

# Putting the 'give' in Thanksgiving

By Katie Clausen  
For the Plain Talk

In true spirit of the Thanksgiving holiday, Vermillion residents are pouring their hearts and souls into making sure their fellow Vermillionites are taken care of.

Thanksgiving is a time to gather with family and friends, extend well wishes to loved ones, and give thanks. This year, there are opportunities to show thanks by contributing back to the community.

"We have a goal of \$2500," said Derek McBride. "It's for Feeding South Dakota."

McBride, a Lambda Chi Alpha member and USD student, has helped organize a fundraising run geared towards raising money for the hungry.

On Nov. 21 and 22, runners from both USD and SDSU will be putting their rivalry aside in the spirit of raising funds for South Dakota's hungry.

Because of changes to USD's athletic program the run, which had been an event in previous years, is scheduled for the first time in quite a while.

"We decided to bring it back," McBride said. "It is a relay type of run, starting at 8am on Friday."

About 30 to 40 participants are expected to run in the event, with money being raised by individual sponsors and pledges.

"Lambda Chi Alpha's national charity is Feeding America," McBride said. "We already have a partnership with them, so we thought doing a local one would be great, too."

Lambda Chi Alpha fraternity members will brave the cold and run the 137 miles from Vermillion to Brookings to raise money for Feeding South Dakota. The run is also sponsored by South Dakota Corn, an agricultural interest group.

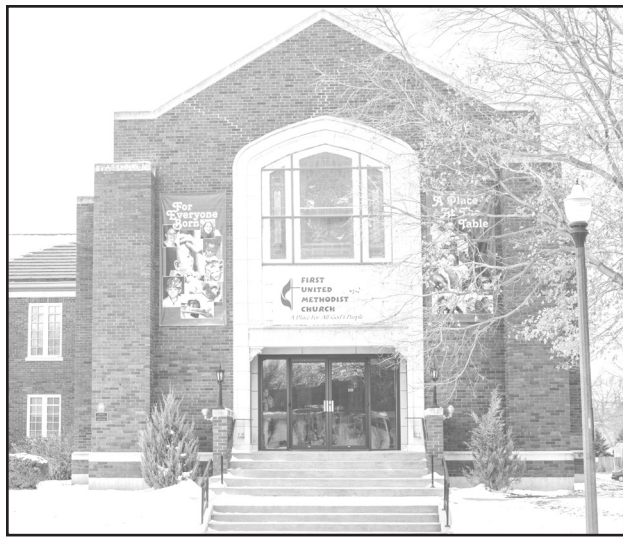
"It's a great time of year to do this event because of the holidays," McBride said. "And South Dakota Corn has been really great to work with."

Also in the spirit of helping others and keeping stomachs full is the Welcome Table, a local organization focused on bringing people companionship and nutrition.

"And it is not just about the food," John Lushbough, Welcome Table organizer, said. "There is definitely a community of folks who participate."

The Annual Thanksgiving Welcome Table meal will be Mon, Nov. 24. The Welcome Table will be serving turkey and all the trimmings from 5pm to 7pm at the Methodist Church. This annual event is put on in union with the Vermillion Ministerial Association.

The local Food Pantry, located at Trinity Lutheran Church, but open to the public, is asking for specialty items for Thanksgiving. In



The United Methodist Church is host to the community Welcome Table.

THOMAS HATZENBUHLER/ FOR THE PLAIN TALK

addition to their non-season list of must haves, the Food Pantry is reminding those more fortunate that a Thanksgiving meal can mean a lot to a family in need. Special items for this time of year include canned pumpkin, cranberries, and stuffing mix. Donations can be brought to the Food Pantry, which accepts monetary donations and volunteers as well.

Contributions of thanks aren't just limited to this small corner of the earth, however.

Sharing the Dream, a non-profit storefront in downtown Vermillion that specializes in fair trade goods from Guatemala, depends on volunteers.

"We have volunteers that are selling things all over the

U.S.," Diane Nesselhuf said. "And that is especially good to do during the Thanksgiving holiday."

Nesselhuf runs Sharing the Dream, located on Main St., and is pleased with Volunteers who are willing to move the craft products that have been purchased from Guatemalan craftsman.

"A lot of our volunteers are from the college," Nesselhuf said. "Quite a few of them are taking crafts back to their family and friends over the holiday weekend."

Sharing the Dream will also be participating in Giving Tuesday, which is slated for Dec. 2.

**For an extended version of the story check out [www.plaintalk.net](http://www.plaintalk.net)**

## County approves pay increase for night, weekend shifts for Sheriff's department

By Alan Dale  
The Plain Talk

The Clay County Board of Commissioners approved a shift differential request by county sheriff Andy Howe to increase wages for night and weekend shifts in this past Tuesday's meeting.

Howe made the request to add \$.50 to sheriff department jailers who work night shifts (6 p.m. to 6 a.m.) and \$.75 to weekend shifts (6 p.m. Friday to 6 a.m. Monday).

The reason Howe asked for the increase was to give some added incentive to the jailers to work these types of shifts.

In total, Howe estimates it would add up to approximately an additional \$10,000 in wages for the year and would come out of the sheriff department's salary budget.

In other items Tuesday:

- The commissioners voted down a request to provide prescriptions to a homeless man who didn't meet the requirements for such an action.

According to Cynthia Aden, the county's welfare director, the unnamed man battles narcolepsy, but after discussion with commissioners it was decided he didn't have an established address which precluded him from having his request approved.

- Highway Superintendent Rod Polley noted that the county should not have to pay James Steel Inc. any further on the building of the Wakonda Highway Shop not being completed by the contract date.

Polley told commissioners it had been approximately three weeks past the agreed upon completion date. It was then decided to draft a letter to the company to explain why they weren't to pay any more money until the job was done.

Polley was also approved to attend an executive board meeting in Chamberlain on Dec. 4, to provide 170 bridge planks to be put up on Girard's Auction on Dec. 5, and for driveway applications to be approved for Nick Heine on Burbank Road and Daniel Heine on Clay County Park Road.

- The commissioners approved a request to re-zone two parcels of land located behind Builders Choice. The land would be used to build industrial structures to store equipment.

## REQUEST

From Page 1A

the primary power is interrupted it shall continue receiving energy from a battery.

In addition, a building built before 1974 is in compliance if an egress window has a square-footage of 4.5 square-feet of area and be accessible from the floor so persons can reach them in times of emergency.

Structures built from 1974-1985 are in compliance at five square feet, and buildings built after 1986 are in compliance at 5.7 square-feet of area.

These most recent codes were put into effect in April.

Farrel Christensen, Code Enforcement Department Head for the City of Vermillion, told The Plain Talk later after testifying that the codes are a "minimum standard" that need to be met regardless if the code was "grandfathered in or not, these three standards apply."

The buildings built before 1974 are what is mostly at issue between the two parties and Christensen said that there really wasn't a code in place for those edifices in those earlier years.

"The non-compliance issue is largely due to the replacement windows in existing openings," Christensen said. "When you build a building they put the window in and that window has an opening whatever size it is. When they replace the window they don't take it out down to the studs, but just replace the window and that's a huge difference in the open-able area. It's like putting a window within a window and that makes it much smaller."

Some of the windows may be too high to reach and thus a step could be put in place to remedy this.

However, Christensen said that move was up to the discretion of the individual owners.

"There shouldn't be any cutting of the wall at all for 95 percent of the windows," Christensen said. "They just need to replace the window and add a step."

Christensen said that 75 percent of the non-compliance issues have arisen due to these replacement windows. He also stated that only about 3 percent of the windows on these properties fail to comply with current code.

"The fire chief (Shannon Draper) said that (the other non-compliant) windows are extremely difficult to get out of at 3-square feet and smaller," Christensen said. "They are tiny little windows that no one can get out of. They have five years to come into compliance with those windows that weren't imminently dangerous. Those had to be in compliance by Sept. 1."

Draper told The Plain Talk that the 3-foot issue isn't even a universal one, but more of one in relation to where the windows are located within a wall.

"The 3-square foot opening, you and I could crawl through if it was at floor level," Draper said. "But if we were going to put that in the wall, 44-inches up, and two stories high, that becomes a problem. It's still the same opening, but we can't force our way through it since it's not on the ground where we can safely do it. What happens after we hoist ourselves up, we get out head first."

"If it's bigger you can straddle the window and you can lower yourself by holding on to the sill. Some people can also just not be able to fit in that window no matter where it's located."

If a property doesn't fall into compliance, the owners are fined \$100. They will assess more fines

until their rental registration is revoked when there is a "complete refusal to comply," Christensen said. He added that the owners are rarely charged unless there are no conscientious attempts to make repairs on the windows or smoke alarms following numerous notices.

"The whole key revolves around the health, safety and welfare of the occupants," Christensen said. "The real basis of our disagreement is that we are not asking them to include anything new, we are just upgrading those requirements. How the windows work, and how the smoke alarms are wired. Everybody else in the state does the same thing. Most of our housing stock is old and built before the codes were put in."

Christensen cited Federal Emergency Management Agency (FEMA) statistics that tracked all fires in the nation and what caused them and their eventual fatalities.

"Egress windows are not large enough to get out of," Christensen said. "The number is substantial, where 18 percent of the deaths are caused by this."

"Smoke alarms warn people to get out and they don't have a window to get out of."

He added that there have been two house fires in recent times and no one was hurt due to hard-wired smoke alarms being in place.

The plaintiffs, represented by Sioux Falls attorneys Michael Paulson and Jan Olson, were represented by four people who testified in front of Jensen on how the City of Vermillion's decision to enforce new building codes

has caused some serious issues for their businesses and potentially the people who rent from them.

Glynis Erickson, manager of Dakota Realty, spoke on behalf of her own points of contention and how the implementation of codes that focus on new, hard-wired smoke detectors and egress windows are a potential bane on their finances. She also said that most of her renters are University of South Dakota students and that when dealing with a triggered smoke alarm they usually take the batteries out unless it's a hard-wired appliance.

"(Some renters) then rip them out of the wall and throw them away," Erickson said. "No one contacted me to (get input). Everybody had hard-wired smoke alarms and our first deadline was Jan. 1. We had ours done and we are in compliance. We had to put out about \$9,500."

Later Erickson told The Plain Talk that property owners have tried to "sit down" with the city for a year-and-a-half and have been rebuked.

Greg Card has seen all of his properties affected by the code enforcement changes.

"The city is not accepting (the issues for owners) that and that makes a difference," Card said. "There's been acceptance of extending the time to reach compliance on the windows, but there has been no acceptance of (grandfathering in the former codes)."

Marty Gilbertson, a property owner involved with the plaintiffs, testified and later spoke to The Plain Talk about the issues he and the others are having.

"As property owners we stated our case that we feel we are all about health, safety, and welfare just like the city codes state and support them," Gilbertson said. "We need them and we want them but when they modified these codes, in my humble opinion, they have never shown other communities that have done what they have done with this code. I don't entirely disagree with it all but there are certain parts of it where what they are asking us to do is unprecedented."

Gilbertson said that siting a FEMA study may have not been enough legwork to back the need to enforce the new codes.

"What did they build code from, what research?" Gilbertson said. "We are all about smoke detectors, but there are alternatives to hard-wired smoke detectors and they are hard to hard wire them into a block wall."

"On the window thing nobody in our group wants to see anybody get hurt, but the research they used...I can find 10 articles that will tell you the opposite."

Christensen said that approximately 150 windows in the city are out of compliance, but Gilbertson said that the number is not fixed because the rental inspectors are "counting two new ones a week."

"Most of these windows are in facilities built before 1974," Gilbertson said. "The windows are big enough to get out, but they aren't now under the new code."

Another concern for property owners is that if they were forced to come into compliance they could ultimately raise rent and yet still not come close to offsetting costs.

"Rents would go up in older facilities, but if rent goes up they could lose renters to other properties that stay competitive," Gilbertson said. "(The city) doesn't realize how rent works. They don't understand our profession. It doesn't cost the city anything, but it costs the property managers."

Erickson during her testimony echoed these sentiments saying that despite occasionally raising rental rates it is not a regular practice.

"It is more important to have someone living in the property than not," she said.

Vermillion was the first city in the state to establish a rental housing code. Gilbertson asked if the city has found any others that have removed the "grandfather clause" for property owners.

Christensen cited Brookings as one city that has and indicated via email that "I believe this to be true to varying degrees in each city with a rental housing ordinance."

Property owners also cited a move away from the International Building Codes that set a parameter on construction prior to a certain date that does not have to fit a future code requirement unless there is something that causes an "imminent" safety issue.

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