

**AGENDA
CITY OF MILLER
MONDAY, JULY 19, 2021
7:00 P.M.**

The City of Miller is an equal opportunity employer.

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutespgs. 1 - 6

Public Input

New Business

1. Shane Croeni -- Interagency Assist Policypg. 7
2. Airport Project
 - a. Helms & Associates Invoice #24112 for \$3,856.53pg. 8
 - b. Midland Contracting Pay Estimate 1 - \$180,683.33pgs. 9 - 10
 - c. Asphalt Testing RFQ -- Aaron Swan & Associates.....pgs. 11 - 14
3. American Rescue Plan Airport Grant - \$22,000.....pgs. 15 - 16
4. Cell Phone Policy Revisionpgs. 17 - 18
5. Water/ Sewer Project
 - a. Dahme Construction -- Substantial Completionpgs. 19 - 20

Unfinished Business

1. Randy Bertsch -- Flood Concerns
2. Frame for Plaque at the Baseball Field
3. Roger Haberling -- Baseball Warning Track
4. 2nd Reading of Ordinance #718 -- Joint Powers Agreementpg. 21
5. Utility Committee -- Keith Blachford Concerns

Approval of Bills

Adjourn

Please bring your code book for updates. Thanks.

**CITY OF MILLER
CITY COUNCIL MEETING
JULY 6, 2021**

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, July 6, 2021.

MEMBERS PRESENT: Mayor Ron Blachford, Aldermen: Jim Odegaard, Tony Rangel, Bob Steers, Jeff Swartz, Joe Zeller, and Alderwoman Tammy Lichty.

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 Rangel, seconded by Alderwoman Lichty to approve the minutes for the regular meeting held on June 21, 2021. All members voted aye. Motion carried.

PUBLIC INPUT

Randy Bertsch was present to ask when the engineers plan to begin the flood study near his home. He had 1.20" of rainwater in his basement. Terry Manning said the engineers were in town today to begin the flood study.

Ron Blachford congratulated Terry Manning and the city for the great DOT airport inspection report.

DEPARTMENT HEAD REPORTS

The council did not have any questions for the department heads.

NEW BUSINESS

Pool Committee – New Pool Presentation: The Pool Committee consisting of Sarah DeHaai, Steve Schroeder, Jill VanDerWerff, Bryan Breittling, and Josh Lauer, Burbach Aquatics gave a presentation on the new pool. They covered the history and condition of the existing pool, new pool plans, and funding plans. The tentative start date for the Capital Campaign is August 1, 2021 with construction to begin in August of 2023 and to be completed for an opening date of June 1, 2024. Alderman Steers and Mayor Blachford thanked them for their time and effort and promised city support.

PUBLIC HEARING

Mayor Blachford called for a public hearing at 7:30 p.m. for a liquor license transfer. Motion by Alderman Rangel, seconded by Alderman Odegaard to approve the liquor license transfer from Ili-Lite Bar & Grill to Redneck Paradise. Roll call vote: Alderman Steers – aye, Alderwoman Lichty – aye, Alderman Rangel – aye, Alderman Odegaard – aye, Alderman Zeller – aye, Alderman Swartz – aye. Motion carried.

Keith Blachford – Utilities: Keith Blachford was present to dispute his notice to collections for unpaid late fees. Motion by Alderwoman Lichty, seconded by Alderman Odegaard to write off \$15.93 of late fees. All members voted aye. Motion carried. Blachford also brought up prior issues from 2018 regarding water in the crawl space of his house and electrical issues during Phase I of the water construction and the electric project. The Utility Committee will meet to discuss this issue.

Roger Haberling – Baseball Warning Track: Roger Haberling reported that the warning track sand is washing away and affecting the integrity of the fence. He would like permission to visit Spencer Quarries in Spencer, SD to look at crushed red rock that works well for warning tracks. The cost is \$7.00/ton or \$25.00/ton with trucking. Haberling is working with Dan Fritzsche, Miller Concrete, for the quantities needed. He was authorized to visit Spencer Quarries and report back to the council with his findings.

Dustin Graham – Crane for Substation: Motion by Alderman Steers, seconded by Alderman Odegaard to have Dustin Graham order a crane to load the transformers from the

substation next to the football field. The crane cost will be split with Parker as they are purchasing one of the transformers. All members voted aye. Motion carried.

Bill Lewellen – As Needed Employee: Motion by Alderman Steers, seconded by Alderman Swartz to hire Bill Lewellen at \$80.00/hour retroactively for an as needed employee. All members voted aye. Motion carried.

Resolution 2021-11 – Surplus Property: Motion by Alderman Odegaard, seconded by Alderman Zeller to approve Resolution 2021-11 – Surplus Property. All members voted aye. Motion carried.

Willie's Bar & Grill – Special Event Liquor Licenses: Motion by Alderman Rangel, seconded by Alderwoman Lichty to approve special event liquor licenses for July 10, 2021, and August 21, 2021, for Willie's Bar & Grill to serve alcohol at the community center. All members voted aye. Motion carried.

City Park Well: Alderman Rangel has not heard back from any companies regarding a well at the city park.

Kessler's Fuel Bid: Motion by Alderwoman Lichty, seconded by Alderman Zeller to revoke the Kessler's fuel bid and accept the next bid from Cowboy Country Store of .06/gallon discount along with the fuel tax rebate. All members voted aye. Motion carried. Kessler's must have their billing systems in place for city business to be considered for the 2022 bids.

Elected Officials Workshop: Elected Officials workshop is scheduled for July 14th in Pierre.

Helms & Associates Invoice: Motion by Alderman Swartz, seconded by Alderman Rangel to pay Helms & Associates \$11,940.77 for invoice number 24113. All members voted aye. Motion carried.

Water/Sewer Project: Motion by Alderman Zeller, seconded by Alderman Odegaard to pay **SPN Phase II** invoices 24011-24014 and **Phase III** invoices 24048-24053 for a total of \$52,040.38. All members voted aye. Motion carried. Motion by Alderman Odegaard, seconded by Alderman Rangel to approve **Dahme Construction** Pay Request No. 24 for \$290,561.43. All members voted aye. Motion carried. Motion by Alderman Rangel, seconded by Alderman Zeller to approve **Dahme Construction** Change Order No. 6 for \$103,711.51. All members voted aye. Motion carried. Motion by Alderman Steers, seconded by Alderwoman Lichty to pay **TLC Olson Construction, LLC** Pay Request No. 8 for \$348,181.03. All members voted aye. Motion carried.

UNFINISHED BUSINESS

Regional Natural Gas Utility Authority:

Joint Powers Agreement: The council reviewed the revised Joint Powers Agreement for the Regional Gas Authority. **First Reading of Ordinance #718 – Natural Gas:** Motion by Alderman Zeller, seconded by Alderman Steers to approve the First Reading of Ordinance #718 – Natural Gas. Roll call vote: Alderman Steers – aye, Alderwoman Lichty – aye, Alderman Rangel – aye, Alderman Odegaard – aye, Alderman Zeller – aye, Alderman Swartz – aye. Motion carried. **Resolution 2021-10 – Board Member Appointee:** Motion by Alderman Odegaard, seconded by Alderman Swartz to approve Resolution 2021-10 to appoint Joe Zeller to the Regional Natural Gas Authority Board. Roll call vote: Alderman Steers – aye, Alderwoman Lichty – aye, Alderman Rangel – aye, Alderman Odegaard – aye, Alderman Zeller – abstain, Alderman Swartz – aye. Motion carried.

Maintenance for Police Roof, Pool Pump House Roof, and Electric Building: Motion by Alderwoman Lichty, seconded by Alderman Swartz to use the specs provided by Joe Zeller to repair the roof on the pool pump house and add steel to the electric building. All members voted aye. Motion carried. Zeller is still reviewing the police roof issues.

Main Street Rustlers Banners: Motion by Alderwoman Lichty, seconded by Alderman Odegaard to have Millerdale Colony order 10 Miller Rustlers Banners for main street for approximately \$120.00/banner. All members voted aye. Motion carried.

CORRESPONDENCE: Mid-Dakota Rural Water is seeking a Municipal-At-Large Director.

EXECUTIVE SESSION: Motion by Alderwoman Lichty, seconded by Alderman Swartz to go into executive session for personnel matters pursuant to SDCL 1-25-2(1) at 9:26 p.m. All members voted aye. Motion carried. Motion by Alderman Odegaard, seconded by Alderwoman Lichty to come out of executive session at 9:45 p.m. All members voted aye. Motion carried.

Offer Maintenance Position: Motion by Alderman Odegaard, seconded by Alderwoman Lichty offer the full-time maintenance position to Devin Letsche for \$15.00/hour. All members voted aye. Motion carried. Letsche was contacted by phone and will start July 26, 2021.

Approval of Bills: Motion by Alderman Rangel, seconded by Alderman Odegaard to approve the bills for payment. All members voted aye. Motion carried.

Motion by Alderwoman Lichty, seconded by Alderman Steers to adjourn the meeting. There being no further business, the meeting was adjourned at 9:47 p.m. All members voted aye. Motion carried.

Ronald Blachford, Mayor

Sheila Coss, Finance Officer

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Bills July 2021 (1)

A & B Business	Copier Meter	154.31
A-Ox Welding	CO2	49.10
Agtegra	Fuel	1,322.95
American Solutions	Supplies	1,033.18
Associated Supply Co	Repairs	744.39
BDS	Garbage	179.00
City Utilities	Utilities	8,134.08
Dahine Construction	Phase II Construction	290,561.43
DSG	Supplies	1,162.30
DGR Engineering	Prof Fees	698.00
gWorks	FrontDesk	3,235.00
Helms & Associates	Prof Fees	11,940.77
J & M Aircraft Supply	Supplies	322.06
John Deere Financial	Supplies	39.60
MDRWS	Water	19,811.25
Miller Rexall Drug	Supplies	9.26
Northwest Pipe	Supplies	295.50
Oakley Farm & Ranch	Supplies	5.49
OHED	80% BBB	1,057.09
On Sight	Service Fees	450.68
Postmaster	Postage	325.00
SD DANR	Permit Fees	650.00
SD Public Health Lab	Tests	241.00
Servall	Service	78.09
Share Corp	Supplies	1,056.88
Spencer Quarries	Patch Mix	895.90
SPN	Prof Fees	52,040.38
Stobbs Sales	Repairs	2,540.72
Stuart C Irby	Supplies	230.00
TLC Olson Construction	Phase III Construction	348,181.03
Twin Valley Tire	Repairs	29.55
US Bank	Loan	18,165.39
Wesco	Supplies	8,140.00
WEX	Fuel	182.24
Willbur-Ellis	Supplies	54.48
	Accounts Payable Total	<u>\$774,016.10</u>

Payroll Salary plus		6/29/2021 & 6/30/2021		
Benefits by Department:		& 7/06/2021		
Department		w/o OT	OT	Total
41101	COUNCIL	1,959.22	0.00	1,959.22
41402	FINANCE OFFICE	1,375.37	0.00	1,375.37
41902	BUILDING	424.03	0.00	424.03
42101	POLICE	10,656.66	1,025.72	11,682.38
43101	STREET	5,795.81	0.00	5,795.81
43201	SEWER	5,364.17	465.47	5,829.59
43305	WATER	5,364.05	465.41	5,829.46
43403	ELECTRIC	8,323.24	288.75	8,611.99
45101	BALLPARK	2,747.50	0.00	2,747.50
45202	PARK	996.36	0.00	996.36
45103	POOL	6,581.74	0.00	6,581.74
		<u>\$49,588.15</u>	<u>\$2,245.30</u>	<u>\$51,833.45</u>

**CITY OF MILLER
CITY COUNCIL MEETING
JULY 12, 2021**

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 Monday, July 12, 2021.

MEMBERS PRESENT: Mayor Ron Blachford, Aldermen: Jim Odegaard, Tony Rangel, Bob Steers, Joe Zeller, and Alderwoman Tammy Lichty. Absent: Jeff Swartz.

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.

PUBLIC INPUT

Alderman Zeller thanked the fire department, the Miller C&C, and the many volunteers for a successful 4th of July community celebration.

NEW BUSINESS

Community Access Grant -- Resolution 2021-12: Motion by Alderman Steers, seconded by Alderman Rangel to approve Resolution 2021-12 to apply for the Community Access Grant for improvements to East 4th Street in front of the Miller High School and Armory. Roll call vote: Alderman Steers -- aye, Alderwoman Lichty -- abstain, Alderman Rangel -- aye, Alderman Odegaard -- aye, Alderman Zeller -- aye, Alderman Swartz -- absent. Motion carried. Further discussion was held regarding the cost estimates on the application. Clarification of the project costs will be obtained from the engineer and NECOG. Another special meeting will be set up before the July 15th deadline.

Motion by Alderman Rangel, seconded by Alderwoman Lichty to adjourn the meeting. There being no further business, the meeting was adjourned at 7:42 p.m. All members voted aye. Motion carried.

Ronald Blachford, Mayor

Sheila Coss, Finance Officer

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CITY OF MILLER
CITY COUNCIL MEETING
JULY 14, 2021

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 Wednesday, July 14, 2021.

MEMBERS PRESENT: Mayor Ron Blachford, Aldermen: Jim Odegaard, Tony Rangel, Jeff Swartz, Joe Zeller, and Alderwoman Tammy Lichty. Absent: Bob Steers.

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.

PUBLIC INPUT

Alderwoman Lichty would like to add the frame for the ballpark plaque to the next agenda.

NEW BUSINESS

Community Access Grant Application: Motion by Alderman Swartz, seconded by Alderwoman Lichty to have Mayor Blachford sign the Community Access Grant Application to improve East 4th Street in front of the Miller High School and Armory. All members voted aye. Motion carried.

Motion by Alderwoman Lichty, seconded by Alderman Zeller to adjourn the meeting. There being no further business, the meeting was adjourned at 7:15 p.m. All members voted aye. Motion carried.

Ronald Blachford, Mayor

Tony Rangel, President

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HAND COUNTY SHERIFF'S OFFICE

POLICY#

INTERAGENCY ASSIST

This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only for the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.

- I. **Purpose:** To provide field officers with the immediate authority to "backup" agents of other law enforcement agencies operating inside Hand County.
- II. **Policy:** Every community can expect its law enforcement officers to work together to ensure safety of its population and colleagues. All law enforcement officers are expected to enforce all laws, keep the peace and apprehend criminals. Persons who engage in criminal activity, may display conduct that is bizarre, irrational, unpredictable, and threatening. They may not receive or comprehend commands or other forms of communication in the manner the officer would foresee. They often do not respond to authoritative persons or the display of force. It is the primary task of the field officers confronting these persons to resolve the encounter in the safest manner. Officers are expected to control the incident. In rural communities, law enforcement agents are often on duty alone and back up could be hours away. It will be this agencies policy that Hand County Deputies will, when called, respond forthwith without question or approval from a supervisor, if, the officer calls for assistance in any manner over the radio, phone, or voice. If the officer is within the borders of Hand County. If dispatch requests assistance from any available units. If these criteria are not met, the officer shall seek approval of the sheriff or supervisor before proceeding.

Helms & Associates

PO Box 111

Aberdeen, SD 57402-

Tel: (605) 225-1212 Fax: (605) 225-3189

BOBB@HELMSENGINEERING.COM

Invoice

Invoice Date: Jun 30, 2021

Invoice Num: 24112

Billing Through: Jun 26, 2021

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

MILLER AIRPORT HANGAR TAXILANE IMPROVEMENTS BIDDING (A8094:04) - Managed by (205)

AIP # 3-46-0035-012-2021

PER AGREEMENT DATED 2/22/2021

INVOICE FOUR

Project ID	Project Name	Contract Amount	% Comp.	Previously Billed	Amount Due
A8094:04	MILLER AIRPORT HANGAR TAXILANE IMPROVEMENTS BIDDING	\$7,713.06	100.00	\$3,856.53	\$3,856.53

Total Amount Due: \$3,856.53

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 30th day of June 2021.
HELMS AND ASSOCIATES D. H. Helms

APPROVAL:

BY: _____

TITLE: _____

DATE: _____

Account Summary

Services BTD	Expenses BTD	Billed To Date	Paid To Date	Balance Due
\$ 7,713.06	\$ 0.00	\$ 7,713.06	\$ 3,856.53	\$ 3,856.53

8

PERIODIC PAYMENT ESTIMATE

ISSUE DATE: July 13, 2021 ESTIMATE NO. 1 (Partial) (Final)

OWNER: City of Miller PERIOD FROM: 6/22/2021-7/9/2021

CONTRACTOR: Midland Contracting, Inc. DATE OF CONTRACT: June 22, 2021

DESCRIPTION OF JOB: Hangar Taxilane Improvements
 JOB NUMBER: Helms A-8094 AIP # 3-46-0035-012-2021
 BID SCHEDULE: Base Bid
 INCLUDING APPROVED C/O's: N/A

STATEMENT OF THE CONTRACT ACCOUNT

Original Contract Amount	\$586,371.45
Additions Approved to Date - C/O #'s ()	
Deductions Approved to Date - C/O #'s ()	
Net Contract Amount this Date	\$586,371.45
Value of Application for PPE for Work to Date	\$200,759.25
Less Recommended Minimum Amount to be Withheld	
Estimated Value of Work to Date	\$200,759.25
Material Stored On-Site	
Estimated Work to Date and Material On-Site	\$200,759.25
Value of 10 Percent Retainage	\$20,075.93
Estimated Value of Work to Date, Less Retainage	\$180,683.33
Total Previously Certified	
Amount Due this Request	\$180,683.33

Certificate of Approval:

OWNER: City of Miller

BY: _____ DATE: _____

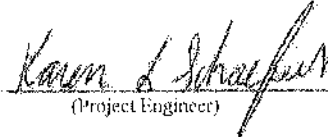
Contractor warrants and guarantees that title to all Work, materials and equipment covered by any Application for Payment, whether incorporated in the Project or not, will pass to Owner at the time of payment free and clear of all liens, claims, security interests and encumbrances.

CONTRACTOR: Midland Contracting, Inc.

BY:  DATE: 7-14-21

I have reviewed the Work, and as a result of my observations and to the best of my knowledge and belief, the quantities shown in the periodic estimate are correct, and, it is my Opinion, the Work has been basically performed to meet the intent of the Plans and Specifications. A minimum recommended amount should be withheld from the value of those quantities because of nonperformance or because of partial completion of Work, which is not in accordance with the intent of the Contract Documents. This Work is subject to subsequent inspection, which may require corrective measures to be performed by the Contractor prior to final Certificate of Completion and the final acceptance by the Owner. The Engineer does not guarantee the performance of the work by the Contractor and will not be held responsible for techniques of construction or the safety measures and precautions incidental thereto.

HELMS AND ASSOCIATES:

BY:  DATE: 7/15/2021
 (Project Engineer)

PERIODIC PAYMENT ESTIMATE NO. 1 (PARTIAL)

OWNER: City of Milford
WORK COMPLETED: 11/8/01-6/01 622/2014-7/9/2011

ISSUE DATE: 7/13/2021
CONTRACTOR: Midland Contracting, Inc.
EXCLUDING CHANGE ORDER: N/A

ITEM NO.	SPEC NO.	UNITS	UNIT PRICE	TOTAL PRICE TO DATE	TOTAL PRICE TO DATE		MATERIALS TO DATE	UNITS PREVIOUSLY INSTALLED		TOTAL PRICE		BALANCE TO INSTALL
					UNIT PRICE	TOTAL PRICE		UNITS	TOTAL PRICE			
										UNIT PRICE	TOTAL PRICE	
1	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
2	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
3	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
4	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
5	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
6	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
7	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
8	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
9	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
10	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
11	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
12	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
13	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
14	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
15	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
16	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
17	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
18	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
19	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
20	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
21	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
22	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
23	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
24	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
25	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
26	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
27	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
28	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
29	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
30	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
31	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
32	40412	1.00	\$0.0000	\$0.0000	0.00	\$0.0000	0.00	0.00	\$0.0000	\$0.0000	\$0.0000	
TOTAL BID				\$586,371.45	\$300,759.25	\$285,612.20	\$386,361.45	\$200,759.25	\$185,602.20	\$285,612.20	\$100,749.25	



**CONSULTING ENGINEERS
MATERIALS TESTING**

107 E. Capitol Ave., Suite 219
Pierre, South Dakota 57501
Telephone: (605) 945-1215

AARON SWAN AND ASSOCIATES

July 14th, 2023

Aaron Swan and Associates, Inc. (ASA) is pleased to respond to your request for a proposal for Quality Assurance (QA) Acceptance Sampling and testing for P-403 Asphalt Mix Pavements in regards to the Hanger Texdane Improvement Project at Miller Municipal Airport located in Miller, SD.

PROJECT SCOPE

It is the understanding of Aaron Swan & Associates that Miller, SD is soliciting proposals for the Hanger Texdane Improvement Project. The scope of this work includes approximately 500 ton of Asphalt Mix Pavement. It is our understanding that this work is anticipated to occur in August, 2024 and will take approximately 5 days to complete.

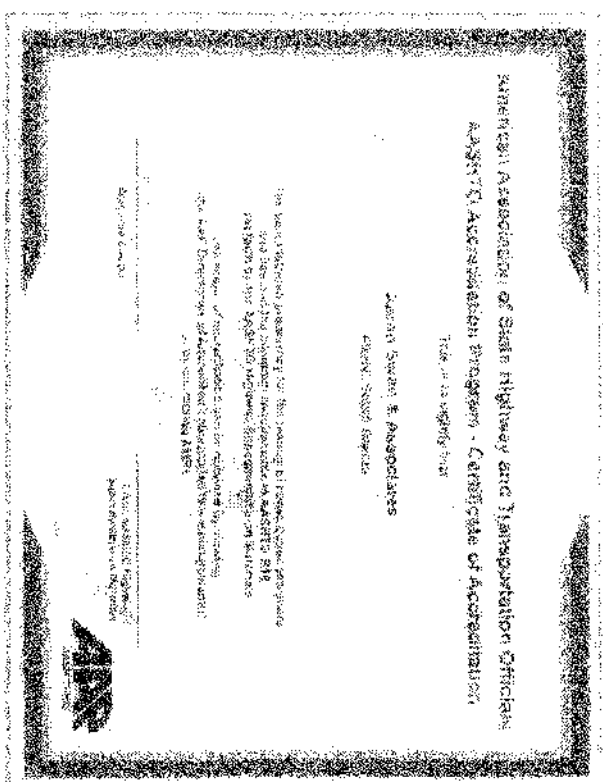
We are to provide our personnel and expertise for services that may include, but are not limited to the requirements of section 403.6.1 Quality Assurance (QA) acceptance sampling and testing requirements in the specification for P-403. We will provide an on-site testing and will furnish all necessary testing equipment to perform Quality Assurance (QA) acceptance sampling and testing requirements in the specification for section P-403.

QUALIFICATIONS

The Aaron Swan and Associates team is composed of Engineers and Technicians that have long-standing, successful working relationships with local and state governments, federal agencies, Tribal Governments and individual and commercial clients throughout the United States.

Founded in 1975, Aaron Swan and Associates is a consulting engineering and materials testing firm headquartered in Pierre, SD. The firm specializes in the inspection, analysis and detailed design and construction management of Civil Engineering and Materials Testing projects. We have two well-staffed Materials Testing Labs, one in Pierre, SD and one in Rapid City, SD. Both our labs are furnished with the most up-to-date equipment required to provide the highest level test results. We also have nine (9) well-equipped mobile field labs.

Aaron Swan & Associates is familiar with FAA documentation and standard requirements and have current copies of FAA Advisory Circulars on file. We are aware of the Quality Assurance plan requirements for construction projects and we have an AAP ASTM R10 Accreditation Certificate for our Central Laboratory in Pierre.



Our core staff has the current certifications and ratings required to perform all tests associated with this project. Our testing personnel are certified under the State of South Dakota DOT CAAQC Trained Technician Program and our qualified Professional Engineering staff is also available to assist in the project if needed.

EXPERIENCE

The Aaron Swan and Associates Testing Laboratory has been providing Materials Testing for regional Municipal Airports for many years. At present, we have 5 airport projects under contract. Historically, we have worked on a minimum of 5 airport projects a year over the past 21 years. Our most recent municipal airport testing projects include, but are not limited to:

20-414 Pierre airport - P-401 - 8,088 tons - P-501 - 2484 sqyds
 19-186 Desmet airport - P-403 - 964 tons - P-501 - 8128 sqyds
 19-185 Moberge airport - P-401 - 8,518 tons
 18-212 Faith Airport - P-403 - 839 tons
 18-208 Hoven Airport - P-403 - 834 tons
 18-173 Watertown airport - P-401 - 905 tons
 17-187 Watertown Airport - P-401 - 1,770 tons
 17-135 Pierre Airport - P-501 full runway

Through these projects we have developed extensive experience that will contribute to the success of this project.

PERFORMANCE

As a customer-centric business, we know that successful projects are defined by our ability to manage project costs and meet project deadlines. We do so by establishing clear project baselines (Budget, Schedule, Scope & Quality), adhering to predetermined targets and maintaining clear and consistent communication with contractors, engineers and owners.

Understanding the entire scope of a project of this type is probably the most important factor as it allows us to clearly define the project requirements and resources required. Our extensive previous experience with similar projects, combined with a Professional Engineering staff review, has helped us become the most trusted materials testing firm in our region.

Quality is also a key factor, and we have worked hard to develop a successful system designed around field testing to ensure quality is at the forefront for our deliverables. In addition to the on-going education of personnel, we have worked hard in the Process Improvement area to create up-to-date digital systems which help streamline the flow of information from the field to our lab. This allows us to not only deliver faster test results but also helps improve data accuracy by eliminating potential coding or data entry errors.

Beyond scope and quality baselines, we take great pride in our ability to consistently keep our work on budget without delays. As a major concern of most clients, we make sure that we are sensitive to these issues and clearly communicate all relevant budget and scheduling items during pre-construction meetings to establish accurate project constraints.

Our project budgets are routinely reviewed by management and internal variance reports are generated to ensure that we are consistently performing at expected levels. We make internal corrective action a priority when it comes to budgetary challenges, and throughout our firm's history have created a company culture of problem solving. With many consulting firms work on the basis of Estimates and Change Orders, Aaron Swan & Associates aims to keep our Determined Budgets accurate and it is our policy to avoid change orders unless absolutely necessary.

As a materials testing subcontractor, most of our scheduling control revolves around being on-site at the agreed-to intervals, performing test results quickly and accurately and avoiding unnecessary scheduling delays. One advantage that we currently enjoy is a large number of staff, certified in all test methods that we conduct. We have much more flexibility in personnel resources than most any firm of our size. Aaron Swan & Associates also ensures that contractors are aware of any pitfalls we foresee in their paving processes that could cause scheduling problems or may require future rework. Having worked with many contractors and engineers across the state, including those on this project, our business relationships in this industry and professional reputation of quality results helps move schedules along smoothly and to the desired project outcome.

STAFFING

The Aaron Swan and Associates team has qualified personnel available for this Project. ASA has years of experience working together on projects very similar to this one. We have provided OJA and QJC testing for countless Airport Projects in and around South Dakota and are broadly aware of the Services required to provide P-401 Asphalt Testing.

Steve McCarty, Pierre Laboratory Manager / Majority Owner

EXPERIENCE:

Aaron Swan & Associates 03/1993 To Present

Steve has been in responsible charge for over a hundred Airport Projects over his past 22 years as the Materials Testing Laboratory Manager for Aaron Swan and Associates. He has vast experience with P-401 and P-501 Testing for Airport runways.

Steve supervises and manages all Quality Control projects for ASA. He also develops our asphalt and concrete mix designs. Steve is an active member of AGC committees and a past Board Member of the Dakota Asphalt Paving Association.

Job responsibilities include:

- Develops bids for testing services
- Ensures personnel are current on evaluations and training
- Sets up enrollment in outside training courses for testing technicians

- Reviews all test reports for accuracy
- Verifies that staff is adhering to company policies
- Handles all personnel and equipment scheduling for the Pierre Laboratory
- Maintains laboratory inventory levels

CERTIFICATIONS AND RATINGS:

Trokar certification.

SDDOT QC/QA, Aggregate, Asphalt and Mix design Certifications

NDDOT QC/QA, Aggregate, Mix tester, Mix controller

ACI Concrete Field Testing Technician – Grade 1

ACI Concrete Laboratory Testing – Level 1

TRAINING:

Steve has been through Trokar, ACI, and SDDOT, NDDOT bituminous training and has certifications from all training. Steve has also had on-the-job training throughout his employment with AS&A which includes concrete, soils and asphalt testing.

Justin Foster, Rapid City Laboratory Manager

EXPERIENCE:

Aaron Swan & Associates
Simon
American Technical Services, Inc.
06/2019 To Present
06/2015 To 06/2019
02/1989 To 06/2015

Justin joined AS&A's Materials Testing team in June of 2019, tasked with establishing a new lab facility to service clients in Western South Dakota. Justin has since set up a modern testing lab which has improved our ability to respond to the needs of our customers.

Justin has over 22 years of direct experience in materials testing. Prior to Justin's role as Rapid City Lab Manager for ASA, Justin worked for Syron and American Technical Services, Inc. where he was responsible for all internal QC matters across aggregate, concrete and asphalt business units.

Job responsibilities for ASA include:

- Develops bids for testing services for the Rapid City Laboratory
- Ensures personnel are current on evaluations and training
- Sets up enrollment in outside training courses for testing technicians
- Reviews all test reports for accuracy
- Verifies that staff is adhering to company policies
- Handles all personnel and equipment scheduling for the Rapid City Laboratory
- Maintains laboratory inventory levels

CERTIFICATIONS AND RATINGS:

Trokar certification

SDDOT AC Aggregate Test

SDDOT AC Hot Mix Test

SDDOT AC Mix & Production

SDDOT Roadway Inspection

SDDOT Soils Testing

ACI Concrete Field Testing Technician – Grade 1

WYDOT Asphalt and Aggregate Certifications

TRAINING:

Justin has been through Trokar, ACI, SDDOT and WYDOT bituminous training and has certifications from each. Justin has also had on-the-job training throughout his employment history which includes concrete, soils, aggregate, and asphalt testing.

Andrew Farris ~ Technician

EXPERIENCE:

Aaron Swan & Associates
03/2014 To Present

JOB RESPONSIBILITIES:

For the past 7 years, Andrew has been a Lead QC technician for our state DOT and County Projects which include concrete, soil and asphalt construction. He also does testing for our asphalt section in our central lab. Andrew is currently becoming a Supervisor for our Lab and his duties are to ensure employees are adhering to test procedures and company policies.

CERTIFICATIONS:

SDDOT Certifications - Aggregate Tester, Asphalt Tester, Soils testing and Roadway Inspection.

NDDOT ASPHALT TESTER, AGGREGATE TESTER

ACI Concrete Strength

Nuclear gauge Certification

WYDOT Certification - Aggregates and Asphalt testing

TRAINING:

Andrew has been through SDDOT, NDDOT, WYDOT and ACI training and has the certifications for each. Andrew also has on the job training with ASA on many other projects from mix design to field inspection and In-lab testing.

Kenny Spiger- Technician

EXPERIENCE:

Aaron Swan & Associates

05/2017 To Present

JOB RESPONSIBILITIES:

For the past 4 years, Kenny has been a Lead QC technician for our state DOT and County Projects which include concrete, soil and asphalt construction. He also does testing for our aggregate section in our central lab. Kenny is now our onsite IT tech as well.

CERTIFICATIONS:

SD DOT Certifications - Aggregate Tester, Asphalt Tester

NDDOT ASPHALT TESTER, AGGREGATE TESTER

ACI Concrete Field Testing - Grade 1

Nuclear gauge Certification

WYDOT Asphalt and Aggregate testing

TRAINING:

Kenny has been through SDDOT, NDDOT, and ACI training and has the certifications for each. Kenny also has on the job training with ASA on many other projects from mix design to field inspection and In-lab testing.

Aaron Swan and Associates also has three Registered Professional Engineers on staff, all with extensive experience in Material Testing.

Mr. Ronald Lutz, P.E., is a registered Professional Engineer. Mr. Lutz has over 40 years of experience and an extensive background in Materials Testing and Construction Management and he has extensive experience in working with federal, state and local governments in the development and construction of local projects. Mr. Lutz also is an experienced drainage, site development and bridge design and inspection Engineer with vast experience in Construction Management.

Mr. David L. Johnson, P.E., is a registered Professional Engineer. Mr. Johnson has over 42 years of experience and an extensive background in Materials Testing and Construction Management gained with his tenure with the South Dakota Department of Water and Natural Resources and the South Dakota State Engineers Office. Mr. Johnson is a valuable addition to this team.

Mr. Edmund Jacobsen, P.E., R.L.S., has extensive experience as a Professional Engineer in civil, environmental and structural engineering and Materials Testing. Mr. Jacobsen has over 50 years of experience. Mr. Jacobsen is also a Registered Land Surveyor and has been involved in both the preliminary and construction surveys for most of the projects of his design.

COMMITMENT

Our commitment to excellence at ASA is reflected in our history of successful past projects. ASA is proud to have provided the highest quality work while completing all of our projects within the specified budgets. Aaron Swan & Associates appreciates the opportunity to be considered for this work and looks forward to providing our services to you on this project.

Application for Federal Assistance SF-424			
1. Type of Submission		2. Type of Application	
<input type="checkbox"/> Preparation <input checked="" type="checkbox"/> Application <input type="checkbox"/> Other/Donor/Recipient Application		If Revision, select appropriate letter(s): <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	
3. Data Recipient		4. Applicant Identifier	
NA		MKA (Initials), MFCR, MFCR, SD	
50. Federal Entity Identifier		50. Federal Award Identifier	
48-0036			
State Use Only:			
6. Date Received by State		7. State Application Identifier	
3. APPLICANT INFORMATION			
8. Legal Name, City or Mkt			
9. Employer/Agency Identification Number (EIN/NAIC)		10. Organizational DUNS	
45-800034		07-35-9863	
4. Address			
Street 1			
Street 2			
City			
MILWAUKEE			
County/Parish			
State			
SD			
Province			
Country			
USA/United States			
Zip / Postal Code			
5. Organizational Unit			
Department Name		Division Name	
6. Name and contact information of person to be contacted on matters involving this application			
Person		Title	
Jill Henderson		First Name: Jill	
Media Name		Last Name: Henderson	
Email Name		Email Address	
j.henderson@state.sd.gov			
Suffix			
Title		Major	
Organizational Affiliation			
Telephone Number: 605-603-2105		Fax Number	
Email: j.henderson@state.sd.gov			

Application for Federal Assistance SF-424	
5. Type of Applicant: Select Applicant Type:	
<input checked="" type="checkbox"/> Airport Sponsor <input type="checkbox"/> Other Applicant Type	
Type of Applicant 2: Select Applicant Type:	
<input type="checkbox"/> Other (Specify)	
Type of Applicant 3: Select Applicant Type:	
<input type="checkbox"/> Other (Specify)	
10. Name of Federal Agency/	
Federal Aviation Administration	
11. Catalog of Federal Domestic Assistance Number	
23.105	
CFDA Title	
Airport Improvement Program	
12. Funding Opportunity Number	
NA	
Title	
NA	
13. Competition Identification Number	
NA	
Title	
NA	
14. Areas Affected by Project (City, County, State, etc.):	
15. Descriptive Title of Applicant's Project	
\$22,005 for costs related to operations, personnel, security, supervision, janitorial services, connecting the spread of retrograde at the airport, and other service requirements.	
Attach supporting documents as specified in agency instructions.	

Application for Federal Assistance SF-424	
15. Congressional District Of:	16. Program/Project:
Attach an additional list of Program-Specific Congressional Districts if needed	
17. Proposed Project:	18. Estimated Funding (\$):
17a. Start Date: NA	17b. End Date: NA
19a. Federal:	\$22,000
19b. Applicant:	\$0
19c. State:	\$0
19d. Local:	\$0
19e. Other:	\$0
19f. Program Income:	\$0
19g. TOTAL:	\$22,000
19. Is Application Subject to Review By State Under Executive Order 12812 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12812 Process for review on ____ <input type="checkbox"/> b. Project is subject to E.O. 12812 and has not been reviewed by the State for review <input checked="" type="checkbox"/> c. Project is not covered by E.O. 12812	
20. Is the Applicant Delinquent On Any Federal Credit? If "Yes", provide explanation in attachment: If "Yes", provide explanation and attach:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
21. By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements have been true, complete and accurate to the best of my knowledge; also provide the required statements and agree to comply with any resulting terms of award; in award I am aware that any false, fictitious or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties (U.S. Code, Title 28, Section 1001)	
22. I AGREE:	
** The list of certifications and statements, or an affidavit and where you may obtain the list, is contained in the attachment of the application.	
Authorized Representative:	
Prefix: The Honorable	First Name: Ron
Middle Name:	
Last Name: Johnston	
Suffix:	
Title: Mayor	
Telephone Number: 805-653-2705	Fax Number:
E-mail: Ron.Johnston@cityofjohnston.com	
Signature of Authorized Representative:	Date Signed:

Prefix: Mr.	First Name: Jack
Middle Name:	
Last Name: Johnston	
Suffix:	
Title: Program Manager	
Telephone Number: 805-773-7045	Fax Number: 805-773-2800
E-mail: jack.johnston@cityofjohnston.com	
Signature of Authorized Representative:	Date Signed:



Cell Phone Policy

The City of Miller will reimburse employees for the use of their personal cell phone for city business with the following guidelines.

Guidelines

1. Participation in the personal cell phone reimbursement program is voluntary.
2. Personal device reimbursement will not be offered to all employees. Only full-time permanent employees are eligible.
3. Payments shall be made to the employee in their bi-weekly payroll and expensed to the proper budget line item. (e.g. – water department employee's reimbursement is expensed to the water department's budget)
4. Employees will only use their cell phone for calls while driving. Employees will refrain from texting or surfing the internet while driving on city time.
5. Employees are not required or expected to check email or take phone calls while outside normal or assigned working hours. Unless employees are directed to provide an immediate response, emails or phone calls should be responded to only during the individual's scheduled working hours.
6. While the City will make reasonable efforts to assure no personally owned data stored on or in a mobile device is lost or destroyed, it is impossible to predict all circumstances that may arise. Therefore, it is important for anyone accessing City email through a personally owned mobile device to assume responsibility for backing up their personal data. Therefore, it should be assumed that any data on a mobile device is at risk of being lost or destroyed.
7. In the event of loss or theft of a mobile device the owner must:
 - a. Notify their supervisor immediately.
 - b. Change city email password.
 - c. Notify the cellular company providing service to the mobile device to have it wiped and/or deactivated.
8. If an employee is approved to be reimbursed to use his/her mobile device for their job functions, the mobile device must have a professional voicemail greeting or standard machine voicemail greeting.

Reimbursement

1. The City of Miller City Council is responsible for determining what reimbursement amount is reasonable. The reimbursement amount shall be based on one of two options:
 - a. General city business.
 - b. SCADA access along with general city business.
2. The employee must comply with the previous guidelines regarding cell phone use.
3. The City must comply with the Fair Labor Standards Act for a non-salaried employee. City business conducted with a personal device must be reported as work time.
4. Employees must have access to their city email on their cell phone.
5. The city's flat rate reimbursement will be \$50.00 per month for general city business and \$75.00 per month for SCADA system capabilities along with general city business.
6. Any individual receiving reimbursement must sign the City's Personal Cell Phone Use Agreement below.

Personal Cell Phone Usage

1. Personal cell phone use during work hours shall be limited to break times or emergency calls/texts.

Employee Personal Cell Phone Use Agreement

I, _____ have read, understand and consent to the policy above.

Employee Signature

Date

Supervisor Signature

Date

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: City of Miller
Contractor: Dahme Construction Co Inc
Engineer: SPN & Associates Inc
Project: Phase 2 Utility Improvements

Owner's Contract No.:
Contractor's Project No.:
Engineer's Project No.: 14842

This Certificate of Substantial Completion applies to:

☒ All Work

☐ The following specified portions of the Work:

June 3, 2021

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance, and warranties upon Owner's use or occupancy of the Work shall be as provided in the Contract, except as amended as follows:

Amendments to Owner's responsibilities:

☒ None
☐ As follows

Amendments to

Contractor's responsibilities:

☒ None
☐ As follows:

The following documents are attached to and made a part of this Certificate: Punch List Dated June 18, 2021.

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract.

EXECUTED BY ENGINEER:		RECEIVED:		RECEIVED:	
By: <u>[Signature]</u>	By: _____	By: <u>[Signature]</u>	By: _____	By: <u>[Signature]</u>	By: _____
(Authorized signature)		Owner (Authorized Signature)		Contractor (Authorized Signature)	
Title: <u>Project Engineer</u>	Title: _____	Title: <u>Owner President</u>	Title: _____	Title: <u>Contractor President</u>	Title: _____
Date: <u>6-23-21</u>	Date: _____	Date: <u>6/23/21</u>	Date: _____	Date: <u>6/23/21</u>	Date: _____

Miller Phase 2 Utility Improvements

Punch List as of June 18, 2021

1. Shape East ditch area on East 9th Avenue between Highway 14 and East 4th Street (Reseed also).
2. Fix sanitary issue (Sag) in new 4" PVC sanitary service to House 123 East 2nd Avenue at STA 130+49 right; from where they made connection to 45-degree bend there was water being held at this location.
3. Uncover valve box at NW intersection of East 6th Street and East 2nd Avenue (STA 46+57 10' left).
4. Check for proper operation of the valve since the valve box is crooked at the SE intersection of East 7th Street and East 2nd Avenue (STA 75+26 10' right).
5. Reseed all areas that did not come in properly on East 6th Street between East 1st and East 4th Avenue, 7th Street between West 2nd and East 7th Avenue, and West 1st Avenue between West 6th and West 8th Street.

The above listing is not to be considered all-inclusive. Additional items may be added to the above listing as noted and as deemed to be appropriate.

ORDINANCE #718

The City of Miller is an equal opportunity employer.

**AN ORDINANCE OF THE CITY OF MILLER, SOUTH
DAKOTA APPROVING A JOINT POWERS AGREEMENT
FOR THE ESTABLISHMENT OF THE REGIONAL
NATURAL GAS AUTHORITY, A JOINT POWERS
AUTHORITY**

WHEREAS, the City is authorized and empowered to contract for the joint exercise of powers and to jointly exercise any power common with other municipalities under South Dakota Codified Law § 1-24-2; and

WHEREAS, pursuant to SDCL § 1-24-2, any power or powers, privileges, or authority exercised or capable of exercise by each municipality may be exercised and enjoyed jointly; and

WHEREAS, the City of Miller wishes to enter into a joint powers agreement that will establish a joint powers authority ("Authority") for the limited purpose of developing a feasibility study to consider the propriety of constructing a regional system for the purpose of providing natural gas for Authority and to apply for grants, loans or gifts to fund said feasibility study.

NOW THEREFORE BE IT ORDAINED BY THE CITY MILLER OF AS FOLLOWS:

Section 1. The City Council hereby approves the Joint Powers Agreement – Regional Gas Utility Authority (the "Joint Powers Agreement") on file with the Finance Officer and open to public inspection during regular business hours, a copy to be placed in the minutes but not published.

Section 2. The Mayor and Finance Officer are authorized to execute the Joint Powers Agreement and such documents as may be necessary to carry out the intent of this ordinance.

Section 2. This ordinance shall take effect twenty days after publication.

Ronald Blachford, Mayor

(SEAL)

ATTEST:

Sheila Coss, Finance Officer