## **Notices**

and Boundaries, of the 2008 Revised Ordinances for the City of Vermillion, amending the ward boundaries was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 7th day of November, 2011 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 21st day of November, 2011 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended. BE IT RESOLVED and ordained that said Ordinance be adopted to read as follows:

> **ORDINANCE NO. 1264** ORDINANCE AMENDING

TITLE I SECTION 11.02 WARDS AND BOUNDARIES, OF THE 2008 REVISED ORDINANCES FOR THE CITY OF VERMILLION, AMEND-ING THE WARD BOUNDARIES.

BE IT ORDAINED, BY THE GOVERN-ING BODY OF THE CITY OF VERMIL-LION, SOUTH DAKOTA that Section 11.02 be amended to read as follows:

#### § 11.02 BOUNDARIES

The boundaries of wards, as shown on the Ward Map in Appendix A of this chapter, are hereby incorporated by reference as the official boundaries of all wards in the

#### SEE APPENDIX A

Dated at Vermillion, South Dakota this 21st day of November, 2011 THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH

John E (Jack) Powell, Mayor

ATTEST:

DAKOTA

Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Willson. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Davies-Y, French-Y, Meins-Y, Osborne-Y, Ward-Y, Willson-Y, Zimmerman-Y, Mayor

Motion carried 8 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

#### 8. New Business

#### A. Request from USD for City contribution to renovate the softball complex

John Prescott, City Manager, reported that the City and USD in 1998 entered into a Joint Powers Agreement for the construction and operation of the softball complex and soccer fields. Earlier this year, the City and USD had discussion about renovating the NW softball field and the lighting of the fields. USD elected to renovate the NE field for its women's softball program and not renovate the NW field. USD has recently awarded a bid to install an outfield fence, warning track and new dugouts with storage on the NE field. The cost of the improvements is broken down as \$11,500 for fence, \$14,300 for warning track, \$81,300 for dugouts, \$10,836 for dugout storage and \$22,000 for engineering, architect and contingency for a total cost of \$139,836. The request from USD was for \$20,000 of assistance from the City. Included in the packet are the request, cost breakdown and letter from the Parks & Recreation Department about the City uses of this facility. John noted that Jeanette Hubert, with the USD Athletic Department, was present to answer questions. John noted that, if the City Council wanted to fund this project, he would suggest using second penny sales tax funds. Jeanette Hubert answered questions of the City Council on the project noting that the

shorter outfield fence would benefit other youth and women's softball programs that use the facility in addition to the USD softball program. The improved facility will allow USD to host more tournaments which will bring more people into the com-

Discussion followed on the request.

### 347-11

Alderman Osborne moved approval of \$20,000 of funding assistance of the construction costs with USD with the funds coming from the second penny sales tax fund. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted

#### **B.** Resolution Authorizing the Purchase of Electric Pad-mount Switch

Mike Carlson, Finance Officer, reported that the City has purchased electrical padmount switches from suppliers at prices that have been competitively bid by other cities. The City of Beresford issued a bid last year for five switches to Stuart C. Irby Co. at a unit price of \$14,365. The Stuart C. Irby Co. has agreed to extend this price to the City to purchase one switch to be delivered in the spring of 2012. Purchasing from another bid saves the City the costs associated with bidding. Administration recommends adoption of the resolution authorizing the purchase of one switch.

### 348-11

After reading the same once, Alderman French moved adoption of the following: AUTHORIZING PURCHASE OF PADMOUNT SWITCH

WHEREAS, SDCL 5-18A-22 authorizes a

APPENDIX A

WARD BOUNDRY

# **Notices**

governmental entity to purchase necessary supplies from the lowest responsible bidder of another governmental entity or State or United States at the accepted bid price and the concurrence of said bidder, and: WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by the City of Beresford, South Dakota for padmount switches from Stuart

WHEREAS, the City has contacted Stuart C. Irby Co. and they have agreed to allow the City to purchase one S & C PME -9 Padmount Switchgear (Item #1) \$14,365 each for the awarded prices and terms as they have contracted with the City of

C. Irby Co. in the amount of \$14,365 offers

an advantageous price to the City for said

Beresford, South Dakota. THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion that the City Finance Officer is hereby authorized to purchase one S & C PME – 9 Padmount Switchgear (Item #1) each at the awarded price and under the same terms as the City of

Beresford, South Dakota. Dated at Vermillion, South Dakota this 21st day of November, 2011.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH

John E (Jack) Powell, Mayor ATTEST:

Michael D. Carlson, Finance Officer The motion was seconded by Alderman

Willson. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

#### C. First amendment to VCDC MOU -Erickson Business Park John Prescott, City Manager, reported that

on October 17, 2011 the City Council approved a Memorandum of Understanding for the transfer of the Erickson Property to the Vermillion Chamber of Commerce and Development Company. In developing the deed, it was determined that Lot 6 Block 6 was omitted, thus the need for Item 1 of this amendment. The second item of the amendment deals with the ability by the City to take back unsold lots after an expiration date of 25 years. Discussion followed with Jim McCulloch, City Attorney, reporting that the wording should be changed so that any properties remaining in the ownership of the VCDC after 25 years shall revert to the

Alderman Davies moved approval of the first amendment to the Vermillion Chamber of Commerce and Development Company Memorandum of Understanding for the transfer of the Erickson Business Park Property, as revised by the City Attorney, and authorized the Mayor to sign. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted

### D. Write-off of old Accounts Receivable

Mike Carlson, Finance Officer, reported that annually the City Council needs to remove the old accounts receivable from the accounting records with collection efforts to continue on these accounts. Mike stated that the request is to remove 119 utility accounts totaling \$31,655.35, 22 general accounts receivable totaling \$3,239.78,3 return checks totaling \$417.09 and 130 ambulance accounts totaling \$53,544.30 from the accounting records. Discussion followed

### 350-11

Alderman Ward moved approval of the removal from the accounting records of utility accounts totaling \$31,655.35, general accounts totaling \$3,239.78, return checks totaling \$417.09 and ambulance accounts totaling \$53,544.30. Alderman French seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

#### E. Resolution restricting and assigning Parks Capital Special Revenue Funds

Mike Carlson, Finance Officer, reported that the Parks Capital Special Revenue fund was created in 1993 to received league fees, association contributions. grants, private contributions and other funds for improvements to the parks and recreation program facilities. The special revenue fund was set up to allow unspent funds to remain in this separate fund. The Governmental Accounting Standards Board (GASB) has issued a new statement number 54, on the reporting fund balance that requires the City Council to recognize the restrictions on fund balance and to assign the unrestricted portion of the fund balance for a specific purpose. Mike stated that he has prepared a resolution to recognize that \$11,425 of the \$13,011 parks capital fund balance as restricted by the grantor or contributors and the \$1,586 remaining shall be assigned by the City Council for park and recreation program

After reading the same once, Alderman Willson moved adoption of the following: RESOLUTION RESTRICTING AND

PARKS CAPITAL SPECIAL REVENUE FUNDS

WHEREAS, the City Council created the Parks Capital Special Revenue Fund in 1993 to account for the receipt of league fees. association contributions, private contributions, grants, fundraising and other receipts earmarked for the acquisition and improvements to City parks and recreation program facilities; and

WHEREAS, the City Council adopts the annual appropriations ordinance that includes the estimated revenues and expenditures from the Parks Capital Special Revenue Fund; and

WHEREAS, since its creation, the Parks Capital Fund has expended over \$166,000 for improvements to the community's parks and recreation program facilities;

WHEREAS, as of December 31, 2010, the Parks Capital Fund Balance was \$13,011;

Governmental Accounting Standards Pronouncement 54 requires the action of the Governing Body to recognize restrictions and assign fund balance for specific purposes; and

WHEREAS, on December 31, 2010, \$11,425 of the above listed fund balance was restricted by grantors or contributors. THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion recognizes the restrictions of the above listed portion of the fund balance of the Parks Capital Special Revenue Fund as of December 31, 2010 and assigns the remaining fund balance to the acquisition and improvements to City Park and Recreation Program facilities. All future funds received by the Parks Capital Fund shall be classified as restricted or assigned based upon the constraints placed upon the use of the resources when

BE IT FURTHER RESOLVED that in administering the restricted and assigned funds, when applicable, restricted funds shall be considered expended first.

Dated at Vermillion, South Dakota this

21st day of November, 2011 THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

John E (Jack) Powell, Mayor ATTEST:

Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Zimmerman. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

### F. Developer Agreement with Joanne R.

Jose Dominguez, City Engineer, reported that the City annexed Lots 1-5 Block 1 of Bliss Second Addition a few months ago and, as such, enters the City zoned Natural Resource Conservation the most restrictive zoning. Joanne Freidel has purchased a lot and would like to start building before the property is rezoned. The Developer Agreement will allow the issuance of a building permit conditional on the owner commencing the rezoning process by December 1, 2011.

### 352-11

Alderman Ward moved approval of the Developer Agreement with Joanne R. Freidel for Lot 4, Block 1, Bliss Second Addition. Alderman French seconded the motion. Motion carried 8 to 0. Mayor

#### 9. Bid Openings - None 10. City Manager's Report

A. John reported that City offices will be closed on Thursday, November 24th for the Thanksgiving holiday.

B. John reported that for those who have their curbside recycling collection on Thursdays, due to the holiday, recycling will be picked up on Monday, November

C. John noted that the landfill voucher program for 2011 ends on November 30th and will begin again in April of next year.

D. John reported that the Recycling Center is still accepting grass and leaves. The staff at the Recycling Center has made a new drop off location for these materials instead of having to put it in the containers. John noted that they are not taking tree branches until spring.

#### PAYROLL ADDITIONS CHANGES

Administration: Kate Amundson \$13.67/hr; Police: Vikki Eilts \$12.43/hr, Kevin Malloy \$18.76/hr, Jacy Nelsen \$20.65/hr; Recreation: Alexa Mockler \$7.50/hr; Ambulance: Anthoney Klunder \$36.41/1st- \$22.89/2nd, Kevin Oliver \$35.70/1st-\$22.44/2nd; Landfill: Dan Goeden \$16.676/hr

### 11. Invoices Payable

353-11

Alderman Willson moved approval of the following bills:

2011 SDFCA CONFERENCE, REGIS-TRATION, 75.00; ARCHITECTURE INC., PROFESSIONAL SERVICES, 20,744.50; BROADCASTER PRESS, ADVERTISING, 2,644.95; BRUNICKS

### 2010 Legal and Public 2010 Legal and Public 2010 Legal and Public 2010 Legal and Public **Notices**

**Notices** SERVICE INC, FUEL, 2,377.05; BUREAU OF ADMINISTRATION, TELEPHONE LONG DISTANCE, 280.62; CENTURYLINK, TELEPHONE SERVICE, 1.453.84; CITY OF VERMIL-LION, LANDFILL VOUCHERS, 210.70: CLAY CO REGISTER OF DEED, FIL-ING FEE-EASEMENT, 12.00; CLAY-UNION ELECTRIC CORP, ELECTRICI-TY, 1,158.84; DAKOTA BEVERAGE, MERCHANDISE, 10.00; DEPT. ENVI-RONMENT NATL RES, LANDFILL OPERATIONS FEE, 3,268.43; DEWILD GRANT RECKERT & ASSOC, PRO-FESSIONAL SERVICES, 7,050.51; ELDON NYGAARD, SEWER & WATER FEES WEST MAIN, 4,548.21; ERNIE HALVERSON, SAFETY BOOT REIMBURSEMENT, 100.00; GREGG PETERS, MANAGERS FEE, 5,375.00; KNOLOGY, DIAL-UP SERVICE, 49.95; LOREN FISCHER DISPOSAL, HAUL CARDBOARD, KOLLER, MEALS REIMBURSEMENT, 18.00; MARK MILBRODT, MEALS REIMBURSEMENT, 31.00; MATHE-SON TRI-GAS, INC, SUPPLIES, 127.15; MIDAMERICAN, GAS USAGE, 725.60; MIDCONTINENT COMMUNICATION, CABLE/INTERNET SERVICE, 95.95; MIDWAY SERVICE, INC, FUEL, 7.333 23: RESERVE ACCOUNT. POSTAGE FOR METER, 950.00; RECY-CLING EQUIPMENT MFG, MAGNET-IC CONVEYOR , 6,278.00; SPRINT, CELL PHONES, 987.96; THE EQUAL-IZER, ADVERTISING, 765.20; TIM TAGGART, MEALS REIMBURSE-MENT, 31.00; TREASURER-STATE, UNCLAIMED PROPERTY, 322.81; UNITED HEALTHCARE INSURANCE. REFUND AMBULANCE PAYMENT, 461.00; UNIVERSITY OF SD, ADMIS-SIONS REIMBURSEMENT, 10,000.00 US POSTMASTER, POSTAGE FOR UTILITY BILLS, 975.00; VISA/FIRST BANK & TRUST, FUEL/SUPPLIES 883.92; JOYCE HOESING, BRIGHT ENERGY REBATE, 175.00; VERN BEN-SON, BRIGHT ENERGY REBATE,

REBATE, 25.00 Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

150.00; CONNIE WULFF, BRIGHT

ENERGY REBATE, 250.00; JP INVEST-

MENTS LLC, BRIGHT ENERGY

#### 12. Consensus Agenda

A. Set a public hearing date of December 5, 2011 for annual liquor and wine license

B. Set a public hearing date of December 5, 2011 for site expansion of retail on-off sale malt beverage license for Red Steakhouse, Inc. to expand into what was formerly known as 5 E. Main

Alderman Zimmerman moved approval of the consensus agenda. Alderman French seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

### 13. Adjourn

355-11

ATTEST:

Alderman Ward moved to adjourn the Council Meeting at 8:06 p.m. Alderman French seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 21st day of November, 2011. THE GOVERNING BODY OF THE

CITY OF VERMILLION, SOUTH DAKOTA

John E (Jack) Powell, Mayor

Michael D. Carlson, Finance Officer Published once at the approximate cost of

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# Newly enhanced Dakota Roots website goes live

The South Dakota Department of Labor and Regulation (DLR) announces a newly enhanced website for Dakota Roots at

www.DakotaRoots.com. The website provides resources to connect individuals looking to relocate to South Dakota with career opportunities and helps local businesses recruit employees.

"Dakota Roots was first launched in 2006 to assist with worker recruitment efforts," said State Labor and Regulation Secretary Pam Roberts. "It is time to freshen up our image as hiring activity in South Dakota is growing."

Former or out-of-state residents can use the website to access the state's largest job search database with currently over 10,500 job openings. Employment representatives are also available to provide oneon-one assistance with the job search, applications, resumes and interviews.

Current South Dakota residents can use Dakota Roots to refer family and friends who want to come home or relocate.

"Our limitless recreational opportunities, excellent quality of life, and high quality schools and healthcare systems are among many great reasons for people to make South Dakota their home," said Secretary

South Dakota businesses can become a Dakota Roots partner and receive assistance in finding new employees. Once a partnership is established, the business logo and link to their homepage is featured on the Dakota Roots website, along with all its job listings.

"Access to this additional pool of job seekers can assist with hard-to-fill positions," said Secretary Roberts.

Dakota Roots joins citizens, business leaders and state government in a successful, ongoing initiative to grow the South Dakota workforce. For more information, visit www.DakotaRoots.com or call 1-800-592-1882.

# Dr. John Ball to talk about flood-impacted trees, shrubs

South Dakota State University Forestry Specialist Dr. John Ball will present on the impact the summer's flood had on the area's shrubs and trees Friday, Dec. 2 from 5:30 to 6:30 p.m. at Stoney Creek Inn, 300 Third St., Sioux City, IA. This presentation will be held following the Tri-State Fruit and Vegetable Growers Symposium being hosted by Extension services in Iowa, South Dakota and Nebraska.

Ball will address short-term and long-term health of trees in city parks and on private property affected by flooding. This session on flood recovery is free to attend and everyone is welcome.

Ball will also present at the fruit and vegetable growers conference which will be held

from 12 p.m. to 5:15 p.m. providing an overview of specialty

Other topics to be covered during the conference include fruit trees, aronia berries, grapes, ethnic vegetable varieties, organic insect and pest control, and community supported agriculture

The symposium and flood recovery presentation is planned in partnership with Iowa State University (ISU) Extension and Outreach, University of Nebraska Extension, and South Dakota State University Extension. For more information or to register call ISU Extension-Woodbury County at (712) 276-2157 or visit www.flavorsofnorthwestiowa.org.

### Millage graduates from basic training

Air Force Airman Michael J. Millage graduated from basic military training at Lackland Air Force Base, San Antonio, TX.

The airman completed an intensive, eight-week program that included training in military discipline and studies, Air Force core values, physical fitness, and basic warfare principles and

Airmen who complete basic training earn four credits toward an associate in applied science degree through the Community College of the Air Force.

Millage is the son of Kevin and Teresa Millage of Greenfield Road, Vermillion.

He is a 2010 graduate of Vermillion High School.

# FOR THE RECORD

### Cases Disposed 11/11-17/2011

Cases disposed 11/18/2011-11/23/2011

Allison Marie Duba, 700 E. Drake #P8, Fort Collins, Colo.; Reckless driving, recharged; Open alcoholic beverage container accessible in vehicle, recharged; Careless driving, \$54.00 plus costs

Gina Elizabeth Spanton, 520 Prentis #6, Vermillion; Failure to stop, \$60.00 plus costs

Kenneth L. Ellison, P.O. Box 134, Gayville; County speeding, \$59.00 plus costs

Benjamin J. Cooper, 1305 Lincoln St. #102, Vermillion; Driving with suspended (not revoked) license, \$204.00 plus

Samuel Martin, 713 W. Chestnut, Vermillion; No drivers license, \$54.00 plus costs

Michael Andrew Walker, 1926 S. Summit Avenue, Sioux Falls; Speed on four-lane in rural areas, \$79.00 plus costs

Aaron Dale Long, 833 E. Duke St. #55, Vermillion; Disorderly conduct, \$54.00 plus costs Blake Shewmaker, 411

Hunters Cir., Greenville, S.C.; Speed on four-lane in rural areas, \$19.00 plus costs Michael Miles, 208 E. Elm Street, Bloomfield, Neb.;

Speeding on state highway, \$150.00 plus costs Christopher Weber, 107 Church St., Vermillion; Purchase/receive/consume/posse

ss tobacco under 18, dismissed Tanner Oman, 1516 Lewis St., Vermillion; Disorderly conduct,

Jetta Uehling, 104 Dace, Volin; Passengers between 14-18 required to wear seat belts,

roadways, \$19.00 plus costs Dawn Jeanette Skjonsberg, assigned month, \$54.00 plus costs Brian Lewis Kribell, 48097 Red Rock Dr., Brandon; Flashing red/yellow light, \$54.00 plus costs

registration during assigned month, \$54.00 plus costs Nicole A. Leuttel, 3200 Halley St. #2, Yankton; Speeding on state

27th St., Sioux Falls; Renewal

Benjamin Kramer, 5912 W.

highway, \$39.00 plus costs Jane Marie Grant, 712 Walnut St., Springfield; Seat belt violation, \$25.00

Vermillion; Open container, \$57.00 plus costs Jeannie M. Pickett, 833 E.

Dion Price, 1017 James St.,

Duke Street #38, Vermillion; No drivers license, \$54.00 plus costs Mary S. Ulatowski, 31396 479th Ave., Akron, Iowa; Throw match or burning object from

Robert Rexford Parnell, 1307 Berrys run, Marion, Iowa; Speed on four-lane in rural areas, \$59.00 plus costs

vehicle, \$54.00 plus costs

Paul Raye Balderston, 75760 CR 5, Bird Island, Minn.; Urinating in public, \$104.00 plus

Harvey W. Driesen, Jr., 3220 340th St., Hull, Iowa; Violations of safety requirements, \$104.00 plus costs

Eileen Turner, 1318 Lewis St., Vermillion; Left turning vehicle failing to yield right of way, \$54.00 plus costs

# S.D. Heritage Fund to undergo name change

Officials are hoping that changing the name of the nonprofit financial partner of the South Dakota State Historical Society will make it clearer to donors what their contributions are being used for.

The South Dakota Heritage Fund was established in 1982 to provide financial and human resources for the State Historical Society. It does this by seeking capital, annual and planned gifts to support the mission, goals and programs of the State Historical Society, headquartered at the South Dakota Cultural Heritage Center in Pierre.

The Heritage Fund is a nonprofit corporation, governed by a citizen board of directors, which recently approved the name change. The Heritage Fund office is also located in the Cultural Heritage Center.

As of Jan. 1, 2012, the Heritage Fund will be known as The South Dakota Historical Society Foundation. The Heritage Fund website will change from www.sdheritagefund.org to www.sdhsf.org.

For more information on supporting the work of the State Historical Society, contact the Heritage Fund at (605) 773-6001 or the society at (605) 773-3458.



Wet Basement? Basement Wall Bowed? Foundation Settling?

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Randall Lamie, 30834 469th Ave., Burbank; Speeding other

\$100.00 plus costs

316 Prentis Ave., Vermillion; Renewal registration during