

2010 Legal and Public Notices

FSMC's should contact Sheila R. Beermann, Business Manager, with their intent to submit a proposal by writing to the above address or by e-mail at Sheila.beermann@k12.sd.us. Written questions regarding the Request for Proposal (RFP) or requests for additional information must be submitted to Sheila R. Beermann, Business Manager, by 2:00 p.m. central time on Thursday, December 12, 2013. Responses shall be retained and shall be provided to all other prospective bidders.

Interested FSMC bidders must meet to review the specifications, to clarify any questions, to tour the facilities, and to examine current food service equipment, with school officials on Thursday, December 12, 2013 at 2:00 p.m. central time at Vermillion Middle School, 422 Princeton Street, Food Service Facility, Vermillion, SD 57069. Attendance is required.

Sealed proposals will be received from FSMC's at the Vermillion School District Business Office, 17 Prospect, Vermillion, SD 57069. Attention: Sheila R. Beermann, Business Manager, until 10:00 a.m. central time on Tuesday, January 21, 2014, at which time proposals will be opened. Proposals received after that time will be returned to the sender unopened.

Published twice at the total approximate cost of \$44.97

Published: November 22 and 29, 2013

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS**IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT**

IN THE MATTER OF THE ESTATE OF MARTHA LOVELLA MATSON, DECEASED. PRO 13-32

NOTICE TO CREDITORS

Notice is given that on the 13th day of November, 2013, Michael D. Matson, whose address is 8686 Country Creek Drive, Sacramento, CA, 95662, was appointed as personal representative of the estate of Martha Lovella Matson, Deceased.

Creditors of decedent must file their claims within four (4) months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the personal representative or may be filed with the clerk, and a copy of the claim mailed to the personal representative.

/s/:

Michael D. Matson
8686 Country Creek Drive
Sacramento, CA 95662

JESSICA BOSSE
CLERK OF COURTS
211 W. MAIN STREET
VERMILLION, SD 57069
(605)677-6756

CRAIG K. THOMPSON
CRAIG K. THOMPSON LAW OFFICES
P.O. BOX 295
VERMILLION, SD 57069
(605)624-2097
craig@cktlaw.net

Published three times at the total approximate cost of \$72.60

Published: November 22, 29 and December 6, 2013

Re-Advertisement for Invitation To Bid

Sealed bids will be received by the State Engineer on behalf of the Board of Regents at the Office of the State Engineer, Joe Foss Building, 523 East Capitol, Pierre, South Dakota 57501-3182 until 2:00 PM CT, December 12, 2013 for Churchill Haines Laboratory, Animal Infrastructure Upgrade, University of South Dakota, Vermillion, SD, OSE# R0612-16X.

Combined Bids will be received for renovation, remodel, and infrastructure upgrade of a portion of the Churchill Haines Laboratory, including all necessary Demolition, General, Mechanical, and Electrical work.

Contractors Note: A pre-bid walkthrough of the project will be conducted on December 4 starting at 10:00 AM CT. This will be your only opportunity to view the work prior to the bid date. Campus contact is Lorin Wilcox at 605.677.6831. The work will commence from the NE entrance to Churchill Haines.

Copies of the Plans and Specifications may be obtained by bidders at the office of Baldrige & Nelson Architects & Engineers, 408 West Lotta Street, Suite 2,

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Sioux Falls, SD 57105, 605.334.7179. Copies are on file for viewing purposes at the Office of the State Engineer, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501-3182. Anyone requesting, reviewing, or copying Plans and Specifications for this project (such individual is hereinafter referred to as "bidder") agrees that they are doing so for the sole purpose of submitting a bid on the project. In consideration of the State of South Dakota providing such Plans and Specifications for the purpose of preparing a bid, bidder further agrees:

A. The Plans and Specifications are the sole property of the State;

B. Any copies of the Plans and Specifications obtained directly from the State will be returned to the office of Baldrige & Nelson Architects & Engineers immediately after the State provides notice that bidder will not be awarded a contract, or thirty (30) days after the bid opening for the project, which ever occurs first;

C. Any copies of the Plans and Specifications made by the bidder will be destroyed immediately after the State provides notice that bidder will not be awarded a contract, or thirty (30) days after the bid opening for the project, which ever occurs first;

D. If bidder does not submit a bid, bidder will fulfill the requirements of B and C above on or before the date of the bid opening;

E. The Plans and Specifications are to be used only with respect to this project and are not to be used for any other project or purposes other than preparing a bid for this project;

F. The Plans and Specifications will not be disseminated to any person or entity for purposes other than obtaining pricing information without the express written approval of the state;

G. All information contained in the Plans and Specifications is confidential; and

H. Should the bidder disseminate the Plans and Specifications to an individual or entity for purposes of obtaining pricing information, the bidder will require that individual or entity to adhere to the terms set forth herein. The bidder, however, assumes no liability for the misuse of the Plans and Specifications by such third party or such third party's failure to comply with the provisions contained herein.

Should bidder be awarded a contract for construction of the project, bidder does not need to return or destroy plans and specifications until after completion of the project.

Each bid in excess of \$50,000.00 must be accompanied by a certified check, cashier's check or draft in the amount of 5% of the base bid and all add alternates and drawn on a State or National Bank or a 10% bid bond issued by a surety authorized to do business in the State of South Dakota and made payable to the Board of Regents of the State of South Dakota.

The Board of Regents reserves the right to reject any or all bids and to waive any irregularities therein.

Effective January 9, 2013, the University of South Dakota is a smoke-free campus.

KRISTI HONEYWELL, P.E.
State Engineer
Office of the State Engineer

Published twice at the total approximate cost of \$106.15

Published: November 22 and 29, 2013

Unapproved Minutes Council Special Session

November 18, 2013

Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, November 18, 2013 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Davies, Grayson (arrived at 12:02 p.m.), Meins, Osborne, Ward (arrived at 12:05 p.m.), Willson, Zimmerman, Mayor Powell

2. Informational Session - Draft of the Prentis Park Master Plan - Jim Goblirsch

Jim Goblirsch, Director of Parks and Recreation, stated that in September the City Council approved contracting with the firm of TSP to develop a master plan for Prentis Park. The master plan was to review all the uses of the park including a new swimming pool and develop a plan to revitalize the uses of the park. Jim stated that

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the information being presented is a draft to obtain City Council comments before the public meeting on November 25th. Jim introduced Paul Boerboom, Architect with TSP, to review the master plan option.

Alderman Grayson arrived at 12:02 p.m. and Alderman Ward arrived at 12:05 p.m.

Paul Boerboom reviewed the existing park facilities noting that the water tower, water main, baseball park and band shell are items that will need to be worked around. Paul stated that Prentis Park is on the National Register of Historic Places and a number of items are considered contributing features of the park. He noted that a discussion will be needed with Historic Preservation before making any changes to these items. Paul provided preliminary concept "A" & "B" designs that he reviewed with the City Council. Discussion followed on the two preliminary designs. Paul reviewed the estimated cost for concept "B" noting that some of the items would be done by the City and the balance would be contracted. The cost to be contracted was just under \$6.5 million which included a large contingency as there has been no final engineering. Paul and Jim answered questions of the City Council on the preliminary plans noting that the public meeting is November 25th at 7:00 p.m. in the City Council Chambers.

3. Briefing on the November 18th City Council Regular Meeting

Council reviewed items on the agenda with City staff. No action was taken.

4. Adjourn

338-13

Alderman Osborne moved to adjourn the Council special session at 1:01 p.m. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of November, 2013.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:
BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
November 18, 2013
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, November 18, 2013 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell

2. Pledge of Allegiance

3. Minutes

A. Minutes of November 4, 2013 Special Session; November 4, 2013 Regular Session

339-13

Alderman Willson moved approval of the November 4, 2013 Special Session and November 4, 2013 Regular Session minutes. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

340-13

Alderman Willson moved approval of the agenda. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard - None

6. Public Hearings - None

7. Old Business - None

8. New Business

A. Request by Haan Development to reduce building permit and tap fees for a tax credit, income qualified apartment complex proposed for Lot 1, Block 1, Madison Park Addition

John Prescott, City Manager, reported that, earlier this year, Haan Development contacted the City indicating that they were inter-

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ested in developing a 40 unit apartment complex in Vermillion. The plan provided for the 40 unit complex is to have five buildings with eight units per building. Apartment units would be rented to qualifying individuals having an income between 30% and 60% of the adjusted median income for Clay County with the rent not exceeding 30% of the household income. John stated that part of the funding for construction of the complex is federal tax credits. Haan Development submitted an application to the South Dakota Housing Development Authority seeking the award of a portion of the State's share of federal tax credits for the project. The awarding of tax credits is a competitive process. The applications are evaluated on a 1000 point scale. An application can receive 25 points through the demonstration of local financial support for the project. At that time, Haan Development requested a reduction in the building permit fees, along with reduction in water and wastewater tapping fees. In February 2013, the City Council approved the reduction in the building permit and tapping fees not to exceed \$14,500 with the building permit to be issued prior to December 31, 2013.

Haan Development notified the City that it was not approved for any of the tax credits for 2013 and is now refreshing the application for requesting consideration in 2014. John stated that a copy of the email making the request and a copy of the 2013 letter were included in the Council packet.

John reported that, over the last couple of years, the City Council members, business leaders and VDCD officials have expressed the need for additional housing of all types. The market study completed by Haan Development for their tax credit application, as well as the housing study completed by the City and VDCD in 2012, indicated a need for additional affordable housing units. To assist in helping the project earn tax credits, the City is again being asked to reduce building and tap fees.

Discussion followed on the project, qualifying individuals, life of the project and amount of the fee reduction. John stated that he was told that the project application is being made for a 40 year life with the income and qualifying individuals needing to comply with the housing authority requirements.

341-13

Alderman Willson moved approval of the reduction of the building permit fees, water tapping fees and sanitary sewer tapping fees for the Haan Development Madison Park Apartment project in an amount not to exceed \$14,500 contingent upon the project being awarded tax credit by the South Dakota Housing Development Authority and that the request for building permit is received prior to December 31, 2014; and to authorize the City Manager to submit the letter of support for the tax credit application. Alderman Grayson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Annual 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 161 utility accounts totaling \$45,166.11, 5 general accounts receivable totaling \$319.89, 1 return check totaling \$100.00 and 252 ambulance accounts totaling \$135,815.92 from the accounting records. Mike noted that ambulance accounts are up this year as no accounts were written off last year as the billing was moved to a third party in July 2012 and they were still reviewing the old accounts. Discussion followed.

342-13

Alderman Davies moved approval of the removal of the accounting records of utility accounts totaling \$45,166.11, general accounts totaling \$319.89, return check totaling \$100.00 and ambulance accounts totaling \$135,815.92. Alderman Zimmerman seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Declaration of surplus Street Department Motor Grader

Jason Anderson, Assistant City Engineer, reported that the new motor grader is expected to be delivered soon and, as such, the old motor grader will need to be declared surplus and sold. Jason requested that the 1998 Caterpillar 120H be declared surplus and appraised by the Surplus Property Appraisal Committee to be sold by sealed bids.

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343-13

Alderman Grayson moved to declare the 1998 Caterpillar 120H motor grader as surplus to be appraised by the Surplus Property Appraisal Committee to be sold by sealed bids. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Declaration of surplus Fire Department pumper truck

Jason Anderson, Assistant City Engineer, reported that the new pumper truck has been delivered and the old truck will need to be declared surplus and sold. Jason requested that the 1992 Smeal Charger C-801 pumper truck be declared surplus and appraised by the Surplus Property Appraisal Committee to be sold by sealed bids.

344-13

Alderman Grayson moved to declare the 1992 Smeal Charger C-801 pumper truck as surplus to be appraised by the Surplus Property Appraisal Committee to be sold by sealed bids. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Appointment of non-voting City representative to Business Improvement District #1 Board

Mayor Powell stated that the Business Improvement District (BID) #1 by-laws adopted by the City Council provide that the City Council and the Vermillion Chamber and Development Company each can appoint one ex-officio, nonvoting member to the BID #1 Board. Mayor Powell recommended the appointment of Mike Carlson, Finance Officer, to serve as the City Council representative to the BID #1 Board.

345-13

Alderman Davies moved approval of the appointment of Mike Carlson, Finance Officer, as the City Council ex-officio representative to the Business Improvement District #1 Board. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Surplus Skid Steer Loader

Jason Anderson, Assistant City Engineer, reported that the City Council declared the 2010 skid steer loader as surplus at the October 7, 2013 meeting. The Surplus Property Appraisal Committee appraised the value at \$17,500 and the equipment was advertised for sale by sealed bids. Jason noted that specifications were sent to four potential bidders and one bid was received. The only bid was for \$17,900.50 from Andrew DeVries which Jason recommended accepting as it exceeded the appraised value.

346-13

Alderman Zimmerman moved approval of the sale of the surplus 2010 Bobcat S205 skid steer loader to the only bidder Andrew DeVries for \$17,900.50. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that City offices will be closed on Thursday, November 28th for the Thanksgiving Day holiday.

B. John reported that the curbside recycling pickup on Thursday, November 28th will be on Monday, December 2nd because of the holiday.

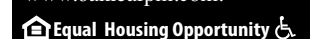
C. John reported that there were two raffle requests included the packet:

The USD Law School Class of 2015 is selling tickets for \$3 each or 2 for \$5 from November 19 to December 13, 2013 to raise funds for their hooding ceremony. They are raffling a Keurig coffee brewer.

The USD Student Government Association is selling raffle tickets for a chance to win a baby calf to be born in the spring of 2014. Tickets are \$10 with the proceeds going to the Ranchers Relief Fund.

D. John reported that the presentation of the Prentis Park Master Plan is scheduled for Monday, November 25th at 7:00 p.m. in the

One & two bedroom apartments, Scotland Apartments, 821 Main St. Scotland, SD 57059. Laundry, Rental assistance available to those who qualify. For appointments or applications please call 605-624-5218 or visit www.oakleafpm.com.

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City Council Chambers. The consultant will be presenting two conceptual designs and requesting public feedback.

PAYROLL ADDITIONS AND CHANGES

Code: Jim Balleweg \$18.22/hr; Recreation: Tyler Trageser \$14.59/hr; Landfill: Dan Goeden \$18.31/hr

11. Invoices Payable

347-13

Alderman Davies moved approval of the following invoices:

ANGELA JACKSON SIDEWALK ASSESSMENT REFUND 328.51
ARCHITECTURE INC. PROFESSIONAL SERVICES 400.20
BOUND TREE MEDICAL, LLC SUPPLIES 338.79
BRUNICKS SERVICE INC FUEL 3,361.50
BUREAU OF ADMINISTRATION TELEPHONE 286.00
BUTLER MACHINERY CO. PARTS 2,950.37
CALLE SORENSEN S A F E T Y BOOTS REIMBURSEMENT 100.00
CANON FINANCIAL SERVICES COPIER LEASE 196.27
CENTURYLINK TELEPHONE 1,485.99
CITY OF VERMILLION LANDFILL VOUCHERS 360.00

CLAY-UNION ELECTRIC CORP ELECTRICITY 521.55
DEPT OF ENVIRONMENT & NAT RES LOAN PAYMENT 66,031.51
DEPT. ENVIRONMENT NATL RES LANDFILL OPERATIONS FEE 3,042.36
FIRST NATIONAL BANK TIF 4 FINAL PAYMENT 320,966.67

GREGG PETERS M A N A G E R S FEE 5,375.00
INDEPENDENCE WASTE WASTE HAULING 1,116.00
LEO TAGGART U N D E R - GROUND REIMBURSEMENT 385.00

LOREN FISCHER DISPOSAL HAUL CARDBOARD 140.00
METRO FIRE F I R E DEPT EQUIPMENT 1,006.18
MIDAMERICAN GAS USAGE 9.55

MIDCONTINENT COMMUNICATION CABLE/INTERNET SERVICE 118.55
RESERVE ACCOUNT POSTAGE FOR METER 950.00
SMEAL FIRE APPARATUS INC FIRE PUMPER TRUCK FINAL 169,568.00
SPRINT WIRELESS DATA CARDS 87.41
STERN OIL CO. FUEL 19,265.23

THE EQUALIZER ADVERTISING 284.75
TITAN ACCESS ACCOUNT PARTS 5,064.86
UNITED PARCEL SERVICE SHIPPING 161.19
FOR POSTMASTER POSTAGE FOR UTILITY BILLS 850.00

VEOLIA ENVIRONMENTAL SERVICE HHHW COLLECTION 26,070.40
WOW! BUSINESS DIALUP SERVICE 49.95
EDITH HEER B R I G H T ENERGY REBATE 175.00

Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of December 2, 2013 for annual liquor and wine license renewals

B. Set bid opening of Wednesday, December 11, 2013 at 2:00 p.m. for new 5 year golf cart lease

C. Set bid opening of Tuesday, January 14, 2014 at 2:00 p.m. for sale of Fire Department pumper truck

D. Set bid opening of Wednesday, January 15, 2014 at 2:00 p.m. for sale of motor grader

348-13
Alderman Osborne moved approval of the consensus agenda. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

Town Square I & II Apartments 505-507 W. Main St. Vermillion, SD 57069.

1 BR apartments for anyone 55 years of age or older, or persons with disabilities. Please call 605-624-5218 or visit www.oakleafpm.com. Utilities are included and we are pet friendly. Rental assistance available to those who qualify.

