

AGENDA
CITY OF MILLER
TUESDAY, JANUARY 17, 2023
7:00 P.M.

The City of Miller is an equal opportunity employer.

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes pgs. 1 - 3

Public Input

Unfinished Business

1. Electric Department On-Call
2. Farm & Home Show pg. 4

New Business

3. Fire Department Roster pg. 5
4. Ordinance #744 – Electric Rates pgs. 6 - 7
5. Ordinance #745 – Electric Base Rates pgs. 8 - 9
6. Terry Manning – Municipal SDARWS Utilities Manager of the Year
7. Terry Manning – Director on SDARWS Board
8. DANR Letter – Phase IV pg. 10
9. Police Chief Benefits pgs. 11 - 12

Approval of Bills

Adjourn

Public comments are welcomed during public input, but no action can be taken by the Council on comments received at this meeting. Anyone wishing to have the Council vote on an item should call the Finance Office at 853-2705 by 5:00 p.m. on the Wednesday preceding the next scheduled meeting to be placed on the agenda.

CITY OF MILLER
CITY COUNCIL MEETING
JANUARY 3, 2023

The City of Miller is an equal opportunity employer.

The City Council met in regular session at city hall at 7:00 p.m. on Tuesday, January 3, 2023.

MEMBERS PRESENT: Mayor Ron Blachford, Aldermen: Jim Odegaard, Mike Wetz, Tom McGough, Joe Zeller. Alderwomen: Tammy Lichty and Susan Hargens.

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 Alderwoman Lichty to approve the agenda. All members voted aye. Motion carried.

MINUTES: Motion by Alderwoman Hargens, seconded by Alderman Wetz to approve the minutes for the regular meeting held on December 20, 2022, and the year-end meeting held on December 28, 2022. All members voted aye. Motion carried.

PUBLIC INPUT

Jan Kittleson requested the city's rules and regulations regarding snow removal. The ordinance can be found on the City's website at www.cityofmiller.com. Will Page, Alderman McGough, and Mayor Blachford along with the rest of the council commended the entire city crew for a great job done with snow removal from streets, intersections, and around fire hydrants after the emergency routes, fire hall, and airport runway were cleared.

DEPARTMENT HEAD REPORTS

Ron Hoffiezer, street superintendent, added to his report. The street department has been out sanding streets to cut down on the ice buildup. The sun will help the most. Deputy Finance Officer Cindy Deuter answered Alderman McGough's question pertaining to the two sales tax payments received each month from the State. The second payment is normally larger due to it covering a wider range of days than the first payment.

UNFINISHED BUSINESS

2nd Reading Ordinance #741 – Camping: Mayor Blachford read Ordinance #741. Motion by Alderman Wetz, seconded by Alderwoman Hargens to approve the 2nd reading of Ordinance #741. Alderwoman Lichty questioned who will set up the campground to reflect the new code. Alderman McGough commented that there will be signs displaying the new rules and regulations and drop boxes for registration and payment. City employees from the street and park departments will oversee the campground to enforce Ordinance #741. Roll call vote: Alderman McGough – aye, Alderman Odegaard – aye, Alderman Zeller – aye, Alderman Wetz – aye, Alderwoman Lichty – aye, Alderwoman Hargens – aye. Motion carried.

2nd Reading Ordinance #742 – Removal Permit: Mayor Blachford read Ordinance #742. Motion by Alderman McGough, seconded by Alderman Zeller to approve the 2nd reading of Ordinance #742. Roll call vote: Alderwoman Hargens – aye, Alderwoman Lichty – aye, Alderman Wetz – aye, Alderman Zeller – aye, Alderman Odegaard – aye, Alderman McGough – aye. Motion carried. The Code of Ordinances regarding fences was mentioned. An ordinance that specifically addresses fences needs to be created.

NEW BUSINESS

Electric Department – On-call: Dustin Graham, electric superintendent, researched on-call compensation for employees of other surrounding entities with utilities. Graham informed the utilities committee members of his findings to support the \$40 per day that is listed in Resolution No. 2023-1 and is well within the budget. On-call was established in the Miller City electric department in 2008 at \$20 per day and has not increased since. The city has agreed to pay Dakota Energy Cooperative \$40 per day for on-call services. Alderman Odegaard and Alderwoman Lichty would like to research how other entities compensate for on-call.

Resolution No. 2023-1 – Salaries: Motion by Alderman McGough, seconded by Alderman Zeller to approve Resolution No. 2023-1 with one revision to stay at \$20 per day when on-call for Dustin Graham and Devin Letsche. All members voted aye. Motion carried. The increases for each employee's pay along with the seasonal employee increases were discussed during the 2023 budgeting process. An increase in on-call pay will be addressed later.

Resolution No. 2023-2 – Fee Schedule: Motion by Alderman Wetz, seconded by Alderman Odegaard to approved Resolution No. 2023-2. All member voted aye. Motion carried.

1st Reading Ordinance #743 – Fee Schedule: Mayor Blachford read Ordinance #743. The Building Removal Permit Deposit for water/sewer capping of \$500 is refundable upon inspection as stated in Ordinance #742.

Designate Depositories and Official Newspaper: Motion by Alderman Wetz, seconded by Alderwoman Hargens to designate *The Miller Press* as the official newspaper and Quoin Financial Bank and American Bank & Trust as the official depositories. All members voted aye. Motion carried.

Dakota Pump & Control: The 2023 Annual Inspection Agreement was presented. DPC has changed the way they charge for annual inspections. Due to increased costs and today's global changes, inspections will now be invoiced out on a time/material basis rather than paying an upfront annual fee.

SPN & Associates: Motion by Alderwoman Hargens, seconded by Alderman Wetz to approve SPN & Associates invoice 27532 for \$7,600.00 for East 4th Street Improvements – Design. All members voted aye. Motion carried.

Memorandum for Destruction: Motion by Alderman McGough, seconded by Alderman Odegaard to approve the memorandum for destruction of the 2017 payroll, fund accounting, utility billing, and miscellaneous records as listed. All members voted aye. Motion carried. The city follows the South Dakota Municipalities Records and Retention and Destruction Schedule by the State of SD Bureau of Administration Records Management Program.

SD GOED Infrastructure First & Capital Improvement Program: The Governor's Office of Economic Development was awarded a \$1 million grant from the EDA to help 16 communities properly plan for large capital expenditures. There will be a webinar on January 10 for interested parties.

NECOG Letter: The Northeast Council of Governments December 2022 Newsletter covered their year-end review. The council would like to check into the grant funds available through the Land and Water Conservation Fund program for potential funding for the new municipal swimming pool and lights at the ballfields.

Muth Electric: A letter from Muth Electric that listed their hourly rates was received and given to the council as correspondence only.

Motion by Alderwoman Lichty, seconded by Alderman Wetz to adjourn the meeting. There being no further business, the meeting was adjourned at 8:28 p.m. All members voted aye. Motion carried.

Ronald Blachford, Mayor

Cindy Deuter, Deputy Finance Officer

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**CITY OF MILLER
CITY COUNCIL MEETING
JANUARY 10, 2023**

The City of Miller is an equal opportunity employer.

The City Council met in special session at city hall at 7:00 p.m. on Tuesday, January 10, 2023.

MEMBERS PRESENT: Mayor Ron Blachford, Aldermen: Tom McGough, Jim Odegaard, Mike Wetz, Joe Zeller, and Alderwomen Susan Hargens, Tammy Lichty.

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

Pledge of Allegiance was said by all present.

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

PUBLIC INPUT

None.

EXECUTIVE SESSION: Motion by Alderman Zeller, seconded by Alderman Wetz to go into executive session for personnel matters pursuant to SDCL 1-25-2(1) at 7:01 p.m. All members voted aye. Motion carried. Mayor Blachford returned the meeting to common council at 9:32 p.m.

NEW BUSINESS

City Personnel: No action taken.

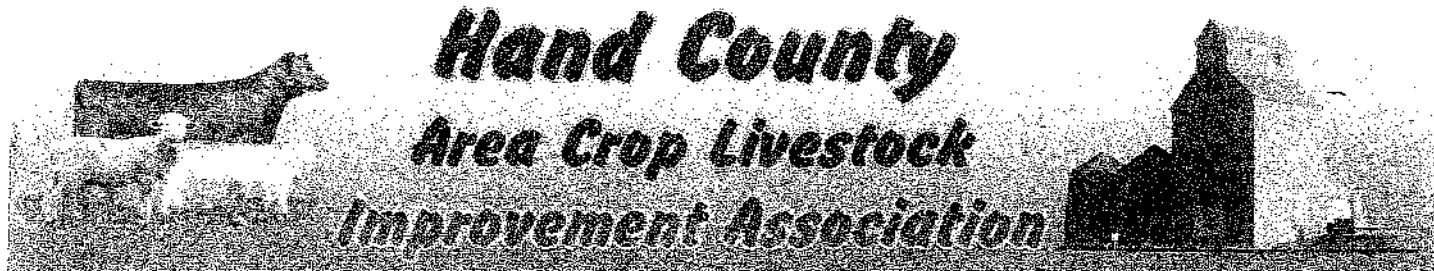
Motion by Alderman McGough, seconded by Alderwoman Hargens to adjourn the meeting. There being no further business, the meeting was adjourned at 9:33 p.m. All members voted aye. Motion carried.

Ronald Blachford, Mayor

Sheila Coss, Finance Officer

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The 2023 Farm & Home Show is scheduled for January 20-21 at the National Guard Armory in Miller, SD. We would like to take this opportunity to invite you to join us as an exhibitor. **On Friday, the show opens at 3:00 p.m. and runs until 8:00 p.m. On Saturday, the show is open from 9:00 a.m. until 1:00 p.m.** Setup for the event will be on Friday from 12 noon until 3:00 p.m.

If you would like a booth, you are encouraged to respond as soon as possible. **You, or someone from your organization, must be present both days of the show to man your booth.** Booth rent is \$100 for an 8-foot space, which includes one table and two chairs, and is **non-refundable**. Rental fees are due January 1, 2023. Booths will be filled on a first come, first served basis. If you have exhibited with us before and would like to request a spot you would prefer, please make note of that on your registration form and best efforts will be made to accommodate you. Electricity is available, but you will need to bring your own extension cords (please bring several as it may be a distance to an outlet) and power strips. You are also welcome to bring additional tables and chairs. If something should change and you are unable to attend the show, you may find a substitute vendor to take your spot. If you are unable to find a substitute vendor, please contact us so we may contact vendors on our waiting list. If vendors from the waiting list are substituted, your rent will be refunded.

You must have a tax ID number if you plan on selling any products at the show. All exhibitors will be required to fill out a form from the SD Dept. of Revenue, regardless if they sell things or not. Vendors are responsible for sending the form to the Dept. of Revenue.

Please **COMPLETELY** fill out the form below and return it with your booth rental fee as soon as possible. When your registration form and booth rent is received you will be added to the show floor plan. If you have questions, please contact LCIA president Aaron Stevens at the number/email listed below. Thank you and we look forward to seeing you on January 20-21, 2023!

Aaron Stevens
Hand County LCIA President
605-870-1649
aaronstevens17@hotmail.com
118 East 5th Street, Miller, SD 57362

MILLER FARM & HOME SHOW - JANUARY 20 - 21, 2023

☒ I would like a booth. Checks are payable to Hand County LCIA and need to be returned by January 1, 2023.

☐ I would like to help sponsor the pancake feed. ☐ \$25 ☐ \$50 ☐ \$100 ☐ other

☐ I will be using electricity. Please note what size voltage you need. _____

☐ I would like to donate a door prize for the show to be given away at the LCIA booth.

Please list your donation here: _____

☐ No thanks, I'll give door prizes at my booth at my own discretion.

☐ Check if you need a receipt.

FIRM NAME: City of Miller

ADDRESS: 120 W 2nd St CITY Miller STATE SD ZIP 57362

E-MAIL ADDRESS: finance.offices@cityofmiller.com CONTACT PHONE # (605) 893-2705

PRODUCT/SERVICES: Public Utilities

RETURN BOTTOM PORTION OF FORM & BOOTH RENT (payable to Hand County LCIA) TO: Hand County LCIA, 118 East 5th St., Miller, SD 57362

Steve Resel → chief.

Seth	Allen	James	Waldrop
Chris	Asmus	Rich	Waldrop
David	Blachford	Sheldon	Waldrop
Lance	DeHaai		
Jonathon	Dunlap		
Kelly	Fernholz		
Scott	Gibson		
Arlen	Gortmaker		
Devyn	Gortmaker		
Rodney	Gortmaker		
Dustin	Graham		
Brandon	Hammill		
Bruce	Hammill		
Michael	Hammill		
Ronald	Hofftizer Sr		
David	Johnson		
Brad	Kopecky		
Chris	Kruml		
Kevin	Long		
Terry	Manning		
Shaun	McFarlane		
Jeff	Moncur		
Brandon	Moore		
Troy	Moss		
Terry	Naber		
Michael	Namanny		
Gary	Neyens		
Rick	Norton		
Rick	Oligmueller		
Patrick	Price		
Corey	Resel		
Adam	Seeklander		
Shane	Sporrer		
Tyler	Swaney		
Nathan	VanZee		

ORDINANCE #744

The City of Miller is an equal opportunity employer.

AN ORDINANCE FOR THE PURPOSE OF AMENDING THE REVISED ORDINANCE OF THE CITY OF MILLER, SOUTH DAKOTA, NO. 724 TO PROVIDE FOR AMENDING THE ELECTRICAL RATE TO BE CHARGED BY THE MILLER MUNICIPAL ELECTRIC SYSTEM.

Be it ordained by the Common Council of the City of Miller, South Dakota that the City Fee Schedule listing electrical rates be amended as follows:

1. Rates. Rate to be charged to customers be amended as follows:

	Current Rate w/ Debt Service	Total Rate
<u>Residential Rate</u>		
\$15.00 \$16.20 base fee plus:		
Energy Charge		
All kWh	0.0402	
<i>(Plus)</i>	0.0359	
Debt Service Surcharge - 2020 Bonds		0.0886
All kWh	0.0484	

Commercial Rate

~~\$10.00~~ \$10.80 base fee plus:

Energy Charge		
All kWh	0.0609	
	0.0547	
	(Plus)	
Debt Service Surcharge - 2020 Bonds		0.1267
All kWh	0.0658	

Large Power

~~\$8.00~~ \$8.64 base fee plus:

Energy Charge		
All kWh		0.0378
	(Plus)	0.0350
Demand Charge		
All kW	4.58	
	(Plus)	3.9
Debt Service Surcharge - 2020 Bonds		17.53
All kW	12.95	

Municipal Rate

~~\$5.00~~ \$5.40 base fee plus:

Energy Charge

All kWh	0.0613	
(Plus)	0.0561	
Debt Service Surcharge - 2020 Bonds		0.1208
All kWh	0.0595	

Street Lighting

~~\$1.00~~ \$1.08 base fee plus:

Energy Charge

All kWh	0.0817	
(Plus)	0.0755	
Debt Service Surcharge - 2020 Bonds		0.1052
All kWh	0.0235	

Security Lights

Customer Meter 6.24

City Meter 10.40

This Ordinance should be in full force and effect so as to commence and include all electrical billings beginning with electric usage for the month of March 2023.

Ronald Blachford, Mayor

ATTEST:

Sheila Coss, Finance Officer

(SEAL)

Record of Votes:

Alderman McGough -
Alderman Zeller -
Alderman Odegaard -
Alderman Wetz -
Alderwoman Lichty -
Alderwoman Hargens -

First Reading: January 17, 2023

Second Reading: February 6, 2023

Adoption: February 6, 2023

ORDINANCE #745

The City of Miller is an equal opportunity employer.

AN ORDINANCE AMENDING SECTION 38-359 OF THE ORDINANCES OF THE CITY OF MILLER, SOUTH DAKOTA.

BE IT ORDAINED by the City of Miller, South Dakota, that Section 38-359 is hereby amended to read as follows:

Sec. 38-359. Fees and charges. Rate schedule

- (a) *Rates.* Rates for city electric service shall be as provided in the city fee schedule.
- (b) *Monthly base fee.* All electric base fees will be assessed monthly to all properties in the event that the electric is shut off for a limited time.
- (bc) *Surcharge for bond issue.* There shall be charged a monthly surcharge for the services provided by the improvements financed by the electric revenue bonds, series 2020 (the "2020 bonds"). The surcharge shall be segregated from other revenues of the utility and shall be used for the payment of the revenue bonds. Provided that such surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements, and operation, sufficient to fund interest, reserve and debt service fund annual requirements. The surcharge shall remain in effect until such time as the 2020 bonds are discharged or defeased. The amount of the surcharge shall be reviewed periodically and may be modified administratively by ordinance, in order to provide such funds as are set forth herein.
- ~~(c) *Rates and collection.* The city does hereby establish the special charge or surcharge payable by each customer of its electric system who receives or benefits from the services of the project. Such charge or surcharge shall be set at a level which, assuming a ten percent delinquency rate, will produce income at the times and in amounts sufficient to pay when due the principal of and interest on the 2010A bonds and all other payments as may be required under the trust indenture and 2010A bonds.~~
- ~~(d) *2010A bonds surcharge.* The electric debt service surcharge shall be applicable to all customers served whether in or out of the city. The surcharge shall remain in effect until such time as the 2010A bonds are discharged or defeased. The initial surcharge shall be collected at the same time as other charges of the electric system. The surcharge is found to be equitable for the services provided by the improvement.~~
- ~~(e) *Segregation.* The debt service surcharge shall be segregated from other income of the electric system in a separate account and is pledged to the payment of the 2010A bonds.~~
- ~~(f) *Periodic review.* The amount of the surcharge shall be reviewed periodically and may be modified administratively by resolution, effective upon passage, in order to provide such funds as are set forth herein. The charges shall be reviewed yearly by city personal and administratively adjusted, upwards or downwards, pursuant to SDCL 9-40-15 to such amounts as may be necessary to pay principal, interest, maintain any coverage requirements and other charges as may become due and owing under the 2010A bonds. This section~~

~~constitutes the legislative act to charge rates sufficient to pay principal of and interest on the 2010A bonds when due.~~

- ~~(g) *Billing and accounting.* The surcharge shall be included in the monthly bill. Nothing contained herein requires the surcharge to be indicated on the billing, however, the surcharge segregation shall be indicated on the books of the city.~~
- ~~(h) *Surcharge not to create constitutional indebtedness.* The charges provided herein are for the purpose of paying the borrower bond, series 2010A of the city which do not constitute indebtedness within the meaning of state constitution.~~
- ~~(i) *Surcharge auto repeal.* The surcharge shall be charged so long as the 2010A bonds or any bonds refunding the 2010A bonds are outstanding. Upon payment of all principal and interest on the 2010A bonds or any refunding bonds, the surcharge shall automatically be repealed with out any further action of the city council.~~
- ~~(j) *Severability.* If any one or more of the provisions of the ordinance codified in this section shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.~~

This Ordinance should be in full force and effect so as to commence and include all electric billings for March 2023 usage.

Ronald Blachford, Mayor

(SEAL)

ATTEST:

Sheila Coss, Finance Officer

Record of votes:

Alderman McGough -
Alderman Zeller -
Alderman Odegaard -
Alderwoman Hargens -
Alderwoman Lichty -
Alderman Wetz -

1st Reading – January 17, 2023
2nd Reading – February 6, 2023
Adoption – February 6, 2023
Publication – February 11, 2023



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
darr.sd.gov

January 12, 2023

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

RE: City of Miller Public Water System (EPA ID: 0211)

Dear Mayor Blachford:

We understand that the City of Miller is working on plans to complete some needed infrastructure improvements to ensure that the infrastructure serving residents of Miller do not pose any risk to public health. Improvements to address your aging infrastructure now will be instrumental in avoiding unnecessary interruptions in service and improve drinking water quality.

Systems with Asbestos Cement Pipe (ACP) are much more susceptible to main breaks since the aging pipe becomes brittle and unreliable. Each time a main breaks, public health is at risk. The distribution system looping and water storage improvements are also projects that impact public health because of documented water quality improvements when water in storage tanks are provided with mixing and dead-end water mains are looped to eliminate water stagnation problems. Lastly, properly plugging and abandoning your previous supply wells will also protect public health. Protecting the aquifer from inadvertent contamination and also preventing potential injury from abandoned well house structures eliminates a that risk to your citizens and the city.

We commend the City for proactively addressing the issues identified and taking the necessary steps to protect the public you serve.

Sincerely,

Mark Mayer
Drinking Water Program Administrator
(605) 773-6039

cy: Sheila Coss, Finance Officer
Terry Manning, Utilities Manager
Camden Hofer, PE – SPN and Associates

(cys: sent via email only)

3.1 Definitions:

Regular Full-Time Employee: An employee who is employed by the municipality to work a predetermined schedule of an average of at least 40 hours per week and has completed their employee-in-training period.

Benefits:

Vacation Leave:	Full benefit
Sick Leave:	Full benefit
Holiday Pay:	Full benefit
Health (Dental/Vision) Insurance:	Full benefit
Life Insurance:	Full benefit
Personal Emergency Leave:	Full benefit
S.D. Retirement System:	Participating

Benefits: No Benefits.

Employee-in-Training: An employee who is newly hired by the municipality in a regular full [or part] time position who is completing his/her 6-month training period (see Policy 4.15).

Benefits:

Vacation Leave:	Accrue full benefits but may not use leave until completion of training period.
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All other benefits are the same as their respective classification above.

4.15 Employee-in-Training Period

Every employee hired by the municipality of Miller must complete no less than six (6) months up to twelve (12) months training period for the purpose of assessing the individual's ability to perform their assigned duties.

Such employment may be terminated if either the municipality or the employee feels this is the appropriate action. There is no notice required of either party for such termination and no due process procedures will be held by the municipality for discharge during this time period. The only right for an employee to appeal or grieve a discharge action during this time is on the basis of a prohibited form of discrimination.

During this training period an employee shall accrue both sick and vacation leave at the regularly scheduled rate. Sick leave may be used as necessary at this time; however, the employee is not entitled to use their accrued vacation leave until completion of their training period. An employee-in-training is entitled to paid holidays as observed by the municipality.

Employees receiving transfers, promotions, etc., must complete no less than six (6) months up to twelve (12) months training period for assessing his/her ability to perform the duties of the new position assigned. During this time the employee will continue to receive all benefits as previously assigned.

5.2 Standard Work Week

The standard 40-hour work week, unless otherwise stated, for the purpose of calculating pay and overtime shall begin at 12:00 a.m. Monday and end at 11:59 p.m. Friday. Any hours worked between 12:00 a.m. Saturday and 11:59 p.m. Sunday shall be paid at the overtime rate.

The standard work week for the Police Department shall begin at 12:00 a.m. Sunday and end at 11:59 p.m. Saturday. Police personnel, for the purpose of calculating overtime, shall follow the schedule as provided for under the Federal Labor Standards Act. (See Appendix Five)

FLSA POLICE AND FIRE MAXIMUM HOURS

No overtime at time and a half rates need be paid until the employee exceeds the appropriate maximum hours established for Law Enforcement or Fire Protection activities.

WORK PERIOD (DAYS)	MAXIMUM HOURS STANDARDS	
	FIRE PROTECTION	LAW ENFORCEMENT
28	212	171
27	204	165
26	197	159
25	189	153
24	182	147
23	174	141
22	167	134
21	159	128
20	151	122
19	144	116
18	136	110
17	129	104
16	121	98
15	114	92
* 14	106	86 *
13	98	79
12	91	73
11	83	67
10	76	61
9	68	55
8	61	49
7	53	43