFEIFLE
General Manager

TO: Municipal Bulk Customers in the Mid-Dakota Rural Water System Area

FR: Mid-Dakota Rural Water System, Inc.

RE: Director Nomination and Election

The Mid-Dakota Rural Water System, Inc. will be holding its Annual Meeting & Election of Directors on October 16, 2013 from 10:00 am to 6:00 pm at the Mid-Dakota offices.

A Municipal-at-Large Director position term will expire. A deadline of 4:00 P.M., September 16, 2013 has been set for nominating resolutions to be submitted to the office in Miller.

After the 16th, if there is an election we will mail a ballot to you and your designated representative will then vote for the candidate of your choice. At your next Board or Council meeting you may wish to appoint someone from your council or board to be your voting representative.

Please call our office at 1-800-439-3079 if you have any questions. Thank you.

Sincerely,
Mid-Dakota Rural Water System, Inc.

Susan Hargens
Member Services Director

Our mission is...
To enhance
quality of life
and promote
economic
development,
with high
quality water
and excellent
service.

{EXAMPLE OF NOMINATING MOTION:}

From the minutes of the {Name of Municipality or other Qualifying Member of Mid-Dakota Rural Water} meeting held on {Date of Annual Meeting}:

Motion by _____ and second by _____, with all voting in favor, to approve the following resolution:

BE IT RESOLVED by {Name of Municipality or other Qualifying Member of Mid-Dakota Rural Water} that {Candidate for Nomination}, who receives service from, {Name of Municipality or other Qualifying Member of Mid-Dakota Rural Water} who in turn receives water from the Mid-Dakota Rural Water System, Inc., is hereby nominated as a candidate to serve as a **Municipal Director At-Large** for the Mid-Dakota Rural Water System.

Dated this _____ day of _____ 20##.

Chairman or President

(Seal)

ATTEST:

Name

PB 110

NOMINATING AND ELECTION PROCEDURES-BOARD OF DIRECTORS:

PURPOSE

This policy is to outline the nominating and election procedures for selecting a Board of Directors. The business and affairs of the corporation shall be managed by a Board of Directors, which shall exercise all of the powers of the corporation except those that are under law, Article of Incorporation or these By-Laws, conferred upon or reserved to the members or delegated to the General Manager.

TERMS OF POLICY

A. Nominating Procedure

1. Individual (rural) directors:

The candidate must be a member in good standing of Mid-Dakota and must reside in the director district for which the candidate is nominated. The candidate must stand for election in the district where the candidate's principal residence is located.

Nominations for vacancies in the office of individual (rural) directors must be made by petition. A list of those persons who have taken out nominating petitions will be maintained at the offices of Mid-Dakota and will be open to public inspection. Nominating petitions must be filed with Mid-Dakota not later than 4:00 p.m. on the 30th day prior to the annual meeting (or if the offices of Mid-Dakota are closed, than on the next business day).

In order to stand for election, the candidate must timely submit a petition or petitions, on the form supplied by Mid-Dakota, containing the signatures of not less than 15 bona fide members of Mid-Dakota who reside in the applicable district. Members may only sign petitions for the district in which their principal residence is located. However, if the member resides in a municipality, then the member may sign a nominating petition for any district where the member has designated a tap location and in which the member intends to vote (but not more than one district).

Joint ventures, corporations, partnerships and limited liability companies shall designate one person to sign on behalf of these entities.

If a membership is co-owned by spouses, parent and child, siblings, or any combination thereof, referred to throughout this policy as a "Family Unit," then only one member of the Family Unit may execute a nominating petition.

At the annual meeting, nominations from the floor are not permitted.

2. Municipal at Large directors:

Nominations for municipal at large directors will be made by recognized member municipalities. Not less than 60 days prior to the annual meeting, Mid-Dakota will provide notice of nominating procedures to all member municipalities. The governing body of each recognized member municipality may, by resolution, nominate one candidate. The candidate nominated must reside in or receive service from a member municipality. Nominating resolutions from member municipalities shall be filed with Mid-Dakota's office not later than 4:00 p.m. on the 30th day prior to the annual meeting (or, if the offices of Mid-Dakota are closed, on the next business day).

At the annual meeting, nominations from the floor for municipal directors are not permitted.

The City of Huron will designate the appropriate number of directors (as provide by the Bylaws) by resolution of the governing body for the City of Huron. Said resolution must be provided to Mid-Dakota not less than 10 business days prior to the annual meeting.

4. Polling Places:

In the event the annual meeting is held in a format other than a face-to-face annual meeting held at a single location, the Board shall establish at least one polling place within each district for which there is a contested election for a rural directorship, as well as such other polling places throughout the Corporation's service area as the Board may deem appropriate. The polling places shall be designated in the formal notice of the annual meeting given to the membership and otherwise publicized in newspapers and other media serving the applicable district or districts.

C. Miscellaneous:

In the event of a tie, the winner shall be determined by the toss of a coin. If there is a tie involving more than two candidates, the winners shall be determined by drawing lots.

All ballots shall be tallied by Mid-Dakota's attorney. Mid-Dakota's attorney shall provide the results of the tally to the Chairperson of Mid-Dakota who shall then provide the results of the election to the membership in the manner provided below, as applicable:

- a. Face-to-face annual meeting – The Chairman shall announce the results of the election before the adjournment of the annual meeting.
- b. Alternative meeting format (other than face to face) – The Chairman shall, not more than 10 days following the annual meeting, cause the results of the election to be published in the appropriate area newspapers or notify the membership by direct mail of the election results.

Attached as an Addendum to this Policy Bulletin is a list of examples to assist the staff and election officers when administering elections at the annual meeting. These examples are illustrative only, and in the event of any discrepancy, the rules of this Policy Bulletin 110 shall govern.

D. Liberal construction:

This Policy Bulletin 110 shall be liberally construed in favor of allowing members to vote.

CROSS REFERENCE(S)

PB 100, Definitions and Objectives:
PB 101, Duties of Board of Directors,
Corporation By-Laws.

Date Initially Adopted:	07/13/1996	Amended/Revised:	3/11/2008 9/08/2009
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ADOPTED:

By: _____

Chairperson of the Board

ATTEST:

By: _____

Title: _____

(Corporate Seal)

MILLER FIRE DEPARTMENT

105 West 1st Ave
Miller SD 57362

Steve Resel, Fire Chief Scott Gibson, 1st Assistant Chief
Rodney Gortmaker, 2nd Assistant Chief Brian Duxbury, Secretary David Blachford, Treasurer

Mission Statement: The mission of the MFD is to protect lives and property from the hazards of fire, rescue emergencies, vehicle accidents, and disaster situations.

Dear fire safety neighbor,

To keep our community safe, we have to keep learning. Then, we need to pass along as much as we can to our whole community. So, when **FIREPUP™** visited us, we selected from a wide variety of materials from the **NATIONAL FIRE SAFETY COUNCIL®**, a 501-C-3 tax-exempt, non-profit organization. Our selection will start with color books for the young ones, and, work it's way up to things for the older kids, and on to us adults. We go to school to learn to be fire fighters, and, passing along life saving knowledge is a vital part of our job. To do this we need your help. Here are some examples of what your money will do.

10 CHILDREN @ \$28.00--20 CHILDREN @ \$56.00--50 CHILDREN @ 140.00

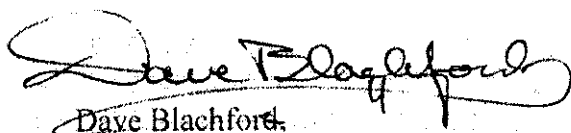
And, because we appreciate your help, we will place you, or your business name, on all the work study manuals for this year.

You can show your support for our **FIRE PUP™** program by making your check payable to the **NATIONAL FIRE SAFETY COUNCIL**, and, mailing to our attention.

Your prompt response will assure recognition on the program this year.

Your N.F.S.C. contribution is tax-deductible, and, **STAYS IN OUR COMMUNITY FOR OUR CHILDREN**. This is the only program of this type that we will sponsor this year. Please accept our appreciation for your concern for the safety and well-being of our community. As a team, we can do our best!

Yours in Safety.


Dave Blachford
Miller Volunteer Fire Department



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

July 1, 2013

The Honorable Ron Blachford
Mayor, City of Miller
P.O. Box 69
Miller, SD 57362-0069

Dear Mayor Blachford:

On June 26, 2013, Ron Hoftiezer and I conducted an inspection of the restricted use solid waste facility. The Department of Environment and Natural Resources Waste Management Program (DENR-WMP) conducts regular inspections of permitted solid waste facilities to determine if the facility is in compliance with the state of South Dakota's solid waste rules and your permit conditions.

Based on this inspection, the restricted use facility is operating in a **conditionally acceptable** compliance manner with the issued permit. Please review the following requirements, advisory, future consideration, enclosed inspection report, and your permit to operate the facility in complete compliance with all permit requirements.

Permit Requirements:

- **Scrap Metal.** Scrap metal is an unauthorized waste under Permit 11-17A. Therefore, no further acceptance of metal at the facility is allowed.
- **Construction and Demolition Debris and Rubble.** Only concrete, brick, stonework, asphaltic concrete, concrete block, asphaltic or fiberglass shingles, painted or stained wood, attached insulation, pipe, and similar waste may be accepted for burial at the facility.

Advisory - State of South Dakota Asbestos Program.

- South Dakota Department of Environment and Natural Resources – Waste Management Program (DENR-WMP) is responsible for regulating asbestos abatement projects in the state of South Dakota. For this reason, guidelines for renovation and demolition projects have been developed.
- Building demolitions and renovations are a common occurrence in every town and city throughout the state. Many of these buildings contain asbestos. The DENR-WMP aims to improve knowledge of the asbestos regulations which in turn will hopefully eliminate asbestos exposures due to improper handling. The DENR believes that through advising municipal and county building officials of the current requirements that must be followed, proper removal will be conducted before these buildings are scheduled for demolition or renovation.

- All institutional, commercial, public and industrial structures, installations and buildings are regulated. Therefore, before any institutional, commercial, public or industrial structure is to be renovated or demolished, please consult with the DENR-WMP (605-773-3153) for proper waste disposal requirements.

Future Consideration.

- **Earthen Cover Material.** At some point in the future the restricted use facility may have to be closed. Thus, all disposal areas will have to be covered with a minimum of two feet of earthen material capable of maintaining perennial vegetation. The contours of the covered disposal area must blend with the surrounding land contours to prevent ponding of water at the site.

If you have any questions, please feel free to contact me at (605) 773-3153.

Sincerely,



Don Rosowitz
Waste Management Program

Enclosure
June 26, 2013 Inspection Report