

**AGENDA  
CITY OF MILLER  
MONDAY, AUGUST 1, 2022  
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**

**Department Head Reports.....pgs. 4 - 8**

**New Business**

1. Helms – FAA/Wind Turbine Farm 49 .....pgs. 9 - 15
2. Water/Wastewater Project:
  - a. SPN Invoices – Ph. III Invoices 36525-36540 Total: \$47,805.27..... pgs. 16 - 18
  - b. TLC Olson Const., LLC Payment No. 16 \$431,520.40 .....pg. 19
  - c. Phase II DWSRF & CWSRF Project Completion Documents..... pgs. 20 - 23
3. 1<sup>st</sup> Reading of Ordinance #733 – Fire Hydrant Meters .....pg. 24
4. 1<sup>st</sup> Reading of Ordinance #734 – Fee Schedule Changes.....pg. 25
5. Building Permit: Catholic Diocese of Sioux Falls – remove building
6. DANR Recognition for the City, Terry Manning and Brandon Hammill..... pgs. 26 - 27
7. SDPAA Election Notice .....pg. 28

**Approval of Bills and January - June Credit Card Purchases/Payments**

**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  
JULY 18, 2022**

*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 Monday, July 18, 2022.

**MEMBERS PRESENT:** Aldermen: Jim Odegaard, Jeff Swartz, Mike Wetz, Joe Zeller, and Alderwomen Susan Hargens and Tammy Lichty. Mayor Ron Blachford was absent.

**CALL TO ORDER:** President Swartz called the meeting to order.

Pledge of Allegiance was said by all present.

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

**MINUTES:** Motion by Alderman Zeller, seconded by Alderman Wetz to approve the minutes for the regular meeting held on July 6, 2022. All members voted aye. Motion carried.

**PUBLIC INPUT:** None.

**NEW BUSINESS**

**Pool Fund Raising Committee:** President Swartz read Resolution No. 2022-9 to proceed with building a new municipal swimming pool. Mary Jo Gortmaker asked what happens if the pool committee does not raise enough money for the pool. Bryan Breittling explained that the pool committee capital campaign plans on raising \$1 million dollars to go towards the estimated \$4.1 million dollar pool. The rest of the funds will come from the city, grants, possibly the county, and/or other sources if needed depending on how much is raised. Cuts could be made from the current plan as well. Luke Naber, head coach for the Miller Swim Club spoke in favor of the new pool large enough to host swim meets in Miller. Motion by Alderman Odegaard, seconded by Alderwoman Hargens to approve Resolution No. 2022-9. All members voted aye. Motion carried.

**Nancy Froning – Status of SRTS:** Nancy Corr-Froning introduced herself to the council and asked about the status of the city's plan to either move forward with the Safe Route to School project or terminate it. Other property owners who will be directly affected were also present. Nancy referenced SDCT 9-46-2.2 and 2.3 concerning notice of hearing and notice of mailing. She asked the council to make a decision on or before the city council meeting on August 15, 2022. President Swartz stated that the decision to move forward was made at the March 15 meeting. Bidding has been pushed off to next year since it was too late to go to bid this year. The public input portion of this project has come and gone, but the council is willing to listen to concerns and see if it's possible to make necessary changes. He invited the council to make a motion to reverse the decision that was made in March or table this topic until more details are brought forward. Motion by Alderwoman Lichty, seconded by Alderwoman Hargens to table this matter until the committee is informed of all the details and the legal options. All members voted aye. Motion carried.

**PUBLIC HEARING**

Motion by Alderman Odegaard, seconded by Alderman Zeller to adjourn as the common council and convene as the board of adjustments at 7:46 p.m. All member voted aye. Motion carried. The city council held a public hearing to rezone Lots Thirteen (13), Fourteen (14), and Fifteen (15), Block Nine (9), Garlick's Addition, along with the adjacent East Half of the vacated alley (a.k.a. the Thiel lots) from mobile home park district to commercial district. Levi Bond, Entitlements Manager, Iron Horse Development was present to represent the developer for the retail business project. President Swartz read Resolution No. 2022-10 to rezone the property to the commercial district. Motion by Alderwoman Hargens, seconded by Alderman Wetz to approve Resolution No. 2022-10. All members voted aye. Motion carried.

Motion by Alderman Wetz, seconded by Alderman Odegaard to adjourn as the board of adjustments and reconvene as the common council at 7:50 p.m. All members voted aye. Motion carried.

**NEW BUSINESS cont'd.**

**Peterka Plat:** Motion by Alderman Odegaard, seconded by Alderwoman Lichty to approve the Plat of Tracts 2A & 5A of Peterka's Addition. All members voted aye. Motion carried.

**Joe Beranek – Insurance Quote:** Alderman Wetz stated that the committee met with Joe before the meeting. The committee would like to compare an itemized copy of the current SDPAA insurance policy with Joe's quote. Thus, they are currently in the informational stage.

**Meal Reimbursement:** The State's per diem rates were presented to the council within the agenda packet. Mary Jo Gortmaker brought the Federal rates for the council's reference. Currently, the city's per diem policy pays \$8.00 for breakfast, \$11.00 for lunch, and \$14.00 for dinner. Motion by Alderwoman Lichty, seconded by Alderwoman Hargens to follow the Federal rates at the time of travel. All members voted aye. Motion carried.

**2021 Taxilane Project Closeout:** Motion by Alderman Wetz, seconded by Alderman Odegaard to pay the final payment of \$56,531.09. All members voted aye. Motion carried.

**Helms & Associates Final Invoice #26462:** Motion by Alderwoman Lichty, seconded by Alderman Wetz to approve payment of Helms & Associates invoice 26462 for \$1,833.12. All members voted aye. Motion carried.

**Heartland Summer Conference:** Council members will let Cindy Deuter, Deputy Finance Officer know by Wednesday who plans on attending the Heartland Summer Conference in Madison, SD on July 26, 2022.

**Devin Letsche – 1<sup>st</sup> Step Apprentice Raise:** Dustin Graham, Electric Supt. stated that Devin has completed the first step of his apprenticeship and requested a raise for him. Motion by Alderman Odegaard, seconded by Alderman Wetz to approve a \$1.00/hour raise for Devin Letsche effective with the next payroll. All members voted aye. Motion carried.

**Resolution No. 2022-11 -- Petty Cash:** President Swartz read the resolution to establish petty cash drawers at the police department and swimming pool. Motion by Alderwoman Hargens, seconded by Alderman Odegaard to approve Resolution No. 2022-11. All members voted aye. Motion carried.

**Phase II Water/Sewer Closeout Documents:** Motion by Alderwoman Hargens, seconded by Alderman Odegaard to approve the closeout documents for Phase II of the Water/Wastewater Project. All members voted aye. Motion carried.

**Phase II Funding Closeout, City Expenses:** Motion by Alderman Wetz, seconded by Alderman Odegaard to pay the final expenses for Phase II (Dahne Construction \$17,044 and SPN \$4,046) out of the operating expenses rather than send them in for reimbursement from Phase III funding. All members voted aye. Motion carried.

**Approval of the Bills:** Motion by Alderman Odegaard, seconded by Alderwoman Lichty to approve the bills. All members voted aye. Motion carried.

**EXECUTIVE SESSION:** Motion by Alderwoman Lichty, seconded by Alderman Wetz to go into executive session for personnel matters pursuant to SDCL 1-25-2(1) at 8:26 p.m. All members voted aye. Motion carried. The council came out of executive session at 9:27 p.m.

No action taken.

Motion by Alderman Zeller, seconded by Alderman Wetz to adjourn the meeting. There being no further business, the meeting was adjourned at 9:28 p.m. All members voted aye. Motion carried.

\_\_\_\_\_  
Jeff Swartz, President

\_\_\_\_\_  
Cindy Deuter, Deputy Finance Officer

# LEGAL NOTICE OF RECEIPT

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

## Bills July 2022 (2)

A & B Business	Supplies	191.37
A Ox Welding	Supplies	12.46
CBS	Prof Fees	2,164.40
Cowboy Country Stores	Fuel	2,976.55
Fischer Plumbing	Repairs	476.58
Forte	Fees	147.00
Graham, Dustin	Reimb	11.00
Grassland Hutterian	Supplies	75.90
HCPD	Power	4,527.74
Helms & Associates	Prof Fees	1,833.12
Insurance Benefits	Insurance	1,442.00
Jones Construction	Repairs	2,193.88
Kessler's	Supplies	19.77
Letsche, Devin	Reimb	11.00
Lyle Signs	Signs	194.02
Miller Ace	Supplies	1,035.12
MMUA	Prof Fees	2,393.75
Napa	Parts	333.34
Northwest Pipe	Supplies	482.42
Oakley Farm & Ranch	Supplies	332.26
OHED	Industry	6,750.00
Petty Cash	Reimb	38.05
PrairieLand Collections	Prof Fees	303.30
Riter Rogers Law	Prof Fees	831.25
Rural Development	Loans	16,403.00
SD DOR	Sales Tax	9,582.63
South Dakota 811	Locates	150.08
Tony's Repair	Repairs	56.45
WAFA	Power	37,796.80
Wesco	Supplies	872.00
Accounts Payable Total		<u>\$93,637.24</u>

## Payroll Salary plus

Benefits by Department:		7/14/2022 & 7/21/2022		
Department		w/o OT	OT	Total
41402 FINANCE OFFICE		3,149.42	0.00	3,149.42
42101 POLICE		10,198.88	3,374.54	13,573.42
43101 STREET		6,935.82	211.60	7,147.42
43201 SEWER		5,957.80	519.92	6,477.72
43305 WATER		5,957.67	519.91	6,477.58
43403 ELECTRIC		9,039.40	101.35	9,140.75
45101 BALLPARK		1,549.91	0.00	1,549.91
45103 POOL		7,813.91	0.00	7,813.91
		<u>\$50,602.81</u>	<u>\$4,777.32</u>	<u>\$55,380.13</u>

**City Council Meeting  
Department Head Reports  
August 1, 2022**

**Police Department Report**

1. See attachment.

**Street Department Report**

1. We hauled several loads of trees out of the park.
2. We have been using the county's Dura-patcher on several areas in town.
3. We have been fogging mosquitoes when weather allows.
4. Doug has been blading roads and most of the alleys in town (where there are no locate markings).
5. David and I fixed 2 storm sewer inlets. (South of Builder's Cashway & south of the east lift station).
6. I sprayed algicide in Crystal Lake.
7. We put down dust control.
8. The crack seal guys will be in town on Wednesday Aug. 3. They are working our way so that we won't have to pay as much for their travel costs.
9. We will be oiling as soon as we can when we can use one of the Hand County oil tanks. As of right now they have the wrong oil in them.
10. We will be cutting several trees out of the boulevards.
11. I plan on installing the culverts out at Stobb's the 2 previous times we got rain and it was too wet.

**Water/Sewer/Airport Department Report**

1. Olson's Const. moved from W 4th St. to W 5th St. working from the creek headed East towards the Hospital/Clinic area.
2. The next construction meeting is Sept. 1st @ 10:00 AM (if there are any questions or concerns).
3. Part of phase 3 work was to install some concrete around both lift stations, so when we have to pull a pump or work around them it was very difficult with the side hill we had there. But by doing this our manhole was way too low in the driveway requiring additional work to be done resulting in a future change order for additional work.
4. Helms had a crew here recently doing the pavement maintenance at the Airport - crack seal - flush seal & repaint the lines.
5. Pool - as quick as we get it going for the season it's time to shut it down. As of right now the last day will be Sat. Aug. 13th.

**Electric Department Report**

1. Turn on and shut offs
2. Cleaned up some old poles that were taken down by storm
3. Hauled trees from storm
4. Several Locates
5. Fixed camper pole, panel in the park after storm damage
6. Worked on lights at ballpark
7. Went to a locator class Very helpful
8. Fixed south sub
9. Went to Heartland Summer Conference Mike Wetz came along
10. Devin went to an East River switch class
11. Jay from MMUA came and we did some on job site training
12. Very busy month it flew by

**Finance Office Report**

1. Sales Tax is up! - see attached report
2. Christi and I have been working on the St. Lawrence budget.
3. Cindy has been working with gWorks and 1st Interstate Bank to get the Credit Card interface program up and running. Expense Reports now reflect all credit card payments made in 2022. There are extra claims reports to be signed for each month's worth of credit card payments.
4. I have been working with Helms to close out both 2019 and 2021 airport projects.

## ***Miller Police Department***

120 West 1st Street

Miller, SD 57362

(605) 853-2400

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### July 03-July 18 Police Department Activity Report

Staff Initials:
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Several Citations and Warnings written during this period, mostly for speeding.

- 7-3 - Report of Gun Found on US 14 East of Miller
- 7-5 - Activated Tornado Sirens
- 7-5 - Traffic Control US 14 West of Miller for Semi tipped over
- 7-5 - 911 Reported Hay Bales on RR tracks -- Bales removed by RP&E
- 7-5 - Officer Henrikson took Evidence to Pierre
- 7-6 - Report of Lost Wallet
- 7-7 - Complaint about Garbage at ALCO lot
- 7-7 - Medic Alarm
- 7-9 - Traffic Control for Poker Run in St. Lawrence
- 7-10 - Traffic Complaint at 4-Way
- 7-11 - Complaint about Yard
- 7-11 - Welfare Check
- 7-11 - Suspicious Activity -- put up Game Camera
- 7-11 - 911 Hang-up -- All OK
- 7-12 - Monitor Crowd at Baseball Tourney -- Henson and Ames
- 7-13 - SD Highway Patrol Safety Checkpoint SD Hwy 45 -- 77 vehicles in one hour
- 7-14 - 12:05 AM Warning Ticket - No Lights
- 7-14 - Firearms Qualification
- 7-15 - 1:02 PM Amb Call
- 7-15 - 1:10 PM Traffic Control -- 4-way
- 7-15 - 1:40 PM - Amb Call
- 7-16 - Traffic Control for Freedom Church Promo at Pump N Pak - 50 cents off per gallon of gas -- 1960 Gals. sold
- 7-16 - Suspicious Activity -- East 3rd
- 7-16 - Wallet found at Pump N Pak
- 7-16 - Traffic Stop -- SSD Hwy 45 -- Speed
- 7-16 - Traffic Stop SD Hwy 45 -- Speed
- 7-16 - Welfare Check
- 7-17 - Welfare Check -- St. Lawrence
- 7-18 - Traffic Complaint -- SD 45
- 7-18 - Motorist Assist
- 7-18 - City Council Meeting
- 7-18 - Traffic Stop -- US 14 -- Speed
- 7-18 - Traffic Stop -- SD 45 -- Speed
- 7-19 - Report of Shoplifter
- 7-19 - Accident Report
- 7-19 - Fingerprints
- 7-19 - Ambulance Call - 4th Street

7-19 -- Monitor Drive-In Traffic  
7-20 -- 1:45 AM Monitor Bar Traffic  
7-20 -- Accident Report  
7-20 -- Traffic Stop - 3rd Ave -- Speed  
7-20 -- Traffic Stop -- SD Hwy 45 -- Speed  
7-20 -- Animal Complaint  
7-21 -- Ambulance Call -- US Hwy 14  
7-21 -- RR Crossing Arms Down -- East 3<sup>rd</sup> Ave  
7-22 -- 2:03 AM - Monitor Bar Traffic  
7-22 -- 10:30 PM Fire Call  
7-22 -- 2:37 AM Fire Call  
7-23 -- Traffic Control -- RR Tracks at N Broadway Ave  
7-23 -- 12:06 AM -- Monitor Central Speedway Traffic  
7-23 -- 12:39 AM -- Monitor Movie Traffic  
7-23 -- 01:35 AM -- Monitor Bar Traffic  
7-24 -- Traffic Stop -- N Broadway -- Expired Tags  
7-24 -- Talk to Camper at Crystal Park -- Moving to Lake Louise on Monday

Sales Tax Comparison			
	2022	2021	\$81,000 to OHED
January	\$22,742.58 \$83,647.88	\$28,806.71 \$66,474.49	\$6,750.00
February	\$7,263.69 \$49,006.24	\$9,033.66 \$46,699.17	\$6,750.00
March	\$22,701.40 \$48,300.52	\$15,084.94 \$46,272.30	\$6,750.00
April	\$15,196.87 \$84,109.99	\$14,051.66 \$69,693.93	\$6,750.00
May	\$3,697.46 \$54,796.92	\$2,454.18 \$72,730.66	\$6,750.00
June	\$21,710.46 \$70,195.06	\$4,260.96 \$27,517.85	\$6,750.00
July	\$8,713.63 \$80,134.08	\$53,029.70 \$73,786.60	\$6,750.00
August			\$6,750.00
September			\$6,750.00
October			\$6,750.00
November			\$6,750.00
December			\$6,750.00
Total	\$572,216.78	\$529,896.81	7.99%
	up/down from last year		\$42,319.97

# Gross Receipts Tax - Split Fund 211

Month	Current Year		
	Total	City 20%	OHED 80%
JAN	\$1,921.21 \$2,726.88	\$384.24 \$545.38	\$1,536.97 \$2,181.50
FEB	\$1,018.51 \$1,637.65	\$203.70 \$327.53	\$814.81 \$1,310.12
MAR	\$1,548.89 \$1,118.32	\$309.78 \$223.66	\$1,239.11 \$894.66
APR	\$1,964.67 \$2,504.18	\$392.93 \$500.84	\$1,571.74 \$2,003.34
MAY	\$981.81 \$1,481.53	\$196.36 \$296.31	\$785.45 \$1,185.22
JUN	\$1,534.05 \$3,645.41	\$306.81 \$729.08	\$1,227.24 \$2,916.33
JUL	\$1,105.03 \$3,526.13	\$221.01 \$705.23	\$884.02 \$2,820.90
AUG		\$0.00 \$0.00	\$0.00 \$0.00
SEP		\$0.00 \$0.00	\$0.00 \$0.00
OCT		\$0.00 \$0.00	\$0.00 \$0.00
NOV		\$0.00 \$0.00	\$0.00 \$0.00
DEC		\$0.00 \$0.00	\$0.00 \$0.00
	<b>\$26,714.27</b>	<b>\$5,342.85</b>	<b>\$21,371.42</b>
	\$3,816.32		
	average/month		

	Previous Year		
	Total	City 20%	OHED 80%
	\$2,485.13 \$3,097.69	\$497.03 \$619.54	\$1,988.10 \$2,478.15
	\$234.13 \$1,691.35	\$46.83 \$338.27	\$187.30 \$1,353.08
	\$1,236.26 \$1,232.80	\$247.25 \$246.56	\$989.01 \$986.24
	\$1,290.47 \$3,227.52	\$258.09 \$645.50	\$1,032.38 \$2,582.02
	\$0.00 \$2,727.91	\$0.00 \$545.58	\$0.00 \$2,182.33
	\$667.65 \$653.71	\$133.53 \$130.74	\$534.12 \$522.97
	\$4,377.18 \$3,679.88	\$875.44 \$735.98	\$3,501.74 \$2,943.90
	\$922.71 \$3,182.16	\$184.54 \$636.43	\$738.17 \$2,545.73
	\$1,528.06 \$2,857.10	\$305.61 \$571.42	\$1,222.45 \$2,285.68
	\$1,349.97 \$3,982.44	\$269.99 \$796.49	\$1,079.98 \$3,185.95
	\$2.97 \$1,886.20	\$0.59 \$377.24	\$2.38 \$1,508.96
	\$2,704.45 \$2,089.08	\$540.89 \$417.82	\$2,163.56 \$1,671.26
	<b>\$47,106.82</b>	<b>\$9,421.36</b>	<b>\$37,685.46</b>
	\$3,925.57		
	average/month		

up/down from previous year		
Total	112.59	0.42%
City	22.52	0.42%
OHED	90.07	0.42%

Pay OHED through AP using expense code: 211-4651-4510

OHED 80%

Check #

Check Date

JUL 884.02  
JUL 2,820.90  
**\$3,704.92**

07/05/2022

57362

The Federal Aviation Administration is conducting an aeronautical study concerning the following:

Aeronautical Study No. (ASN) 2022-WTE-2735-OE

Structure: Wind Turbine Farm 49  
Location: Miller, SD  
Latitude: 44-24-19.38N  
Longitude: 98-48-34.30W  
Heights: 590 feet above ground level (AGL)  
2471 feet above mean sea level (AMSL)

The structure described above exceeds obstruction standards. To be eligible for consideration, comments must be received on or before 08/11/2022

To access complete details regarding this determination, use View Circularized Cases on the Internet at <http://ocaaa.faa.gov> and search by state and ASN, or contact our office at (202) 267-8783

We encourage notification via e-mail. After registering for Email notifications, submit a request in writing to our office to be removed from the FAA's postal mailing list.

Signature Control No: 531693597-541375237

## Sheila Coss

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**From:** Brooke Edgar <brookee@helmsengineering.com>  
**Sent:** Thursday, July 28, 2022 3:22 PM  
**To:** Sheila Coss  
**Subject:** RE: notice  
**Attachments:** Miller Wind Towers Determination.pdf

a. Section 77.17(a)(1): Exceeds a height of 499 feet AGL at the site of the object. The proposals would all exceed this standard by 91 feet.

### 3. TITLE 14 CFR PART 77 - EFFECT ON AERONAUTICAL OPERATIONS

a. Section 77.29 (a)(1): impact on arrival, departure, and en route procedures for aircraft operating under visual flight rules:

At a height greater than 499 feet AGL, the proposed wind farm would extend into airspace normally used for VFR en route flight and may be located within 2 statute miles (SM) of potential VFR Routes as defined by FAA Order 7400.2, Section 6-3-8. The turbines within 2 SM of a VFR Route would have an adverse effect upon VFR air navigation. Further study is required to determine whether the structures would affect a significant volume of VFR en route traffic.

-----Original Message-----

**From:** Sheila Coss [mailto:sheila.coss@cityofmiller.com]  
**Sent:** Thursday, July 28, 2022 9:56 AM  
**To:** Brooke Edgar <brookee@helmsengineering.com>  
**Subject:** notice

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Brooke,  
Is this something we need to be concerned with or do something with?

I know Terry is working with a company that is bidding on the wind tower project.

Thanks,

Sheila Coss  
Finance Officer  
City of Miller  
120 W 2nd St  
Miller SD 57362  
(605) 853-2705



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
19161 Kilwood Parkway  
Fort Worth, TX 76177

Issued Date: 07/05/2022

Zach Lasek  
Sweetland Wind Farm LLC  
3773 Platoon Parkway  
Suite 120  
Boulder, CO 80301

Aeronautical Study No.  
2022-WTE-2735-OE  
Prior Study No.  
2020-WTE-2281-O5

Signature Control No: 531691597-541375237

Nike Helvey  
Manager, Obstruction Evaluation Group

Attachments:

Part 77  
Additional Information  
Map(s)

(CIR-WT)

**\*\* PUBLIC NOTICE \*\***

The Federal Aviation Administration is conducting an aeronautical study concerning the following:

Structure: Wind Turbine Farm 49  
Location: Mather, SD  
Latitude: 44-24-19.38N NAD 83  
Longitude: 98-40-59.30W  
Height: 1881 feet site elevation (SE)  
580 feet above ground level (AGL)  
2471 feet above mean sea level (AMSL)

The structure above exceeds obstruction standards. To determine its effect upon the safe and efficient use of navigable airspace by aircraft and on the operation of air navigation facilities, the FAA is conducting an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77.

**\*\* SEE REVERSE SIDE FOR ADDITIONAL INFORMATION \*\***

In the study, consideration will be given to all facts relevant to the effect of the structure on existing and planned airspace use, air navigation facilities, airports, aircraft operations, procedures and minimum flight altitudes, and the air traffic control system.

Interested persons are invited to participate in the aeronautical study by submitting comments to the above FAA address or through the electronic notification system. To be eligible for consideration, comments must be relevant to the effect the structure would have on aviation; must provide sufficient detail to permit a clear understanding; must contain the aeronautical study number printed in the upper right hand corner of this notice, and must be received on or before 08/11/2022.

This notice may be reproduced and circulated by any interested person. Airport managers are encouraged to post this notice.

If we can be of further assistance, please contact Buck Reynolds, at (847) 294-7576, or Wayne.Reynolds@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-WTE-2735-OE.

Additional Information for ASN 2022-WTE-2735-OE

**Proposed:** To construct and/or operate a(n) Wind Turbine Farm to a height of 590 feet above ground level, 2471 feet above mean sea level.

**Location:** The structure will be located 9.62 nautical miles southeast of MKA Airport reference point.

**Part 77 Obstruction Standard(s) Exceeded:**

Additional Information for ASN 2012-WTE-2735-OE

TITLE 14 CFR PART 77 - AERONAUTICAL STUDY PUBLIC COMMENTS

This additional information provides details on the results of an Aeronautical Study for a notice of proposed construction/alteration filed with the FAA. The purpose of this notice is to solicit aeronautical comments from the public concerning the physical effect of these proposed wind turbines on the safe and efficient use of airspace by aircraft. Please submit your comments through the FAA's public website at <https://ocean.faa.gov>. This will ensure your comments are submitted directly to the case file. Comments submitted by email are strongly discouraged. Email comments could be directed to an FAA Specialist that is away from the office, reassigned or no longer with the organization and therefore may not be considered.

Begin by completing the "New User Registration". Log in to your portal page and select the link, "View Circularized Cases". Search for the case in the appropriate state and then select "Submit Public Comments". If you need further assistance, contact the helpdesk at phone: 202-550-7500 / email: [ocean\\_helpdesk@oghtech.com](mailto:ocean_helpdesk@oghtech.com).

All FAA determinations and circularized cases are public record and available at the FAA's public website: <https://ocean.faa.gov>. The distribution for proposals circularized for public comments includes all "known" aviation interested persons and those who do not have an aeronautical interest but may become involved with specific aeronautical studies. Notification includes both postcard mailers and email notifications to those with registered FAA accounts. The FAA does not have a database for all persons with an aeronautical and non-aeronautical interest. Therefore, the public is encouraged to re-distribute and forward notices of circularized cases to the maximum extent possible. Additionally, it is incumbent upon local state, county and city officials to share notice of circularized cases with their concerned citizens.

A list of commonly used acronyms and abbreviations is available at the end of this document. A full list is available at the FAA's public website at [https://ocean.faa.gov/ocean/downloads/external/content/FAA\\_Acronyms.pdf](https://ocean.faa.gov/ocean/downloads/external/content/FAA_Acronyms.pdf).

**I. PROPOSAL DESCRIPTION**

Proposed are 86 wind turbines and 3 MET Towers for a project that lies approximately 6.2 NM to 13.74 NM southeast of the airport reference point (ARP) of the Miller Municipal Airport (MKA), Miller, SD. The wind turbines are being circularized for public comment under this Aeronautical Study Number (ASN) 2022-WTE 2735-OE, which represents the proposed turbine that would be located at approximately the center of this wind farm project (see attached maps). Comments on any of the proposed wind turbines in this project must be submitted under this ASN. All comments received from this circularization will be considered in completing the separate determinations for each wind turbine.

For the sake of efficiency, all of the wind turbines in this project that have similar impacts are included in this narrative.

The proposed wind turbines' described heights and locations are expressed in Above Ground Level (AGL) height, Above Mean Sea Level (AMSL) height and latitude (LAT)/longitude (LONG).

ASN	ACIL	AMSL	LAT	LONG
2022-WTE-2647-OE	590	2303	44-26-54.27N	98-51-41.79W
2022-WTE-2648-OE	590	2313	44-26-59.83N	98-51-21.82W

2022-WTE-2699-OE / 590 / 2319 / 44-27-05.62N / 98-51-02.04W / 98-47-15.37W  
2022-WTE-2699-OE / 590 / 2332 / 44-27-05.40N / 98-50-42.54W / 98-46-52.11W  
2022-WTE-2699-OE / 590 / 2340 / 44-27-09.96N / 98-50-22.61W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2349 / 44-27-08.29N / 98-50-00.75W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2352 / 44-27-09.16N / 98-49-39.66W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2315 / 44-25-55.53N / 98-52-18.96W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2318 / 44-26-01.65N / 98-51-59.62W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2309 / 44-26-12.09N / 98-51-34.46W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2340 / 44-26-15.11N / 98-51-09.26W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2367 / 44-26-19.80N / 98-50-48.22W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2400 / 44-26-21.98N / 98-50-25.56W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2403 / 44-26-26.17N / 98-50-06.52W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2416 / 44-26-26.93N / 98-49-47.48W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2417 / 44-26-29.71N / 98-49-28.61W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2408 / 44-26-36.51N / 98-49-09.14W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2374 / 44-26-40.98N / 98-48-45.68W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2327 / 44-26-41.06N / 98-48-20.14W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2335 / 44-26-01.71N / 98-52-15.75W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2336 / 44-25-05.28N / 98-52-19.54W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2337 / 44-25-11.06N / 98-52-00.67W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2339 / 44-25-24.47N / 98-51-24.24W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2350 / 44-25-27.20N / 98-51-06.15W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2365 / 44-25-29.80N / 98-50-46.92W / 98-46-28.79W  
2022-WTE-2699-OE / 590 / 2392 / 44-25-34.88N / 98-50-26.90W / 98-46-28.79W  
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2022-WTE-2699-OE / 590 / 2435 / 44-25-44.28N / 98-49-29.92W / 98-46-28.79W  
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2022-WTE-2699-OE / 590 / 2356 / 44-24-09.52N / 98-52-16.83W / 98-46-28.79W  
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2022-WTE-2699-OE / 590 / 2413 / 44-24-33.33N / 98-47-58.32W / 98-46-28.79W  
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2022-WTE-2699-OE / 590 / 2417 / 44-23-12.83N / 98-49-44.40W / 98-46-28.79W  
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2022-WTE-2699-OE / 590 / 2436 / 44-23-41.48N / 98-47-59.93W / 98-46-28.79W  
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2022-WTE-2699-OE / 590 / 2350 / 44-21-35.46N / 98-46-51.20W / 98-46-28.79W  
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2022-WTE-2699-OE / 590 / 2471 / 44-24-19.38N / 98-48-54.30W / 98-46-28.79W

MGT Towers

2022-WTE-2732-OE / 590 / 2386 / 44-23-10.09N / 98-51-05.72W / 98-46-28.79W  
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2022-WTE-2734-OE / 590 / 2431 / 44-23-11.07N / 98-48-29.43W / 98-46-28.79W

## 2. TITLE 14 CFR PART 77 - OBSTRUCTION STANDARDS EXCEEDED

- a. Section 77.17 (e)(1): Exceeds a height of 499 feet AGL at the site of the object. The proposals would all exceed this standard by 91 feet.

## 3. TITLE 14 CFR PART 77 - EFFECT ON AERONAUTICAL OPERATIONS

- a. Section 77.29 (2)(1): impact on arrival, departure, and en route procedures for aircraft operating under visual flight rules.

At a height greater than 499 feet AGL, the proposed wind farm would extend into airspace normally used for VFR en route flight and may be located within 2 statute miles (SM) of potential VFR Routes as defined by FAA Order 7400.2, Section 6-3.8. The turbines within 2 SM of a VFR Route would have an adverse effect upon VFR air navigation. Further study is required to determine whether the structures would affect a significant volume of VFR en route traffic.

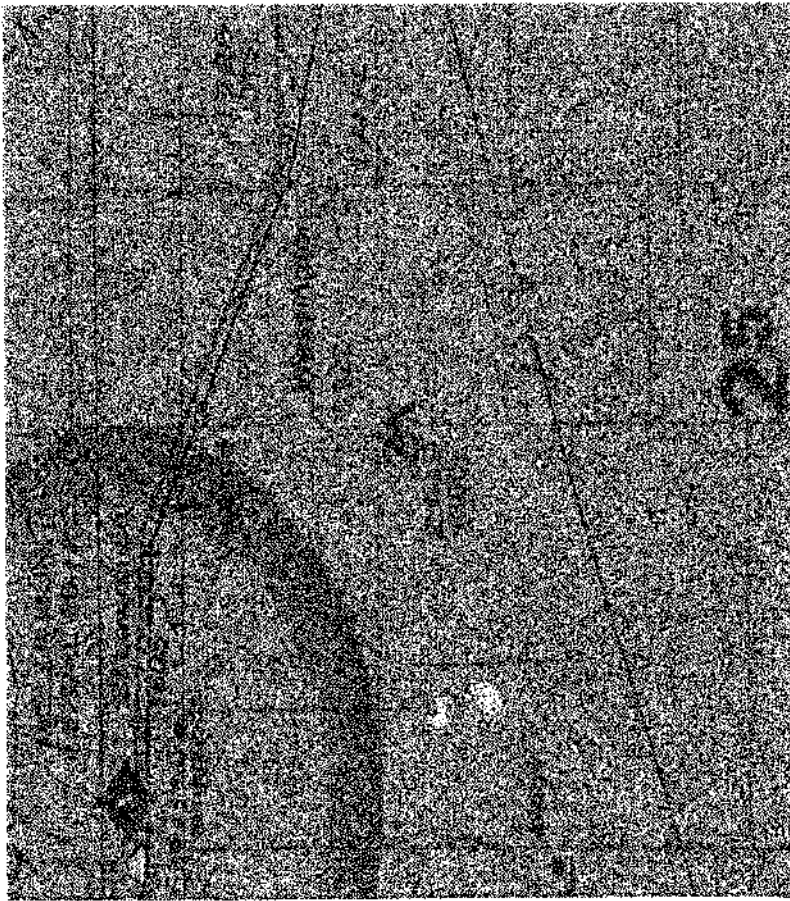
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### ACRONYMS & ABBREVIATIONS

AGL, Above Ground Level  
AMSL, Above Mean Sea Level  
ARP, Airport Reference Point  
ASR, Air Route Surveillance Radar  
ARTCC, Air Route Traffic Control Center  
ASN, Aeronautical Study Number  
ASR, Airport Surveillance Radar  
ATC, Air Traffic Control  
ATIS, Air Traffic Control Tower  
CAASR, Common Air Route Surveillance Radar  
CAT, Category  
CFR, Code of Federal Regulations  
CG, Climb Gradient  
DA, Decision Altitude  
DMF, Distance Measuring Equipment  
FAA, Federal Aviation Administration  
FAAO, Federal Aviation Administration Order  
FIS, Fusion  
GPS, Global Positioning System  
IAP, Initial Approach Fix  
IAP, Instrument Approach Procedure  
ICA, Initial Climb Area  
IFR, Instrument Flight Rules  
INT, Intersection  
LAT, Latitude  
LNAV, Lateral Navigation  
LOC, Localizer  
LONG, Longitude  
LP, Localizer Performance

LFV, Localizer Performance with Vertical Guidance  
MDA, Minimum Descent Altitude  
MEA, Minimum En route Altitude  
MET, Meteorological Evaluation Tower  
MIA, Minimum IFR Altitude  
Min, Minimum  
MOCA, Minimum Obstruction Clearance Altitude  
MSA, Minimum Safe Altitude  
MSL, Mean Sea Level  
NVA, Minimum Vectoring Altitude  
NA, Not Authorized  
NAS, National Airspace System  
NAVAID, Navigational Aid  
NDB, Non-Directional Radio Beacon  
NEH, No Effect Height  
NM, Nautical Mile  
NOTAM, Notice to Airmen  
NPR, Notice of Preliminary Findings  
OCS, Obstacle Clearance Surface  
OES, Obstruction Evaluation  
OEG, Obstruction Evaluation Group  
Part 77 - Title 14 Code of Federal Regulations (CFR) Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace.  
P-NOTAM, Permanent Notice to Airmen  
RLOS, Radar Line of Sight  
RNAV, Area Navigation  
RNP, Required Navigation Performance  
RWY, Runway  
S, Straight-in  
SE, Site Elevation  
S-LOC, Straight-in Localizer  
SM, Statute Miles  
Std., Standard  
TAA, Terminal Arrival Area  
TACAN, Tactical Air Navigation System  
TERPS, Terminal Instrument Procedures  
TPA, Traffic Pattern Altitude  
TRACON, Terminal Radar Approach Control  
V, Victor Airway  
VFR, Visual Flight Rules  
VHF, Very High Frequency  
VOR, VHF Omnidirectional Radio Range System  
VORTAC, VOR/TACAN System  
WTE, Wind Turbine East  
WTW, Wind Turbine West

Map for ASN 2022-WTE-2735-OE



Page 9 of 9

# SPN ASSOCIATES

ENGINEERS & SURVEYORS

INVOICE

CITY OF MILLER  
120 WEST 2ND  
MILLER, SD 57362

Schmuckler, Paul, Mohr and Associates  
2100 North Seward Blvd. - PO Box 398  
Mitchell, SD 57361-0398  
Phone: (605) 996-7761  
Fax: (605) 996-0015  
www.spn-assoc.com

Invoice Date Jul 26, 2022	Invoice Month 2022
Billing Through Jul 23, 2022	

Please pay request and change order, prep and conduct construction meeting, site visit, work on drawings of construction record and other project coordination.  
Billing period 6/26/22 thru 7/23/22

Project ID	Project Name	Contract Amount	% Complete	Previously Billed	Amount Due
M331035W	MILLER PHASE II CONST ALARM - WASTE WATER	\$71,500.00	65.00	\$46,500.00	\$25,000.00

Total Amount Due \$25,000.00  
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 26th day of July, 2022

Schmuckler, Paul, Mohr & Associates  
[Signature]  
Signed

Due upon receipt. Overdue accounts will be assessed a 1.5% monthly finance charge from the date of billing until the account is paid in full.

# SPN ASSOCIATES

ENGINEERS & SURVEYORS

INVOICE

CITY OF MILLER  
120 WEST 2ND  
MILLER, SD 57362

Schmuckler, Paul, Mohr and Associates  
2100 North Seward Blvd. - PO Box 398  
Mitchell, SD 57361-0398  
Phone: (605) 996-7761  
Fax: (605) 996-0015  
www.spn-assoc.com

Invoice Date Jul 26, 2022	Invoice Month 2022
Billing Through Jul 23, 2022	

Please pay request and change order, prep and conduct construction meeting, site visit, construction staking, work on drawings of construction record and other project coordination.  
Billing period 6/26/22 thru 7/23/22

Project ID	Project Name	Contract Amount	% Complete	Previously Billed	Amount Due
M331035W	MILLER PHASE II CONST ALARM - WASTE WATER	\$116,500.00	55.00	\$64,000.00	\$52,500.00

Total Amount Due \$52,500.00  
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 26th day of July, 2022

Schmuckler, Paul, Mohr & Associates  
[Signature]  
Signed

Due upon receipt. Overdue accounts will be assessed a 1.5% monthly finance charge from the date of billing until the account is paid in full.

# SPN & ASSOCIATES

ENGINEERS & SURVEYORS

## INVOICE

TO: CITY OF MILLER  
120 WEST 2ND  
MILLER, SD 57362

**Schnucker, Paul, Mohr and Associates**  
2100 North Sapping Blvd - PO Box 398  
Mitchell SD 57301-0398  
Phone (605) 996-7761  
Fax (605) 996-9015  
www.spn-assoc.com

Invoice Date Jul 26, 2022	Invoice Num 28538
Billing Through Jul 23, 2022	

RE: MFS318.06SS  
MILLER PHASE III CONST-RPA, STORM WATER  
Construction Observation and Testing  
Billing period: 1/28/21 thru 7/23/22

TECHNICIAN I  
MESSAGE  
MFAAS

Hour	Rate	Amount
20.00	\$135.00	\$2,700.00
Total Service Amount:		\$2,700.00
9.00 @	\$0.45	\$4.05
		\$90.00
Total Expenses:		\$94.05
Amount Due This Invoice:		\$2,794.05

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 26th day of July, 2022.

Schnucker, Paul, Mohr & Associates  
Signed

Due upon receipt. Overdue accounts will be assessed a 1.5% monthly finance charge from the date of billing until the account is paid in full.

# SPN & ASSOCIATES

ENGINEERS & SURVEYORS

## INVOICE

CITY OF MILLER  
120 WEST 2ND  
MILLER, SD 57362

**Schnucker, Paul, Mohr and Associates**  
2100 North Sapping Blvd - PO Box 398  
Mitchell SD 57301-0398  
Phone (605) 996-7761  
Fax (605) 996-9015  
www.spn-assoc.com

Invoice Date Jul 26, 2022	Invoice Num 28538
Billing Through Jul 23, 2022	

Please pay request and change order, prep and conduct construction meeting, site visit, work on drawings of construction record and other project coordination.  
Billing period 1/27/21 thru 7/23/22

Project ID	Project Name	Contract Amount	% Complete	Previously Billed	Amount Due
MFS318.06SS	MILLER PHASE III CONST-RPA, STORM WATER	\$2,700.00	65.00	\$2,055.00	\$645.00

Total Amount Due: \$645.00  
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 26th day of July, 2022.

Schnucker, Paul, Mohr & Associates  
Signed

Due upon receipt. Overdue accounts will be assessed a 1.5% monthly finance charge from the date of billing until the account is paid in full.

# SPN

## ASSOCIATES

### ENGINEERS & SURVEYORS

#### INVOICE

TO: CITY OF MILLER  
120 WEST 2ND  
MILLER, SD 57362

Schnucker, Paul, Nohr and Associates  
2100 North Saddle River Blvd -- PO Box 396  
Minnetonka, MN 55345  
Phone (662) 996-7761  
Fax (662) 996-8015  
www.spn-assoc.com

Invoice Date	Invoice Month
Jul 28, 2022	254581
Billing Through	
Jul 23, 2022	

RE: M15318.08W  
MILLER PHASE II CONST. RPR - WASTE

Construction Observation and Testing  
Billing period 6/26/22 thru 7/13/22

Hour	Rate	Amount
65.00	\$153.00	\$9,945.00
Total Service Amount: \$9,945.00		
<b>Reimbursable Expenses:</b> LODGING \$285.44 MEAL \$195.40 METALS \$142.00		
Total Expenses: \$622.84		
Amount Due This Invoice: \$10,567.84		
This invoice is due upon receipt		

#### VERIFICATION OF CLAIM

I declare and affirm under the penalties of perjury that this claim has been incurred by me, and to the best of my knowledge and belief, is in all things true and correct.

Dated this 28th day of July, 2022

Schnucker, Paul, Nohr & Associates  
[Signature]  
Signed

Due upon receipt. Overdue accounts will be assessed a 1.5% monthly finance charge from the date of billing until the account is paid in full.

# SPN

## ASSOCIATES

### ENGINEERS & SURVEYORS

#### INVOICE

TO: CITY OF MILLER  
120 WEST 2ND  
MILLER, SD 57362

Schnucker, Paul, Nohr and Associates  
2100 North Saddle River Blvd -- PO Box 396  
Minnetonka, MN 55345  
Phone (662) 996-7761  
Fax (662) 996-8015  
www.spn-assoc.com

Invoice Date	Invoice Month
Jul 28, 2022	254581
Billing Through	
Jul 23, 2022	

RE: M15318.06W  
MILLER PHASE II RPR - WASTE WATER

Construction Observation and Testing  
Billing period 6/26/22 thru 7/13/22

Hour	Rate	Amount
128.25	\$153.00	\$19,648.75
Total Service Amount: \$19,648.75		
<b>Reimbursable Expenses:</b> LODGING \$285.44 MEALS \$247.95 METALS \$254.00		
Total Expenses: \$787.39		
Amount Due This Invoice: \$20,436.14		
This invoice is due upon receipt		

#### VERIFICATION OF CLAIM

I declare and affirm under the penalties of perjury that this claim has been incurred by me, and to the best of my knowledge and belief, is in all things true and correct.

Dated this 28th day of July, 2022

Schnucker, Paul, Nohr & Associates  
[Signature]  
Signed

Due upon receipt. Overdue accounts will be assessed a 1.5% monthly finance charge from the date of billing until the account is paid in full.



July 25, 2022

24 (Cover)

SON &amp; ASS

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**Chief Justice of India**

1. ORIGINAL CONTRACT PRICE	\$	6,474,735.40
2. Net Change by Change Orders	\$	141,905.48
3. Current Contract Price (Line 1 ± 2)	\$	6,616,640.88
4 a. Total Completed to Date	\$	4,314,234.05
b. Total Material Remaining in Storage	\$	185,944.65
c. Value of Non-Conforming Work	\$	
d. (Total) Value of Work completed and Material Stored to Date)	\$	4,503,178.70
5. RETAINAGE:		
a. 5 % x \$ 4,503,178.70 Work & Materials	\$	225,158.94
b. % x \$ Work & Materials	\$	
c. Total Retainage (line 5a + line 5b)	\$	225,158.94
6. AMOUNT ELIGIBLE TO DATE (Line 4d - line 5c)	\$	4,278,019.77
7. PREVIOUS PAYMENTS (line 6 from prior Application)	\$	3,846,499.37
8. AMOUNT DUE THIS APPLICATION	\$	431,520.40
9. BALANCE TO FINISH, PLUS RETAINAGE		
(Total) Contract Price Less (line 5c above)	\$	2,338,621.11

The undersigned Certifier certifies, to the best of his knowledge, the following

(1) All previous progress payments received from Owner on account of work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by the Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bona fide purchase to Owner indemnifying Owner against any such liens, security interest, or encumbrances) and

(3) As the Work covered by this Application for Payment is in accordance with it if Contract Documents and is not defective.

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1. ORIGINAL CONTRACT PRICE	\$	6,474,735.40
2. Net change by Change Orders	\$	141,905.48
3. Current Contract Price (Line 1 + 2)	\$	6,616,640.88
4 a. Total Completed to Date	\$	4,314,234.05
b. Total Material Remaining in Storage	\$	188,944.65
c. Value of Non-Conforming Work	\$	
d. (Total) Value of Work completed and Material Stored to Date	\$	4,503,178.70
5. RETAINAGE:		
a. <u>5 % x \$</u> 4,503,178.70 Work & Materials	\$	225,158.94
b. <u>% x \$</u> Work & Materials	\$	
c. Total Retainage (Line 5a + Line 5b)	\$	225,158.94
6. AMOUNT ELIGIBLE TO DATE (Line 4d - Line 5c)	\$	4,278,019.77
7. PREVIOUS PAYMENTS (Line 6 from prior Application)	\$	3,846,498.37
8. AMOUNT DUE THIS APPLICATION	\$	431,520.40
9. BALANCE TO FINISH PLUS RETAINAGE (Total Contract Price Less Line 5c above)	\$	2,339,621.11
10. CITY DEDUCTION FOR BILLING OF WATER (This Period)	\$	
Payment of	\$	431,520.40
(Line 9 or other attach explanation of other amount)		
is recommended by:	(Engineer)	(Date)
Payment of:	\$	431,520.40
(Line 8 or other attach explanation of other amount)		
is approved by:	(Owner)	(Date)
Approved by:		

## DWSRF CERTIFICATE OF PROJECT COMPLETION

Loan Recipient: City of Miller Project Number: C46212A-03

Project Title: 2017 Infrastructure Improvements

Obligated Loan Amount: \$1,099,000 Loan Amount Drawn: \$1,099,000

Principal Forgiveness Percent: None Principal Forgiveness Amount: None

Loan Repayment Amount: \$1,099,000 Decedicated Amount: None

In accordance with Article III, Section 3.4 of the Drinking Water State Revolving Fund Loan Agreement, the undersigned authorized representative(s) of the OWNER hereby certifies that the project as described above is complete.

The final, eligible project costs have been documented to support a loan amount of \$1,099,000, no lien or other encumbrance with respect to the above referenced project has been filed, and appropriate lien waivers have been obtained for all labor, materials and supplies with respect to the project. Therefore, in accordance with the State Revolving Fund Loan Agreement, the final loan Agreement Amount is \$1,099,000. The \$1,099,000 will be repaid by the owner as set forth in the loan agreement.

The OWNER hereby executes this CERTIFICATE OF PROJECT COMPLETION

Owner: City of Miller

Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or Printed Name and Title \_\_\_\_\_

The ISSUER hereby accepts this CERTIFICATE OF PROJECT COMPLETION

Issuer: South Dakota Conservancy District

Signature \_\_\_\_\_ Date \_\_\_\_\_

Stephanie Riggle, SDDANK Grant and Loan Specialist II  
Typed or Printed Name and Title \_\_\_\_\_

## CWSRF CERTIFICATE OF PROJECT COMPLETION

Loan Recipient: City of Miller Project Number: C46112B-03

Project Title: 2017 Infrastructure Improvements

Obligated Loan Amount: \$1,875,000 Loan Amount Drawn: \$1,875,000

Principal Forgiveness Percent: None Principal Forgiveness Amount: None

Loan Repayment Amount: \$1,875,000 Decedicated Amount: None

In accordance with Article III, Section 3.4 of the Clean Water State Revolving Fund Loan Agreement, the undersigned authorized representative(s) of the OWNER hereby certifies that the project as described above is complete.

The final, eligible project costs have been documented to support a loan amount of \$1,875,000, no lien or other encumbrance with respect to the above referenced project has been filed, and appropriate lien waivers have been obtained for all labor, materials and supplies with respect to the project. Therefore, in accordance with the State Revolving Fund Loan Agreement, the final loan Agreement Amount is \$1,875,000. The \$1,875,000 will be repaid by the owner as set forth in the loan agreement.

The OWNER hereby executes this CERTIFICATE OF PROJECT COMPLETION

Owner: City of Miller

Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or Printed Name and Title \_\_\_\_\_

The ISSUER hereby accepts this CERTIFICATE OF PROJECT COMPLETION

Issuer: South Dakota Conservancy District

Signature \_\_\_\_\_ Date \_\_\_\_\_

Stephanie Riggle, SDDANK Grant and Loan Specialist II  
Typed or Printed Name and Title \_\_\_\_\_

# DRINKING AND SEWAGE WATER FINAL PROJECT INSPECTION REPORT

Recipient: City of Miller Project No: C46128-03  
 Financial Assistance Amount: \$1,099,000 - CWSRF  
 (including principal forgiveness) \$1,099,000 - CWSRF  
 Inspection Date: 7/12/2022

Authorized Representative: Ronald Blackford, Mayor Telephone No.: 605-853-2105

## Project Description:

The City of Miller is experiencing problems with its water distribution system resulting in high water loss, frequent water breaks, and possible asbestos contamination. Phase II of this project will replace 13,500 feet of 6-inch water main and 1,650 feet of 8-inch water main. This project also includes replacement of fire hydrants, connections to existing water services and main lines, replacing the asphalt surface, and all appurtenances associated with replaced water main.

Miller is also experiencing problems with its sanitary sewer collection including broken or cracked pipe, protruding laterals, intrusive roots, sag and blockages. Phase II of this project will replace approximately 12,300 feet of 8-inch sanitary sewer main and 6,000 feet of sanitary sewer service line. This project also includes replacement of manholes, connections to existing wastewater services and main lines, replacing the asphalt surface, and all appurtenances associated with sanitary sewer pipe installation.

Consulting Engineering Firm: SPN & Associates  
 Home Office: Minnetonka, MN Telephone: 605-996-7761  
 Project Engineer(s): Candan Hofer

Person Contacted	Position & Organization	Phone Number
Candan Hofer	Project Engineer	See above
Terry Manning	Mayor and Wastewater Superintendent	See above
Shelia Coos	Finance Officer	See above
Ted Dickey	Painter	605-556-2595

Reminders: (Check the presence of items, their cost, replacement is the cost of the work cost.)

Category:	CWSRF	DWSRF
Construction Costs	1,585,001.06	891,932.42
Force Account		
Planning and Design costs	102,387.94	71,484.64
Project Inspection Costs	175,897.13	129,065.91
Adaptation Costs	10,069.35	6,544.31
Equipment & Materials		
Legal Costs		
Land Acquisition Costs		
Other (describe)	34.52	32.66
Total	\$1,872,400	\$1,099,000

Final Assistance Amount (\$)	\$1,875,000	\$1,099,000
Principal Forgiveness		
Percentage Awarded (%)		
Amount Received (\$)	None	-
Fuel Loan Amount (\$)	\$1,875,000	\$1,099,000
Contract Completion Date	7/12/2022	

Contract	Final Construction	Asph/Engineer	C.O.'s
Phase II Utility Improvements	1st Received: 7/14/22	Acceptance Received: 7/14/22	Approved: 7
		7/19 counsel for city	

## Summary MBE/WBE Accomplishments:

Goal Set:	MBE 1%	WBE 4%
Goal Achieved:	None	None
Contractor(s):		
Work in Place:		
Value of Work:		

## CONSTRUCTION COSTS

(List change orders for each contract on separate sheet. Break out eligible and ineligible costs.)

Contractor	Eligible Amount of Bid	# of C.O.'s	Eligible C.O. Amount	Adjusted Contract Amount
Dalme Construction	\$4,268,961.99	7	\$1,073,846.77	\$3,392,865.76
Total Eligible Construction Costs =				\$3,392,865.76

Additional costs beyond the funding amounts were paid with part of the Phase II reserves.

Total Construction Costs = \$5,392,865.76

**FORCE ACCOUNT NONE THIS PROJECT**

**ENGINEERING COSTS**

Engineering Firm: SPN & Associates

**Summary of Billed Costs**

Design:	\$173,879.48
Inspection:	\$305,583.04
Tests:	\$
O&M Manual:	\$
Start-up Service:	\$
<b>Total Engineering Costs</b>	<b>\$479,462.52</b>

**ADMINISTRATION**

**Summary of Billed Costs**

Advertisement for Bids	\$
Bond Counsel	\$
Legal Costs (describe):	\$
Other (describe):	\$
<b>Total Administrative Costs</b>	<b>\$17,213.72</b>

**EQUIPMENT AND MATERIALS: NONE THIS PROJECT**

**LAND ACQUISITION: NONE THIS PROJECT**

**COMPLIANCE**

Davis - Bacon

Have all weekly pay rolls been submitted by the contractor to the planning director or their replacement?

Yes X No NA

If any liabilities in wages were identified, has corrective action been taken and adequately resolved?

X

Copies of all payroll records and wage interviews must be submitted to DNR, (in either electronic form or paper copies. If DNR is not in receipt of these items, identify the party responsible to provide these items.

X

Has the bond required under the Davis-Bacon Act Certification been and submitted it to DNR?

X

Have the bond recipients been notified that all payroll records and wage interviews must be maintained for three years?

XXX

**Comments:**

Requested from: 12/21/2022

**American Iron and Steel**

Who was responsible for ensuring compliance with American Iron and Steel provisions?

City of Miller, SPN & Associates

Describe steps undertaken to assure compliance:

Step certification, visual inspection of materials both stockpiled and installed. Full time supervision during initial construction.

Is DNR in receipt of all product certifications, shop drawings and other documentation to verify compliance with the American Iron and Steel Provision?

Yes

Was a 60 minutes waiver utilized? If so, complete the following:

No

Value of incidental items claimed on the minutes waiver:

\$NA

Value of actual final costs of materials provided for the project:

\$NA

Percent of material costs exempted from AIS:

NA

Do items exempted under the 60 minutes waiver total 5 percent or less of the total material cost?

NA

**Comments:**

# OVERALL PROJECT REVIEW

A. Are there any liens, unpaid debts, or other unresolved labor problems? If yes, explain.  
None

B. Was the project completed within the specified time? Yes If not, explain  
1. an extension of time granted? Yes  
2. the extension covered by approved C.O.? Yes  
3. the extension approved by DENR? Yes  
Are liquidated damages being assessed for supporting extended costs? Yes  
Provide explanation as necessary: No liquidated damages.

C. Start-up Testing & Training

Were start-up tests performed for all major pieces of equipment? If not, identify those pieces of equipment still requiring start-up tests.  
Yes

Did tests indicate satisfactory performance? If not, explain. Yes

Have adequate training and training materials been provided? If not, provide an estimated training schedule.  
Yes

Was each operator present during start-up and properly trained on each piece of equipment they will be responsible for operating and/or maintaining? If not, when will training occur and who will conduct training? Yes

Is the city satisfied with equipment and installation? If not, explain. Yes

Will the applicant's engineer or equipment installer/manufacturers be available for assistance for a reasonable period following initiation of operations? Yes  
Warrant has expired.

D. Is plant meeting applicable effluent standards? N/A

E. Have there been any problems noted in the following areas:

1. Structural None
2. Mechanical None

J. Operational None

If yes to any of the above, please explain: \_\_\_\_\_

F. Have all sites been restored to the community's satisfaction? Yes, meeting remains

G. Are all shop drawings approved? Yes In possession of the recipient? Yes

H. Have as-built drawings been submitted to the recipient? Yes

I. What is the status of:

OCMA Manual N/A Approved Not Approved

Are rates in place adequate to cover debt service and OCMA? Yes X No

L. Is a certified operator required? Yes

If a certified operator is required, is one hired and on staff? If not, how does the applicant intend to address this deficiency? Yes, Terry Manning

K. Has applicant been informed to maintain all records for three years from date of final project acceptance? Yes

L. Are there any deficiencies (punch list items) not yet satisfied? List deficiencies here or attach list to end of report. If none, so state: None

Before the project may be closed out the following documents are required:

Final permit and closing order: Davis-Bacon Payroll and Interview Final Certificate

Certificate of Project Completion

Any additional remarks, here: \_\_\_\_\_

Drew Hurlston, NMP's Resources Engineer IV 7/26/2022  
Signature of Inspector Date

**ORDINANCE #733**

*The City of Miller is an equal opportunity employer.*

**AN ORDINANCE AMENDING CHAPTER 38, SECTION 29 OF THE ORDINANCES  
OF THE CITY OF MILLER, SOUTH DAKOTA.**

**BE IT ORDAINED** by the City of Miller, South Dakota, that Chapter 38 be hereby amended as follows:

**Sec. 38-29. Meter Installation and repair.**

(b) Portable fire hydrant meters shall be available for rent and all the same rules set forth herein shall apply.

(c) The city council may hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter or any ordinance adopted pursuant thereto.

Dated this 1<sup>st</sup> day of August, 2022

\_\_\_\_\_  
Ronald Blachford, Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
Sheila Coss, Finance Officer

Record of votes:

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

1<sup>st</sup> Reading – August 1, 2022  
2<sup>nd</sup> Reading – August 15, 2022  
Adoption -- August 15, 2022  
Publication - August 20, 2022

# **ORDINANCE #734**

*The City of Miller is an equal opportunity employer.*

## **AN ORDINANCE AMENDING APPENDIX A - CITY FEE SCHEDULE OF THE ORDINANCES OF THE CITY OF MILLER, SOUTH DAKOTA.**

**BE IT ORDAINED** by the City of Miller, South Dakota, Appendix A -- City Fee Schedule be hereby amended to charge the following fees:

Utilities				
	Water/Sewer Department			
		Deposit - each separate meter		
		Residential		50.00
		Commercial		100.00
		Fire Hydrant Meter		500.00
		Rates and charges:		
		Fire Hydrant Meter Fees:		
			\$6.00 per thousand gallons (\$125.00/mo. minimum)	
			Base Fee \$4.00 per day	
		Installation		30.00
		Removal		30.00

\_\_\_\_\_  
Ronald Blachford, Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
Sheila Coss, Finance Officer

Alderman Swartz --

Alderman Zeller --

Alderman Odegaard --

Alderwoman Hargens --

Alderwoman Lichty --

Alderman Wetz --

1<sup>st</sup> Reading -- August 1, 2022

2<sup>nd</sup> Reading -- August 15, 2022

Adoption -- August 15, 2022

Publication -- August 20, 2022



DEPARTMENT OF AGRICULTURE  
AND NATURAL RESOURCES

ICE FOSS BUILDING  
503 E CAPITOL AVE  
PIERRE SD 57501-3182  
dnrc.nd.gov

July 23, 2021

Mayor Ron Blomford  
City of Miller  
120 West 2nd Street  
Miller, SD 57352

RE: Drinking Water Certificate of Achievement Award

Dear Mayor Blomford:

Congratulations to you from DANR! The City of Miller public water system has met the requirements of the Safe Drinking Water Act and the state of South Dakota's regulations for supplying safe drinking water to the public. For your efforts and concern for safe drinking water, we would like to present this achievement award to you. This program was initiated by the Drinking Water Program to reward those systems and their operation specialists that have demonstrated excellence in water system management and maintenance.

You will also find enclosed a draft press release concerning the award your system has received. The release can be provided to your local newspaper and includes information about the award as well as those system operation specialists who have been recognized for their dedication and concern for safe drinking water. If any operation specialists are listed in error, please revise accordingly.

Thank you for your interest in maintaining safe drinking water for your community. If we can be of assistance to you, please contact us at (605) 773-3754.

Sincerely,

*Mark S. Meyer*

Mark S. Meyer, P.E.  
Administrator  
Drinking Water Program

cc: Terry Manning, Utility Manager

Enclosure



CERTIFICATE OF ACHIEVEMENT

2021

By virtue of the authority vested in me, and after due consideration, I do hereby certify that the

*City of Miller*

through extra concern and endeavor has met all state requirements for safe drinking water  
and has supplied safe drinking water to the public it serves.

*[Signature]*

Secretary  
Department of Agriculture and Natural Resources



## CERTIFICATE OF ACHIEVEMENT

2021

By virtue of the authority vested in me, and after due consideration, I do hereby certify that

*Terry Manning*

through extra concern and endeavor has enabled the

*Miller Public Water System*

to meet all state requirements for safe drinking water  
and has enabled this drinking water system to supply safe drinking water to the public they serve.

Secretary  
Department of Agriculture and Natural Resources



## CERTIFICATE OF ACHIEVEMENT

2021

By virtue of the authority vested in me, and after due consideration, I do hereby certify that

*Brandon Hammill*

through extra concern and endeavor has enabled the

*Miller Public Water System*

to meet all state requirements for safe drinking water  
and has enabled this drinking water system to supply safe drinking water to the public they serve.

Secretary  
Department of Agriculture and Natural Resources



# Election Notice

The South Dakota Public Assurance Alliance (SDPAA) Board of Directors election will be held Wednesday, October 5, 2022, at the SDPAA Annual Membership meeting during the SDML Annual Conference in Watertown, SD. The election shall be determined by a majority of those SDPAA Member entities present and voting with each Member entity having one vote. Election winners will be seated on the Board of Directors starting January 1, 2023 to serve a three-year term except as noted below. A copy of the Board of Directors Election Policy Resolution is available upon request.

If you are interested in a position on the SDPAA Board of Directors, you must meet the following qualifications:

## Article V -- Paragraph 2 - Qualifications of Members of the Board

Members of the Board shall be either:

- a. Elected officials of an Alliance Member, provided the governing Board of the Member in question has supported their appointment or candidacy by Resolution; or
- b. Representatives, employees or appointed officials of an Alliance Member, provided the governing Board of the Member in question has supported their appointment or candidacy by Resolution.

SDPAA Board of Directors positions up for election are currently held by:

- Steve Harding, Mayor, Pierre
- Lisa Katzenstein, Director of Human Resources, Sturgis
- Cindy Bruggan, Codington County Auditor
- Paullyn Carey, Finance Director, Huron (remaining two years of a three-year term)
- Chandra Phillips, Finance Officer, Winner (remaining one year of a three-year term)

Please send a letter of application and supporting Resolution by the deadline date of August 31, 2022 to:

Lisa Nold, Office Manager  
South Dakota Municipal League  
208 Island Drive  
Ft. Pierre, South Dakota 57532  
Phone: 1-800-658-3633  
Email: Lisa@sdmunicipalleague.org

All applications will be forwarded to the SDPAA Nominating Committee.