

**AGENDA
CITY OF MILLER
MONDAY, APRIL 26, 2021
7:00 P.M.**

The City of Miller is an equal opportunity employer.

Call to Order

Pledge of Allegiance

Approval of Agenda

Public Input

New Business

1. Canvas Recount Votes
2. Resolution 2021-8pg. 1

Executive Session

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

3. Roger Haberling - wages

Adjourn

RESOLUTION 2021-8

The City of Miller is an equal opportunity employer.

WHEREAS, SDCL 9-13-5 provides no election shall be held in any municipality or ward thereof where there are no opposing candidates for any office, and the Finance Officer shall issue Certificates of Election to the nominees in the same manner as to successful candidates after election, and,

WHEREAS, SDCL 9-13-24 provides the election returns shall be reported as soon as possible to the finance officer, and within seven days of the election, the governing body shall canvass the election returns, declare the result, and enter the result on its journal,

WHEREAS, SDCL 9-13-27.3 provides in part that if any candidates for the municipal governing body is defeated by a margin not exceeding two percent of the total votes cast for all candidates for office, or by a margin of five votes or less, the candidate may, within 5 days after completion of the official canvass, file with the municipal finance officer a written request for recount. The finance officer shall set the time and place for the recount within ten days of the date of the receipt of the recount request.

WHEREAS, on Tuesday the 13th day of April 2021, pursuant to notice duly given, an election was held in the City of Miller, South Dakota, for the purpose of electing a Councilman for Ward Two – 2-year term and Mayor – 2-year term, and,

WHEREAS, no opposing candidates filed nominating petitions for the office Councilman for Ward One – 2-year term, and Councilman for Ward Three – 2-year term.

WHEREAS, the Common Council of the City of Miller, South Dakota, did meet as prescribed by law to canvass the votes and as such examined the poll books, tally sheets and other documents pertaining to said election and as a result of said examination the following determination was made and entered on its journal:

WARD TWO – ALDERMAN

Joe Zeller	85
Steve Yearous	46
Total voters registered and ballots counted	131

MAYOR

Susan Hargens	147
Ronald Blachford	149
Total voters registered and ballots counted	296
Spoiled Ballot	1

WHEREAS, a recount for Mayor was requested by petitioner, Susan Hargens within the timeframe required therein by the above-referenced statute. The recount board met on April 26, 2021, pursuant to the statutory timeline established.

WHEREAS, The Common Council of the City of Miller, South Dakota did meet as prescribed by law and examined the tally sheets and other documents pertaining to said election recount, as a result of said examination, the following determination was made:

MAYOR

Susan Hargens	
Ronald Blachford	
Total voters registered and ballots counted	

Spoiled Ballot

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Miller, South Dakota, that Joe Zeller be declared elected Councilman of Ward Two for a term of two years, that be declared elected Mayor for a term of two years, and the Finance Officer be instructed to issue Certificates of Election to said candidates.

Dated this 3rd day of May 2021.

(SEAL)

Ronald Blachford, Mayor

ATTEST:

Sheila Coss, Finance Officer