264,175.38 Instructional, Education Special 41,118.28 Early Retirement Payment to Administration/Instructional Staff -

Administration/Instruc-Total for \$361,054.75 tional Staff: Beyond School Adventure, Day Care Director/Aides 3,922.17 Board Members -

Co-Curricular 14,984.28 Classified, General Fund 52,725,75 Classified, Special Education 20,033.54 Guidance, Certified/Classified 15,306,46 Library, Certified/Classified 7,852.95

Certified/Classified Total for \$114.825.15 Staff: Payment in Kind - Cell Phone Us-61.35 age Grand Total of October's Gross

Payroll - - -\$475,941.25 **Board Report For Newspaper** Vendor Name, Vendor Descrip-

tion, Amount

A & B Business Equipment, Inc., Supplies, 2,929.87; Alcester-Hudson School, Fees, 40.00; Ameri-Bus Services, Corp., can 34,764.24; Americinn-Sioux Falls, Travel, 194.70; Apple Computer, Supplies, 499.00; Aramark Services, Uniform Inc, Supplies/Services, 190.53; Argus Multimedia Holdings, Leader, Inc., Supplies, 97.15; Asha, Dues, 675.00: Associated School Boards Of SD, Dues, 200.00; Autism As-Publishing Co, Supplies, 60.00: Avera St Luke's, Services, 469.60: Barnes & Noble Inc... Supplies, 50.40; Best Business Products, Inc. Supplies, 1.041.23: Bluffs Golf Course. The, Supplies, 92.00; Broadcaster Inc., Press. Services, 979.54: Supplies/Serv-Brodersen, Karol, ices, 5.00; Brunick Service, Inc., 11.815.85: Services, Bureau Of Education & Research, Inc., Supplies, 229.00; C&R Construction, 1,305.00; Campbell Supply Co, Inc., Supplies/Serv-Campbell, Jeanne, 33.84; Supplies, 10.99; Cedar Shore Resort, Inc., Travel, 97.00; Central Conference, Dues, 50.00; Centurylink, Phone Lines, 1,681.83; Chemco Inc, Supplies, 398.05; Children's Care Hospital School, Services, 9,332.10; Of Vermillion, Services, 19,856.05; CM Ed. Research & Development Council, 11,108.00; Commerce Properties, Llc, Lease, 1,700.00; Connecting Point Computer Center, Inc., Sup-46,371.70; Constellation plies, Newenergy-Gas Division,Llc, Services, 2,117.89; Culligan ter Conditioning, Services, 21.00;

104.06; Decker, Inc., Supplies, Demco, Inc., Supplies, 220.53; Discount School Supply, Supplies, 75.81; Dynamic Measurement Group, Supplies, 100.00; Elk Point-Jefferson School, Dues/Fees, 2,016.71; Equalizer, Supplies/Services, 158.40; Erincort Consulting. Inc., Services, 107.50; First Bank & Trust-Visa, 993.93; Supplies/Services, First National Bank In Sioux Falls, 26,935.00; Flaghouse. Services, Inc., Supplies, 746.93; Flinn Sci-Inc., Supplies, 761.57; entific. Follett Library Resources Inc. Supplies, 4,533.73; Follett Software Company, Inc., The, Supplies, 6,048.11; Ford/Aaa Student Auto Skills, Supplies, 1 3 5 . 0 0 ; Foreman Media, Services, 50.00; Franklin Covey Products Llc, Supplies, 75.60; Frey Scientific, Supplies, 67.14; Fullerton Building Center, Supplies, 28.49; Garratt Callahan Company, Inc., Sup-500.00; Gault, Natasha, Supplies/Services, 512.01; Glass Works, Services, 160.00; Glogster Ec, Inc, Supplies, 99.00; Governor's Inn Inc, Travel, 80.00; Herren-Schempp Building Supply, Inc, Supplies, 3,170.19; Highsmith, Supplies, 304.30; History Education, Supplies, 82.80; Hm Receivables Co Llc, Supplies, Hobart 224.00; Sales Service-Sioux City Agency, Services, 1,607.20; Hy-Vee, Inc., Supplies, 269.82; Imprest Fund-Trust Agency, Refund Accounts, 2,938.76; Ingram Library Services, Inc., Supplies, 912.23; Interlight, Supplies, 112.85; J.A. Sexauer, Supplies, 127.92; J.W. Pepper & Son, Inc., Supplies, 231.88; Johnson Controls, Inc., 43,759.50; Supplies/Services, Johnson, Kim, Supplies/Services, 38.79; Jones' Ace Hardware, Inc., Supplies/Services, 95.72; Jones' Food Center Of Vermillion Ltd, Supplies, 687.67; Kalins Indoor Comfort, Inc, Services, 1,109.48;

Kinetic Leasing, Inc.,

5,957.00; Knudsen, Cindy, Sup-

Reporting Month:

Leases,

plies/Services. 29.21; Learning 228.90; Lunchtime Solu-Seed. tions, Inc., Services, 334.75; Lunchtime Solutions, Inc., Services, 62.374.94: Mainland Engraving Llc, 33.50; Marco Products Inc., 54.03: Mark's Lawn Supplies, Care, Services, 350.00; Mart Auto Marine, Body And Services. 677.00: Math Worksheet Site.Com, Supplies, 125.00: Mcculloch, James E, Services, 750.20; Mf Athletic Co, Inc., Supplies, 371.80; Mid Central Educational Cooperative, Services, 300.00; Midamerican Energy Co., Services, 155.61; Midwest Building Maintenance, Supplies/Services, 20.00; Mid-Striping, Services, 596.64; Mitchell Show Choir Classic, Fees, 750.00; Mount Marty College, Fees, 30.00; Murph's Appli-Inc., Supplies/Repair, 758.00; Naesp/Experient, 344.00; Nasco, Inc., Supplies, 686.68; Ncs Pearson, Inc., Supplies, 5,179.00; Nygren's True Supplies/Services, 448.90; Office Weights & Measures, Services, 56.00; Parent Reimbursment, Supplies/Services, 424.52; Plumbing Inc., Services

506.54; PCI Educational Publishing, Supplies, 75.67; PMB 0112, Pressing Services, 88.90; Phone Matters Printing, Inc., Supplies, Presto-X-Company, Llc, 310.00; Print Source, 18.75; Llc, Supplies, 360.00; Supplies/Services, Quill Corporation, Supplies,

Qwest Corporation, Of-273.69; 1,182.00; Rent, Ray's Mid-Bell Music, Supplies, 55.00; Recorded Books, Inc., Supplies, 358.58; Red Steakhouse Inc., Sup-94.87: plies/Services, Samuel French, Inc., Supplies, 32.90; Sanford Vermillion Medical Center, 8.859.50: Scholastic. Services. Supplies, 395.01; School Inc.. Corporation, Health Supplies, Inc., 80.33: School Specialty, 395.95: Supplies, Schoolmedia, Inc., Supplies, 44.45; SD Depart-Of Labor, Supplies, 1,718.32; SD High School Activi-Association, Fees, 51.00; Sdahperd, Fees, 115.00; Sesdac. Inc, Services, 654.50; Shepherd Reporting, Llc, Services, 173.63; Sheraton Sioux Falls, Travel, 712.00; Snethen, Lois, Supplies/Services, 8.51; Social Studies School Services, Supplies, 190.21; Software Unlimited, Inc., Services/Fees, 150.00; South Dakota Municipal League, Registra-40.00; Sport Supply Group, Inc., Supplies, 0.00; Standard Stationary Supply Co, Inc., Supplies, 159.10; Sturdevants Auto Parts, Supplies, 105.83; Suplay Prod-449.98; Taylor Supplies, ucts, Music Inc, Supplies, 2,362.00; Plumbing, Inc., Services, Turner 788.17; Uline, Supplies, 57.75; Universal Pediatric Services, Inc., 6,370.00; University Service, Services, 16.15; Up-Cleaners, Supplies/Serv-Marianne, ward, 169.22; USD-School Psyices. chology Assoc Symposium, 50.00; Ustfccca, Serv-Training, 135.00; Verizon Wireless ices, 184.89; Services Llc, Services,

Published once at the total approximate cost of \$125.99 Estimated publishing cost per published copy

Garbage

2,166.00;

Rotary Club Inc, Fees, 137.25;

Vermillion School District. Misc..

nier Software & Technology, Sup-

Council, Misc., 390.09; Wal-Mart

Supplies,

Express

lowstone Boys And Girls Ranch,

1.131.73:

Vermillion-Clav

Services, 420.00; Ver-

VHS

469.09:

Published: November 18, 2011

Vermillion

Services,

10.50:

E.M.S

Community,

Supplies/Services,

Services, 1,213.38.

Wright

Positions Available on Planning & Zoning Commission

The Clay County Board of Commissioners is accepting applications from individuals who are interested in serving on the Clay County Planning & Zoning Commission. Two positions are available. Appointments are for one three-year term and one five year

All residents of Clay County are eligible. The Clay County Planning & Zoning Commission is a five person advisory board whose members are appointed by the Clay County Board of Commis-

The job of the Planning & Zoning Commission is to plan the long-range growth of Clay County and review the zoning and development requests in the unincorporated area of the county.

Commission Regular meetings are held the last Monday of each month at 5:15 P.M.

County Planning & Zoning Department at 605-677-7145. Applications must be received by 5 P.M. Dec. 5 2011. Please state

for.

For information, call the Clay

which position you are applying **Clay County Auditor**

Ruth A. Bremer 211 West Main STE 200 Vermillion, SD 57069 Published twice at the total ap-

proximate cost of \$29.57 Estimated publishing cost per published copy

Published: November 18 & 25.

STATE OF SOUTH DAKOTA COUNTY OF CLAY :SS

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE NAME CHANGE OF

TONYA JOHNSON RUBIDA

CIV. NO. <u>11-300</u>

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a Petition for change of name by Tonya Johnson Rubida to have her name changed to Tonya Grace Johnson has been received. All persons having an interest therein shall appear before this Court on the 30th day of November, 2011 at 9:00 o'clock a.m. in the Clay county Courthouse at Vermillion or be forever barred.

Dated this 19th day of November, 2011

BY THE COURT:

Jessica Bosse

Clerk of Courts

Prepared by: John P. Slattery Attorney for Petitioner PO Box 398 - 110 West Main Elk Point, SD 57069-0398 (605)356-3373 Published four times at the ap-

proximate cost of \$52.36 Estimated publishing cost per published copy

Published: October 28, November 4, 11 & 18, 2011

Unapproved Minutes Council Special Session November 7, 2011 Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, November 7, 2011 at 12:00 noon in the City Hall large conference room.

1. Roll Call

Service,

Cnty,

447.29;

Fsc,

Yel-

Vermillion

Present: Davies. Gravson. Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell Absent: French

2. Informational Session - Library Addition/Renovation Project update

John Prescott, City Manager, reported that he wanted to update the City Council on the library addition/renovation project. He stated that the projected timeline is to have the final plans and specifications available for the December 5th Council meeting to set a bid opening date of January 19th. With five Mondays in January, a special meeting may be needed to award the bid. John noted that they have been working with the architect on the details of the building addition and renovation. John reviewed the architect's drawings of the project along with the cost projections. He reviewed the projected revenues noting that the current estimate is at the maximum of the project funding. John answered questions of the City Council on the proposed project. Council suggested the need for

more light in the building. Jon Flanagin, Library Board President, reported that the Library Foundation has set a goal of \$200,000 for the library furniture and fixtures and currently is about half way to the goal with a number of grants and pledges outstanding.

3. Informational Session - Proposed changes to the House **Moving section of the City Code**

- Farrel Christensen Farrel Christensen, Building Official, reported that, in response to the City Council's concerns about the current house moving ordinance, he handed out the current ordinance with proposed changes to require the foundation to be in place before the moving permit is issued, allow 120 days to complete the exterior and site work, require a \$10,000 bond and include a list of criteria for the building official to comply with before issuing a permit. Farrel stated that any denial by him of the permit is subject to an appeal to the City Council. Farrel noted that he recommended retaining the current requirement that the structure to be moved is at least 85% of the average full and true value of the residential structures within 200 feet of any part of the premises. Discussion followed on the proposed ordinance changes with the City Council requesting that the bond or maybe bonds include, in addition to covering damage to property during this move, the completion of the outside site work, the requirement that the site or sites be secured during the moving process and that the values used be from the Clay County Assessor.

4. Briefing on the November 7, 2011 City Council Regular Meeting Agenda

Council reviewed items on the agenda with City staff. No action was taken. 5. Adjourn 326-11

Alderman Osborne moved to adjourn the Council special session at 12:58 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted. Dated at Vermillion, South Da-

kota this 7th day of November, THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

John E (Jack) Powell, Mayor ATTEST:

Michael D. Carlson, Finance Officer **Unapproved Minutes** City Council Regular Session November 7, 2011 Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on November 7, 2011 at 7:00 p.m. by Mayor Powell. 1. Roll Call

Present: Davies, French, Grayson, Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell 2. Pledge of Allegiance 3. Minutes

A. October 17, 2011 Special Session; October 17, 2011 Regular Session; October 20,2011 Special Session 327-11

Alderman Zimmerman moved approval of the October 17, 2011 special session minutes, October 17, 2011 regular session minutes and the October 20, 2011 special session minutes. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

Alderman French moved approval of the agenda with the change of Item 5A to Hunger Awareness "Day" Proclamation instead of "Week". Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Hunger Awareness Day Proclamation

Alderman Meins read the Hunger Awareness Day Proclamation encouraging all Vermillion City and Clay County citizens to support Hunger Awareness Day, November 20, 2011, by wearing orange or fasting for two meals and then donating the cost of those meals to the Vermillion Food Pantry. Maggie Hofa, on behalf of the Coyoteopoly organization, wanted to thank the City Council for the proclamation and encouraged everyone to wear orange or fast on Thursday and to participate in the Coyoteopoly food drive on Saturday. November 12th for the Vermillion Food Pantry.

6. Public Hearings - None 7. Old Business

A. Memorandum of Understanding with Clay County on the purchase of Pictometry software

John Prescott, City Manager, reported that the County Director of Equalization submitted a request to the City to assist in the purchase of the Pictometry software in August. The information was

Food

presented to the City Council and City staff viewed a demonstration from the Pictometry representative. The City Council authorized the development of a Memorandum of Understanding (MOU) to outline the City's participation in the purchase of the software. This item was continued from last meeting as the County had not received the final agreement from Pictometry International. John noted that the MOU lays out the working relationship between the entities. John reviewed the MOU noting that the City's cost will be \$4,161.22 per year for 2012, 2013 and 2014. This cost may be reduced if the County sells access to other users. The County agreement with Pictometry International is for six years but the MOU is only for three years with the option to extend for the final three years. John answered questions of the City Council on the MOU and Gene Lunn, Director of Equalization, was also present to answer questions. Discussion followed

Alderman Davies moved approval of the Memorandum of Understanding with Clay County on the purchase of the Pictometry software and authorized the Mayor to sign the agreement on behalf of the City. Alderman Grayson seconded the motion. Motion carried 9 to 0 Mayor Powell declared the motion

adopted. 8. New Business

329-11

A. First Reading of Ordinance No. 1264 - Wards and Boundaries, of the 2008 Ordinances for the City of Vermillion, amending the ward boundaries

Mike Carlson, Finance Officer, reported that the City Council reviewed the proposed ward boundary change during the July 5, 2011 noon session. Based upon the proposed change to move the Central and Southeast boundary from Yale Street to University from Cedar Street south, a new ward map was prepared and adopted by ordinance on September 6, 2011. When a larger map was prepared for the County Auditor, it was noticed that there was an error in the Northwest and Central Ward boundary. As the ward map is adopted by ordinance, it requires an ordinance to correct the error. Administration recommends First Reading of Ordinance No. 1264 amending the ward boundaries. 330-11

Mayor Powell read the title to the above mentioned Ordinance and Alderman Grayson moved adoption of the following Resolu-

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1264 - Wards and Boundaries, of the 2008 Ordinances for the City of Vermillion. amending the ward boundaries of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 7th day of November, 2011 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Willson. After discussion. the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

B. Street closing for Parade of Lights

John Prescott, City Manager, reported that the Vermillion Chamber of Commerce and Development Company is requesting to close Main Street from Harvard Street to Market Street on Friday, December 2, 2011 from 6:15 p.m. to 6:45 p.m. for the Parade of Lights. The parade concludes at Ratingen Platz for the tree lighting. The Parade of Lights was held last year without any problems. **331-11**

Alderman French moved approval of the closing of Main Street from Harvard Street to Market Street on Friday, December 2, 2011 from 6:15 p.m. to 6:45 p.m. for the Parade of Lights. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Resolution establishing fees in lieu of assessment for 317th Street from Norbeck Street to a point 800' west

Internal

Jason Anderson, Assistant City Engineer, reported that the water main extension was bid in September 2010 and the project has been completed. As part of the benefiting property is outside the city limits, special assessments cannot be used but a fee in lieu of assessment will allow for the recovery of the improvement costs. The fee in lieu of assessment is due before the property is served with water. Jason noted that the resolution provides for the addition of an 8% fiscal fee to cover the City costs of design, bidding, project management, etc. to the amount of benefit. Discussion followed. 332-11

After reading the same once, Alderman Willson moved adoption

of the following:
RESOLUTION ESTABLISH-ING FEES IN LIEU OF ASSESS-MENT FOR 317TH STREET FROM NORBECK TO A POINT 800 FEET WEST

WHEREAS, the City of Vermillion has constructed an eight inch and ten inch water main on parts

of the following streets and lots: 317th Street from Norbeck Street to a point 800 feet West at a cost of \$36,131.87, which the City has paid, and which has not been apportioned against the property which may be benefited thereby as provided by SDCL 9-48-15 and 9-47-16 as amended, and will require such property owner to pay its proportionate share of the cost of such construction, without interest, according to the benefits which the Governing Body has determined to accrue to such property before such property may be served by the facility.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that each of the lots hereinafter described in Column 2 has been benefited by the construction of the facility in the amount set forth in Column 3 opposite such description; and the owner of such lot shall pay said amount to the City before said property may be served by the water facility of the City of Vermillion, viz:

PROPERTY OWNER., DE-SCRIPTION OF PROPERTY, AMOUNT OF BENEFIT

MDMT Inc., Lot 2A Block 3 Brooks Industrial Park, \$7,933.36; MDMT Inc., Lot 2B Block 3 Brooks Industrial Park, \$7,933.36; Russell Samuel Heikes Tract 3 Heikes Addition. \$4,876.67; Russell Samuel Tract 4 Heikes Addi-Heikes tion, \$15,388.48 BE IT FURTHER RESOLVED,

that each of the lots described above shall pay the amount of benefit plus an eight percent (8%) fiscal fee.

Dated at Vermillion, South Dakota this 7th day of November,

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 French. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

D. Resolution establishing fees in lieu of assessment for West Main Street from Stanford Street to a point 1700' west

Jason Anderson, Assistant City Engineer, reported that the Engineering Department assisted Eldon Nygaard, Owner of Valiant Vineyard, in developing and bidding the water and sewer main extensions for service to his business. Mr. Nygaard paid for the entire cost of the utility extension project. Now that the Bliss Second Addition property has been platted, the cost attributable to each lot can be calculated for the fee in lieu of assessment along with the property outside the city limits. The resolution provides that the City will collect the fee in lieu of assessment prior to the utility service being provided to these lots and pay the collected fees to Mr. Nygaard. Discussion followed.

333-11 After reading the same once, Alderman Zimmerman moved adoption of the following:

RESOLUTION ESTABLISHING

FEES IN LIEU OF ASSESSMENT FOR WEST MAIN STREET FROM STANFORD STREET TO 1700'

WEST WHEREAS, Eldon Nygaard, owner of Valiant Vineyard, has constructed an eight inch sewer main and a six inch water main on parts of the following street:

West Main Street from Stanford

to a point 1700 feet west at a cost of \$18,508.91, which Eldon Nygaard has paid, and which has not been apportioned against the property which may be benefited thereby as provided by SDCL 9-48-15 and 9-47-16 as amended, and will require such property owner to pay its proportionate share of the cost of such construction without interest, according to the benefits which the Governing Body has determined to accrue to such property before such property may be served by the facility. WHEREAS the governing body

has agreed to collect such fee and remit same to Eldon Nygaard, owner of Valiant Vineyard, as collected, for all property fronting and abutting said water and sewer.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that each of the lots hereinafter described in Column 2 has been benefited by the construction of the facility in

Financial Report to the School Board from the Business Manager - Vermillion School District #13-1

Bond

General Capital Special Pension

OCTOBER 2011	Fund	Outlay Fund	Ed Fund	Fund	Red. Fund	School Program	Service Fund	Service Fund	Fund
Beginning Cash Balance	1,997,524.40	877,194.96	276,277.79	619,201.19	287,472.29	22,336.34	211,823.12	110,365.22	34,883.96
Local Sources:	145,640.70	26,155.52	12,345.29	2,615.66	4,925.78	5,060.67	37,661.40	22,327.10	10,958.33
County Sources	9,881.30								
State Sources	270,446.00		31,859.00			543.75			
Federal Sources	59,360.86		57,414.00				27,939.12		
Miscellaneous NSF Checks Reversed									
TOTAL RECEIPTS	485,328.86	26,155.52	101,618.29	2,615.66	4,925.78	5,604.42	65,600.52	22,327.10	10,958.33
TOTAL DISBURSEMENTS Transfers/Voided Check	655,279.71	36,574.91	114,661.69			5,282.25	82,356.38	25,883.90	8,214.12
Other Financing Sources									
Ending Cash Balance	1,827,573.55	866,775.57	263,234.39	621,816.85	292,398.07	22,658.51	195,067.26	106,808.42	37,628.17