

**2010 Legal and Public Notices**

beverage and wine license for the Clay County Agricultural Fair Association, Inc. on or about August 9 and 10, 2013 at the Clay County Fairgrounds. Alderman Meins seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

**7. Old Business - None**

**8. New Business**

A. Library Board appointments

Mayor Powell reported that two terms are expiring on the Library Board and that interested individuals have completed the expression of interest forms that were included in the Council packet. Mayor Powell stated that he had requested Council members to provide him with their choices for these vacancies. Mayor Powell stated that from the Council members choices the recommendations were Jon Flanagin and Carl Gutzman for a three year term each. Mayor Powell wanted to thank all that had expressed interest in the positions.

**171-13**

Alderman Willson moved approval of the appointment of Jon Flanagin and Carl Gutzman to three year terms on the Library Board. Alderman Meins seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

A. Vermillion Housing Authority Board appointments

Mayor Powell reported that there is one five year term expiring on the Vermillion Housing Authority Board and that Elizabeth Abbott who currently is serving on the Board has expressed interest in continuing to serve. Mayor Powell requested action to appoint Elizabeth to a five year term.

**172-13**

Alderman Zimmerman moved approval of the appointment of Elizabeth Abbott to a five year term on the Vermillion Housing Authority Board. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

A. Library Change Order #7

John Prescott, City Manager, reported that the library project is near completion and that this most likely will be the last change order. The change order amounts is a deduct of \$386 based upon the signage allowance of \$5,000 and the signage cost was \$4,614. John recommended approval of change order #7 with Welfl Construction for the library project.

**173-13**

Alderman Willson moved approval of change order #7 with Welfl Construction on the library project for a deduct of \$386. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

A. Developer's Agreement with Richard G. Duman and Sheryl A. Duman, owners of Lot 1, Block 2, French East Addition (101 S Mickelson)

Jose Dominguez, City Engineer, reported that Richard and Sheryl Duman have recently purchased Lot 1, Block 2, French East Addition. The owners are planning on constructing a single family home facing South Mickelson Street. The City Council approved the final plat of this lot at the January 21, 2013 meeting.

Jose stated that City ordinance requires that the property owner construct sidewalks, grading, curb and gutter, street surfacing, street lights, water and sewer improvements on all streets abutting the property to be developed. The lot in question is a corner lot that will front South Mickelson Avenue and abut Foss Court. The agreement will require that the sidewalk, grading, curb and gutter and paving improvements along South Mickelson be completed when at least 300-feet of addition South Mickelson is paved. The work on Foss Court will be delayed until such a date that additional development to the west requires the access. The sanitary sewer and water main improvements will need to be completed prior to the house being occupied. The sanitary sewer will be constructed along Foss Court, while the water will be along South Mickelson Avenue. Jose recommended approval of the developer's agreement.

A. Request to close portions of High Street for Clay County Fair August 8-11, 2013

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A. Resolution to declare support for and adopt the 2013 Clay County multi-hazard pre-disaster mitigation plan update

John Prescott, City Manager, reported that SECOG has coordinated an effort over the last year to update the hazard mitigation pre-disaster plan for Clay County. The last plan was completed in 2003 and approved by FEMA in January 2004. To develop an update to the plan, a series of five meetings were held in Vermillion between May 2012 and March 2013. Elected officials, City and County staff members, and private utilities in Clay County were invited to participate.

John stated that the purpose of the plan is to guide efforts in Clay County both in Vermillion and rural areas to reduce the impacts of significant hazards as well as to reduce the effects of these hazards. The plan is also designed to help prevent and mitigate costs due to post hazard events. The plan identified hazards and assessed the risks historically faced by Clay County. The plan incorporates a mitigation strategy that encompassed a set of goals, objectives, and action steps to help mitigate and minimize damages imposed by hazards. John stated that the complete plan is available for review at City Hall.

John stated that SECOG received a grant to cover their staff time spent developing the plan update. He noted that having a current plan which identifies potential hazards may enable the County and jurisdictions within the County to receive grant funding to address items related to disasters. John recommended approval of the resolution to adopt the Clay County multi-hazard pre-disaster mitigation plan update.

**175-13**

After reading the same once, Alderman Zimmerman moved adoption of the following:

RESOLUTION BY VERMILLION CITY COUNCIL, DECLARING CITY SUPPORT FOR THE ADOPTION OF THE CLAY COUNTY MULTI-HAZARD PRE-DISASTER MITIGATION PLAN 2012 UPDATE

WHEREAS, the Vermillion City Council supports the contents of the Clay County Multi-Hazard Pre-Disaster Mitigation Plan 2012 Update; and

WHEREAS, the Clay County Multi-Hazard Pre-Disaster Mitigation Plan 2012 Update will be utilized as a guide for planning as related to FEMA Pre-Disaster Mitigation, and other purposes as deemed appropriate by the Vermillion City Council.

NOW THEREFORE BE IT RESOLVED, that the Vermillion City Council does hereby adopt, support, and will facilitate the Clay County Multi-Hazard Pre-Disaster Mitigation Plan 2012 Update implementation.

Dated at Vermillion, South Dakota this 17th day of June, 2013.

FOR THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY \_\_\_\_\_  
John E. Jack Powell, Mayor  
ATTEST:  
BY \_\_\_\_\_  
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. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

A. Request to close portions of High Street for Clay County Fair August 8-11, 2013

Mike Carlson, Finance Officer, reported that a request was received from the Clay County Fair Association to close High Street through the Fairgrounds from 7:00 a.m., Thursday, August 8th through 5:00 p.m., Sunday, August 11th for the Clay County Fair. Mike noted that the request is similar to previous years and that Jessica Kennedy representing the Fair Board was present to answer question

**176-13**

Alderman Willson moved approval of the closing of High Street through the Fairgrounds from 7:00 a.m. August 8th through 5:00 p.m. August 11th for the Clay County Fair. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

A. Temporary Construction Easement for Shared Used Path

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along SD Highway 19 as it abuts the Polaris property

Jose Dominguez, City Engineer, reported that, during the construction of the shared use path along SD Highway 50 from Stanford Street to Dakota Street, the DOT expressed concerns about the pedestrian traffic utilizing SD Highway 19 for travel. He stated that, in order to improve safety for the users, the pedestrians and bicycle traffic will be moved from the highway onto an adjacent path.

Jose reported that, due to the characteristics of the users, the DOT has requested that the City utilize the remainder of the Federal grant to construct a shared used path along SD Highway 19 between West Cherry Street and SD Highway 50. The path would be constructed within the DOT's right-of-way on the east side of the road. The path would be eight feet wide and be approximately four feet of the curb line.

Jose stated that the City will need to acquire temporary construction easements from the adjacent property owners (Polaris and East River Properties). The temporary easements will be valid through construction and an additional year after construction is completed. Jose stated that the three easements are required for the project to proceed to the bidding process. Jose answered questions on the project and recommended approval of the easements.

**177-13**

Alderman Willson moved approval of the temporary and permanent easements with Polaris and East River Properties for the shared used path along the east side of SD Highway 19 between West Cherry and SD Highway 50. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

**9. Bid Openings**

A. Landfill Leachate System

Jose Dominguez, City Engineer, reported that in 2011 the City applied for grant/loan funding for the leachate pond and collection system and for the construction of cell 5. The funding for the project was a \$1,639,000 SRF loan, a grant of \$522,210 and \$200,000 of local Joint Powers funds. The project is being divided into two contracts, the first being the leachate pond and collection system that will serve some of the existing cells and future cells and then cell 5 construction that will be awarded later this year or next spring. This project was bid with a base bid and two alternates for moving of additional material for part of cell 5. The City's consulting engineer is recommending the selection of the low base bid from RS Halstead Corp of \$887,200.78 contingent upon approval by the DENR. Discussion followed with Jose answering questions on the project

Belair Sitework Services: Base Bid \$1,315,694, Alternate #1 \$405,172, Alternate #2 \$620,538; RS Halstead Corp: Base Bid \$887,200.78, Alternate #1 \$163,746.38, Alternate #2 \$251,105.44; Veit Company: Base Bid \$1,092,500, Alternate #1 \$273,800, Alternate #2 \$457,700; Frattonone Companies: Base Bid \$961,711.95, Alternate #1 \$207,518, Alternate #2 \$298,781; J.J. Westhoff Construction: Base Bid \$946,936.50, Alternate #1 \$183,307, Alternate #2 \$266,943

**178-13**

Alderman Davies moved approval of the low base bid of RS Halstead Corp of \$887,200.78 for the Joint Powers landfill leachate pond and collection system contingent upon DENR approval. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

A. National Guard Building Boiler Replacement

Jose Dominguez, City Engineer, reported that in recent years several emergency repairs have been performed on the armory boilers and, due to additional problems because of their age, the armory boilers were bid for replacement. The boilers have been in use since the armory was built in 1986. Jose stated that the bid packets were sent to three companies with two bids received. One bid was not read as the bid proposal was not signed. The only bid received was from Marty Gilbertson in the amount of \$36,195.00. Jose recommended accepting the only bid to replace the boilers in the armory.

**179-13**

Alderman Willson moved approval of the only bid received of Marty Gilbertson of \$36,195 for the boiler replacement in the armory. Alderman Davies seconded the motion. Motion carried 7 to 0. Mayor Powell declared the mo-

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tion adopted.

**10. City Manager's Report**

A. John reported that mosquito fogging will begin on Tuesday, June 18th in zones 1 & 2, which is north of Clark Street followed on June 19th and 20th in zones 3 & 4 south of Clark Street. John noted that fogging will begin at 8:30 p.m. and continue until 1:00 a.m. weather permitting. For residents who would not like to have the fogging take place as the equipment passes their property, they need to contact City Hall to be included on the no fog list.

B. John reported that the dedication of the skate park will be Tuesday, June 18th at 1:30 p.m. Wellmark Blue Cross/Blue Shield, the major donor through the 3 Point Program, will have a representative present

C. John reported that Benjamin Moore has a program call Main Street Matters where two to three communities from each state are included on the website for voting. The top 20 communities will receive paint and guidance in repainting their Main Street. To vote for Vermillion, go to paint-whatmatters.com select South Dakota and then Vermillion.

D. John reported that the City Engineer approved a plat of Lots 3, 4, 5 & 6, Block 1 French's Addition. This is the property east of the high school on Norbeck Street

**PAYROLL ADDITIONS AND CHANGES**

Library: Bobbi Greenfield \$7.45/hr; Light Dept: Austin Anderson \$28.83/hr

**11. Invoices Payable**

**180-13**

Alderman Davies moved approval of the following invoices:

- ADVANCED PRODUCTS POLICE SHOOTING RANGE 9,295.00
- BILLION SOUTHTOWN INC 2013 POLICE CAR 28,372.00
- BROADCASTER PRESS ADVERTISING 1,158.57
- BUREAU OF ADMINISTRATION TELEPHONE 293.31
- BUTLER MACHINERY CO. CROSS SLOPE ATTACHMENT 9,070.00
- CANON FINANCIAL SERVICES COPIER LEASE 196.27
- CENTURYLINK TELEPHONE 1,485.99
- CITY OF VERMILLION LANDFILL VOUCHERS 528.00
- CLAY-UNION ELECTRIC CORP ELECTRICITY 408.95
- DAVID HALVERSON UNDERGROUND REIMBURSEMENT 425.00
- DEPT. ENVIRONMENT NATL RES LANDFILL OPERATIONS FEE 3,397.63
- DIAMOND VOGEL PAINTS TRAFFIC PAINT 5,000.30
- DIVISION OF MOTOR VEHICLE TITLE/PLATES 10.00
- DUST TEX SUPPLIES 24.80
- GERSTNER OIL CO AIRPORT JET FUEL 4,203.50
- GREGG PETERS MANAGERS FEE 5,375.00
- KNOLOGY DIAL UP SERVICE 49.95
- LOREN FISCHER DISPOSAL HAUL CARDBOARD 140.00
- MATHESON TRI-GAS, INC SUPPLIES 529.41
- MIDAMERICAN GAS US-AGE 2,795.93
- MIDCONTINENT COMMUNICATION CABLE/INTERNET SERVICE 118.55
- POLARIS EASEMENT 2.00
- PRESSING MATTERS SUPPLIES 436.00
- REGISTER OF DEEDS FILING FEE 60.00
- RESERVE ACCOUNT POSTAGE FOR METER 950.00
- SPRINT CELL PHONES 1,280.68
- STERN OIL CO. FUEL 20,003.21
- STURDEVANTS AUTO PARTS PARTS 470.62
- THE EQUALIZER ADVERTISING 850.50
- UNITED PARCEL SERVICE SHIPPING 22.32
- US POSTMASTER POSTAGE UTILITY BILLS 1,100.00
- VERMILLION ACE HARDWARE SUPPLIES 499.03
- VERMILLION CHAMBER OF COMM 4TH OF JULY CELEBRATION 3,500.00
- VERMILLION FORD 2013 FORD F250 PICKUP 24,615.00
- VISA/FIRST BANK & TRUST FUEL/SUPPLIES 265.59
- PAUL HAGENBUCH BRIGHT ENERGY REBATE 50.00

Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the

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motion adopted.

**12. Consensus Agenda - None**

**13. Executive Session**

**181-13**

Alderman Osborne moved to go into executive session at 7:32 p.m. for personnel matters as outlined in SDCL 1-25-2(1). Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the council in executive session.

Mayor Powell declared the Council out of executive session at 8:00 p.m.

**14. Adjourn**

**182-13**

Alderman Osborne moved to adjourn the Council Meeting at 8:01 p.m. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 17th day of June, 2013.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY \_\_\_\_\_  
John E. Jack Powell, Mayor  
ATTEST:  
BY \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Published once at the approximate cost of \$276.16.

Published: June 28, 2013

# Heritage Ride is Aug. 17

Area bike riding enthusiasts can mark their calendar for Heritage ride in Elk Point, to be held Saturday, Aug. 17.

This is a charity ride to help the Clay-Union Foundation youth mentoring program. Registration is at Immanuel Lutheran Church exit 18 off I-29 at 8 a.m., and riders leave as a group at 9 a.m. Lunch will be available, served by the church. Routes from 8-58+ miles, all on blacktop. Registration forms are found at <http://www.bikeiowa.com/> or <http://www.clay-unionfoundation.org/> under the events tab. Call John at (605) 421-5050 or e-mail [jjgillerrsd60@yahoo.com](mailto:jjgillerrsd60@yahoo.com) for more information.

The Clay-Union Foundation is funded by private, public and business donations, and is also funded in part by the United Way of Vermillion.



Maegan Nimick, direct support professional, left, and Alice Sealey, assistant director of services, right.

(Submitted photo)

## Nimick is SESDAC May 2013 employee

Maegan Nimick, direct support professional, was selected as the SESDAC, Inc. May 2013 Employee of the Month. She has been a part of the organization since October 2012.

Nimick was nominated for the award by her fellow co-workers, based on her dedication to her job and the people she supports.

Co-workers had the following compliments written in their nominations for Nimick: "Maegan is a very calm and welcoming person. She is reliable and a great team player who is always willing to help out."

Nimick currently resides in Sioux Falls. SESDAC, Inc. is a 501(c)3 non-profit

organization that assists people with disabilities to live, work, and socialize in their community. SESDAC, Inc. began providing services in 1973 and currently serves 75 people with disabilities and has 140 employees.

**Universal**  
PEDIATRIC SERVICES  
**Full-Time RN Needed**  
Universal Pediatric Services, Inc. has an immediate opening for a full-time RN day shift position in the Elk Point area caring for a 5 year old boy in his home with special medical needs.  
Apply online at: [www.universalspediatric.com](http://www.universalspediatric.com) or by calling (877) 907-1218

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Excellent incentive pay and bonuses. Full-time, benefits, some evenings and weekends. Experience in furniture/appliance sales preferred, but willing to train.  
Apply in person.  
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The University of South Dakota  
**HVAC Specialist/Off Hours**  
The University of South Dakota is seeking an HVAC Specialist. Successful applicant will have significant experience in industrial level HVAC systems and equipment. Preference will be given to applicants with experience working with food service equipment and the candidate must have a Freon certificate or be able to obtain one within 6 months of hire. Applicant must also have a valid driver's license or be able to obtain one. This position requires varied off hour shifts in order to provide staff coverage 24/7 365 days a year.  
For more details and to apply, go to <https://yourfuture.sdbor.edu>  
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EEO/AA