



**Special Meeting Agenda
City Council**

12:00 p.m. (noon) Special Meeting
Monday, March 3, 2014
Large Conference Room-City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – Introduction of VCDC Executive Director Nathan Welch.**
3. **Informational Session – 2013 Fire & EMS Annual Report – Shannon Draper.**
4. **Informational Session – 2013 Police Department Annual Report – Matt Betzen.**
5. **Briefing on the March 3, 2014 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
6. **Adjourn**

Access the City Council Agenda on the web – www.vermillion.us

Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please state your name and address. Presentations are limited to 5 minutes. For those who do not appear on the agenda, no decision is to be expected at this time.

Meeting Assistance: If you require assistance, alternative formats and/or accessible locations consistent with the Americans with Disabilities Act, please contact the City Manager’s Office at 677-7050 at least 3 working days prior to the meeting.

Council Meetings: City Council regular meetings are held the first and third Monday of each month at 7:00 p.m. If a meeting falls on a City holiday, the meeting will be scheduled for the following Tuesday.

Live Broadcasts of Council Meetings On Cable Channel: Regular City Council meetings are broadcast live on Cable Channel 3.

As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting.

City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Monday, March 3, 2014

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069



1. Roll Call

2. Pledge of Allegiance

3. Minutes

- a. February 18, 2014 Special Session; February 18, 2014 Regular Session, February 18, 2014 Policies and Procedures Committee meeting, and February 24, 2014 Special Meeting.

4. Adoption of the Agenda

5. Visitors To Be Heard

- a. Developmental Disabilities Awareness Proclamation.

6. Public Hearings

7. Old Business

8. New Business

- a. Resolution to rename Streets in Bliss Pointe.
- b. Minimum Standards for Operators of Commercial Activities at Harold Davidson Field Airport.
- c. First Reading of Ordinance 1309 to amend Chapter 150 Building Regulations, Section 150.02 International Building Code Adopted and Enacting the 2012 International Building Code as modified by the City of Vermillion; to amend Section 150.03 International Residential Code Adopted and Enacting the 2012 International Residential Code as modified by the City of Vermillion; and to amend Chapter 92 Fire Prevention and Protection Section 92.04 Fire Code Adopted and Enacting the 2012 International Fire Code as modified by the City of Vermillion.
- d. First Reading of Ordinance 1310 to amend Chapter 150 Building Regulations, Section 150.50 International Property Maintenance Code, Adopting and Enacting the 2012 International Property Maintenance Code as modified by the City; to amend Chapter 94 Rental Housing Code deleting Sections 94.07(3)(d)(e),(5)(a)(b),(6),(7) Enforcement Notice and Hearing and Section 94.09 (A) and (B) Board of Housing Appeals to Eliminate Conflicting Appeal Sections between the Rental Housing Code and the International Property Maintenance Code and Add Standards and Deadlines for Compliance for Emergency Escape and Rescue Openings in Existing Buildings and Return Air and Controllable Heat Sources in Existing Buildings.
- e. First Reading of Ordinance 1311 to amend Chapter 91 Airport, Section 91.08 Permit Requirement; Fees.
- f. Presentation of the 2013 Annual Fiscal Report.
- g. Final Plat of Schmitz Lot 1 and Heine Lot 1, SE ¼ NE ¼, 20-92-51.
- h. Final Plat of Heine Lot 1, SW ¼, 21-92-51.
- i. Concur with Clay County Commission on chiller bid award.

9. Bid Openings

- a. Light & Power Department pickup truck.
- b. Sale of surplus Parks and Golf Course equipment.
- c. Fuel quotes.

10. City Manager's Report

11. Invoices Payable

12. Consensus Agenda

- a. Set a public hearing date of March 17, 2014 for a special permit to exceed allowable sound levels for Pi Kappa Alpha in the northwest corner of Prentis Park on March, 22, 2014 from 5:00 p.m. to 7:00 p.m.

13. Adjourn

Access the City Council Agenda on the web – www.vermillion.us

Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please raise your hand to be recognized, go to the podium and state your name and address.

a. Items Not on the Agenda Members of the public may speak under Visitors to Be Heard on any topic NOT on the agenda. Remarks are limited to 5 minutes and no decision will be made at this time.

b. Agenda Items: Public testimony will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen who wishes may speak one time for 5 minutes on each agenda item. Public testimony will then be closed and the topic will be given to the governing body for possible action. At this point, only City Council members and staff may discuss the current agenda item unless a Council member moves to allow another person to speak and there is unanimous consent from the Council. Questions from Council members, however, may be directed to staff or a member of the public through the presiding officer at any time.

Meeting Assistance: The City of Vermillion fully subscribes to the provisions of the Americans with Disabilities Act of 1990. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Manager's Office at 677-7050 at least 3 working days prior to the meeting so appropriate auxiliary aids and services can be made available.

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Vermillion City Council's Values and Vision

This community values its people, its services, its vitality and growth, and its quality of life and sees itself reinforcing and promoting these ideals to a consistently increasing populace.



Unapproved Minutes
Council Special Session
February 18, 2014
Tuesday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Tuesday, February 18, 2014 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise (arrived 12:11 p.m.), Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell

Absent: Davies, Grayson

2. Informational Session - Dakota Hospital Foundation - Tim Tracy

Tim Tracy, CEO of Sanford Vermillion, provided background on the Dakota Hospital Foundation (DHF) that started the hospital in 1930. Tim stated that the DHF has evolved with the changing health care needs in the community over the years. Tim stated that DHF is currently in a thirty year operating lease with Sanford Health that runs until 2027. He noted that DHF owns the building with Sanford Health operating the facilities. Tim reviewed the other contributions to the community provided by the DHF during the last year. He stated that DHF has been working with Sanford Health over the last six years on additional investments into facilities in Vermillion. Tim reported that Sanford Health and the DHF have entered into an agreement whereby \$12 million will be invested in Sanford Vermillion's medical facilities over the next five years. The agreement means Sanford Health will assume ownership for the infrastructure, including building projects and technology, at the conclusion of the project. Tim stated that DHF wanted to update the City Council on this agreement as the City assisted the hospital with financing for the hospital in 1992. Tim stated that the Sanford employees will be informed this afternoon and a press release will be made.

Collier-Wise arrived at 12:11 p.m.

Tim Tracy introduced Mary Merrigan with Sanford Vermillion and Lisa Ketcham President of DHF.

Tim Tracy answered questions of the City Council on the agreement as well as the hospital operations.

3. Briefing on the February 18, 2014 City Council Regular Meeting Agenda

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

4. Adjourn

45-14

Alderman Osborne moved to adjourn the Council special session at 12:26 p.m. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of February, 2014.

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
February 18, 2014
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, February 18, 2014 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

Absent: Davies, Grayson

2. Pledge of Allegiance

3. Minutes

A. Minutes of February 3, 2014 Special Session; February 3, 2014 Regular Session; February 4, 2014 Policies and Procedures Committee Meeting

46-14

Alderman Willson moved approval of the February 3, 2014 Special Session, February 3, 2014 Regular Session and February 4, 2014 Policies and Procedures Committee meeting. Alderman Osborne seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

47-14

Alderman Meins moved approval of the agenda. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Alderman Ward reported that the Middle School 8th Grade Science Class was notified today that they made the final 15 in the nation for their Samsung Solve for Tomorrow contest regarding Asian Carp in the Missouri River.

6. Public Hearings

A. Retail on-off sale wine license for Varsity Pub, LLC for the Varsity Pub at 113 E Main Street

Mike Carlson, Finance Officer, reported that an application for a retail on-off sale wine license was received from Varsity Pub, LLC for the Varsity Pub at 113 E Main Street to operate until December 31, 2014. Mike noted that the business currently has a retail on-off sale malt beverage license with SD Farm wine and, as such, no background checks were required. The notice of hearing and the Police Chief's report are included in the packet. Mike reported that Diane Wirth was present to answer questions.

48-14

Alderman Zimmerman moved approval of the retail on-off sale wine license for the Varsity Pub, LLC for the Varsity Pub at 113 E Main. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. Policies and Procedures Committee report on Airport Minimum Standards

Jose Dominguez, City Engineer, reported that the City Council considered the airport minimum standards at the January 6, 2014 meeting at which time it was referred to Policies and Procedures Committee. The Policies and Procedures Committee met on January 28, February 4 and at noon today to review the minimum standards. Jose reported that during the January 28th meeting there were four items that the Committee requested staff to try to resolve with Mr. Dave Howard. These four items were insurance, hour of operation, fueling rights and bathrooms in the hangers. Jose noted that the bathrooms were not part of the minimum standards but were an issue raised by Mr. Howard. He reported on meeting with Mr. Howard and the Committee on the issues and at the noon meeting today. Jose reviewed the changes made to the minimum standards. He reported that Mr. Howard stated that he did not have any objections to the airport minimum standards as presented. Jose reported that the Policies and Procedures Committee report on the airport minimum standards is included in the packet and that the City Council will consider the standards at the March 3rd meeting. Discussion followed on the committee report.

49-14

Alderman Collier-Wise moved to acknowledge receipt of the report of the Policies and Procedures Committee on the airport minimum standards. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

B. Resolution authorizing the sale of surplus pumper truck to Vermillion Rural Fire Department

Jason Anderson, Assistant City Engineer, reported that the 1992 Spartan/Smeal Charger C801 pumper truck was replaced in 2014. The 1992 truck was declared surplus, appraised and advertized for sale by sealed bids. The truck was appraised at \$40,000 and when bids were opened on January 14, 2014 no bids were received. The City Council authorized City staff to continue to market the truck for at least 90% of the appraised value. Jason stated that the Vermillion Rural Fire Department has now come forward and has expressed interest in purchasing this truck from the City and repurposing it as a rescue truck. Jason stated that the Rural Department proposed to City staff a purchase price of \$28,000. Jason reported SDCL 6-5 provides that if a governing body deems it advisable and in the best interest to the public to convey any property to another political subdivision or nonprofit corporation it may do so by resolution. Jason stated that a resolution has been prepared authorizing the sale for \$28,000. Jason stated that members of the Rural Department are present to answer questions.

Matt Taggart, Fire Captain, explained how the City truck will be repurposed into a rescue truck with projections on the savings. Matt answered questions of the City Council on the project.

50-14

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

RESOLUTION
AUTHORIZING THE SALE OF THE FIRE DEPARTMENT
PUMPER TRUCK TO VERMILLION RURAL FIRE DEPARTMENT

WHEREAS, SDCL 6-13-1 authorizes the governing board of a municipality to sell personal property which is no longer necessary, useful, or suitable for the purpose for which it was acquired; and

WHEREAS, the City of Vermillion declared a 1992 Spartan/Smeal Charger C801 pumper truck, VIN#4S7AT9K07PC007273, as surplus property at the November 18, 2013 City Council meeting; and

WHEREAS, the City Council Surplus Property Appraisal Committee appraised the pumper truck at \$40,000; and

WHEREAS, zero bids were received when the City attempted to sell the pumper by sealed bids on January 14, 2014; and

WHEREAS, the Vermillion Rural Fire Department Incorporated, a registered South Dakota Domestic Nonprofit, would like to purchase the pumper truck for \$28,000; and

WHEREAS, it is financially advantageous to the Vermillion Rural Fire Department to purchase the pumper truck and repurpose it for use as a rescue vehicle; and

WHEREAS, the City of Vermillion Fire Department and Vermillion Rural Fire Department share both resources and manpower; and

WHEREAS, SDCL 6-5-2 allows for the City to transfer personal property to another political subdivision or nonprofit corporation.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion that the City Finance Officer is hereby authorized to sell the surplus 1992 Spartan/Smeal Charger C801 pumper truck to the Vermillion Rural Fire Department Incorporated for the amount of \$28,000.

Dated at Vermillion, South Dakota this 18th day of February 2014.

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 Ward. 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.

C. Resolution to purchase golf course greens mower

Jason Anderson, Assistant Engineer, reported that the 2014 budget included the replacement of the 2003 Toro Greensmaster 3150 mower. Jason reported that he would recommend taking advantage of an attractive National Intergovernmental Purchasing Alliance (IPA) bid to purchase a 2014 Toro Triflex 3300 greens mower for \$29,951. He stated that the Toro Company participating distributor for South Dakota is Midwest Turf & Irrigation of Omaha, Nebraska who has agreed to sell the mower for the IPA bid price. Jason reported that the old mower has been declared surplus and is being advertized for sealed bids. Jason recommended approval of the resolution to purchase the 2014 mower.

51-14

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

RESOLUTION
AUTHORIZING THE PURCHASE OF
A GOLF COURSE GREENS MOWER

WHEREAS, SDCL 5-18A-37 authorizes a governmental entity to enter into agreements with purchasing agents in any other state for purchases under a joint agreement or contract 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 National Intergovernmental Purchasing Alliance (National IPA), in conjunction with the City of Tucson, Arizona, for a greens mower from Toro Company's participating distributor, Midwest

Turf & Irrigation, for the total amount of \$29,951.00 offers an advantageous price to the City for said item; and

WHEREAS, the City has contacted Midwest Turf & Irrigation and they have agreed to allow the City to purchase a greens mower for the contract price and terms as awarded by the National IPA/City of Tucson, Arizona.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase a new 2014 Toro Triflex 3300 greens mower from Midwest Turf & Irrigation of Omaha, Nebraska at the above stated price and under the same terms as the City of Tucson, Arizona.

Dated at Vermillion, South Dakota this 18th day of February, 2014.

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.

D. Resolution to purchase Solid Waste Department wheel loader

Jason Anderson, Assistant City Engineer, reported that the 2009 Caterpillar 904 wheel loader was destroyed in the landfill baler building fire. The loader was used inside the baler building to load garbage bales onto trucks and push garbage into the baler conveyor if needed. Jason stated that, with the completion of the new building anticipated for July of this year, the Solid Waste Department would like to purchase a loader to replace the unit destroyed in the fire. Jason reported that he would recommend taking advantage of an attractive National Intergovernmental Purchasing Alliance (IPA) bid to purchase a Caterpillar 906H2 wheel loader. Butler Machinery has agreed to honor the IPA bid price. The purchase would include a guaranteed total cost of repairs for 5000 hours/5 years with a total purchase price of \$92,395. Jason recommended approval of the resolution to

purchase the wheel loader. Discussion followed on the purchase and old equipment.

52-14

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

RESOLUTION
AUTHORIZING THE PURCHASE OF
A SOLID WASTE DEPARTMENT WHEEL LOADER

WHEREAS, SDCL 5-18A-37 authorizes a governmental entity to enter into agreements with purchasing agents in any other state for purchases under a joint agreement or contract 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 National Intergovernmental Purchasing Alliance, in conjunction with the City of Tucson, Arizona, for a wheel loader and accessories from Caterpillar, Inc.'s participating distributor, Butler Machinery Company, for the total amount of \$92,395.00 offers an advantageous price to the City for said item; and

WHEREAS, the City has contacted Butler Machinery Company and they have agreed to allow the City to purchase a wheel loader and accessories for the contract price and terms as awarded by the National IPA/City of Tucson, Arizona.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase a new 2014 Caterpillar 906H2 wheel loader from Butler Machinery Company of Sioux Falls, South Dakota at the above stated price and under the same terms as the City of Tucson, Arizona.

Dated at Vermillion, South Dakota this 18th day of February, 2014.

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 Collier-Wise. 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.

9. Bid Openings

A. Surplus Street Department wheel loader

Jason Anderson, Assistant City Engineer, reported that the 2007 Caterpillar 928Gz wheel loader was budgeted to be replaced in 2014. The new loader has been received and the old loader was declared surplus with sealed bids opened on February 12th. The loader was appraised at \$96,500 and a minimum bid would be \$86,850. Jason stated that bid documents were sent to seven potential bidders with one bid received. The only bid was from Butler Machinery of Sioux Falls for \$86,850. Jason recommended accepting the only bid as it was 90% of the appraised value.

53-14

Alderman Willson moved approval of the only bid received for the sale of the surplus 2007 Caterpillar 928Gz wheel loader to Butler Machinery of Sioux Falls for \$86,850. Alderman Ward seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that Parks and Recreation Spring signup is Tuesday, March 4th and Thursday, March 6th from 3:30 p.m. to 6:00 p.m. at the Armory. This signup is for spring tumbling, gymnastics, youth baseball, youth softball and soccer. John stated that summer signup is Wednesday, May 7th.

B. John reported that the Business Improvement District Board will be meeting Thursday, February 20th at 1:30 p.m. to discuss the proposed lodging fee with all the hotel and motel owners/managers. John stated that the proposed ordinance will be part of the March 17th City Council agenda per the Resolution of Intent adopted at the February 3rd meeting.

C. John reported on two raffle requests

A raffle notification from Southeast SD Pheasant Association was submitted and approved. They will be selling 500 tickets at \$20 each from February 19 to April 5, 2014. The drawing is on April 5, 2014. The prize is a Polaris 800 4 wheeler valued at \$8,000. Funds are used to support youth events, wildlife conservation and habitat preservation.

A raffle notification form from the Clay County Flyers 4-H Club was submitted and approved. They will be selling tickets from March 1 to June 14, 2014. Tickets are \$20 for a single chance; \$30 for two chances; \$40 for a knife and a chance; and \$50 for a knife and two chances. Prize is a Browning Silver 12 gauge shotgun valued at \$1,299. John noted that you must be 18 years of age to purchase a ticket. Raffle proceeds will go to the short and long-term benefit of the 4-H Club.

D. John asked Council members to check their calendars for their availability for a special meeting at noon on February 24th to meet with the Multi Housing Association regarding the 2012 codes that will be considered at the March 3rd meeting.

PAYROLL ADDITIONS AND CHANGES

Finance: Vicki Fader \$16.76/hr, Janis Johnson \$14.97/hr

11. Invoices Payable

54-14

Alderman Zimmerman moved approval of the following invoices:

BROADCASTER PRESS	ADVERTISING	2,552.13
BRUNICKS SERVICE INC	FUEL	9,716.20
BUREAU OF ADMINISTRATION	TELEPHONE	259.89
CAMPBELL SUPPLY	SUPPLIES	37.50
CANON FINANCIAL SERVICES	COPIER LEASE	196.27
CENTURYLINK	TELEPHONE	1,486.89
CLAY-UNION ELECTRIC CORP	ELECTRICITY	968.39
DAKOTA BEVERAGE	MERCHANDISE	70.00
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	2,371.27
GREGG PETERS	MANAGERS FEE	5,375.00
JOE ENSMINGER	REIMBURSE UNIFORM	59.99
LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	6,286.61
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
MARK CLARK	MEALS/MILEAGE REIMB	199.90
MATHESON TRI-GAS, INC	SUPPLIES	102.87
MIDAMERICAN	GAS USAGE	12,817.40
MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	118.68
RESERVE ACCOUNT	POSTAGE FOR METER	950.00
SIOUX FALLS TWO WAY RADIO	REPAIRS	141.25
STERN OIL CO.	FUEL	9,244.59
UNITED PARCEL SERVICE	SHIPPING	80.63
US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,070.00

VERMILLION CHAMBER OF COMMERCE	BANQUET TICKETS	90.00
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	264.99
CLG, INC	BRIGHT ENERGY REBATE	825.00
TOTAL FLOORING	BRIGHT ENERGY REBATE	150.00

Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a bid opening date of April 2, 2014 for 115kV Substation Improvements project

55-14

Alderman Osborne moved approval of the consensus agenda. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

56-14

Alderman Osborne moved to adjourn the Council Meeting at 7:24 p.m. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of February, 2014.

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 _____.

Unapproved Minutes
Council Special Session
Policies and Procedures Committee
February 18, 2014
Tuesday 12:27 p.m.

The City of Vermillion Policies and Procedures Committee was called to order on Tuesday, February 18, 2014 at 12:27 p.m. by Chairman Osborne at the City Hall large conference room. As there was a quorum of the City Council members present, it is reported as a special meeting.

1. Roll Call

Committee Present: Meins, Osborne, Zimmerman
Committee Absent: Davies
Council members also present: Mayor Powell, Collier-Wise, Ward, Zimmerman

Also present: Dennis Martens, Dave Howard, John Prescott, Jose Dominguez, Andy Colvin, Jim McCulloch, Mike Carlson

2. Old Business

A. Harold Davidson Field Airport - Minimum Standards for Operators of Commercial Activities

Chairman Osborne stated that the meeting was to continue the review of the minimum standards for commercial activities updated since last meeting. Items for review are insurance, hours of operation, fueling rights and bathroom facilities for hangars. Chairman Osborne asked Jose to update committee on any changes.

Jose Dominguez, City Engineer, stated that, since last meeting, he contacted the City Airport Insurance carrier who referred him to an area insurance agent for additional information on the cost of these policies and coverage. He stated that he informed the agent of the coverage that the City was requesting and asked the agent to explain the coverage. Jose noted that the general liability covers a wide gamut of items. It was explained as an a la carte menu that may include premises and product liability, amongst others. Hangar keepers would be a separate type of coverage. Premises liability covers accidents that may happen within the area owned by the business owner. Product liability covers products that are sold and installed by the business owner. Hangar keeper's liability covers any airplane that is under the control or care of the business owner. Jose stated that he asked the agent if the City's proposed coverage limit of \$1,000,000 was be reasonable. The agent stated that this is not unreasonable and would be

considered a standard minimum. Jose reported that administration feels the coverage and limits are reasonable for minimum standards. Jose stated that he had requested a quote for the minimum coverage and is waiting for the agent to provide a quote.

As to hours of operation, Jose stated that he would propose the following: Hours of operation shall be at the operator's discretion. The operator shall provide a telephone number for on-call response during nights, weekends, non-scheduled hours and holidays.

As to fueling rights, Jose stated that he would propose the following: All leases that currently allow fuel sales will be grandfathered; the sale of aviation fuel will be terminated when the term of the lease expires, or if the lease is terminated by either the City or lease; a flowage fee will be levied onto all fuel sales at the airport; all commercial users selling fuel will be required to report to the City how many gallons of fuel they purchase with the report due at the City Finance Office no later than the 5th day of each month; the flowage fee amount will be established by resolution.

As to bathroom facilities, this is outside the minimum standards but the recommendation is to allow incinerating toilets in all of the hangars along with waterless hand washing stations.

Discussion followed on the minimum standards. Dave Howard stated that that he did not have any objections to what Jose had presented.

Dennis Zimmerman moved that the Policies and Procedures Committee recommend to the City Council the minimum standards with the changes proposed by Jose. Clarene Meins seconded the motion. Motion carried 3 to 0. Chairman Osborne declared the motion adopted and the report will be made to the City Council tonight for consideration at the March 3rd meeting.

Dennis Zimmerman moved to adjourn the committee meeting at 12:37 p.m. Clarene Meins seconded the motion. Motion carried 3 to 0. Chairman Osborne declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of February, 2014.

City of Vermillion, Policies and Procedures Committee
Kent Osborne Chairman

Published once at the approximate cost of _____.

Unapproved Minutes
Council Special Session
February 24, 2014
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, February 24, 2014 at 12:00 noon at city hall second floor conference room.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne (arrived 12:05), Willson, Zimmerman, Mayor Powell

Absent: Ward

Also Present: Marty Gilbertson, Dan Siefken, Greg Card, Rich Holland, Farrel Christensen, Eric Birkeland, Jim McCulloch, Richard Draper, John Prescott, Andy Colvin, Mike Carlson

2. Informational Session - Meeting with local leadership of South Dakota Multi-Housing Association to discuss proposed changes to International Property Maintenance Code and Rental Housing Code.

John Prescott, City Manager, stated that city staff met with representatives from the SD Multi-Housing Association and local builders on the code changes. John reported the South Dakota Multi-Housing Association submitted a listing of recommendations for City consideration in adopting the 2012 codes. John reported that from the SD Multi-Housing Association request Farrel has added a "City Response" to the request and following that is John's comments which he handed out. John stated that a meeting was held this morning with the SD Multi-Housing Association on these issues and that Dan Siefken has requested to make comments to the City Council.

Dan Siefken, Director of Governmental Affairs SD Multi-Housing Association, thanked the City Council for agreeing to meet today and stated that the association wanted to ensure safe, secure and sanitary housing in the community. He stated that they wanted to have a clear understanding of the City Council interpretation of certain areas of the 2012 codes that will be considered for adoption by the city. Dan stated that local members have made contact with the Mayor and Council members about their concerns and a local committee has been working with Farrel and the City Manager on the items they have concerns about.

Alderman Osborne arrived 12:05 p.m.

Dan stated that he was requesting the City Council interpretation on the issues raised so we all have an understanding of the intent of the codes being considered for adoption.

Mayor Powell asked Dan where he wanted to start.

Dan stated that if the City is going to follow the building code to require that all windows meet the egress requirement for single family rental homes why this same standard not applied to owner occupied homes.

There was discussion on hard wired smoke detectors and the ability to use a ten year sealed detectors. It was noted that all properties were to have hard wired smoke detectors by December 31, 2013 and there has not been acceptance of the ten year sealed detectors by the International Code Council.

Marty Gilbertson, local landlord and association member, noted that the association is not against health and safety issues. As to windows he noted that many of the older homes that are rental will have windows that will not comply with the current standards. He provided pictures of some of his rental property homes noting that a window in a dormer would require considerable modifications to be enlarged to meet the requirement. Marty asked if the requirements could be adjusted to a minimum width and height that would apply to these properties. Discussion followed on window size for firefighter access, historic districts and structural alterations requirements. Marty noted that if a minimum height and width table could be established he felt this issue would be resolved. He noted that working together a window policy could be developed that would protect the structural integrity of the properties and maintain historic structures while at the same time providing for the health and welfare of the occupants.

Dan stated that the code as proposed would have the City Council serve as the Board of Appeals and questioned if the City Council members had the training in this field to act on appeals. He suggested a Board of Appeals consisting of building professionals with maybe one City Council member.

Mayor Powell asked Jim McCulloch, City Attorney, if the City Council can delegate this to another board. Jim McCulloch reported that the state statute doesn't provide statutory authority for the proposed different Board of Appeals. Jim reported that if there isn't statutory authority to create such a board the City cannot unless we would be under a home rule charter. Jim reviewed an example of this issue and an Attorney General's opinion on the request for a hybrid board. Discussion followed on the Board of Appeals.

The consensus of the City Council was for staff to refine these issues for the first reading of the code change ordinance to be considered on March 3 meeting.

3. Adjourn

57-14

Alderman Osborne moved to adjourn the Council special session at 12:59 p.m. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 24th day of February, 2014.

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 _____.

**PROCLAMATION
DEVELOPMENTAL DISABILITIES AWARENESS MONTH**

WHEREAS, individuals whose disabilities occur during their developmental years frequently have severe disabilities that are likely to continue indefinitely; and,

WHEREAS, disabilities are a natural part of the human experience that does not diminish the rights of individuals with developmental disabilities to enjoy the opportunity to live independently, enjoy self-determination, make choices, contribute to society, and experience full integration and inclusion in the economic, political, social, cultural, and educational mainstream of American society; and

WHEREAS, family members, friends, and members of the community can play an important role in enhancing the lives of individuals with developmental disabilities, especially when the family and community are provided with necessary services and support; and

WHEREAS, the goals of the nation, state and community properly include the goal of providing individuals with developmental disabilities with the opportunities and support to achieve full integration and inclusion in society, in an individualized manner, consistent with unique strengths, resources, priorities, concerns, abilities, and capabilities of each individual; and

WHEREAS, through increased community, state, and national awareness of programs and activities, the public will better understand the potential and needs of individuals with developmental disabilities.

NOW, THEREFORE, we, the Governing Body of the City of Vermillion, do hereby proclaim March 2014 “Developmental Disabilities Awareness Month” in Vermillion, and encourage all citizens to participate in this observance.

Dated in Vermillion, South Dakota this 3rd day of March, 2014.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: John Prescott, City Manager
Meeting: March 3, 2014
Subject: Renaming Bliss Pointe Streets
Presenter: John Prescott

Background: One idea in the October 2012 Talent Attraction Survey and Workforce Housing Study (often referred to as ICAP) was to develop the community as a regional center for the arts, literature and music. It was suggested that renaming the streets in Bliss Pointe might be a way to recognize the contributions and importance of the arts in Vermillion.

Discussion: The City has the ability to name streets per the following South Dakota Statute:

- 9-45-2. Street names and numbering of houses. Every municipality shall have power:
- (1) To name and change the name of any street, avenue, alley, or other public place;
 - (2) To regulate the numbering of houses and lots.

Bliss Pointe is uniquely situated to have a specific set of names. It is a large area that will not have streets which continue west beyond the development. Development of an identity for the housing project is also something the VCDC has been seeking to do. A unique set of street names for Bliss Pointe helps to foster that identity. As the VCDC is the sole owner of the property at this time and there are no current residents, it is easier to change the street names at this point in time.

In selecting the proposed names, several criteria were used. Recognizable, deceased, 20th Century artists from different art and culture venues were selected for consideration. Names that fit onto a street sign and which are relatively common to spell were also used in determining which names might work out best. The proposed street names of Rockwell Trail, O'Keefe Circle, Joplin Street and Wilder Road cover painting, literature and music. One other street has yet to be final platted. Frost Trail was discussed as a name for this street.

Financial Consideration: At this point, street signs have not been ordered. There would be no additional costs to change the names.

Conclusion/Recommendations: Administration recommends renaming the Bliss Pointe streets effective March 3, 2014.

RESOLUTION TO CHANGE THE NAME OF BLISS POINTE STREETS

WHEREAS, W. Clark Street is platted west of Stanford Street in Bliss Pointe Addition; and

WHEREAS, Frontier Street is platted in Bliss Pointe Addition; and

WHEREAS, Pioneer Street is platted in Bliss Pointe Addition; and

WHEREAS, Spirit Mound Circle is platted in Bliss Pointe Addition; and

WHEREAS, Vermillion has always had strong ties to the arts, theater, music and literature, and is home of the University of South Dakota which is the liberal arts University of the state; and

WHEREAS, the promotion of the arts through the naming of the streets demonstrates the commitment of Vermillion to the arts; and

WHEREAS, Bliss Pointe presents a unique opportunity to recognize and demonstrate the importance of the arts in Vermillion and in society; and

WHEREAS, a change in Bliss Pointe street names will not impact any current residents or owners as the VCDC is the current and sole owner; and

WHEREAS, State Statute 9-45-2 (1) grants municipalities the power to change the name of streets.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion does hereby change the name of W Clark Street from the intersection of Stanford Street to Kennedy Street to Rockwell Trail.

BE IT FURTHER RESOLVED, that the Governing Body of the City of Vermillion does hereby change the name of Frontier Street in Bliss Pointe Addition to Joplin Street.

BE IT FURTHER RESOLVED, that the Governing Body of the City of Vermillion does hereby change the name of Pioneer Street in Bliss Pointe Addition to Wilder Road.

BE IT FURTHER RESOLVED, that the Governing Body of the City of Vermillion does hereby change the name of Spirit Mound Circle in Bliss Pointe to O'Keefe Circle.

BE IT FURTHER RESOLVED, that all street name changes in Bliss Pointe in this Resolution are effective March 3, 2014.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion does hereby change the names of Bliss Pointe Streets effective March 3, 2014.

Dated at Vermillion, South Dakota this 3rd day of March, 2014.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: March 3, 2014

Subject: Minimum Standards for Operators of Commercial Activities at Harold Davidson Field Airport

Presenter: Jose Dominguez

Background: The City has owned and operated the airport since 1957. For a majority of that time there has been some type of commercial activity at the airport. These activities have ranged from aircraft maintenance to aerial applicators. In 2013 the City received a request from a user wanting to become the Fixed Based Operator (FBO). The FBO at an airport provides several services ranging from fueling, aircraft rentals, aircraft maintenance, flight instruction, etc.

The attached minimum criteria were presented to the City Council for discussion at the November 4 and December 16, 2013 Noon meetings. The City Council at their January 6th meeting referred the minimum standards to the Policies and Procedures Committee for further review. The Policies and Procedures Committee met on January 28, February 4 and on February 18. The Policies and Procedures Committee report was accepted by the Council at the February 18th meeting. When the item was referred to Committee on January 6, the date of March 3rd was selected as the date for Council to act on the policy.

Discussion: The proposed minimum standards would specify the types of services that would be allowed at the airport. The criteria would then go through all of the other requirements for each use (leased space requirements, hours of operations, personnel required, insurance, fueling, etc.). The proposed criteria would split all of the commercial uses into a two tier system. The tiers would be 1st Entry Level and 2nd Entry Level. All of the allowed commercial uses would be in the 1st Entry Level tier (aircraft sales, aircraft maintenance, aircraft rental, pilot training, aircraft charter, specialized flight services, avionics, instruments and/or propeller services, and aerial applicators), with the exception of the Limited Service Fixed Based Operator (LSFBO). The LSFBO would be within the 2nd Entry Level tier. The LSFBO would need to be able to do at least two of the commercial activities within the 1st Entry Level tier to become an LSFBO.

Financial Consideration: There is no cost to the City associated with the adoption of this policy.

Conclusion/Recommendations: Administration recommends approval of the Minimum Standards for Operations of Commercial Activities at Harold Davidson Field Airport.

SECTION 1 – GENERAL PROVISIONS

1.01 Introduction

The City of Vermillion City Council adopts these minimum standards for the Harold Davidson Field Airport herein after the Airport in order to protect and promote the best interests of the public with regard to development and provision of aeronautical services and activities and other commercial activities at the airport.

The City of Vermillion City Council hereby vests power and authority in the Vermillion City Manager or his/her designee to enforce these Minimum Standards and otherwise to perform all acts which may be necessary and proper for the safe and efficient operation of the Airport. Failure on the part of any person to immediately comply with any reasonable request and direction of the City Manager or his/her designee shall be grounds for the removal of such persons from the Airport in any lawful and reasonable manner.

1.02 Required Conditions

Any person desiring to engage in one or more commercial activities at the Airport must adhere to these applicable minimum standards as a condition to establishing and providing the permitted activity and must be a party to a written lease and/or agreement with the Airport. In addition, the applicant must obtain any required licenses, or permits, from the City.

1.03 Commercial Services Defined

Commercial services are defined as certain commercial activities conducted at or from the Airport for the purpose of securing earnings, income, compensation, or profit, whether or not such activities are actually accomplished.

1.04 Non-Discrimination

A fair and reasonable opportunity, without unjust discrimination, shall be afforded all applicants to qualify, or otherwise compete, for available Airport facilities; or to engage in selected commercial activities, subject to the Minimum Standards and requirements as may be established and amended from time to time by the Airport.

The Airport, through its Minimum Standards, attempts to maintain a “level playing field” on which all commercial operators of similar classifications or Aeronautical activity are to conduct business on a fair and equal basis for the benefit of the aviation public. In developing these Minimum Standards, the Airport intends neither to block competition between service providers nor to protect any existing or incumbent provider from competition. Commercial Operators on the Airport are required to (1) furnish services on a fair, equal, and not unjustly discriminatory basis to all customers, and (2) charge fair, reasonable, and not unjustly discriminatory prices for each unit or service, provided that the Operator is allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

No Commercial Operator shall exclude from employment in participation, access to, benefits of its operations or otherwise discriminate against persons on the grounds of race, color, national origin, handicap, age, sex or veteran status. Commercial Operators shall be responsible for

compliance with all applicable local, state and Federal rules, regulations, ordinances or laws regarding nondiscrimination.

1.05 Development of Additional Minimum Standards

Authorized commercial services are not limited to those listed in these minimum standards. In the event a prospective operator desires to conduct a commercial activity not listed in these standards, the minimum standards for that activity may be identified as part of the application process. Additional activities may be subject to minimum standards. In developing new minimum standards for aeronautical services, the following guidelines are to be considered:

- A. The minimum hangar space, office space, land, equipment, personnel, operating hours, and other standards required of a commercial operator shall be those appropriate for the services provided and shall be sufficient to facilitate good customer service.
- B. The Airport is not obligated to provide or construct public ramp/apron or connecting taxiways for commercial operators. Further, the Airport's ability to construct such ramp/apron or taxiway facility is limited to the availability of funds, which may be dedicated to higher priority projects at the Airport. The prospective operator should expect to fund all facility needs (building, parking lots, ramps/apron, connecting taxiways) as part of the total plan.

1.06 Pre-Qualification Requirements

The prospective Operator shall submit, in written form, to the City Manager or his/her designee at the time of application, the following information as may be requested by the Airport.

A. Intended Scope of Activities

As a condition precedent to the granting of the operation privilege on the Airport, the prospective Operator must submit a detailed description of the intended activity (ies), and the means and methods to be employed to accomplish the applicable operating standard and requirements, in order to provide high quality service to aviation and the general public in the Vermillion area, including the following:

- i. Applicants name, mailing address and phone number
- ii. If an incorporation, or partnership, list the name, mailing address and phone number of all of the owners of 10% or more.
- iii. The services to be offered.
- iv. The amount of land to be leased or subleased.
- v. The building space to be constructed leased or subleased.
- vi. The number of aircraft (or vehicles) to be provided, if applicable.
- vii. The number of qualified and/or certified employees.
- viii. The hours of proposed operation.
- ix. Evidence of required minimum insurance coverage as established by the Airport.
- x. Evidence of the operator's level of competency and experience in successfully performing the proposed service.

B. The Written Agreement

With the approval of the application by the City Manager or his/her designee prior to the commencement of commercial operations, the prospective Operator will be required to enter into a written agreement with the Airport. The agreement will detail the terms and conditions under which the Operator will conduct business on the Airport, including, but not limited to, the term of agreement; the rentals, fee, and charges; the rights, privileges, and obligations of the respective parties; and other relevant covenants. The conditions contained in the schedule of Minimum Standards and Requirements do not represent a complete recitation of the

provisions to be included in the written agreement. Agreement provisions, however, will not change, modify, or be inconsistent with, the Minimum Standards and Requirements.

C. Site Development Standards

- i. The minimum space requirements hereinafter provided may be satisfied by the lease, construction or sublease of single abutting, or separate parcels having one building, attached buildings, or separate buildings. The use of mobile home type buildings to satisfy space requirements is prohibited. A minimum 5-foot setback from the aviation apron areas is required for new construction. For construction of any new facilities not already contained on the Airport, the Operator shall be subject to all applicable Federal, State, and local laws, ordinances, codes, rules and regulations.
- ii. No person shall make any alterations of any nature whatsoever to any buildings, aprons, or other airport space, nor shall any building or other structure be erected without prior submission of a written request, including detailed plans and specifications, and the receipt of written permission from the City Manager or his/her designee. Prospective Operators shall comply with all building codes of the City of Vermillion and shall deliver to the City Manager or his/her designee, “as-built” plans upon completion.
- iii. Further, a notice of alterations or construction must be submitted to the Federal Aviation Administration by the prospective Operator, FAA Form 7460-1 (Notice of Proposed Construction and/or Alteration) and a finding of “no-hazard” must be received prior to commencement of any construction.

D. Personnel

- i. The prospective Operator shall have in his employ, and on duty during the required operating hours, such numbers and types of trained personnel with proper FAA credentials, certificates, and ratings as applicable to provide adequate and efficient services.
- ii. Operator must demonstrate that procedures have been established to assure that all persons employed, or to be employed, who have unescorted access to any area on the airport controlled for security reasons, have background checks to the extent required by law, or regulation.
- iii. Operator’s employees shall be neat, clean, and courteous. Operators shall not permit its agents, or employees to conduct business in a loud, noisy, boisterous, offensive, or objectionable manner, or to solicit business outside the space assigned as stated in lease or operating agreement.

1.07 Indemnity and Insurance

A. Indemnification

- i. Prospective Operator’s must agree to indemnify, save, hold harmless, and defend the Airport, its agents and employees, its successors and assigns, individually or collectively, from and against all liability for any claims and actions and all reasonable expenses incidental to the investigation and defense thereof, in any way arising out of or resulting from any acts, omissions or negligence of the Operator, its agents, employees, licensees, successors, and assigns, or those under its control; in, on or about leased premises; or in connection with its use and occupancy of leased premises or use of airport; provided, however, that the Operator shall not be liable for any injury, damage, or loss occasioned by the negligence or willful misconduct of the Airport, its agents and employees.

B. Minimum Liability Insurance Requirements

- i. Without limiting the Operator’s obligation to indemnify the Airport, the Operator shall provide, pay for, and maintain in force at all times during the term of the Operator’s agreement a policy of:
 1. Commercial general liability policy, which normally will provide coverage on four specific areas: general liability, hangar keeper’s liability, premises liability and product liability. The required coverages may be expanded or reduced depending on the type of proposed commercial use. The coverage limits will not be less than:
 - a. Permanent Single Service Operator, a Temporary Single Service Operator or a Limited Service Fixed Based Operator - \$1,000,000 per occurrence
 2. Workman’s Compensation insurance; and any other policies of insurance reasonably required by the Airport.
 - ii. The above mentioned insurance amounts and types of insurance shall be reviewed from time to time by the Airport, if in a review there is a reasonable determination that such adjustments are necessary to protect the Airport interests. The Operator shall furnish the Airport, as evidence that such insurance certificate including the Airport as additional insured within 30 days after the policy is issued. Said policies shall be in a form and content satisfactory to the Airport and shall provide for thirty (30) days written notice to the Airport the cancellation of or any material change in such policies.
- C. Environmental Impairment
- Operators must agree to comply with any environmental regulations affecting its operations, including furnishing insurance or other security against environmental impairment risks as required by the Airport, State of South Dakota or agencies of the Federal Government.

SECTION 2 – AERONAUTICAL SERVICES

2.01 Introduction

The following Minimum Standards for Commercial Aeronautical Services Incorporated using, as a reference, FAA Advisory Circular 150/5190-7 (current edition), Minimum for Commercial Aeronautical Activities, and the Airport rules and regulations, as may be adopted or amended. The Airport does not certify that the required minimum land, and building areas, personnel or equipment levels are adequate for the successful operations of the commercial activities described. Additional land and building space, personnel and equipment exceeding the minimums, may be necessary for the operator to ensure that services are effectively provided to meet the needs of the public. All Aeronautical services and uses of the Airport shall be conducted in strict compliance with federal regulations and state and local laws.

2.02 Development of Quality Services

It is the intent of the Airport to ensure that the airport, through its authorized commercial operators, provides a full range quality service to the aviation public. To accomplish this objective the Airport, has established a Limited Service Fixed Based Operator (LSFBO) development process. The development process is founded on the principle that only experienced, well capitalized; operators have the greatest chance of successfully providing these quality services. The process also provides opportunities for interested parties, with limited experience, to establish aviation service businesses, to gain the necessary experience, and to grow in the LSFBO service levels of greater responsibility to the public.

2.03 Exclusive Rights

No private aeronautical service provider will be granted an exclusive right to solely provide any aeronautical service on the airport. Any interested party meeting the Minimum Standards may qualify for authorization to begin business.

2.04 Single Service Operator

A person or organization meeting the appropriate minimum standards may apply to the Airport, in accordance with Section 1.06, for permission to operate as a Single Service Operator (1st Entry Level- Exhibit A). Single service operators are prohibited from retail sales of fuel and providing aviation line services. Fuel/petroleum retail sales and line services are privileges reserved for City of Vermillion. Single service operations are considered “entry level” business activities and thus no actual experience in operating such a business is required. Some experience, is however, recommended. A single service operator may conduct business “under the umbrella of” an authorized limited service fixed base operator. When supporting “under the umbrella” activities, the LSFBO must meet the minimum standards associated with the additional aviation service.

All Single Service Operators will meet the following minimum standards:

A. Leased Space Requirement

Each Single Service Operator shall operate out of a building located on the Airport. The building must be built on a parcel containing at least 2,750 square feet. The building itself shall be at least 1,600 square feet. The building must provide adequate space for properly heated and lighted offices, hangar storage, maintenance, and public waiting areas. The terminal building may be used as a public waiting area.

B. Hours of Operation

The hours of operation shall be at the operator’s discretion. The operator shall provide a telephone number for on-call response during nights, weekends, non-scheduled hours, and holidays.

C. Maintenance

Aircraft must be maintained in accordance with FAA regulations and the Manufacturer’s maintenance standards.

2.05 Single Service Operator – Aircraft Sales

In addition to section 2.04 any operator desiring to engage in the sale of new, or used, aircraft must also meet the following requirements:

A. Services

Operator is prohibited from performing aircraft maintenance and repair work for the general public.

B. Personnel

In addition to 1.06D, Operators must provide one or more persons holding a current commercial pilot certificate with ratings appropriate for the type of aircraft to be demonstrated or for sale. They must also employ one person currently certified by the FAA to perform aircraft maintenance work on the aircraft being sold, if the operator intends to do their own maintenance.

C. Dealership

A new aircraft dealer shall be an authorized factory dealership or subdealership having a license or permit as required by the State, and knowledge of all South Dakota applicable statutes concerning sales, contracts and warranties. A dealer in new aircraft shall own or

have exclusive lease on minimum of one current model demonstrator, not more than 12-months old.

D. Part and Service

Dealer shall have adequate servicing facilities and access to parts to provide maintenance service to customer's aircraft during the warranty period.

2.06 Single Service Operator – Airframe and Power Plant Repair (Aircraft Maintenance and Repair)

In addition to section 2.04 any operator desiring to engage in airframe and/or power plant repair services must also meet the following requirements:

A. Personnel

In addition to 1.06D, Operators shall employ a minimum of one person currently certified by the FAA with ratings appropriate for work to be performed.

B. Equipment

Maintain sufficient equipment, supplies, or have the availability to acquire parts to perform maintenance in accordance with manufacturer recommendations or equivalent on various types of based aircraft.

2.07 Single Service Operator – Aircraft Rental

In addition to section 2.04 any operator desiring to engage in the rental of aircrafts to the public must also meet the following requirements:

A. Aircraft

Operator shall own or have an exclusive lease in writing for one air worthy single engine, or multi-engine, aircraft equipped for flight under both visual and instrument conditions.

B. Maintenance

Aircraft must be maintained in accordance with FAA regulations and the manufacturer's maintenance standards.

2.08 Single Service Operator – Flight Training

In addition to section 2.04 any operator desiring to engage in commercial flight instructions must also meet the following requirements:

A. Personnel

In addition to 1.06 D, Operator must employ one person qualified to provide ground and flight instruction in accordance with FAA regulations.

Note: If an Operator under this section furnishes or otherwise provides the aircraft used for flight training, that Operator is also required to meet the minimum standards for aircraft rental service.

2.09 Single Service Operator – Air Taxi and Charter Service

In addition to section 2.04 any operator desiring to engage in air taxi or charter service must also meet the following requirements:

A. Personnel

In addition to 1.06D, Operator shall employ a minimum of one FAA certified commercial pilot appropriately rated to conduct air service offered.

B. Aircraft

A minimum of one aircraft capable of carrying four passengers, and equipped for flight under instrument conditions, shall be owned or exclusively leased by the operator.

C. Certification

Operator and all pilots must meet all provisions of FAR Part 135.

D. Ground Transportation Services

The operator may make provisions for the transportation of pilots and passengers of transient General Aviation Aircraft to and from the Operator's facilities across the Airport's Apron areas as a part of his/her business operations. The Operator performing this service with motor vehicles driven on the Airport property shall do so only in strict compliance with any Airport rules and regulations, applicable, federal, state and municipal laws, ordinances, codes, or other similar regulatory measures as may be hereafter added, modified, or amended.

E. Maintenance

Aircraft must be maintained in accordance with FAA regulations and the manufacturer's maintenance standards.

2.10 Single Service Operator – Specialized Commercial Flight Services

In addition to section 2.04 any operator desiring to engage in specialized commercial flight services including, but not limited to: banner towing and aerial advertising; aerial photography or survey; fire fighting or fire patrol; power line or pipeline patrol; any other operations specifically excluded from Part 135 of the FAA Regulations must also meet the following requirements:

A. Personnel

In addition to 1.06D, Operator shall employ one person having a current commercial certificate with appropriate ratings for the aircraft to be flown.

B. Aircraft

A minimum of one properly certified aircraft owned or leased by written agreement.

C. Maintenance

Aircraft must be maintained in accordance with FAA regulations and the manufacturer's maintenance standards.

2.11 Single Service Operator – Avionics, Instruments, and/or Propeller Services

In addition to section 2.04 any operator desiring to provide avionics, instrument, or propeller service must hold the appropriate FAA repair station certificates and ratings for same. The operator must also meet the following requirements:

A. Personnel

In addition to 1.06D, Operator shall employ a minimum of one FAA certified repairman, qualified in terms of the applicable FAA repair station certificate.

2.12 Single Service Operator – Permanent Aerial Applicators

In addition to section 2.04 any Operator must hold an Agricultural Aircraft Operator Certificate issued by the FAA under Part 137. The Operator must also comply with the requirements of the State and Political subdivisions thereof; and also meet the following requirements:

A. Personnel

In addition to 1.06D, Operator shall employ a minimum of one person holding a current FAA commercial certificate, properly rated for the aircraft to be used, and meeting the requirements of Part 137 of the FAA Regulations and applicable regulations of the State of South Dakota. A copy of their Part 137 certificate, commercial applicators certificate, and pilot certificate shall be file with the City Manager or his/her designee before commencing operations. A review of the South Dakota State Department of Agriculture applicant’s history will also be reviewed for each applicator prior to commencing operations.

B. Aircraft

A minimum of one aircraft meeting all of the requirements of Part 137 of the FAA Regulations and applicable regulations of the State. This aircraft shall be owned or leased by agreement in writing.

C. Facilities

A segregated chemical storage area with secondary containment, protected from the public access, and safety equipment as to comply with the minimum standards as required by all local, city, state and federal regulations and ordinances. All present and future federal and state hazardous material and environmental protection acts and regulations will be complied with.

2.13 Single Service Operator – Temporary Aerial Applicators

In order to be considered a temporary aerial applicator the operator must operate no more than two aircraft at a time. Additionally, the operator may only operate from the airport no longer than 30 consecutive days in one year. Similar to a permanent applicator, the operator must hold an Agricultural Aircraft Operator Certificate issued by the FAA under Part 137. The Operator must also comply with the requirements of the State and Political subdivisions thereof; and also meet the following requirements:

A. Personnel

Same as 2.12A

B. Aircraft

Same as 2.12B

C. Facilities

Operator shall work from an area designated by the City. All present and future federal and state hazardous material and environmental protection acts and regulations will be complied with.

2.14 Self Fueling of Private Aircraft

A person or organization owning aircraft shall be permitted, personally or using the organization’s employees, to fuel their own aircraft. The Aircraft owner is not permitted to contract with an off-airport company to enter upon the airport to refuel his aircraft. Further, the Airport prohibits the use of a “CO-OP” (an organization formed by several aircraft owners for the purpose of self fueling) as a single aircraft owner’s purpose of self fueling. Self fueling operators may not dispense fuel from their privately owned fueling equipment into aircraft not directly owned by the operator. Further, the operator’s fuels may not be sold, given, or ownership otherwise transferred, to other aviation Operators.

The City of Vermillion shall retain the exclusive right to provide all fuel sales on the Airport to other individuals or other organizations.

All leases that currently allow fuel sales will be grandfathered. The sale of aviation fuel will be terminated when the term of the lease expires, or if the lease is terminated by either the City or lessee.

A flowage fee will be levied on to all fuel sales at the airport. All commercial users selling fuel will be required to report to the City how many gallons of fuel they purchased. The report will be due at the City Finance Office no later than the 5th day of each month. The flowage fee amount will be established by resolution.

2.15 Multiple Commercial Aeronautical Services - LSFBO

A person or organization meeting the Minimum Standards of any two or more aeronautical services described in sections 2.04 through 2.13 of these Minimum Standards may apply for permission to conduct business as a LSFBO. Where more than one activity is proposed, the actual building, land, equipment and personnel requirements may have to exceed the minimum space requirements that would be required for a single service. The City Manager or his/her designee will determine if the proposed structure is adequate in order to ensure that safe and comfortable services are provided for the customer. Actual space requirements will also be dependent upon:

1. The combination and nature of proposed individual commercial services to be operated, and
2. The design and configuration of the proposed building, and
3. The Operator's expansion plans, and
4. The proposed geographic location on the airport, and
5. What has been required of other operators on the airport who provide a similar combination of services?

The LSFBO is prohibited from selling fuel.

A. Leased Space Requirement

Each LSFBO shall operate out of a building located on the airport. The building must be properly heated and lighted and provide adequate space for offices, hangar storage, and maintenance. The building must also be accessible to those requiring service, and to be marked with appropriate external signage. The actual dimensions of the leased area may vary, but they must be adequate for the services being provided. The City Manager or his/her designee will determine the adequacy of the proposed structure at the time the land lease and structure design are being developed.

B. Hours of Operation

Business shall operate during normal working hours (8:00 am to 5:00 pm) and during the work week (Monday through Friday) for at least 20-hours per month. Operators shall provide emergency on-call service during nights, weekends, non-scheduled hours and holidays.

C. Termination or Modification of Multiple Commercial Aeronautical Services

Airport's prime objective in granting permission to conduct commercial services at the airport is to meet the aviation needs of the public. The City Manager or his/her designee reserves the right to immediately terminate the Operator's commercial authority, or reduce the Operator's operating authority to that of a lower operating classification, as detailed in Exhibit A. The City Manager or his/her designee may also terminate the Operator's commercial authority if the Operator reduces its service activities to a level that is less than the required services of the quality and/or if quality of required services deteriorates to a level at which the services fail to meet the operating needs of the aviation public. The Operator may appeal the City Manager's or his/her designee's opinion to the City Council within 30-days.

SECTION 3 – OFF-AIRPORT CAR RENTAL CONCESSION

Any operator desiring to provide rental cars to the traveling public from an off-airport site and to pick-up and drop-off its customers at the Airport must meet the following minimums:

- A. Fleet Size
Have a car rental fleet of at least two cars. Rental cars must be less than ten years old.
- B. Services
The operator shall furnish good, prompt, and efficient service, adequate to meet all reasonable demands for automobile rental service at the Airport, on a fair and reasonable basis, and to charge prices for such services, in accordance with its usual standards, on a basis substantially similar to that charged for similar size automobiles, within the State of South Dakota.
- C. Vehicle Maintenance
Operator shall maintain rental vehicles in good operative order, free from known or reasonable ascertainable, mechanical or physical defects, and in clean neat and attractive condition, inside and outside.
- D. Operating Hours
Car rental offices shall provide contact information at the terminal building. They will remain on-call and provide a vehicle within 30 minutes from the call being placed.
- E. Phone Services
So long as the operator has a valid agreement with the airport, the operator shall have the privilege of placing a direct line phone to its place of business in the Airport Terminal building in the same manner and to the same extent offered to the public by the Airport or its advertising agent.
- F. Car Drop-off/Parking
Operator is not authorized to drop off rental cars at the Airport for customers. Operator must perform all paperwork and the transfer of all vehicles at the Operator's place of business.
- G. Personnel
In addition to 1.06D, Operator's employees shall be neat, clean, and courteous. Operator shall not permit its agents, servants, or employees to conduct business in a loud, noisy, boisterous, offensive, or objectionable manner, or to solicit business on the Airport except through the use of signs as herein above set forth.

SECTION 4 – PENALTIES FOR FAILURE TO MAINTAIN COMPLIANCE

4.01 Failure to Comply with Minimum Standards

All persons upon Airport property, except those whose presence is specifically authorized and/or mandated by federal or state law, shall be considered as business invitees or guests of the Airport. In the event a failure to maintain compliance with any of these minimum Standards, the authorization of any and all commercial activities may be terminated by the City Manager or his/her designee. The Operator may appeal the City Manager's or his/her designee's decision to the City Council within 30-days.

4.02 Termination of Lease

The Airport, at its discretion, reserves the right to terminate the lease of any tenant found to be in violation of the Minimum Standards.

4.03 Civil Remedy or Criminal Prosecution

HAROLD DAVIDSON FIELD AIRPORT – MINIMUM STANDARDS FOR OPERATORS OF COMMERCIAL
ACTIVITIES

The Airport, in its discretion, reserves the right to commence any civil action or suit or file a complaint for criminal prosecution against any person or persons violating any Minimum Standard which cause injury or damage to person or property of if such violation appears to constitute the commission of a criminal act.

4.04 Liability for Fines

Any person whose act, or failure to act, results in a fine or penalty being assessed against the Airport or by any governmental agency having jurisdiction including security, safety, and environmental, or the FAA shall be fully liable for the payment or reimbursement of such fine or penalty in addition to the costs associated with the restitution, repair, or clean-up of conditions resulting from such violations.

SECTION 5 – FEES

The City Council will establish fees by resolution.

This document replaces all previous versions of the Harold Davidson Field Airport Minimum Standards for Operators of Commercial Activities, effective as of the date below. All changes to this document shall be made by an approved motion of the City of Vermillion City Council.

John E. (Jack) Powell, Mayor

Date: _____

Michael D. Carlson, City Finance Officer

Council Agenda Memo

From: Farrel Christensen, City Building Official

Meeting: March 3, 2014

Subject: First Reading of Ordinance 1309 Adoption of the 2012 International Building Code, International Residential Code and the International Fire Code.

Presenter: Farrel Christensen

Background: The International Code Council publishes new codes every three years. This method insures that the International Codes are kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate. Local jurisdictions are required to insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction and several other areas that are specific to the adopting body. Many of the changes proposed are part of that process and some are specific to Vermillion and the needs of our City.

Discussion: Staff has reviewed the proposed new codes carefully and the first reading of the adoption contains commentary from staff to better describe why a change has been recommended. Staff has considered modifications included by other cities in South Dakota and has meet with local contractors and affected parties to discuss proposed changes. The proposed adoptions are a result of those meetings and staff recommendations.

Financial Considerations: The cost to the city will be for publication of the ordinance.

Conclusion/Recommendations: Administration recommends the adoption of the first reading of Ordinance 1309 adopting the International Building Code, International Residential Code and the International Fire Code.

ORDINANCE NO. 1309

AN ORDINANCE AMENDING CHAPTER 150 BUILDING REGULATIONS SECTION 150.02 INTERNATIONAL BUILDING CODE ADOPTED AND ENACTING THE 2012 INTERNATIONAL BUILDING CODE AS MODIFIED BY THE CITY OF VERMILLION, SOUTH DAKOTA; AMENDING SECTION 150.03 INTERNATIONAL RESIDENTIAL CODE ADOPTED AND ENACTING THE 2012 INTERNATIONAL RESIDENTIAL CODE AS MODIFIED BY THE CITY OF VERMILLION AND AMENDING CHAPTER 92 FIRE PREVENTION AND PROTECTION SECTION 92.04 FIRE CODE ADOPTED AND ENACTING THE 2012 INTERNATIONAL FIRE CODE AS MODIFIED BY THE CITY OF VERMILLION, SOUTH DAKOTA.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that Chapter 150 Section 150.02 International Building Code is repealed and the 2012 International Building Code is enacted, and the following portions of the 2012 International Building Code adopted in this article shall be added, deleted, modified or amended, or not adopted as follows. All other sections or subsections of the 2012 International Building Code as published shall remain the same.

AN ORDINANCE of the City of Vermillion adopting the 2012 edition of the International Building Code as amended, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Vermillion; providing for the issuance of permits and collection of fees therefore; repealing ordinance 1242 of the City of Vermillion and all other ordinances or parts of laws in conflict herewith including existing ordinance section 15.02 and replacing with the following

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that Chapter 150, Section 150.03 International Residential Code is repealed and the 2012 International Residential Code is enacted, and the following portions of the 2012 International Residential Code shall be amended, added, or deleted by the City as follows. All other portions of the 2012 International Residential Code as published shall remain the same.

AN ORDINANCE of the City of Vermillion adopting the 2012 edition of the International Residential as amended, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Vermillion; providing for the issuance of permits and collection of fees therefore; repealing ordinance 1243 of the City of Vermillion and all other ordinances or parts of laws in conflict therewith including existing ordinance section 150.03 and replacing with the following.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that Chapter 92: Section § 92.04 Fire Code is repealed and the 2012 International Fire Code is enacted, and the following portions of the 2012 International Fire Code adopted in this article shall be added, deleted, modified or amended, or not adopted as follows. All other sections or subsections of the 2012 International Fire Code as published shall remain the same.

AN ORDINANCE of the City of Vermillion adopting the 2012 edition of the International Fire Code as amended, regulating and governing the safeguarding of life and property from fire and explosion hazards

arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises.

§ 150.02 INTERNATIONAL BUILDING CODE ADOPTED.

A certain document, one copy of which is on file in the office of the City Building Official, a copy of which is on file at the Vermillion Public Library, designated as the International Building Code, 2012 Edition, including Appendix J, as published by the International Code Council, Inc., is hereby adopted as the erection, construction, enlargement, alteration, moving, removal, demolition, conversion, occupancy, height, area, and maintenance of all property, buildings, and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use, and for the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of the structures as herein provided, and providing for the issuance of permits and collection of fees therefore. Each and all of the regulations, provisions, penalties, conditions, and terms of the International Building Code, 2012 Edition, on file in the locations mentioned above are hereby referred to, adopted, and made a part hereof, as if fully set out in the ordinance, with the additions, insertions, deletions, and changes if any, prescribed below. The minimum building standards of International Building Code, 2012 Edition, and amendment thereto shall be applied to any building permit issued after the effective adoption date.

The following additions, deletions, modifications and or amendments to the International Building Code 2012 are hereby incorporated into and made a part of this code.

International Building Code modifications

101.1 Title. These regulations shall be known as the Building Code of the City of Vermillion, hereinafter referred to as “this code.”

Commentary: This simply inserts that these local modifications are applicable to the City of Vermillion.

103.1 Enforcement Agency. Building Services is hereby created and the official in charge thereof shall be known as the Building Official.

Commentary: This inserts the correct title of the office that enforces minimum building standards, Code Compliance.

101.4.3 Plumbing. All references to the International Plumbing Code shall refer to the provisions of the Uniform Plumbing Code. The provisions of The Uniform Plumbing Code as modified by the state of South Dakota shall apply to the installation of plumbing systems, including design, construction, installation, improvement, extension and alteration of materials, piping, venting, fixtures, appliances and appurtenances in relation to plumbing and plumbing systems. Permits and inspection for plumbing work shall be obtained through the State Plumbing Commission.

Commentary: Section 101.4 of the IBC references codes that are adopted and accessory to the building code. Because the City does not utilize the International Plumbing Code, the references are eliminated and referred to the plumbing ordinance, which adopts the Uniform Plumbing Code mandated and enforced by the State Plumbing Commission.

101.4.7 Electrical. The provisions of the National Electric Code as adopted by the State of South Dakota shall apply to the installation of electrical systems, including equipment, appliances, fixtures, fittings

and/or appurtenances thereto. All references to the International Electrical Code shall refer to the National Electrical Code. Permits and inspections for electrical work shall be obtained through The State Electrical Commission.

Commentary: Section 101.4 of the IBC references codes that are adopted an accessory to the building code. International Code Council does not publish the National Electrical Code (NEC) and therefore does not reference the national model code standard. This inserts the reference to the NEC, which is mandated and enforced by the State Electrical Commission.

103.2 Appointment. Not adopted by the City

Commentary: This is eliminated because the building official is not an appointed position.

104.8 Liability. The Building Official, member of the Board of Appeals or employee charged with the enforcement of this code while acting for the jurisdiction in good faith and without malice shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be afforded all the protection provided by the city's insurance pool and any immunities and defenses provided by other applicable state and federal law and shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit, or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the city, its officers and employees, be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

Commentary: This amendment inserts that an employee who enforces the code is protected from liability within the limitations of the City's insurance pool or any other applicable state or federal law. The second paragraph maintains language from the legacy codes as it relates to assuming liability in the enforcement of the minimum building standards of the code.

105.1 Permit Required. Fees for replacement window permits shall be set by resolution. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. The building official may exempt permits for minor work.

(a) Replacement windows in existing openings

All window replacement shall require a building permit. Replacement windows shall conform to the code for new construction whenever possible, including but not limited to light, ventilation, safety glazing and egress. Windows that cannot meet the code for new construction within the existing opening shall utilize the opening to its maximum potential to comply. Double hung windows or sliding windows that limit light, ventilation or egress are required to be changed to a casement style or similar to maximize the opening. Windows located in rental housing may require additional modification to provide for the health, safety and welfare of the occupants.

Exceptions

The replacement of glazing only, in non hazardous location shall not require a permit.

Commentary: This adds the local amendment for replacement windows and set the fees through resolution. Existing resolutions may need to be modified to reflect new chapter and section numbers.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures with side walls no greater than 8 feet in height, used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
2. Retaining walls that are not over 4 feet in height measured from the bottoms of the grade elevation to the top of the wall, unless supporting a surcharge.
3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
4. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
5. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 52 inches deep, are not greater than 9,000 gallons and are installed entirely above ground
6. Swings and other playground equipment accessory to detached one- and two-family dwellings
7. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
8. Decks not exceeding 200 square feet in area and not more than 30 inches above grade at any point within 3 feet of the deck.
9. Exterior Siding, Design and installation shall conform to Chapter 7 wall covering.
10. Roofing, Design and installation shall conform to Chapter 9 roof assemblies.
11. Sidewalks and driveways. A driveway permit is required from the City Engineer.
12. Temporary motion picture, television, and theater stage sets and scenery.
13. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

Commentary: The exemption for permit issuance for small storage sheds reduces the maximum area from 200 to 120. The exception for fences of 6 feet tall is removed. Exterior siding and roofing are exempted. Sidewalks and driveways are exempted but a permit is required by the City Engineer.

107.3.1 Approval of Construction Documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as “Approved.” One set of construction documents so reviewed shall be retained by the building official. The site submittal set shall be returned to the applicant, shall be kept at the site of work, and shall be open to inspection by the building official or duly authorized representative.

Commentary: Code Enforcement documents with a written plan review do not require that a second copy be returned to the permit holder.

109.2 Schedule of Permit Fees. Fees shall be set by resolution of the City of Vermillion governing body.

Commentary: The Code requires the City to establish fees for permits, setting the fees through a resolution streamline the process of updating fees. Existing resolutions may need to be modified to reflect new chapter and section numbers.

109.4 Work Commencing Before Permit Issuance. Any person who commences work requiring a permit on a building or structure before obtaining the necessary permits shall be subject to a fee established by resolution of the City of Vermillion’s governing body and shall be in addition to the required permit fees. Legal and/or civil proceedings may also be commenced.

Commentary: The Code requires the City to establish fees for commencing work before a permit is issued; setting the fees through resolution streamlines the process of updating fees. Existing resolutions may need to be modified to reflect new chapter and section numbers.

109.7 Delinquent Accounts. The building official may refuse to issue permits, register rental units or conduct inspections for any person or business that has a delinquent account with any City department.

Commentary: This section is added and insures that fees and fines are paid in order to continue a project or maintain property on the rental registration.

110.3 Required Inspection. The building official shall indicate on the building permit the inspections required for each job and upon notification shall make the inspections.

Commentary: The building code requires a number of inspections not currently performed by the Code Enforcement Office. This change allows the Building Official to select the number and type for each project. Currently new construction requires only three inspections a footing, framing and final. Additional inspections may be needed but if added will apply equally to all construction.

110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. Fees for violations of this requirement shall be set by resolution.

Commentary: Currently fees are set by resolution. Existing resolutions may need to be modified to reflect new chapter and section numbers.

113.1 Application for appeal. Any person having any record title or legal interest in the dwelling, dwelling unit, rooming unit, or premises directly affected by a decision of the Code Official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

113.2 Forms. Appeals shall be submitted on the forms provided by the Code Official. Applications must be accompanied with the application fee, applications without fees shall not be considered filed until the fee is received.

113.3 Membership of board. The Board of Appeals shall consist of the City of Vermillion governing body.

113.4 Chairman. The governing body's presiding member shall serve as the chairman of the Board of Appeals.

113.5 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

113.6 Secretary. The Chief Administrative Officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

113.7 Notice of Meeting. The Board of Appeals shall meet upon notice from the chairman within 30 days of the filing of an appeal, or at stated periodic meetings.

113.8 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the Code Official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.

113.9 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

113.10 Postponed hearing. When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

113.11 Board decision. The board shall modify or reverse the decision of the Code Official only by a concurring vote of a majority of the total number of appointed board members.

113.12 Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the Code Official.

113.13 Administration. The Code Official shall take immediate action in accordance with the decision of the board.

113.14 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

113.15 Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

113.6 Fees. The fee for appeal application is \$50.00 Fees are required for appeal requests regardless of the outcome of the request and are nonrefundable.

Commentary: This section establishes the City Council as the Board of Appeals; to review interpretations of the Building and Fire Official. Each I Code and the Rental Housing Code has been modified to use the same rules and procedures.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject a fine set by resolution in addition to any and all other penalties as prescribed by law.

Commentary: Currently fees are set by resolution. Existing resolutions may need to be modified to reflect new chapter and section numbers.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided through out all buildings with a Group R fire area.

Exceptions:

1. Group R-2 occupancies with four or fewer units.
2. Group R-3 occupancies

Commentary: The code requires all group R occupancies to be sprinkled however the state exempts certain one and two family dwellings. This amendment recognizes the state exception and adds a locale exemption for small apartments.

1009.7.5.3 Solid risers. Not adopted by the city

Commentary: This allows the use of an open riser on a commercial stair.

150.03 INTERNATIONAL RESIDENTIAL CODE ADOPTED.

A certain document, one copy of which is on file in the office of the Building Official and one copy of which is on file in the Vermillion Public Library, designated as the International Residential Code, 2012 Edition, as published by the International Code Council, Inc., be and is hereby adopted as the residential building code of the City of Vermillion in the State of South Dakota for regulating and governing design, construction, quality of materials, erection, installation, alteration, movement, repair, equipment, use and occupancy, location, removal and demolition of one- and two-family dwellings and townhouses not more than three stories in height with a separate means of egress and their accessory structures, and providing for the issuance of permits and collection of fees therefore. Each and all of the regulations, provisions, penalties, conditions, and terms of the International Residential Code, 2012 Edition, on file in the locations mentioned above are hereby referred to, adopted, and made a part hereof, as if fully set out, with the additions, insertions, deletions, and changes, if any below. The minimum building standards in the International Residential Code, 2009 Edition, shall be applied to any building permit after effective adoption date.

The following additions, deletions, modifications, or amendments to the International Residential Code, 2012 Edition, are hereby incorporated into and made a part of the code.

International Residential Code

R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-family Dwellings of the City of Vermillion, and shall be cited as such and will be referred to herein as "this code".

Commentary: This simply inserts that these local modifications are applicable to the City of Vermillion.

R103.1 Enforcement agency. Code Compliance is hereby created and the official in charge thereof shall be known as the Building Official.

Commentary: This inserts the correct title of the office that enforces minimum building standards, Code Compliance.

R103.2 Appointment. Not adopted by the City

Commentary: This is eliminated because the building official is not an appointed position.

R104.8 Liability. The Building Official, members of the Board of Appeals, or employees charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be afforded all the protection provided by the city's insurance pool and any immunity and defenses provided by other applicable state and federal law. The building official or any subordinate shall not be liable for cost in any action, suit, or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the city be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

Commentary: This amendment inserts that an employee who enforces the code is protected from liability within the limitations of the City's insurance pool or any other applicable state or federal law. The second paragraph maintains language from the legacy codes as it relates to assuming liability in the enforcement of the minimum building standards of the code.

R105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. The building official may exempt permits for minor work.

(a) Replacement windows in existing openings

All window replacement shall require a building permit. Replacement windows shall conform to the code for new construction whenever possible, including but not limited to light, ventilation, safety glazing and egress. Windows that cannot meet the code for new construction within the existing opening shall utilize the opening to its maximum potential to comply. Double hung windows or sliding windows that limit light, ventilation or egress are required to be changed to a casement style or similar to maximize the opening. Windows located in rental housing may require additional modification to provide for the health, safety and welfare of the occupants. Fees for replacement window permits shall be set by resolution.

Exception The replacement of glazing only, in non hazardous location shall not require a permit.

Commentary: This adds the local amendment for replacement windows and set the fees through resolution.

R105.2 Work Exempt from Permit. Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures with side walls no greater than 8 feet in height, used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
2. Retaining walls that are not over 4 feet in height measured from the bottoms of the grade elevation to the top of the wall, unless supporting a surcharge.
3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
4. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
5. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 52 inches deep, are not greater than 9,000 gallons and are installed entirely above ground
6. Swings and other playground equipment accessory to detached one- and two-family dwellings.
7. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.

8. Decks not exceeding 200 square feet in area and not more than 30 inches above grade at any point within 3 feet of the deck.
9. Exterior Siding, Design and installation shall conform to Chapter 7 wall covering.
10. Roofing, Design and installation shall conform to Chapter 9 roof assemblies.
11. Sidewalks and driveways. A driveway permit is required from the City Engineer.
12. Temporary motion picture, television, and theater stage sets and scenery.
13. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

Commentary: The exemption for permit issuance for small storage sheds reduces the maximum area from 200 to 120. The exception for fences of 6 feet tall is removed. Exterior siding and roofing are exempted. Sidewalks and driveways are exempted but a permit is required by the City Engineer.

R106.3.1 Approval of construction documents. When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp, as “Approved.” One set of construction documents so reviewed shall be retained by the building official.

Commentary: Code Enforcement documents a written plan review and does not require that a second copy be returned to the permit holder.

R108.2 Schedule of permit Fees. Fees shall be set by resolution of the City of Vermillion’s governing body.

Commentary: The Code requires the City to establish a fee for permits, setting the fees through resolution streamlines the process of updating fees. Existing resolutions may need to be modified to reflect new chapter and section numbers.

R108.6 Work Commencing Before Permit Issuance. Any person who commences work requiring a permit on a building or structure before obtaining the necessary permits shall be subject to a fee established by resolution of the City of Vermillion’s governing body and shall be in addition to the required permit fees. Legal and/or civil proceedings may also be commenced.

Commentary: The Code requires the City to establish fees for commencing work before a permit is issued; setting the fees through resolution streamlines the process of updating fees. Existing resolutions may need to be modified to reflect new chapter and section numbers.

R108.7 Delinquent Accounts. The building official may refuse to issue permits, register rental units or conduct inspections for any person or business that has a delinquent account with any City of Vermillion department or entity.

Commentary: This section is added and insures that fees and fines are paid in order to continue a project or maintain property on the rental registration.

R109.4 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official upon notification shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. Fees for violations of this requirement shall be set by resolution.

Commentary: Currently fees are set by resolution. Existing resolutions may need to be modified to reflect new chapter and section numbers.

R112.1 Application for appeal. Any person having any record title or legal interest in the dwelling, dwelling unit, rooming unit, or premises Any person directly affected by a decision of the Code Official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

R112.1.2 Forms. Appeals shall be submitted on the forms provided by the Code Official. Applications must be accompanied with the application fee, applications without fees shall not be considered filed until the fee is received.

R112.1.3 Membership of board. The Board of Appeals shall consist of the City of Vermillion governing body.

R112.1.4 Chairman. The governing body's presiding member shall serve as the chairman of the Board of Appeals.

R112.1.5 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

R112.1.6 Secretary. The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

R112.1.7 Notice of Meeting. The Board of Appeals shall meet upon notice from the chairman within 30 days of the filing of an appeal, or at stated periodic meetings.

R112.1.8 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the Code Official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.

R112.1.9 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

R112.1.10 Postponed hearing. When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

R112.1.11 Board decision. The board shall modify or reverse the decision of the Code Official only by a concurring vote of a majority of the total number of appointed board members.

R112.1.12 Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the Code Official.

R112.1.13 Administration. The Code Official shall take immediate action in accordance with the decision of the board.

R112.1.14 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

R112.1.15 Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

R112.1.165 Fees. The fee for appeal application is \$50.00 Fees are required for appeal requests regardless of the outcome of the request and are nonrefundable.

Commentary: This section establishes the City Council as the Board of Appeals; too review interpretations of the Building and Fire Official. Each Code has been modified to use the same rules and procedures.

R202. Definitions. Add the following definition.

Bedroom. A finished space that affords privacy to the occupant, at least seventy square feet in space with no dimensions less than seven feet. Bedrooms may not be located in a kitchen, dining room, living room, hallway or bathroom.

Exception: Efficiency units or one bedroom units that are designed to be used as shared or group occupancy.

Commentary: This definition prohibits bedrooms in certain areas and requires walls around bedrooms in multiple bedroom units.

Outdoor smoking shelters. An "outdoor smoking shelter" is an attached addition to, or detached structure located on the same lot as the primary structure.

Outdoor smoking shelters shall:

- Comply with all provisions of the building code, and any other ordinances of the jurisdiction as adopted, regardless of size;
- Shelters 120 square feet, or less, in size: may be constructed of any materials permitted by the building code.
- Shelters 120 square feet, or more, in size: Shall be constructed of noncombustible materials only.
- Have not more three sides or more than seventy-five percent (75%) of the aggregate wall area enclosed.
- Shall not be located in within 10 feet of the primary entrance or interfere in any way with the operation of any required entrances or exits.
- Be lighted with appropriate weatherproof fixtures;
- Be no taller than the primary structure; and
- Be both aesthetically and structurally similar to the primary structure.

Commentary: This definition prohibits smoking shelters in certain locations, better defines construction requirements and adds additional fire protection.

Table R301.2 (1) Climatic and Geographic Design Criteria.

Ground Snow Load (Footnote l) 40 psf contour

Wind Speed (Footnote d) 90 mph

Topographic Effects (Footnote k) no

Seismic Design Category (Footnote f) A

Weathering (Footnote a) Severe

Termite Damage (Footnote c) Slight to Moderate

Winter Design Temperature -11 Degrees Fahrenheit

Ice Barrier Underlayment Requirement (Footnote i) yes

Flood Hazards. (Footnote g) Vermillion entered the regular phase of the National Flood Insurance in 1975 Map numbers are 46027C0265C and 46027C0270C.

Air Freezing Index (Footnote i) 3,000

Mean Annual Temperature 46 Degrees Fahrenheit

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

Commentary: The Code requires local jurisdiction to fill in this section based on specific design criteria for the specific geographic location of the jurisdiction and defines the minimum geographic design criteria for residential building construction.

R302.5.1 Opening Protection

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 13/8 inches in thickness, solid or honeycomb-core steel doors not less than 13/8 inches thick, or 20-minute fire-rated doors

Commentary: The requirement for self-closing devices has been removed. The requirement has been determined to not be necessary for geographical reasons. South Dakota winters prohibit the use of a garage as additional living space and items commonly located in garages that necessitate that the garage door be closed are not located in this area due to the cold weather.

R303.4 Mechanical ventilation. (testing). Not adopted by the city

Commentary: Section N1102.4.1.2 is a new national mandate of the IRC to require blower door tests on every new dwelling. This provision specifies that when the blower door test determines an air infiltration rate of less than 5 air changes per hour, whole house ventilation is required. Staff is not recommending the adoption of the energy code so there is no need to adopt this requirement. Should the energy code be adopted test should be required.

R309.5 Fire sprinklers. Not adopted by the city.

Commentary: This new section adds provisions to permit non-fire-rated exterior walls and projections for garages with zero clearance to a lot line subject to mandating that the garage be provided with an automatic fire-extinguishing system. The provision is eliminated locally based on state law that does not allow a county or a municipality to require an automatic fire-extinguishing system in one- and two-family dwelling, townhouse, and their accessory structures.

R310.1 Emergency escape and rescue required.

Basements, habitable attics and every sleeping room shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a yard or court that opens to a public way.

Commentary: This 2012 code required windows to be no more than 44 inches from the floor to the window opening. Staff believes the 2009 requirement of no more than 44 inches from the floor to the finished sill to be an effective measurement.

R312.2.1 Window sills. Not adopted by the City

Commentary: The 2012 code requires window openings located more than 72 inches above the finished grade or surface below to be provided with a limiting device that only allows the window to be opened 4 inches. This is another area where locale conditions make the requirement unnecessary. The majority of windows in South Dakota are protected with ether storm windows or at the least screens. The concern is small children falling and the use of screens or storm windows provides fall protection for light weight children. Concerned home owners retain the option of installed fall protection if they choose.

R319.1 Address Numbers. Not adopted by the City

Commentary: This section is deleted; address numbers are included elsewhere in the City's code and regulated by the Engineering Department.

R501.3 Fire protection of floors. Not adopted by the city.

Commentary: This new national provision requires all floor assemblies consisting of light frame construction to be protected on the underside has been eliminated locally. This would require a homeowner who chooses to finish a basement at a later date to remove the covering to accommodate ductwork and electrical and plumbing systems.

N1101 Energy Efficiency. Not adopted by the City

Commentary: South Dakota has no mandatory statewide energy codes for residential or commercial construction. Codes are adopted by jurisdiction voluntarily. As of July 2011, state law established the 2009 IECC as a voluntary residential standard. Local jurisdictions also have authority to adopt various residential building and energy codes, including IRC and IECC. For commercial construction, IECC compliance is required by reference in the 2012 IBC, which is the mandatory statewide commercial building standard in state law unless local jurisdictions have either opted out of it or specifically adopted another code. The energy code has far reaching ramifications to the builder, home owner and inspectors. In order to gain a modest improvement in efficiency many components must be modified or changed, to insure compliance additional Code Enforcement personal would be needed. The cost to the contractor, home owner and building inspection would be substantial.

Chapters 25 through 33. Not adopted by the City

Commentary: The provisions of The Uniform Plumbing Code as modified by the state of South Dakota shall apply to the installation of plumbing systems, including design, construction, installation, improvement, extension and alteration of materials, piping, venting, fixtures, appliances and appurtenances in relation to plumbing and plumbing systems. Permits and inspection for plumbing work shall be obtained through the State Plumbing Commission.

Chapters 34 through 43. Not adopted by the City

Commentary: The provisions of the National Electric Code as adopted by the State of South Dakota shall apply to the installation of electrical systems, including equipment, appliances, fixtures, fittings and/or appurtenances thereto. Permits and inspections for electrical work shall be obtained through The State Electrical Commission.

M1502.4.2 Duct installation.

Exhaust ducts shall be supported at intervals not to exceed 12 feet and shall be secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Exhaust duct joints shall be sealed in accordance with Section M1601.4.

Commentary: The 2012 code requires ducts to be joined with screws or similar fasteners. When talking with the local home builders we were advised to remove this requirement. Their experience with screws in duct work has revealed that large amounts of lint become built up on the protrusions that create flow problems and fire risks. Due to these concerns the requirement was removed.

§ 92.04 INTERNATIONAL FIRE CODE ADOPTED 2012 EDITION

The Governing Body of the City of Vermillion does ordain as follows:

That a certain document, one copy of which is on file in the office of the Fire Chief and one copy of which is on file in the Vermillion Public Library, being marked and designated as the International Fire Code, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Vermillion, in the State of South Dakota regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Vermillion are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance. The following additions, deletion, modification or amendment to the International Fire Code 2012 edition, listed by Fire Code section 92.04 are hereby incorporated into and made part of the code.

Section 2. That the following sections are hereby revised:

101.1 Title. These regulations shall be known as the *Fire Code* of the City of Vermillion, hereinafter referred to as “the code.”

Commentary: This establishes the City of Vermillion as the jurisdiction.

103.1 General. The department of fire prevention is established within the jurisdiction and the official in charge thereof shall be known as the Fire Chief. The function of the department shall be the implementation, administration and enforcement of the provisions of the code.

Commentary: This inserts the correct title of the office that enforces the fire code.

103.2 Appointment. Not adopted by the City.

Commentary: This is eliminated because the Fire Chief is not an appointed position.

103.4 Liability. The Fire Official, member of the Board of Appeals or employee charged with the enforcement of this code while acting for the jurisdiction in good faith and without malice shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be afforded all the protection provided by the city's insurance pool and any immunities and defenses provided by other applicable state and federal law and shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit, or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the city, its officers and employees, be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

Commentary: This amendment inserts that an employee who enforces the code is protected from liability within the limitations of the City's insurance pool or any other applicable state or federal law. The second paragraph maintains language from the legacy codes as it relates to assuming liability in the enforcement of the minimum building standards of the code.

106.2.2 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Fire Code Official. The Fire Code Official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected, and such portion shall not be covered or concealed until authorized by the fire Code Official. Fees for violations of this requirement shall be set by resolution.

Commentary: Currently fees are set by resolution. Existing resolutions may need to be modified to reflect new chapter and section numbers.

[A] 108.1 Application for appeal. Any person having any record title or legal interest in the dwelling, dwelling unit, rooming unit, or premises. Any person directly affected by a decision of the Code Official or a notice or order issued under the code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of the Code do not fully apply, or the requirements of the code are adequately satisfied by other means.

[A] 108.2 Forms. Appeals shall be submitted on the forms provided by the Code Official. Applications must be accompanied with the application fee. Applications without fees shall not be considered filed until the fee is received.

[A] 108.3 Membership of board. The Board of Appeals shall consist of the City of Vermillion Governing Body.

[A] **108.4 Chairman.** The Governing Body's presiding member shall serve as the chairman of the Board of Appeals.

[A] **108.5 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.

[A] **108.6 Secretary.** The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

[A] **108.7 Notice of Meeting.** The Board of Appeals shall meet upon notice from the chairman within 30 days of the filing of an appeal, or at stated periodic meetings.

[A] **108.8 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the Code Official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.

[A] **108.9 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

[A] **108.10 Postponed hearing.** When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

[A] **108.11 Board decision.** The board shall modify or reverse the decision of the Code Official only by a concurring vote of a majority of the total number of appointed board members.

[A] **108.12 Records and copies.** The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the Code Official.

[A] **108.13 Administration.** The Code Official shall take immediate action in accordance with the decision of the board.

[A] **108.14 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

[A] **108.15 Stays of enforcement.** Appeals of notice and orders (other than imminent danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

[A] **108.16 Fees.** The fee for appeal application is \$50.00. Fees are required for appeal requests regardless of the outcome of the request and are nonrefundable.

Commentary: This section establishes the City Council as the Board of Appeals; to review interpretations of the Building and Fire Official. Each Code has been modified to use the same rules and procedures.

109.2 Schedule of Permit Fees. Fees shall be set by resolution of the City of Vermillion Governing Body.

Commentary: Setting the code requires the City to establish fees for permits, setting the fees through resolution streamlines the process of updating fees. No changes are proposed to the current resolution and if adopted permit fees will remain as they are now.

109.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Fire Official, or of a permit or certificate issued under the provisions of this code, shall be subject a fine set by resolution in addition to any and all other penalties as prescribed by law.

Commentary: Currently fees are set by resolution this continues the fees with the new code, no changes are proposed to the current resolution.

113.3 Work commencing before permit issuance. Any person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to a fee established by resolution of the City of Vermillion’s Governing Body and shall be in addition to the required permit fees. Legal and/or civil proceedings may also be commenced.

Commentary: Currently fees are set by resolution; this continues the fees with the new code. No changes are proposed to the current resolution.

109.4.1 Delinquent Accounts. The Fire Official may refuse to issue permits, or conduct inspections for any person or business that has a delinquent account with any City department.

Commentary: This section is added and insures that fees and fines are paid in order to continue a project or maintain property on the rental registration.

912.2.2 Existing buildings. On existing buildings, the Fire Department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such signs shall have the letters “FDC” at least 6 inches high and words in letters at least 2 inches high or an arrow to indicate the location. All such signs shall be subject to the approval of the Fire Code Official.

Commentary: This section requires the building owner to provide signage for all fire department connections regardless of location.

5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited is the corporate limits of the City of Vermillion).

5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited corporate limits of the City of Vermillion).

5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited corporate limits of the City of Vermillion).

6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas corporate limits of the City of Vermillion).

Commentary: In each of the above sections the code requires the jurisdiction to insert an area limit.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided through out all buildings with a Group R fire area.

Exceptions:

1. Group R-2 occupancies with four or fewer units.
2. Group R-3 occupancies

Commentary: The code requires all group R occupancies to have automatic sprinkler systems; however the state exempts certain one and two family dwellings. This amendment recognizes the state exception and adds a locale exemption for small apartments.

Dated at Vermillion, South Dakota this 17th day of March, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By: _____
John (Jack) E. Powell, Mayor

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

First Reading: March 3, 2014
Second Reading: March 17, 2014
Publish: March 28, 2014
Effective: April 17, 2014

Council Agenda Memo

From: Farrel Christensen, City Building Official
Meeting: March 3, 2014
Subject: First Reading of Ordinance 1310 Adoption of the 2012 International Property Maintenance Code and Amendments to the Rental Housing Code
Presenter: Farrel Christensen

Background: The International Code Council publishes new codes every three years. This method ensures that the International Building Code is kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate. Local jurisdictions are required to insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction and several other areas that are specific to the adopting body. Many of the changes proposed are part of that process some are specific to Vermillion and the needs of our City.

Discussion: Staff has reviewed the proposed new codes carefully and the first reading contains commentary on the IPMC and strikethrough and underlining on the Rental Housing Code. Staff has considered modifications included by other cities in South Dakota and has met with local property owners, managers and the new Vermillion chapter of the South Dakota Multifamily Housing Association to discuss proposed changes. The proposed adoptions are a result of many hours of staff time and over two years of rental inspections together with many meetings with the Multifamily Housing Association. The standards proposed are a compromise that will require property owners to continue to upgrade existing rental units. Time frames for compliance reflect the substantial investment of these requirements.

Financial Considerations: The cost to the city will be for publication of the ordinance.

Conclusion/Recommendations: Administration recommends the adoption of the first reading of Ordinance 1310, adopting the International Property Maintenance Code and amending the Rental Housing Code.

ORDINANCE NO. 1310

AN ORDINANCE AMENDING CHAPTER 150 BUILDING REGULATION SECTION 150.50 INTERNATIONAL PROPERTY MAINTENANCE CODE, ADOPTING AND ENACTING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE AS MODIFIED BY THE CITY OF VERMILLION; AND AMENDING CHAPTER 94: RENTAL HOUSING CODE DELETING SECTIONS 94.07(3)(d),(e)(5)(a)(b),(6),(7) ENFORCEMENT NOTICE AND HEARING AND SECTION 94.09 (A) and (B) BOARD OF HOUSING APPEALS TO ELIMINATE CONFLICTING APPEAL SECTIONS BETWEEN THE RENTAL HOUSING CODE AND THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND ADDING STANDARDS AND DEADLINES FOR COMPLIANCE FOR, EMERGENCY ESCAPE AND RESCUE OPENINGS IN EXISTING BUILDINGS AND RETURN AIR AND CONTROLABLE HEAT SOURCES IN EXISTING BUILDINGS.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that Chapter 150, Section 150.50 International Property Maintenance Code is repealed and the 2012 International Property Maintenance Code is enacted, and the 2012 International Property Maintenance Code shall be amended, added, or deleted by the City as follows. All other portions of the 2012 International Property Maintenance Code as published shall remain the same.

AN ORDINANCE of the City of Vermillion adopting the 2012 edition of the International Property Maintenance Code as amended, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Vermillion; providing for the issuance of permits and collection of fees therefore; repealing and replacing current section 150.50 of the City of Vermillion and all other ordinances or parts of laws in conflict therewith

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, that Chapter 94 Rental Housings Code Sections 94.07(3)(d),(e)(5)(a)(b),(6),(7) and section 94.09 Board of Housing Appeals of the Revised Ordinances of the City of Vermillion be deleted and that Section 94.02 (G),(H),(I) & (J) Responsibilities of Owners and Occupants of Rental units is modified and amended and it is hereby ordained by authority of the same as follows:

§ 150.50 INTERNATIONAL PROPERTY MAINTENANCE CODE 2012 ADDITION ADOPTED.

A certain document, one copy of which is on file in the office of the Building Official and one copy of which is on file in the Vermillion Public Library, designated as the International Property Maintenance Code, 2012 Edition, be and is hereby adopted as the property maintenance code of the City of Vermillion in the State of South Dakota.

The following additions, deletions, modifications and or amendments to the International Property Maintenance Code, 2012 Edition, are hereby incorporated into and made a part of the code.

102.3 Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of Chapter 150, sections 150.02 and 150.03 and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City's zoning regulations.

Commentary: This eliminates the reference to the Energy Conservation Code.

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall set by resolution of the City of Vermillion's governing body.

Commentary: Currently fees are set by resolution. Existing resolutions may need to be modified to reflect new chapter and section numbers. The City's web site will also need to be modified to show resolutions.

106.4 Violation penalties Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this code, shall be subject a fine set by resolution in addition to any and all other penalties as prescribed by law.

Commentary: Currently fees are set by resolution. Existing resolutions may need to be modified to reflect new chapter and section numbers. The City's web site will need to be modified to show resolutions. Addition language has been requested by the SDMHA to add language to the effect: providing false information to the city shall be punished as provided in this resolution. Administration agrees with this proposal and will add this to the resolution when presented with the second reading.

[A] 111.1 Application for appeal. Any person having any record title or legal interest in the dwelling, dwelling unit, rooming unit, or premises. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

[A] 111.2 Forms. Appeals shall be submitted on the forms provided by the code official. Applications must be accompanied with the application fee, applications without fees shall not be considered filed until the fee is received.

[A] 111.2.1 Membership of board. The Board of Appeals shall consist of the City of Vermillion Governing Body.

[A] 111.2.2 Chairman. The Governing Body's presiding member shall serve as the chairman of the Board of Appeals.

[A] 111.2.3 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

[A] 111.2.4 Secretary. The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

[A] 111.2.5 Notice of Meeting. The Board of Appeals shall meet upon notice from the chairman within 30 days of the filing of an appeal, or at stated periodic meetings.

[A] 111.3 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two-thirds of the board membership.

[A] 111.4 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

[A] 111.4.1 Postponed hearing. When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

[A] 111.5 Board decision. The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

[A] **111.6 Records and copies.** The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

[A] **111.6.1 Administration.** The code official shall take immediate action in accordance with the decision of the board.

[A] **111.6.2 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

[A] **111.7 Stays of enforcement.** Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

[A] **111.8 Fees.** The fee for appeal application is \$50.00 Fees are required for appeal requests regardless of the outcome of the request and are nonrefundable.

Commentary: This section establishes the City Council as the Board of Appeals; to review interpretations of the Building and Fire Official. Each I Code and the Rental Housing Code has been modified to use the same rules and procedures.

202 General Definitions. Add the following definition.

Bedroom. A finished space that affords privacy to the occupant, at least seventy square feet in space with no dimensions less than seven feet. Bedrooms may not be located in a kitchen, dining room, living room, hallway or bathroom.

Exception: Efficiency units or units that are designed to be used as shared or group occupancy.

Commentary: This definition prohibits bedrooms in certain areas and requires walls around bedrooms in multiple bedroom units.

302.4 Weeds. Not adopted by the City

Commentary: Regulated elsewhere in the Code.

302.8 Motor Vehicles. Not adopted by the City

Commentary: Regulated elsewhere in the Code.

304.14 Insect Screens. During the period from May 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception:

1. Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Commentary: Local jurisdiction is required to enter the dates suitable to location.

304.3 Premises Identification. Not adopted by the City

Commentary: Regulated elsewhere in the Code.

308 Rubbish and Garbage. Not adopted by the City

Commentary: Regulated elsewhere in the Code.

404.4.1 Room area. Every living room shall contain at least 120 square feet and every bedroom shall contain a minimum of 70 square feet. Bedrooms 100 square feet or less are allowed two occupants and every bedroom occupied by more than two persons shall contain a minimum of 50 additional square feet of floor area for each occupant thereof.

Commentary: This change was proposed by the South Dakota Multi-Family Housing Association and takes into consideration older properties with small master bedrooms to remain functional and to protect rental property owners from Fair Housing complaints when the occupant wants to put three people in one bedroom measuring less than 150 sq. ft. This language was taken from the current Sioux Falls IPMC. The existing language in the City Code is very similar to the new proposed language.

602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30°F a minimum temperature of 65°F shall be maintained.

602.4 Occupiable Work Spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 1 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Commentary: Local jurisdiction is required to enter the dates suitable to location for minimum heat.

702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following:

All window replacement shall require a building permit. Replacement windows shall conform to the code for new construction whenever possible, including but not limited to light, ventilation, safety glazing and egress. Windows that cannot meet the code for new construction within the existing opening shall utilize the opening to its maximum potential to comply. Double hung windows or sliding windows that limit light, ventilation or egress are required to be changed to a casement style or similar to maximize the opening. Windows located in rental housing may require additional modification to comply with the minimum standards of section 94.02(I).

Exceptions The replacement of glazing only, in non hazardous location shall not require a permit.

Commentary: Modifications are made to comply with ordinance 1307 requiring a permit for the replacement of windows in existing openings.

CHAPTER 94: RENTAL HOUSING CODE

Deleting 94.07 (3)(d)(e),(5),(6),(7) and 94.09.

Modifying 94.02 (G)(H)

~~§ 94.07 ENFORCEMENT; NOTICE AND HEARING~~

- ~~(3)(d) Any person having any record title or legal interest in the dwelling, dwelling unit, rooming unit, or premises may appeal from the notice and order or any action of the Housing Inspector to the Board of Housing Appeals, provided the appeal is made in writing as provided in this code, and filed with the Housing Inspector within 10 days from the date of service of the notice and order.~~
- ~~(e) Failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter by the Board of Housing Appeals.~~
- ~~(5) The Board of Housing Appeals may authorize, upon appeal in specific cases, variance from the terms of the housing code or the rules and regulations pursuant thereto, subject to terms and conditions fixed by the Board, as will not adversely affect the public health where, owing to exceptional and extraordinary circumstances, literal enforcement of applicable provisions will result in unnecessary hardship to the owner or occupant. The burden of proof is upon the applicant to show:~~
- ~~(a) The variance will not allow the existence of a condition significantly different from that permitted by this chapter for other property, and~~
- ~~(b) The variance shall be in harmony with the spirit and purposes of the housing code.~~
- ~~(6) Upon receipt of any appeal filed pursuant to this section, the Housing Inspector shall notify each member of the Board of Housing Appeals of the appeal, and the Board shall set a time and place for the hearing and shall give the petitioner written notice thereof at least 7 days prior to the hearing. The hearing shall be commenced not later than 30 days after the date on which the petition was filed. After filing a notice of appeal, enforcement of any notice of order appealed from shall be held in abeyance until the decision of the Board shall become final as hereafter provided. The decision of the Board shall be written, and shall state the findings, conclusions, and decisions of the Board.~~
- ~~(7) If no appeal is taken in accordance with the provisions of this chapter, the notice shall become a final order when the time for appeal to the Board has elapsed.~~

~~94.09 BOARD OF HOUSING APPEALS~~

- ~~(A) The Planning Commission of the City of Vermillion shall act as the Board of Housing Appeals and shall hear any appeals at regularly scheduled or special meetings of the governing body.~~
- ~~(B) Upon receipt of a petition for hearings on the form furnished by the Housing Inspector, the Planning Commission acting as the Board of Appeals shall set a time and place for the hearings and shall give a petitioner written notice thereof at least 7 days prior to the hearing. The hearing shall be commenced not later than 30 days after the date on which the petition was filed.~~

Commentary Members of the new South Dakota Multi-Housing Association have requested that changes be made to this section due to conflicts between this appeal ordinance and one in the 2009 International Property Maintenance Code. Staff felt that the best way to eliminate this conflict was to delete this section and use the appeal process as modified and adopted in the property maintenance code. This change along with other proposed changes, would provide the same appeal process for rental housing, owner occupied housing, building codes and fire code appeals.

94.02 RESPONSIBILITIES OF OWNERS AND OCCUPANTS OF RENTAL UNITS

~~(G) In order to comply with the intent of this ordinance and protect the health, safety and welfare of occupants in rental units, effective January 1, 2014.~~ All registered rental units shall be provided with smoke alarms that receive their primary power from the building wiring and when primary power is interrupted shall receive power from a battery.

Exceptions:

1. Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power.
2. Interconnection of hard-wired smoke alarms in existing areas shall not be required where the alterations or repairs result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection of hard-wired smoke alarms without the removal of interior finishes.

~~(H) In order to comply with the intent of this ordinance and protect the health, safety and welfare of occupants in rental units, effective January 1, 2014.~~ All registered rental units shall be provided with carbon monoxide alarms and shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units with fuel-fired appliances and/or attached garages.

Commentary Hard wired smoke alarms and carbon monoxide alarms were required to be installed by January 1, 2014 and are now part of the minimum standards and responsibilities of owners. This ordinance removes the effective date and simply makes the requirement part of the ordinance.

(J) All registered rental units shall be provided with Emergency Escape and Rescue Openings in each sleeping room located below the fourth story.

1. Structures built in or after 1988 shall be provided with Emergency Escape and Rescue Openings that conform to the requirements of the International Building code(s) 2009 edition.
2. Structures built in or after 1964 and before 1988 shall be allowed to utilize windows that have a minimum net clear opening of 5 square feet and shall have a sill height of not more than 48 inches above the floor. The minimum net clear opening height dimension shall be 20 inches. The minimum net clear opening width dimension shall be 20 inches The net clear opening dimensions shall be the result of normal operation of the opening.
3. Structures built before 1964 shall be allowed to utilize windows that have a minimum net clear opening of 4.5 square feet. One fixed step with a rise of no more than 7 3/4 inches and a tread of no less than 10 inches and a width no less than the window served, may be used to gain access to the window. The sill height shall be no more than 48 inches from the step to the finished sill. The minimum net clear opening height dimension shall be 20 inches. The minimum net clear opening width dimension shall be 18 inches. The net clear opening dimensions shall be the result of normal operation of the opening.

4. Buildings located in Historic districts or on the state or national register of historic places may be granted the same exception as those buildings located in the C-B district, when judged by the Building Official to not constitute a distinct life safety hazard.
5. Structures built maintained and operated as Title nine HUD apartments may utilize existing windows. Any change in occupancy shall require windows that comply with the appropriate requirement contained herein base on year and type of construction.
6. Existing windows shall be maintained in a manner that maintains the level of protection provided for the means of egress.
7. Owners may apply for a time extension to modify non-compliant windows, using the form provided by the Housing Inspector.
8. Non-compliant Emergency Escape and Rescue Openings in existing rental units, found during rental housing inspections will be required to be modified to comply with the appropriate regulation determined by the time of construction and/or location as listed above no later than April 18, 2016.
9. Rental units new to the registry shall be required to comply with the emergency escape and opening requirements determined by the time of construction and/or location located in section 2, 3 or 4.

EXCEPTION: Dwelling units in the C-B Central Business may utilize approved windows or openings in adjoining rooms. In no case shall an occupant have to go through more than one adjoining room to reach an approved emergency escape and rescue opening and only when judged by the building official to not constitute a distinct life safety hazard.

Commentary As part of the Rental Housing Code adoption effective September 1, 2011 existing structures and premises that did not provide a minimum level of health, safety and welfare to the occupants were required to be altered or repaired. Over the last two years Code Enforcement has worked with owners and the new South Dakota Multi-Housing Association to establish the minimum standards, timelines and extensions in this ordinance. Many undersized windows in rentals today were due to problems with replacement windows. To prevent future problems a new ordinance was adopted on October 21, 2013 and became effective January 1, 2014 that requires permits for replacement windows. In discussions with the association, the number of exceptions has been broadened to address a variety of situations.

(K) All Dwelling Units shall be construction in such a manner that return air from one dwelling is not discharged into another dwelling unit through the heating or cooling air systems

1. Each separate dwelling unit shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.
2. Where privacy is required, such as in bedrooms and bathrooms the heating facilities shall be capable of maintaining the required room temperature with the doors closed.
3. Effective August 1, 2014 all registered rental units shall be required to comply with these return air limitations, to provide separate and controllable heat sources to each dwelling unit in all habitable rooms, bathrooms and toilet rooms. Installation or replacement of heating units shall comply with the Uniform Mechanical Code and the manufacturer's installation instructions; unvented or portable units shall not be used.
4. Owners may apply for a time extension to comply with the deadline, using the form provided by the Housing Inspector

Commentary This requirement was also part of the Rental Housing Code adoption effective September 1, 2011 requiring structures and premises that did not provide a minimum level of health, safety and welfare to the occupants to be altered or repaired. Over the last two years Code Enforcement has worked with owners to establish minimum standards and timelines for these alterations and repairs. A taskforce was created and through this process, the standards and timelines for extension procedures in this ordinance were established.

Dated at Vermillion, South Dakota this 17th day of March, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By: _____
John (Jack) E. Powell, Mayor

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

First Reading: March 3, 2014
Second Reading: March 17, 2014
Publish: March 28, 2014
Effective: April 17, 2014

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: March 3, 2014

Subject: First Reading of Ordinance 1311 – Amend Chapter 91 Airport, Section 91.08 Permit Requirements; Fees

Presenter: Jose Dominguez

Background: Assuming the City Council adopts the Airport Minimum Standards that are part of this agenda, commercial operators at the airport will be required to meet minimum standards for operating their business. One of the requirements set forth in the proposed Minimum Standards is that a commercial operator shall obtain a permit from the City and pay any associated fees.

Currently, Chapter 91 of the City Code addresses airport specific items. Sections 91.08 addresses which commercial uses will require a permit from the City.

Discussion: The proposed changes to this chapter will make the existing ordinance and the newly adopted minimum standards policy similar with respect to the commercial uses allowed at the airport. The changes will remove the commercial uses currently provided for in the City Code and replace them with the ones in the Airport Minimum Standards policy. Additionally, a new description for each use will also be included with the change. A resolution setting the fees will be prepared for adoption at the second reading of the ordinance.

Financial Consideration: The only cost will be that of the required legal publications.

Conclusion/Recommendations: Administration recommends approval of the first reading of Ordinance 1311 amending the airport permit requirements.

ORDINANCE NO. 1311

AN ORDINANCE AMENDING CHAPTER 91 AIRPORT, SECTION 91.08 PERMIT REQUIREMENT; FEES.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that Chapter 91 Airport, Section 91.08 Permit Requirement; Fees will be amended as follows:

§ 91.08 PERMIT REQUIREMENT; FEES.

(A) The following permits shall be required for operations based at or originating from the airport and shall be issued on an annual basis:

- (1) Aircraft Sales. An amount set by resolution per year for a business that is engaged in the sale of new, or used, aircraft;
 - (2) Airframe and Power Plant Repair (Aircraft Maintenance and Repair). An amount set by resolution per year for a business engaged in repair services to the airframe and/or power plan;
 - (3) Aircraft Rental. An amount set by resolution per year for a business engaged in the rental of aircrafts to the public;
 - (4) Flight Training. An amount set by resolution per year for a business engaged in commercial flight instruction;
 - (5) Air Taxi and Charter Services. An amount set by resolution per year for a business engaged in air taxi or charter services;
 - (6) Specialized Commercial Flight Services. An amount set by resolution per year for a business engaged in any/or all of the following: banner towing, aerial advertising, aerial photography, aerial surveys, fire fighting, fire patrol, power line patrol or pipeline patrol;
 - (7) Avionics, Instruments and/or Propeller Services. An amount set by resolution per year for a business engaged in providing services to avionics, instruments and/or propeller;
 - (8) Permanent Aerial Applicators. An amount set by resolution per year for a business engaged in aerial applications;
 - (9) Temporary Aerial Applicators. An amount set by resolution per year for a business engaged in aerial applications;
 - (10) Multiple Commercial Aeronautical Services or a Limited Service Fixed Based Operator. An amount set by resolution per year for a business engaged in any two or more of the commercial services previously mentioned.
- (1) ~~Fixed base operator permit.~~ An amount set by resolution per year to carry on all the following or any other form of commercial activity related to aviation;

- ~~(2) Air taxi permit. An amount set by resolution per year to carry on regular air taxi operations;~~
- ~~(3) Instructors permit. An amount set by resolution per year to carry on pilot instruction;~~
- ~~(4) Crop spraying permit. An amount set by resolution per year to carry on crop spraying operations; and~~
- ~~(5) Aircraft sales and repair permit. An amount set by resolution per year to repair and sell aircraft.~~

(B) All aeronautical commercial services must comply with the current Harold Davidson Field Airport – Minimum Standards for Operators of Commercial Activities.

(C) Any permit may be cancelled by the Council for the violation of this chapter or for the violation of any pertinent provisions of this code, State Aeronautics Commission, or Federal Aviation Administration rules and regulations by the holder of the permit, his or her agents, employees, or servants upon 15 days written notice given to the permit holder.

Dated at Vermillion, South Dakota this 17th day of March, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By: _____
John (Jack) E. Powell, Mayor

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

First Reading: March 3, 2014
Second Reading: March 17, 2014
Publish: March 28, 2014
Effective: April 17, 2014

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: March 3, 2014
Subject: Presentation of 2013 Annual Financial Report
Presenter: Mike Carlson

Background: The annual financial report is required to be presented to the City Council by the first meeting in March. The following state statute is applicable:

9-22-21. Annual financial report--Publication--Filing--Extension of time. The auditor, financial officer, or clerk shall report to the governing body at the first regular meeting of March of each year, the receipts, expenses and financial condition of the municipality, including the amount of funds in the treasury at the time of making the report and where and in what amounts the funds are deposited or invested. The report shall be published within thirty days thereafter or upon completion of an annual audit in the official newspaper, or other newspaper as the governing body may direct. Immediately after the report to the governing body, the auditor, financial officer, or clerk, of municipalities of the first and second class, shall file a copy of the report with the State Department of Legislative Audit. The auditor-general, upon the request of the auditor, financial officer or clerk, with the approval of the local governing body, may grant a thirty day extension of the reporting and filing dates provided by this section.

Discussion: The report, as presented, is unaudited and contains only the financial section. For the annual audit, the introductory, management discussion and analysis, footnotes and statistical sections contained in the comprehensive annual financial report will be completed and included in the audited report. Upon acknowledgement of receipt by the City Council, the required exhibits will be published and a copy will be sent to the Department of Legislative Audit. The City Council approved the contract with Williams & Company, P.C. to audit the financial statements that will be performed in May or June.

In the past, there have been questions on what is included in the report so attached is a more detailed explanation of the unaudited financial statements.

Financial Consideration: The cost will be the publication of the required information.

Conclusion/Recommendations: Administration recommends that the City Council acknowledge receipt of the 2013 Annual Financial Report in the official minutes.



Unaudited Annual Financial Report

Prepared by THE CITY FINANCE OFFICE--Michael Carlson, Finance Officer
FISCAL YEAR: January 1, 2013----December 31, 2013

CITY OF VERMILLION
UNAUDITED FINANCIAL REPORT

FOR THE YEAR ENDED DECEMBER 31, 2013

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February 25, 2014

Honorable Mayor and Members of the City Council
City of Vermillion
Vermillion, South Dakota 57069

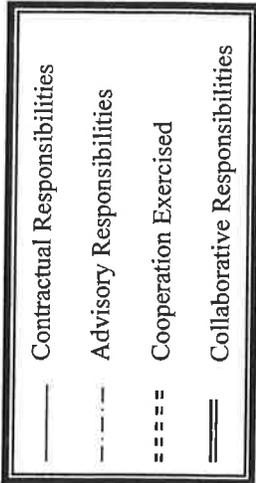
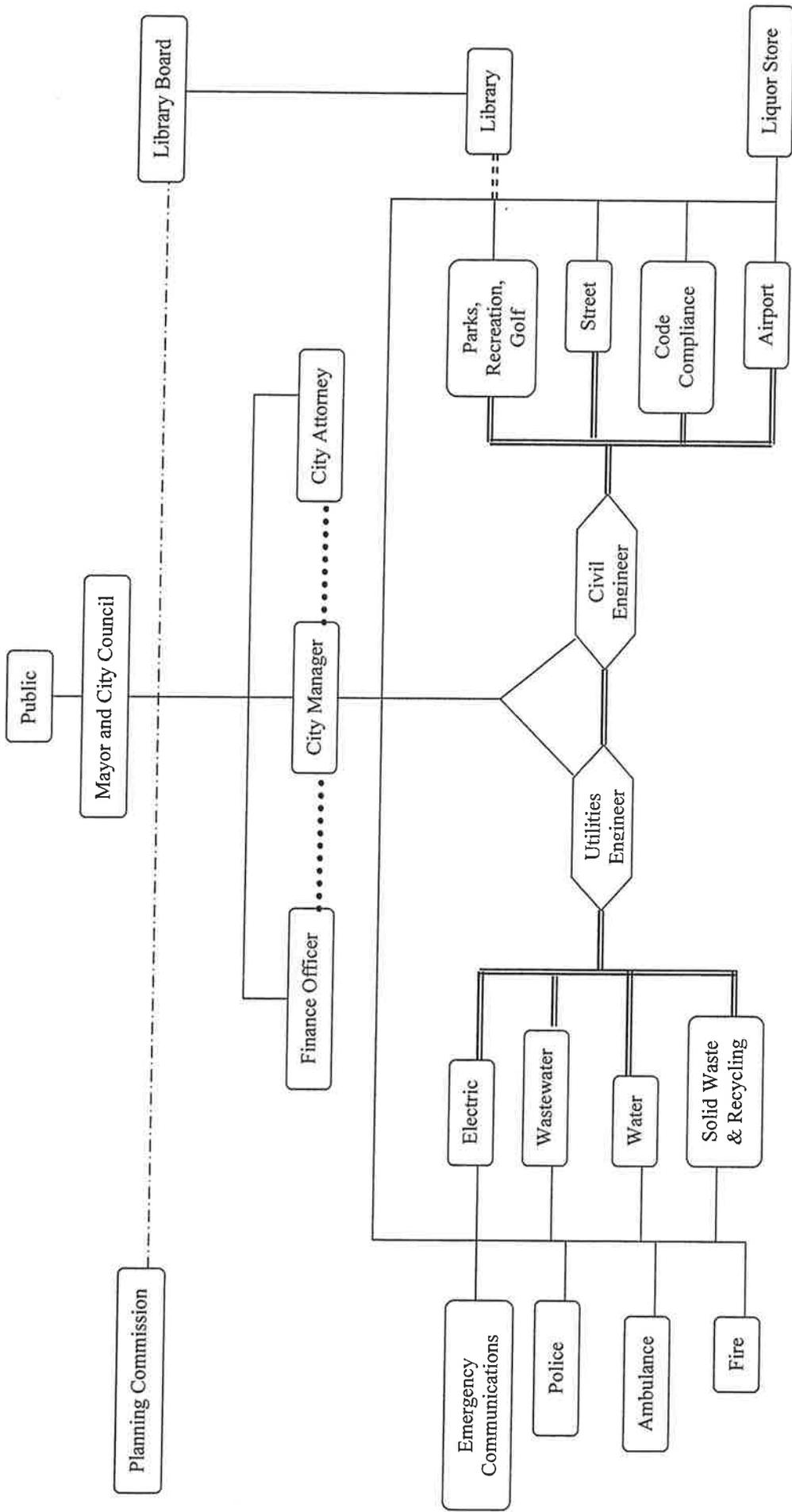
The unaudited annual financial report of the City of Vermillion for the fiscal year ended December 31, 2013 is submitted here with. The City's Finance Office prepared this report, which is responsible for both the accuracy of the information presented and the completeness and fairness of the presentation. Contained herein are the unaudited financial statements which will become part of the comprehensive annual financial report after it is audited by Williams & Company, PC, later this year. By the time of the annual audit the introductory section, management discussion and analysis, footnotes to the financial statements and the statistical sections to be contained in the comprehensive annual financial report will be completed.

The unaudited financial statements contained within are prepared using the GASB 34 reporting model. It requires the consolidated government wide financial statements accompany the more traditional fund based financial reports. Although the focus of the new government wide financial statements will be on the government as a whole, those statements will still distinguish governmental activities from business type activities.

The annual report is required by SDCL 9-22-21 to be presented to the City Council by the first meeting in March. The City Council needs to acknowledge receipt of the report in its official minutes. Upon acceptance the required information will be published in the official newspaper and a copy of the report is sent to the Department of Legislative Audit.

Respectfully Submitted,


Michael D. Carlson
Finance Officer



CITY OF VERMILLION MUNICIPAL OFFICIALS

For the Period January 1, 2013 through December 31, 2013

Mayor

John E. (Jack) Powell

Alderman Central Ward

Kelsey Collier-Wise

John Grayson

Alderman Northeast Ward

Clarene Meins

Kent Osborne

Alderman Northwest Ward

Howard Willson

Tom Davies

Alderman Southeast Ward

Steve Ward

Dennis Zimmerman

City Manager

John Prescott

**CITY OF VERMILLION
BASIC FINANCIAL STATEMENTS**

CITY OF VERMILLION
STATEMENT OF NET POSITION
DECEMBER 31, 2013

	Primary Government			Component Unit Housing & Redevelopment
	Governmental Activities	Business-type Activities	Total	
ASSETS				
Cash & cash equivalents	\$ 211,108	\$ 1,262,957	\$ 1,474,065	\$ 14,201
Investments	5,835,000	9,015,000	14,850,000	-
Receivables (net, where applicable, of allowance for uncollectibles)				
Taxes receivables	74,217	-	74,217	-
Accounts receivable	162,062	926,911	1,088,973	4,392
Unbilled accounts receivable	-	409,667	409,667	-
Special assessments receivable	207,134	6,729	213,863	-
Interest receivable	23,822	29,469	53,291	-
Due from insurance company	-	508,368	508,368	-
Due from other governments	516,731	155,499	672,230	-
Internal balances	(403,234)	403,234	-	-
Inventories	45,012	1,313,418	1,358,430	-
Prepaid expenses	76,198	65,607	141,805	2,001
Deposits	158,699	-	158,699	-
Restricted assets:				
Cash	58,053	690,935	748,988	39,552
Investments	609,557	580,160	1,189,717	-
Interest receivable	1,456	10,860	12,316	-
Capital assets:				
Land and construction in progress	1,894,295	5,315,449	7,209,744	-
Other capital assets, net of depreciation	29,223,448	36,942,255	66,165,703	-
Total capital assets	31,117,743	42,257,704	73,375,447	-
Total assets	38,693,558	57,636,518	96,330,076	60,146
LIABILITIES				
Accounts payable	\$ 565,822	\$ 1,491,503	\$ 2,057,325	\$ 2,633
Customer deposits	-	78,761	78,761	-
Accrued interest payable	6,189	33,223	39,412	-
Revenue collected in advance	14,812	1,977	16,789	3,385
Noncurrent liabilities:				
Due within one year:				
Bonds payable	-	727,007	727,007	-
Notes payable	-	122,271	122,271	-
Capital lease	207,355	-	207,355	-
Accrued leave payable	173,709	150,871	324,580	2,133
Due in more than one year:				
Bonds payable	-	17,489,702	17,489,702	-
Notes payable	-	328,738	328,738	-
Capital lease	3,230,785	209,316	3,440,101	-
Closure - postclosure liability	-	222,586	222,586	-
Accrued leave payable	248,599	215,913	464,512	3,579
Total liabilities	4,447,271	21,071,868	25,519,139	11,730
NET POSITION				
Net investment in capital assets	27,679,603	23,380,670	51,060,273	-
Restricted for:				
BBB tax	203,654	-	203,654	-
Debt service	552,390	879,352	1,431,742	-
Stormwater	909,569	-	909,569	-
Library	16,141	-	16,141	-
Landfill closure postclosure	-	180,017	180,017	-
Cumulative reserve-SDPAA	158,060	-	158,060	-
Other purposes	-	-	-	39,552
Unrestricted	4,726,870	12,124,611	16,851,481	8,864
Total Net Position	\$ 34,246,287	\$ 36,564,650	\$ 70,810,937	\$ 48,416

Unaudited Financial Statements



CITY OF VERMILLION
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2013

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Position			Component Unit Housing & Redevelopment
		Charges for Services	Operating Grants & Contributions	Capital Grants & Contributions	Primary Government		Total	
					Governmental Activities	Business-Type Activities		
Primary government								
Governmental activities:								
General government	\$ 1,405,594	\$ 266,391	\$ -	\$ -	\$ (1,139,203)	\$ -	\$ (1,139,203)	\$ -
Public safety	2,325,498	36,873	322,991	6,042	(1,959,592)	-	(1,959,592)	-
Public works	1,767,762	538,981	15,000	358,168	(855,613)	-	(855,613)	-
Health & welfare	491,543	378,785	-	119,837	7,079	-	7,079	-
Culture & recreation	1,219,328	74,339	7,941	235,721	(901,327)	-	(901,327)	-
Conservation & development	526,765	-	3,269	-	(523,496)	-	(523,496)	-
Interest on long-term debt	183,194	-	-	-	(183,194)	-	(183,194)	-
Total governmental activities	<u>7,919,684</u>	<u>1,295,369</u>	<u>349,201</u>	<u>719,768</u>	<u>(5,555,346)</u>	<u>-</u>	<u>(5,555,346)</u>	<u>-</u>
Business-type activities:								
Electric	4,991,778	6,131,098	-	-	-	1,139,320	1,139,320	-
Water	1,409,578	1,689,093	-	64,431	-	343,946	343,946	-
Wastewater	1,789,908	1,761,639	-	-	-	(28,269)	(28,269)	-
Liquor	1,017,830	1,186,191	-	-	-	168,361	168,361	-
Golf	786,751	638,437	-	29,682	-	(118,632)	(118,632)	-
Joint powers landfill	1,174,487	1,080,270	-	277,524	-	183,307	183,307	-
Curbside recycling	95,813	109,789	-	-	-	13,976	13,976	-
Total business-type activities	<u>11,266,145</u>	<u>12,596,517</u>	<u>-</u>	<u>371,637</u>	<u>-</u>	<u>1,702,009</u>	<u>1,702,009</u>	<u>-</u>
Total primary government	<u>\$ 19,185,829</u>	<u>\$ 13,891,886</u>	<u>\$ 349,201</u>	<u>\$ 1,091,405</u>	<u>\$ (5,555,346)</u>	<u>\$ 1,702,009</u>	<u>\$ (3,853,337)</u>	<u>\$ -</u>
Component Unit								
Housing & redevelopment	895,220	811	809,201	-	-	-	-	(85,208)
Total component unit	<u>\$ 895,220</u>	<u>\$ 811</u>	<u>\$ 809,201</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (85,208)</u>
General revenues:								
Taxes:								
Property taxes - levied for general purposes				1,800,455	-	1,800,455	-	-
Property taxes - levied for debt service				224,075	488,282	722,357	-	-
Sales taxes				3,173,885	-	3,173,885	-	-
Sales taxes for special revenues				326,938	-	326,938	-	-
Unrestricted state/county shared revenue				77,480	-	77,480	-	-
Unrestricted investment earnings				54,889	187,143	242,032	-	20
Miscellaneous revenue				55,585	81,414	136,999	-	-
Gain on sale of capital assets				1,143	30,047	31,190	-	-
Insurance recovery net of fire loss				-	435,515	435,515	-	-
Transfers				1,037,412	(1,037,412)	-	-	-
Total general revenues & transfers				<u>6,751,862</u>	<u>194,989</u>	<u>6,946,851</u>	<u>-</u>	<u>20</u>
Change in net position				1,196,516	1,896,998	3,093,514	-	(85,188)
Net position - beginning				33,049,771	34,667,652	67,717,423	-	133,604
Net position - ending				<u>\$ 34,246,287</u>	<u>\$ 36,564,650</u>	<u>\$ 70,810,937</u>	<u>\$ -</u>	<u>\$ 48,416</u>

Unaudited Financial Statements

CITY OF VERMILLION
GOVERNMENTAL FUNDS
BALANCE SHEET
DECEMBER 31, 2013

	General	Sales Tax	Other Governmental Funds	2013 Total
ASSETS				
Cash and cash equivalents	\$ 24,697	\$ 9,032	\$ 56,774	\$ 90,503
Investments	2,525,000	1,935,000	1,065,000	5,525,000
Receivables (net, where applicable, of allowance for uncollectibles)				
Property taxes: delinquent	74,217	-	-	74,217
Accounts receivable	146,758	43	12,778	159,579
Special assessment receivable	-	-	207,134	207,134
Interest receivable	6,261	3,138	13,099	22,498
Due from other governments	234,001	143,534	139,196	516,731
Due from other funds	-	22,000	-	22,000
Inventory of supplies	34,638	-	-	34,638
Inventory of stores purchased for resale	10,374	-	-	10,374
Deposits	158,699	-	-	158,699
Restricted assets:				
Cash and cash equivalents	-	-	58,053	58,053
Investments	-	-	609,557	609,557
Interest receivable	-	-	1,456	1,456
Total assets	<u>3,214,645</u>	<u>2,112,747</u>	<u>2,163,047</u>	<u>7,490,439</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	181,664	3,174	117,322	302,160
Due to other funds	-	-	167,225	167,225
Revenue collected in advance	2,500	-	12,312	14,812
Advance from other funds	-	-	183,183	183,183
Total liabilities	<u>184,164</u>	<u>3,174</u>	<u>480,042</u>	<u>667,380</u>
DEFERRED INFLOWS OF RESOURCES				
Unavailable revenue-sales tax and interest	39,249	36,089	17,487	92,825
Unavailable revenue-special assessments and interest	-	-	195,436	195,436
Total deferred inflows of resources	<u>39,249</u>	<u>36,089</u>	<u>212,923</u>	<u>288,261</u>
Fund balances:				
Nonspendable:				
Inventory	45,012	-	-	45,012
Cumulative Reserve-SDPAA	158,060	-	-	158,060
Restricted:				
BBB Purposes	-	-	203,654	203,654
Stormwater	-	-	909,569	909,569
Library	-	-	16,141	16,141
Debt Service Funds	-	-	359,557	359,557
Committed				
Sales Tax Purposes	-	2,073,484	-	2,073,484
Capital Projects	500,000	-	364	500,364
Assigned:				
Parks Capital	-	-	14,030	14,030
Next Year's Budget	210,282	-	-	210,282
Unassigned	2,077,878	-	(33,233)	2,044,645
Total fund balances	<u>2,991,232</u>	<u>2,073,484</u>	<u>1,470,082</u>	<u>6,534,798</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 3,214,645</u>	<u>\$ 2,112,747</u>	<u>\$ 2,163,047</u>	<u>\$ 7,490,439</u>

Unaudited Financial Statements

CITY OF VERMILLION
 RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET
 TO THE STATEMENT OF NET POSITION
 DECEMBER 31, 2013

Amounts reported for governmental activities in the statement of net position are different because:

Total fund balance - governmental Funds (page 8)		\$ 6,534,798
Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.		28,027,808
Long-term liabilities, including bonds payable and accrued leave payable are not due and payables in the current period and therefore are not reported in the funds.		
	Bonds payable (3,438,140)	
	Accrued leave payable <u>(414,438)</u>	(3,852,578)
Assets such as taxes receivable (delinquent) and special assessment receivables (current, delinquent and deferred) are not available to pay for current period expenditures and therefore are deferred in the funds.		288,261
Prepaid expenses are reported in the governmental activities but are not reported in the funds as they do not provide current economic resources.		76,198
Accrued interest expense from the balance sheet that require current financial resources from governmental activities.		(6,189)
Internal service funds are used by management to charge the costs of activities, such as insurance, to individual funds. The assets and liabilities of internal service funds are included in governmental activities in the statement of net assets.		<u>3,177,989</u>
Total net position - governmental activities (page 5)		<u><u>\$ 34,246,287</u></u>

CITY OF VERMILLION
GOVERNMENTAL FUNDS
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
FOR THE YEAR ENDED DECEMBER 31, 2013

	General	Sales Tax	Other Governmental Funds	2013 Total
Revenue:				
Taxes:				
General property taxes	\$ 1,796,230	\$ -	\$ 223,651	\$ 2,019,881
General sales & use taxes	1,554,765	1,553,805	312,984	3,421,554
Stormwater fees	-	-	180,390	180,390
Penalties & interest on delinquent taxes	4,225	-	424	4,649
Licenses & permits	234,552	-	-	234,552
Intergovernmental revenue	398,015	-	491,768	889,783
Charges for goods & services	488,021	-	3,671	491,692
Fines & forfeits	34,042	-	2,686	36,728
Public payments for improvements	-	-	77,420	77,420
Investment earnings	12,768	13,316	11,563	37,647
Rentals	15,082	-	-	15,082
Special assessments	43	-	109,501	109,544
Contributions & donations from private sources	540	-	241,249	241,789
Other	41,417	-	2,987	44,404
Total revenue	<u>4,579,700</u>	<u>1,567,121</u>	<u>1,658,294</u>	<u>7,805,115</u>
Expenditures:				
Current:				
General government	1,194,801	-	-	1,194,801
Public safety	1,695,899	23,045	481,115	2,200,059
Public works	896,599	56,726	48,906	1,002,231
Health and welfare	467,589	499	-	468,088
Culture-recreation	992,917	-	12,260	1,005,177
Conservation and development	45,876	204,710	276,179	526,765
Debt service:				
Principal	2,356	-	555,000	557,356
Interest	-	-	184,811	184,811
Capital outlay:				
General government	4,917	-	-	4,917
Public safety	7,092	29,186	74,560	110,838
Public works	-	93,520	369,248	462,768
Health and welfare	1,070	11,398	-	12,468
Culture-recreation	82,420	54,277	485,628	622,325
Total expenditures	<u>5,391,536</u>	<u>473,361</u>	<u>2,487,707</u>	<u>8,352,604</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(811,836)</u>	<u>1,093,760</u>	<u>(829,413)</u>	<u>(547,489)</u>
Other financing sources (uses):				
Transfers in	1,200,453	-	1,227,245	2,427,698
Transfers out	<u>(267,837)</u>	<u>(1,119,446)</u>	<u>(103,003)</u>	<u>(1,490,286)</u>
Total other financing sources (uses)	<u>932,616</u>	<u>(1,119,446)</u>	<u>1,124,242</u>	<u>937,412</u>
Net change in fund balances	120,780	(25,686)	294,829	389,923
Fund balance - beginning	2,868,006	2,099,170	1,175,253	6,142,429
Change in inventory	2,446	-	-	2,446
Fund balance - ending	<u>\$ 2,991,232</u>	<u>\$ 2,073,484</u>	<u>\$ 1,470,082</u>	<u>\$ 6,534,798</u>

Unaudited Financial Statements

CITY OF VERMILLION
 RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND
 CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
 FOR THE YEAR ENDED DECEMBER 31, 2013

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balances - total governmental funds (page 10)	\$ 389,923
Inventories in the governmental funds have been recorded as expenditures when paid. However, the statement of activities will report these items as expenditures in the period that the corresponding asset is exhausted.	2,446
Governmental funds report capital outlays, including infrastructure, as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. Capital outlays exceeded depreciation expense in the current year as follows:	
Expenditures for capital assets	\$ 1,213,316
Contribution & Donations of Capital Assets	161,710
Depreciation expense	<u>(1,316,676)</u>
	58,350
Governmental funds report the proceeds from the sale of fixed assets as revenue whereas the statement of activities reports the gain on the sale of fixed assets. This is the effect on the change in net assets on the statement of activities.	(25,198)
The repayment of the principal of long term debt consumes the current financial resources of governmental funds, however, has no effect on net assets. This is the amount of repayment of long term debt.	557,356
Governmental funds report special assessments as revenue when it becomes available, but the statement of activities includes special assessments as revenue when levied.	(24,782)
Governmental funds do not reflect the change in accrued leave as it does not consume current financial resources. The Statement of Activities reflects the change in accrued leave through expenditures.	(55,319)
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues.	13,341
The effect of the change in prepaid insurance which is not reported in the governmental funds as it is not available to provide current financial resources.	4,179
Accrued interest expense reported in the Statement of Activities does not require the use of current financial resources and, therefore, is not reported as expenditures in governmental funds.	1,617
Internal service funds are used by management to charge the costs of certain activities, such as insurance to individual funds. The net revenue (expense) of the internal service funds is reported with governmental activities.	274,603
Change in net position of governmental activities (page 7)	<u>\$ 1,196,516</u>

CITY OF VERMILLION
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
DECEMBER 31, 2013

Business-Type Activities-Enterprise Funds										Governmental
	Electric	Water	Wastewater	Liquor	Golf Course	Joint Powers Landfill	Non-Major Curbside Recycling	Totals		Activities- Internal Service Funds
ASSETS										
Current assets:										
Cash	\$ 111,235	\$ 62,247	\$ 268,012	\$ 78,555	\$ 57,182	\$ 615,431	\$ 70,295	\$ 1,262,957	\$	120,605
Investments	4,535,000	1,015,000	940,000	125,000	1,000,000	1,400,000	-	9,015,000		310,000
Receivables (net of allowance for uncollectibles of \$44,811)										
Accounts	538,887	155,419	158,598	126	4,916	59,001	9,964	926,911		2,483
Unbilled	265,270	63,479	76,521	-	-	-	4,397	409,667		-
Special assessments	-	4,353	2,376	-	-	-	-	6,729		-
Interest	18,627	3,985	2,802	142	1,652	2,261	-	29,469		1,324
Due from other governments	-	14,654	-	-	-	140,845	-	155,499		-
Due from insurance company	-	-	-	-	-	508,368	-	508,368		-
Inventory of supplies	701,768	193,249	34,776	-	10,100	130,950	-	1,070,843		-
Inventory of stores purchased for resale	-	-	-	198,327	44,248	-	-	242,575		-
Prepaid expenses	32,108	8,878	11,036	6,420	2,565	4,030	570	65,607		-
Due from other funds	68,819	-	101,203	-	-	-	-	170,022		-
Total current assets	<u>6,271,714</u>	<u>1,521,264</u>	<u>1,595,324</u>	<u>408,570</u>	<u>1,120,663</u>	<u>2,860,886</u>	<u>85,226</u>	<u>13,863,647</u>		<u>434,412</u>
Noncurrent assets:										
Advance to other funds	188,314	-	-	-	-	-	-	188,314		-
Restricted assets:										
Bonds payable:										
- Cash	47,548	171,317	59,162	-	-	10,305	-	288,332		-
- Investments	580,160	-	-	-	-	-	-	580,160		-
- Interest receivable	10,860	-	-	-	-	-	-	10,860		-
Landfill- closure & postclosure										
- Cash	-	-	-	-	-	402,603	-	402,603		-
Total noncurrent assets	<u>826,882</u>	<u>171,317</u>	<u>59,162</u>	<u>-</u>	<u>-</u>	<u>412,908</u>	<u>-</u>	<u>1,470,269</u>		<u>-</u>
Capital assets										
Land & improvements	1,311	100,663	96,429	-	2,230,834	57,992	-	2,487,229		-
Buildings	5,735,513	8,350,220	14,197,390	6,410	969,288	740,114	-	29,998,935		-
Improvements other than buildings	12,065,785	3,444,320	3,808,988	-	-	1,767,649	-	21,086,742		-
Furniture & equipment	555,649	152,903	2,522,682	58,589	621,575	1,537,013	54,434	5,502,845		5,449,626
Construction in progress	47,751	1,152,120	15,169	-	43,973	1,569,207	-	2,828,220		-
Less: accumulated depreciation	(5,084,146)	(3,551,577)	(7,617,691)	(41,660)	(869,527)	(2,448,647)	(33,019)	(19,646,267)		(2,359,691)
Total capital assets(not depreciation)	<u>13,321,863</u>	<u>9,648,649</u>	<u>13,022,967</u>	<u>23,339</u>	<u>2,996,143</u>	<u>3,223,328</u>	<u>21,415</u>	<u>42,257,704</u>		<u>3,089,935</u>
Total noncurrent assets	<u>14,148,745</u>	<u>9,819,966</u>	<u>13,082,129</u>	<u>23,339</u>	<u>2,996,143</u>	<u>3,636,236</u>	<u>21,415</u>	<u>43,727,973</u>		<u>3,089,935</u>
Total assets	<u>\$ 20,420,459</u>	<u>\$ 11,341,230</u>	<u>\$ 14,677,453</u>	<u>\$ 431,909</u>	<u>\$ 4,116,806</u>	<u>\$ 6,497,122</u>	<u>\$ 106,641</u>	<u>\$ 57,591,620</u>		<u>\$ 3,524,347</u>
LIABILITIES										
Current liabilities:										
Accounts payable	\$ 365,305	\$ 216,821	\$ 116,377	\$ 119,231	\$ 12,523	\$ 659,933	\$ 1,313	\$ 1,491,503	\$	263,662
Customer deposits	52,174	26,587	-	-	-	-	-	78,761		-
Accrued interest payable	31,296	-	497	-	-	-	-	33,223		-
Due to other funds	-	1,816	981	-	22,000	-	50	24,797		-
Bonds payable - current	195,000	207,148	324,859	-	-	-	-	727,007		-
Notes payable - current	-	-	-	-	-	-	-	122,271		-
Revenue collected in advance	-	-	-	-	305	114,419	7,852	122,271		-
Accrued leave payable	47,935	32,182	27,983	-	18,037	23,130	1,672	150,871		3,237
Total current liabilities	<u>691,710</u>	<u>484,554</u>	<u>470,697</u>	<u>119,231</u>	<u>52,865</u>	<u>798,862</u>	<u>12,491</u>	<u>2,630,410</u>		<u>266,899</u>
Noncurrent liabilities:										
Revenue bonds	6,460,000	4,375,496	6,236,794	-	-	417,412	-	17,489,702		-
Notes payable	-	-	-	-	-	312,435	16,303	328,738		-
Capital lease payable	-	-	-	-	-	209,316	-	209,316		-
Closure-postclosure liability	-	-	-	-	-	222,586	-	222,586		-
Accrued leave payable	68,601	46,056	40,046	-	25,813	33,100	2,297	215,913		4,633
Advance from other funds	-	3,332	1,799	-	-	-	-	5,131		-
Total noncurrent liabilities	<u>6,528,601</u>	<u>4,424,884</u>	<u>6,278,639</u>	<u>-</u>	<u>25,813</u>	<u>1,194,849</u>	<u>18,600</u>	<u>18,471,386</u>		<u>4,633</u>
Total liabilities	<u>7,220,311</u>	<u>4,909,438</u>	<u>6,749,336</u>	<u>119,231</u>	<u>78,678</u>	<u>1,993,711</u>	<u>31,091</u>	<u>21,101,796</u>		<u>271,532</u>
NET POSITION										
Net investment in capital assets	6,666,863	5,066,005	6,461,314	23,339	2,996,143	2,169,746	(2,740)	23,380,670		3,089,935
Restricted for:										
Restricted for debt service	638,568	171,317	59,162	-	-	10,305	-	879,352		-
Restricted for landfill closure & postclosure	-	-	-	-	-	180,017	-	180,017		-
Unrestricted	5,894,717	1,194,470	1,407,641	289,339	1,041,985	2,143,343	78,290	12,049,785		162,880
Total net position	<u>\$ 13,200,148</u>	<u>\$ 6,431,792</u>	<u>\$ 7,928,117</u>	<u>\$ 312,678</u>	<u>\$ 4,038,128</u>	<u>\$ 4,503,411</u>	<u>\$ 75,550</u>	<u>\$ 36,489,824</u>		<u>\$ 3,252,815</u>
Adjustment to reflect the consolidation of internal service fund activities related to enterprise activities										74,826
Net Position of Business-type Activities										<u>\$ 36,564,650</u>

Unaudited Financial Statements

CITY OF VERMILLION
 STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
 PROPRIETARY FUNDS
 FOR THE YEAR ENDED DECEMBER 31, 2013

	Business-Type Activities-Enterprise Funds							Governmental Activities- Internal Service Funds	
	Electric	Water	Wastewater	Liquor	Golf Course	Joint Powers Landfill	Non-Major Curbside Recycling		Totals
Operating revenue:									
Charges for goods and services	\$ 5,319,800	\$ 1,396,147	\$ 1,427,149	\$ 1,186,191	\$ 638,437	\$ 853,215	\$ 109,569	\$ 10,930,508	\$ 509,090
Surcharge as security for debt	734,806	263,339	322,606	-	-	-	-	1,320,751	-
Miscellaneous	76,492	29,607	11,884	-	-	227,055	220	345,258	-
Total operating revenue	<u>6,131,098</u>	<u>1,689,093</u>	<u>1,761,639</u>	<u>1,186,191</u>	<u>638,437</u>	<u>1,080,270</u>	<u>109,789</u>	<u>12,596,517</u>	<u>509,090</u>
Operating expenses:									
Personal services	829,333	534,765	439,590	-	356,360	468,466	80,285	2,708,799	80,855
Other current expense	272,057	117,720	517,235	217,878	224,613	398,396	7,469	1,755,358	19,389
Materials (cost of goods sold)	2,979,560	395,589	-	796,281	147,532	7,324	-	4,326,286	-
Depreciation/amortization	537,629	257,677	597,771	3,671	55,444	280,576	7,337	1,740,105	324,080
Total operating expenses	<u>4,618,579</u>	<u>1,305,751</u>	<u>1,554,596</u>	<u>1,017,830</u>	<u>783,949</u>	<u>1,154,762</u>	<u>95,081</u>	<u>10,530,548</u>	<u>424,324</u>
Operating income (loss)	<u>1,512,519</u>	<u>383,342</u>	<u>207,043</u>	<u>168,361</u>	<u>(145,512)</u>	<u>(74,492)</u>	<u>14,708</u>	<u>2,065,969</u>	<u>84,766</u>
Nonoperating revenue (expense):									
Interest earned	169,143	5,050	4,709	1,184	2,880	4,177	-	187,143	2,424
Rental revenue	-	9,720	-	-	71,694	-	-	81,414	-
Incremental property taxes	-	-	-	-	498,282	-	-	498,282	-
Interest expense and fiscal charges	(385,533)	(106,079)	(241,919)	-	(9,938)	(19,716)	(732)	(763,917)	-
Insurance recovery net fire loss	-	-	-	-	-	435,515	-	435,515	-
Gain(loss) on discarded equipment	(3,787)	(642)	(758)	-	(60)	30,047	-	24,800	1,143
Total nonoperating revenue (expense)	<u>(220,177)</u>	<u>(91,951)</u>	<u>(237,968)</u>	<u>1,184</u>	<u>562,858</u>	<u>450,023</u>	<u>(732)</u>	<u>463,237</u>	<u>3,567</u>
Income before contributions and transfers	1,292,342	291,391	(30,925)	169,545	417,346	375,531	13,976	2,529,206	88,333
Capital contributions & grants	-	64,431	-	-	29,682	277,524	-	371,637	119,837
Transfer in	9,000	-	-	-	200,000	-	-	209,000	100,000
Transfer out	(984,950)	(38,583)	(28,679)	(194,200)	-	-	-	(1,246,412)	-
Change in net position	<u>316,392</u>	<u>317,239</u>	<u>(59,604)</u>	<u>(24,655)</u>	<u>647,028</u>	<u>653,055</u>	<u>13,976</u>	<u>1,863,431</u>	<u>308,170</u>
Total net position - beginning	<u>12,883,756</u>	<u>6,114,553</u>	<u>7,987,721</u>	<u>337,333</u>	<u>3,391,100</u>	<u>3,850,356</u>	<u>61,574</u>		<u>2,944,645</u>
Total net position - ending	<u>\$ 13,200,148</u>	<u>\$ 6,431,792</u>	<u>\$ 7,928,117</u>	<u>\$ 312,678</u>	<u>\$ 4,038,128</u>	<u>\$ 4,503,411</u>	<u>\$ 75,550</u>		<u>\$ 3,252,815</u>
Adjustment to reflect the consolidation of internal service fund activities related to enterprise activities								33,567	
Change in Net Position of Business-type Activities (page 7)								<u>\$ 1,896,998</u>	

Unaudited Financial Statements

CITY OF VERMILLION
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2013

	Business-Type Activities-Enterprise Funds								Governmental Activities- Internal Service Funds
	Electric	Water	Wastewater	Liquor	Golf Course	Joint Powers Landfill	Non-Major Curbside Recycling	Totals	
CASH FLOWS FROM OPERATING ACTIVITIES									
Cash received from customers	\$ 5,674,367	\$ 1,646,062	\$ 1,741,662	\$ 1,166,174	\$ 706,009	\$ 1,132,285	\$ 109,241	\$ 12,195,800	\$ -
Cash received from interfund services provided	383,896	36,451	11,600	-	-	-	-	431,947	508,942
Cash paid for personal services	(839,150)	(528,257)	(432,537)	-	(352,806)	(474,594)	(81,565)	(2,708,899)	(79,205)
Cash paid for interfund services	(877)	(79,065)	(102,491)	(6,946)	(23,289)	(7,559)	-	(220,226)	-
Cash paid to suppliers	(3,376,544)	(421,864)	(340,896)	(1,018,527)	(370,064)	(488,027)	(7,473)	(6,023,397)	(19,744)
Net cash provided by operating activities	1,841,692	653,326	877,336	160,701	(40,150)	162,115	20,203	3,675,223	409,993
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES									
Acquisition and construction of capital assets	(455,540)	(1,000,400)	(70,211)	(900)	(56,466)	(1,053,908)	-	(2,637,425)	(580,644)
Grants	-	98,506	-	-	-	155,181	-	253,687	-
Insurance proceeds net of expenses	-	-	-	-	-	1,168,036	-	1,168,036	-
Proceeds from sale of assets	-	-	-	-	-	44,577	-	44,577	29,695
Proceeds from sale of bonds	-	886,560	2,465,000	-	-	417,412	-	3,768,972	-
Principal paid on bonds and capital leases	(190,000)	(234,964)	(2,671,708)	-	(655,000)	(132,093)	(7,660)	(3,891,425)	-
Interest paid on bonds and capital leases	(385,850)	(106,079)	(241,957)	-	(8,689)	(19,380)	(748)	(762,703)	-
Net cash (used for) capital and related financing activities	(1,031,390)	(356,377)	(518,876)	(900)	(720,155)	579,825	(8,408)	(2,056,261)	(550,949)
CASH FLOWS FROM NON-CAPITAL FINANCING ACTIVITIES									
Incremental property taxes	-	-	-	-	498,583	-	-	498,583	-
Due from other funds	329,371	100,203	(55,705)	-	-	-	-	373,869	-
Advances to Other Funds	16,525	(50)	(699)	-	-	-	-	15,576	-
Transfer in	9,000	-	-	-	200,000	-	-	209,000	-
Transfer (out)	(984,950)	(38,583)	(28,679)	(194,200)	-	-	-	(1,246,412)	-
Net cash provided by (used for) non-capital financing activities	(630,054)	61,570	(85,283)	(194,200)	698,583	-	-	(149,384)	-
CASH FLOWS FROM INVESTING ACTIVITIES									
Interest on investments	171,339	4,538	4,377	1,375	2,391	3,246	-	(1,171,220)	2,242
Purchase of investments	(260,026)	(315,000)	(15,000)	-	(600,000)	(350,000)	-	(1,186,796)	-
Sale of investments	-	-	-	-	-	-	-	(2,567,016)	220,000
Net cash provided by (used for) investing activities	(88,687)	(310,462)	(10,623)	1,375	(597,609)	(346,754)	-	(1,352,760)	222,242
Net increase (decrease) in cash and cash equivalents	91,561	48,057	262,554	(33,024)	(659,331)	395,186	11,795	116,798	81,286
Cash and cash equivalents beginning of year	67,222	185,507	64,620	111,579	716,513	633,153	58,500	1,837,094	39,319
Cash and cash equivalents end of year	\$ 158,783	\$ 233,564	\$ 327,174	\$ 78,555	\$ 57,182	\$ 1,028,339	\$ 70,295	\$ 1,953,892	\$ 120,605
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES									
Operating income (loss)	\$ 1,512,519	\$ 383,342	\$ 207,043	\$ 168,361	\$ (145,512)	\$ (74,492)	\$ 14,708	\$ 2,065,969	\$ 84,766
Adjustments to reconcile net operating income (loss) to net cash provided by operating activities:									
Depreciation	537,629	257,677	597,771	3,671	55,444	280,576	7,337	1,740,105	324,080
Rental revenue	-	9,720	-	-	71,694	-	-	81,414	-
(Increase) decrease in assets and increase (decrease) in liabilities:									
Accounts receivable	(72,404)	(16,584)	(8,377)	(17)	(3,175)	52,218	(548)	(48,887)	(148)
Due from other governments	-	-	-	-	-	(203)	-	(203)	-
Inventory	(86,557)	(9,201)	(2,708)	(17,579)	(2,315)	(90,267)	-	(208,627)	-
Prepaid expenses	(4,512)	(755)	(193)	(450)	(84)	1,170	46	(4,778)	-
Accounts payable	(34,735)	22,335	76,747	6,715	(18,809)	(14,046)	(60)	38,147	(355)
Revenue collected in advance	-	-	-	-	(947)	-	-	(947)	-
Leave liability	(9,817)	6,508	7,053	-	3,554	(6,118)	(1,280)	(100)	1,650
Closure liability	-	-	-	-	-	13,277	-	13,277	-
Customer deposits	(431)	284	-	-	-	-	-	(147)	-
Net cash provided by operating activities	\$ 1,841,692	\$ 653,326	\$ 877,336	\$ 160,701	\$ (40,150)	\$ 162,115	\$ 20,203	\$ 3,675,223	\$ 409,993
Noncash investing, capital and financing activities:									
Capital contributions	-	-	-	-	29,682	-	-	29,682	-
Exchange of payables for capital assets	-	141,848	-	-	-	617,032	-	758,880	-
Gain(loss) on disposal of capital assets not affecting operating income	(3,787)	(642)	(758)	-	(60)	-	-	(5,247)	1,143
Total noncash investing, capital and financing activities	\$ (3,787)	\$ 141,206	\$ (758)	\$ -	\$ 29,622	\$ 617,032	\$ -	\$ 783,315	\$ 1,143
Reconciliation of cash and cash equivalents:									
Unrestricted	\$ 111,235	\$ 62,247	\$ 268,012	\$ 78,555	\$ 57,182	\$ 615,431	\$ 70,295	\$ 1,262,957	\$ 120,605
Restricted	47,548	171,317	59,162	-	-	412,908	-	690,935	-
Total reconciliation of cash & cash equivalents	\$ 158,783	\$ 233,564	\$ 327,174	\$ 78,555	\$ 57,182	\$ 1,028,339	\$ 70,295	\$ 1,953,892	\$ 120,605

REQUIRED SUPPLEMENTARY INFORMATION
(unaudited)

In accordance with the Governmental Accounting Standards Statements No. 25, No. 27 and No. 34, the following information is a required part of the general purpose financial statements.



CITY OF VERMILLION
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
FOR THE YEAR ENDED DECEMBER 31, 2013

	Budgeted Amounts		Actual Amounts (Budgetary Basis)	Variance
	Original	Final		Amended Budget Favorable (Unfavorable)
Revenue:				
Taxes:				
General property taxes	\$ 1,796,820	\$ 1,775,350	\$ 1,796,230	\$ 20,880
General sales & use taxes	1,566,500	1,568,000	1,554,765	(13,235)
Penalties & interest on delinquent taxes	4,000	4,000	4,225	225
Licenses & permits	235,200	237,650	234,552	(3,098)
Intergovernmental revenue	664,676	385,415	398,015	12,600
Charges for goods & services	467,165	528,840	488,021	(40,819)
Fines & forfeits	41,050	41,050	34,042	(7,008)
Special assessments	100	114	43	(71)
Investment earnings	15,500	15,500	12,768	(2,732)
Rentals	15,100	15,100	15,082	(18)
Contributions & donations from private sources	2,500	2,500	540	(1,960)
Other	67,600	54,400	41,417	(12,983)
Total revenue	<u>4,876,211</u>	<u>4,627,919</u>	<u>4,579,700</u>	<u>(48,219)</u>
Expenditures:				
General government:				
Executive	513,814	526,337	499,227	27,110
Financial administration	160,576	164,268	162,723	1,545
Other	<u>520,593</u>	<u>569,603</u>	<u>537,768</u>	<u>31,835</u>
Total general government	<u>1,194,985</u>	<u>1,260,208</u>	<u>1,199,718</u>	<u>60,490</u>
Public safety:				
Police	2,206,069	1,570,032	1,496,293	73,739
Fire	185,881	208,384	203,111	5,273
Other protection	<u>3,100</u>	<u>3,900</u>	<u>3,587</u>	<u>313</u>
Total public safety	<u>2,395,050</u>	<u>1,782,316</u>	<u>1,702,991</u>	<u>79,325</u>
Public works:				
Highways & streets	791,212	779,672	706,562	73,110
Sanitation	107,307	106,894	104,280	2,614
Airport	<u>67,660</u>	<u>84,860</u>	<u>85,757</u>	<u>(897)</u>
Total public works	<u>966,179</u>	<u>971,426</u>	<u>896,599</u>	<u>74,827</u>
Health and welfare:				
Health	192,392	191,442	184,378	7,064
Ambulance	<u>297,146</u>	<u>303,320</u>	<u>284,281</u>	<u>19,039</u>
Total health and welfare	<u>489,538</u>	<u>494,762</u>	<u>468,659</u>	<u>26,103</u>
Culture-recreation:				
Recreation	273,657	244,915	214,643	30,272
Parks	290,901	283,664	266,526	17,138
Libraries	552,696	564,769	551,854	12,915
Armory	<u>56,958</u>	<u>57,750</u>	<u>42,314</u>	<u>15,436</u>
Total culture-recreation	<u>1,174,212</u>	<u>1,151,098</u>	<u>1,075,337</u>	<u>75,761</u>
Conservation and development:	<u>51,000</u>	<u>56,750</u>	<u>45,876</u>	<u>10,874</u>
Total expenditures	<u>6,270,964</u>	<u>5,716,560</u>	<u>5,389,180</u>	<u>327,380</u>
Debt Service				
Principal	2,355	2,355	2,356	(1)
Other financing sources (uses):				
Operating transfers in	1,181,712	1,185,281	1,200,453	(15,172)
Operating Transfers Out	-	(280,336)	(267,837)	12,499
Total other financing sources (uses)	<u>1,181,712</u>	<u>904,945</u>	<u>932,616</u>	<u>(2,673)</u>
Net change in fund balances	(213,041)	(186,051)	120,780	306,831
Fund balance - beginning	2,868,006	2,868,006	2,868,006	-
Change in inventory	-	-	2,446	2,446
Fund balance - ending	<u>\$ 2,654,965</u>	<u>\$ 2,681,955</u>	<u>\$ 2,991,232</u>	<u>\$ 309,277</u>

Unaudited Financial Statements

CITY OF VERMILLION
MAJOR SPECIAL REVENUE FUNDS
SALES TAX FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - BUDGET AND ACTUAL

	Budgeted Amounts		Actual Amounts (Budgetary Basis)	Variance Favorable (Unfavorable)
	Original	Final		
REVENUES				
Taxes:				
General sales & use taxes	\$ 1,565,500	\$ 1,567,700	\$ 1,553,805	\$ (13,895)
Intergovernmental Revenue				
State Grant	50,000	-	-	-
Miscellaneous revenue:				
Interest earned	19,000	13,400	13,316	(84)
Total revenue	<u>1,634,500</u>	<u>1,581,100</u>	<u>1,567,121</u>	<u>(13,979)</u>
EXPENDITURES				
Current:				
Public safety	44,500	60,800	52,231	8,569
Public works	381,000	233,700	150,246	83,454
Health and welfare	12,000	12,000	11,897	103
Conservation & development	118,000	213,000	204,710	8,290
Culture-recreation	226,500	89,500	54,277	35,223
Total expenditures	<u>782,000</u>	<u>609,000</u>	<u>473,361</u>	<u>135,639</u>
OTHER FINANCING SOURCES (USES)				
Transfers In	27,945	-	-	-
Transfers out	(1,045,231)	(1,196,782)	(1,119,446)	77,336
Total other financing sources (uses)	<u>(1,017,286)</u>	<u>(1,196,782)</u>	<u>(1,119,446)</u>	<u>77,336</u>
Net change in fund balance	(164,786)	(224,682)	(25,686)	198,996
Fund balance - beginning	2,099,170	2,099,170	2,099,170	-
Fund balance - ending	<u>\$ 1,934,384</u>	<u>\$ 1,874,488</u>	<u>\$ 2,073,484</u>	<u>\$ 198,996</u>

Unaudited Financial Statements

CITY OF VERMILLION
 Depository Disclosure
 December 31, 2013

Funds in Treasury

Change Funds	9,947
Checking Account - CorTrust Bank	834,497
Savings - First Bank & Trust	9,548
- First National Bank- Electric Revenue Bond	47,548
Certificates of Deposit	
-First Bank & Trust	300,000
-First Dakota National Bank	1,000,000
-CorTrust	13,800,000
Library	
Checking - Bank of the West	6,395
Savings - First Bank & Trust	9,746
Investments	
SD Public Funds Investment Trust	1,276,568
First National Bank- City Hall Reserve	359,557
First National Bank- Electric Revenue Bond A&B	580,160



**CITY OF VERMILLION
OTHER SUPPLEMENTARY INFORMATION**

**CITY OF VERMILLION
COMBINING AND INDIVIDUAL FUND STATEMENTS
GOVERNMENTAL FUNDS**

SPECIAL REVENUE FUNDS - Special Revenue Funds are used to account for revenues derived from special tax levies and other earmarked revenue sources. These funds are utilized to finance allowable functions, which may be for either capital outlays or current expenditures, or both.

The following funds included in this fund type and their purposes are as follows:

Major Funds:

Sales Tax Fund - Any revenue received in excess of the amount received if the rate of tax is one percent (1%) may be used only for capital improvement, land acquisition, the funding of public ambulances and medical emergency response vehicles, nonprofit hospitals with fifty or fewer licensed beds, and other public care facilities or nonprofit health care facilities with fifty or fewer licensed beds, the transfer to the special 911 fund authorized by SDCL § 34-45-12, the purchasing of fire fighting vehicles and equipment, debt retirement, major building repair projects, capital project planning, feasibility studies, and the minor rehabilitation, major rehabilitation, or reconstruction of streets. (Reported in Exhibit 3 and Exhibit 4)

Non-Major Funds:

Liquor, Lodging and Dining Tax - This fund is used to account for the revenues and expenditures of the additional one percent (1%) city sales tax on lodgings, alcoholic beverages, prepared food and admissions. All revenues received from the collection of the tax are used only for the purpose of land acquisition, architectural fees, construction costs, payment for civic center, auditorium or athletic facility buildings, including the maintenance, staffing and operation of such facilities and the promotion and advertising of the city, its facilities, attractions and activities.

911 Fund – This special revenue fund is used to account for the revenues and expenditures for the operation of the Public Safety Answering Point (PSAP) as required by the South Dakota 911 Coordination Board. Clay County and the City of Vermillion created the Clay Area Emergency Services Communications Center through an Intergovernmental Agreement in 1994 to consolidate public safety communications. Clay County and the City of Vermillion share the costs of operating the emergency communications center as outlined in the Intergovernmental Agreement.

Stormwater Fee Fund - This fund was established during the 1993 budget process as a funding source for new Stormwater construction and maintenance of the existing Stormwater system. The fee is charged to every parcel of property based upon the area and the use. The fee is collected by the county treasurer with the property taxes and remitted to the city with the tax receipts.

Parks Capital Fund - This fund is used to account for contributions received for capital improvements to be made in the City's parks.

Library Fund - This fund is used to account for fines, gift moneys and interest received by the library and is expended at the direction of the Library Board.

CAPITAL PROJECTS FUNDS - Capital Projects Funds are established to account for financial resources to be used for the acquisition or construction of major capital facilities other than those financed by proprietary funds and trust funds.

The following funds included in this fund type and their purposes are as follows:

Non-Major Funds:

Special Assessment Project Funds - This fund is used to account for receipt and disbursements of monies used for the construction of capital improvements, which are to be assessed to property owners. The projects are financed by the sale of special assessment bonds reported as a transfer in from the debt service fund and payments received from the property owners. The deficit fund balance is for the portion of sidewalk improvements completed in 2013.

Streetscape Fund - This fund is used to account for private contributions, federal grant proceeds and expenditures for the implementation of the downtown streetscape plan.

Bike Path Fund - This fund is used to account for the receipts and disbursements of monies used for the construction of bike paths with the use of the federal matching funds. Engineering and easement acquisition for bike path

extension long the east side of HWY 19 between Cherry and HWY 50 was completed in 2013 and the project is anticipated to be bid and constructed in 2014.

Airport Fund - This fund is used to account for receipts and disbursements of monies from federal, state and local matching for improvements at Harold Davidson Field.

Bliss Pointe – This fund is used to account for the receipts and disbursements of monies for the infrastructure improvements in the first phase of the Bliss Pointe residential development. The Tax Incremental Bond was authorized during 2013 with the final closing to be in 2014 with the bond proceeds to be granted to the VCDC for development expenses along with Stormwater Funds and oversized water main costs from the water fund.

Mill & Overlay West Main Street – This fund is used to account for the mill and overlay of West Main Street from High Street to Stanford Street scheduled for the 2015 construction season. The 2013 and 2014 budget will include funding for engineering services for surveying and preparation of construction documents for the project.

Stanford Street Fund – This fund is used to account for the receipts and disbursement for the reconstruction of Stanford Street from Main Street to Cherry Street. This street is on the city's State Transportation Improvement Program with the bidding and construction under the oversight of the SD Department of Transportation. The funding is from the state allotment of highway funds, second penny sales tax and special assessment. The project was completed in 2012 with the final payment made in 2013 to close the fund.

Library Renovation – This fund is used to account for the receipts and disbursements of monies used for the expansion and renovation of the library. A major gift was received during 2011 and with the award of a \$200,000 Community Development Block Grant, City Council commitment of \$1,400,000 of second penny sales tax, the Library Board and Library Foundation donations the project bid was awarded in February, 2012. The construction portion of the project was completed spring of 2013 with continued expenditures for the furniture and fixtures.

DEBT SERVICE FUNDS: Debt Service Funds account for the accumulation of resources and payment of general long-term obligation bond principal and interest from governmental resources.

The following funds included in this fund type and their purposes are as follows:

Non-Major Funds:

Special Assessment Bonds - This fund accounts for the accumulation of monies for payment of special assessment bonds. The collection of the special assessments levied against the properties benefiting from the improvements from 2001 through 2013 is recorded in this fund. As the special assessment bonds were purchased by the electric utility the current portion of the inter fund loan is reported as "Due to other funds" and the long term portion is reported as "Advance from other funds". The principal payment for the inter fund loan reduces the liability and the interest is reported as a fund expenditure. The transfer out is the 8% fiscal fee for engineering services transferred to the general fund. A bond was issued during 2013 for the Stanford Street improvement assessments.

TIF District No 3 Bonds - This fund accounts for the accumulation of monies for payment of tax incremental financing bonds principal and interest and funds advanced from the electric utility. The balance of the advance was repaid during 2013 and the City Council by resolution dissolved the TIF District.

TIF District No 4 Bonds - This fund accounts for the accumulation of monies for payment of tax incremental financing bonds principal and interest. The tax incremental financing bonds were issued June 1, 2005 with the bond reserve and capitalized interest being recorded in this fund. Based upon a larger than projected investment in property within the district the funds were available to call the bond in 2013 and following final payment the City Council by resolution dissolved the TIF District.

City Hall Bonds - This fund accounts for the reserve and the accumulation of monies for payment of the principal and interest on the certificates of participation in a lease-purchase agreement issued to build the new city hall. The certificates of participation were issued September 15, 2007 with the reserve and capitalized interest being recorded in this fund. The city has pledged sales tax revenues for the principal and interest payments through December 15, 2026.

TIF District No. 6 Bonds – This fund accounts for the accumulation of monies for payment of the tax incremental financing bonds principal and interest. The tax incremental financing bonds were authorized in 2013 with final closing in 2014.

CITY OF VERMILLION
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
DECEMBER 31, 2013

	Special Revenue Funds					Capital Project Funds					
	Liquor Lodging, Dining Tax	911	Stormwater Fee	Parks Capital	Library	Total	Special Assessment Projects	Streetscape	Bike Path	Airport	Bliss Point
ASSETS											
Cash and cash equivalents	\$ 13,566	\$ -	\$ 9,006	\$ 17,697	\$ 16,141	\$ 56,410	\$ -	\$ 364	\$ -	\$ -	\$ -
Investments	175,000	-	890,000	-	-	1,065,000	-	-	-	-	-
Receivables (net, where applicable, of allowance for uncollectibles)											
Accounts receivable	-	-	10,208	-	-	10,208	-	-	-	-	-
Special assessment receivable	-	-	-	-	-	-	-	-	-	-	-
Interest receivable	621	-	3,342	-	-	3,963	-	-	-	-	-
Due from other governments	29,245	69,057	355	-	-	98,657	-	-	28,470	12,069	-
Restricted assets:											
Cash and cash equivalents	-	-	-	-	-	-	-	-	-	-	-
Investments	-	-	-	-	-	-	-	-	-	-	-
Interest receivable	-	-	-	-	-	-	-	-	-	-	-
Total assets	\$ 218,432	\$ 69,057	\$ 912,911	\$ 17,697	\$ 16,141	\$ 1,234,238	\$ -	\$ 364	\$ 28,470	\$ 12,069	\$ -
LIABILITIES AND FUND BALANCES											
Liabilities:											
Accounts payable	\$ 827	\$ 11,227	\$ -	\$ 940	\$ -	\$ 12,994	\$ 1,604	\$ -	\$ -	\$ 2,115	\$ 98,039
Due to other funds	-	57,830	-	-	-	57,830	14,534	-	18,885	9,954	-
Revenue collected in advance	-	-	-	2,727	-	2,727	-	-	9,585	-	-
Advance from other funds	-	-	-	-	-	-	-	-	-	-	-
Total liabilities	827	69,057	-	3,667	-	73,551	16,138	-	28,470	12,069	98,039
DEFERRED INFLOWS OF RESOURCES											
Unavailable revenue-sales tax and interest	13,951	-	3,342	-	-	17,293	-	-	-	-	-
Unavailable revenue-special assessments and interest	-	-	-	-	-	-	-	-	-	-	-
Total deferred inflows of resources	13,951	-	3,342	-	-	17,293	-	-	-	-	-
FUND BALANCES:											
Restricted	203,654	-	909,569	-	16,141	1,129,364	-	-	-	-	-
Committed	-	-	-	-	-	-	-	364	-	-	-
Assigned	-	-	-	14,030	-	14,030	-	-	-	-	-
Unassigned	-	-	-	-	-	-	(16,138)	-	-	-	(98,039)
Total fund balances	203,654	-	909,569	14,030	16,141	1,143,394	(16,138)	364	-	-	(98,039)
Total liabilities and fund balances	\$ 218,432	\$ 69,057	\$ 912,911	\$ 17,697	\$ 16,141	\$ 1,234,238	\$ -	\$ 364	\$ 28,470	\$ 12,069	\$ -

Unaudited Financial Statements

Capital Project Funds				Debt Service Funds					Total Nonmajor Governmental Funds	
Mill Overlay	Stanford Street	Library Renovation	Total	Special Assessment Bonds	TIF District No. 3 Bonds	TIF District No. 4 Bonds	City Hall Bonds	TIF District No. 6 Bonds	Total	
\$ -	\$ -	\$ -	\$ 364	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 56,774
-	-	-	-	-	-	-	-	-	-	1,065,000
-	-	2,570	2,570	-	-	-	-	-	-	12,778
-	-	-	-	207,134	-	-	-	-	207,134	207,134
-	-	-	-	9,136	-	-	-	-	9,136	13,099
-	-	-	40,539	-	-	-	-	-	-	139,196
-	-	-	-	58,053	-	-	-	-	58,053	58,053
-	-	-	-	250,000	-	-	359,557	-	609,557	609,557
-	-	-	-	1,262	-	-	194	-	1,456	1,456
<u>\$ -</u>	<u>\$ -</u>	<u>2,570</u>	<u>\$ 43,473</u>	<u>\$ 525,585</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 359,751</u>	<u>\$ -</u>	<u>\$ 885,336</u>	<u>\$ 2,163,047</u>
-	-	2,570	104,328	-	-	-	-	-	-	117,322
-	-	-	43,373	66,022	-	-	-	-	66,022	167,225
-	-	-	9,585	-	-	-	-	-	-	12,312
-	-	-	-	183,183	-	-	-	-	183,183	183,183
<u>-</u>	<u>-</u>	<u>2,570</u>	<u>157,286</u>	<u>249,205</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>249,205</u>	<u>480,042</u>
-	-	-	-	-	-	-	194	-	194	17,487
-	-	-	-	195,436	-	-	-	-	195,436	195,436
-	-	-	-	195,436	-	-	194	-	195,630	212,923
-	-	-	-	-	-	-	359,557	-	359,557	1,488,921
-	-	-	364	-	-	-	-	-	-	364
-	-	-	-	-	-	-	-	-	-	14,030
-	-	-	(114,177)	80,944	-	-	-	-	80,944	(33,233)
-	-	-	(113,813)	80,944	-	-	359,557	-	440,501	1,470,082
<u>\$ -</u>	<u>\$ -</u>	<u>2,570</u>	<u>\$ 43,473</u>	<u>\$ 525,585</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 359,751</u>	<u>\$ -</u>	<u>\$ 885,336</u>	<u>\$ 2,163,047</u>

CITY OF VERMILLION
 COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
 NONMAJOR GOVERNMENTAL FUNDS
 FOR THE YEAR ENDED DECEMBER 31, 2013

	Special Revenue Funds					Capital Project Funds					
	Liquor Lodging, Dining Tax	911	Stormwater Fee	Parks Capital	Library	Total	Special Assessment Projects	Streetscape	Bike Path	Airport	Bliss Point
REVENUES											
Taxes:											
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
General sales & use	312,984	-	-	-	-	312,984	-	-	-	-	-
Stormwater fees	-	-	180,390	-	-	180,390	-	-	-	-	-
Penalties & interest	-	-	424	-	-	424	-	-	-	-	-
Intergovernmental:											
Federal grant	-	-	-	-	-	-	-	-	4,972	149,796	-
State grant	-	-	-	-	-	-	-	-	-	13,315	-
County shared revenue	-	287,338	-	-	3,000	290,338	-	-	-	-	-
Charges for goods & services											
Culture & recreation	-	-	-	3,671	-	3,671	-	-	-	-	-
Fines & forfeits:											
Library	-	-	-	-	2,686	2,686	-	-	-	-	-
Miscellaneous:											
Public payments for improvements	-	-	-	-	-	-	77,420	-	-	-	-
Interest earned	226	-	1,697	13	16	1,952	-	-	-	-	-
Contributions & donations from private sources	-	500	10,000	8,966	6,313	25,779	-	-	-	-	-
Special assessments (principal & interest)	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	2,987	2,987	-	-	-	-	-
Total revenue	<u>313,210</u>	<u>287,838</u>	<u>192,511</u>	<u>12,650</u>	<u>15,002</u>	<u>821,211</u>	<u>77,420</u>	<u>-</u>	<u>4,972</u>	<u>163,111</u>	<u>-</u>
EXPENDITURES											
Current											
Public safety	-	481,115	-	-	-	481,115	-	-	-	-	-
Public works	-	-	32,869	-	-	32,869	16,037	-	-	-	-
Culture-recreation	-	-	-	4,667	7,593	12,260	-	-	-	-	-
Conservation & development	276,179	-	-	-	-	276,179	-	-	-	-	-
Capital outlay:											
Public safety	-	74,560	-	-	-	74,560	-	-	-	-	-
Public works	-	-	71,422	-	-	71,422	-	-	-	166,440	98,039
Culture & recreation	-	-	-	2,208	7,665	9,873	-	-	6,067	-	-
Debt service:											
Principal	-	-	-	-	-	-	-	-	-	-	-
Interest & fiscal charges	-	-	-	-	-	-	-	-	-	-	-
Total expenditures	<u>276,179</u>	<u>555,675</u>	<u>104,291</u>	<u>6,875</u>	<u>15,258</u>	<u>958,278</u>	<u>16,037</u>	<u>-</u>	<u>6,067</u>	<u>166,440</u>	<u>98,039</u>
Excess (deficiency) of revenues over (under) expenditures	<u>37,031</u>	<u>(267,837)</u>	<u>88,220</u>	<u>5,775</u>	<u>(256)</u>	<u>(137,067)</u>	<u>61,383</u>	<u>-</u>	<u>(1,095)</u>	<u>(3,329)</u>	<u>(98,039)</u>
OTHER FINANCING SOURCES(USES)											
Transfer in	-	267,837	-	-	-	267,837	62,462	-	1,095	3,329	-
Transfer out	-	-	-	-	(5,000)	(5,000)	(20,369)	-	-	-	-
Total other financing sources(uses)	<u>-</u>	<u>267,837</u>	<u>-</u>	<u>-</u>	<u>(5,000)</u>	<u>262,837</u>	<u>42,093</u>	<u>-</u>	<u>1,095</u>	<u>3,329</u>	<u>-</u>
Net change in fund balances	37,031	-	88,220	5,775	(5,256)	125,770	103,476	-	-	-	(98,039)
Fund balances - beginning	166,623	-	821,349	8,255	21,397	1,017,624	(119,614)	364	-	-	-
Prior period adjustment	-	-	-	-	-	-	-	-	-	-	-
Adjusted fund balances - beginning	<u>166,623</u>	<u>-</u>	<u>821,349</u>	<u>8,255</u>	<u>21,397</u>	<u>1,017,624</u>	<u>(119,614)</u>	<u>364</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund balances - ending	<u>\$ 203,654</u>	<u>\$ -</u>	<u>\$ 909,569</u>	<u>\$ 14,030</u>	<u>\$ 16,141</u>	<u>\$ 1,143,394</u>	<u>\$ (16,138)</u>	<u>\$ 364</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (98,039)</u>

Unaudited Financial Statements

Capital Project Funds				Debt Service Funds					Total Nonmajor Funds	
Mill Overlay	Stanford Street	Library Renovation	Total	Special Assessment Bonds	TIF District No. 3 Bonds	TIF District No. 4 Bonds	City Hall Bonds	TIF District No. 6 Bonds		Total
\$ -	\$ -	\$ -	\$ -	\$ -	\$ 117,791	\$ 105,860	\$ -	\$ -	\$ 223,651	\$ 223,651
-	-	-	-	-	-	-	-	-	-	312,984
-	-	-	-	-	-	-	-	-	-	180,390
-	-	-	-	-	-	-	-	-	-	424
-	-	-	154,768	-	-	-	-	-	-	154,768
33,347	-	-	46,662	-	-	-	-	-	-	46,662
-	-	-	-	-	-	-	-	-	-	290,338
-	-	-	-	-	-	-	-	-	-	3,671
-	-	-	-	-	-	-	-	-	-	2,686
-	-	-	77,420	-	-	-	-	-	-	77,420
-	-	-	-	301	143	91	9,076	-	9,611	11,563
-	-	215,470	215,470	-	-	-	-	-	-	241,249
-	-	-	-	109,501	-	-	-	-	109,501	109,501
-	-	-	-	-	-	-	-	-	-	2,987
<u>33,347</u>	<u>-</u>	<u>215,470</u>	<u>494,320</u>	<u>109,802</u>	<u>117,934</u>	<u>105,951</u>	<u>9,076</u>	<u>-</u>	<u>342,763</u>	<u>1,658,294</u>
-	-	-	-	-	-	-	-	-	-	481,115
-	-	-	16,037	-	-	-	-	-	-	48,906
-	-	-	-	-	-	-	-	-	-	12,260
-	-	-	-	-	-	-	-	-	-	276,179
-	-	-	-	-	-	-	-	-	-	74,560
33,347	-	-	297,826	-	-	-	-	-	-	369,248
-	-	469,688	475,755	-	-	-	-	-	-	485,628
-	-	-	-	-	-	355,000	200,000	-	555,000	555,000
-	-	-	-	13,623	-	16,554	154,634	-	184,811	184,811
<u>33,347</u>	<u>-</u>	<u>469,688</u>	<u>789,618</u>	<u>13,623</u>	<u>-</u>	<u>371,554</u>	<u>354,634</u>	<u>-</u>	<u>739,811</u>	<u>2,487,707</u>
-	-	(254,218)	(295,298)	96,179	117,934	(265,603)	(345,558)	-	(397,048)	(829,413)
-	-	552,833	619,719	-	-	-	339,689	-	339,689	1,227,245
-	-	-	(20,369)	(62,462)	(9,540)	(5,632)	-	-	(77,634)	(103,003)
-	-	552,833	599,350	(62,462)	(9,540)	(5,632)	339,689	-	262,055	1,124,242
-	-	298,615	304,052	33,717	108,394	(271,235)	(5,869)	-	(134,993)	294,829
-	-	(298,615)	(417,865)	47,227	(108,394)	271,235	365,426	-	575,494	1,175,253
-	-	(298,615)	(417,865)	47,227	(108,394)	271,235	365,426	-	575,494	1,175,253
-	-	-	(113,813)	80,944	-	-	359,557	-	440,501	1,470,082

CITY OF VERMILLION
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL
NONMAJOR SPECIAL REVENUE FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2013

	Liquor, Lodging, Dining Tax			911		
	Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)
REVENUES						
Taxes:						
General sales & use	\$ 313,600	\$ 312,984	\$ (616)	\$ -	\$ -	\$ -
Stormwater fees	-	-	-	-	-	-
Penalties & interest	-	-	-	-	-	-
Intergovernmental :						
County shared revenue	-	-	-	299,835	287,338	(12,497)
Charges for goods & services						
Culture & recreation	-	-	-	-	-	-
Fines & forfeits:						
Library	-	-	-	-	-	-
Miscellaneous:						
Grants	-	-	-	-	-	-
Interest earned	500	226	(274)	-	-	-
Contributions & donations from private sources	-	-	-	500	500	-
Other	-	-	-	-	-	-
Total revenue	<u>314,100</u>	<u>313,210</u>	<u>(890)</u>	<u>300,335</u>	<u>287,838</u>	<u>(12,497)</u>
EXPENDITURES						
Current						
Public safety	-	-	-	580,671	555,675	24,996
Public works	-	-	-	-	-	-
Culture-recreation	-	-	-	-	-	-
Conservation & development	317,100	276,179	40,921	-	-	-
Total expenditures	<u>317,100</u>	<u>276,179</u>	<u>40,921</u>	<u>580,671</u>	<u>555,675</u>	<u>24,996</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(3,000)</u>	<u>37,031</u>	<u>40,031</u>	<u>(280,336)</u>	<u>(267,837)</u>	<u>12,499</u>
OTHER FINANCING SOURCES (USES)						
Operating Transfers In	-	-	-	280,336	267,837	(12,499)
Operating Transfers Out	-	-	-	-	-	-
Total Other Financing Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>280,336</u>	<u>267,837</u>	<u>(12,499)</u>
Net change in fund balances	<u>(3,000)</u>	<u>37,031</u>	<u>40,031</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund balances - beginning		<u>166,623</u>			<u>-</u>	
Fund balances - ending		<u>\$ 203,654</u>			<u>\$ -</u>	

Unaudited Financial Statements

Stormwater Fee			Parks Capital			Library		
Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
178,600	180,390	1,790	-	-	-	-	-	-
275	424	149	-	-	-	-	-	-
-	-	-	-	-	-	3,000	3,000	-
-	-	-	3,000	3,671	671	-	-	-
-	-	-	-	-	-	3,100	2,686	(414)
10,000	10,000	-	-	-	-	-	-	-
1,700	1,697	(3)	20	13	(7)	100	16	(84)
-	-	-	8,650	8,966	316	5,000	6,313	1,313
-	-	-	-	-	-	2,300	2,987	687
<u>190,575</u>	<u>192,511</u>	<u>1,936</u>	<u>11,670</u>	<u>12,650</u>	<u>980</u>	<u>13,500</u>	<u>15,002</u>	<u>1,502</u>
-	-	-	-	-	-	-	-	-
192,000	104,291	87,709	-	-	-	-	-	-
-	-	-	17,000	6,875	10,125	14,000	15,258	(1,258)
<u>192,000</u>	<u>104,291</u>	<u>87,709</u>	<u>17,000</u>	<u>6,875</u>	<u>10,125</u>	<u>14,000</u>	<u>15,258</u>	<u>(1,258)</u>
(1,425)	88,220	89,645	(5,330)	5,775	11,105	(500)	(256)	244
-	-	-	-	-	-	(5,000)	(5,000)	-
-	-	-	-	-	-	(5,000)	(5,000)	-
<u>(1,425)</u>	<u>88,220</u>	<u>89,645</u>	<u>(5,330)</u>	<u>5,775</u>	<u>11,105</u>	<u>(5,500)</u>	<u>(5,256)</u>	<u>244</u>
	<u>821,349</u>			<u>8,255</u>			<u>21,397</u>	
\$ <u>909,569</u>			\$ <u>14,030</u>			\$ <u>16,141</u>		

CITY OF VERMILLION
 SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
 BUDGET AND ACTUAL
 CAPITAL PROJECT FUNDS
 FOR THE YEAR ENDED DECEMBER 31, 2013

	Special Assessments			Streetscape			Bike Path			Airport		
	Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)
REVENUES												
Intergovernmental:												
Federal grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,400	\$ 4,972	\$ (20,428)	\$ 164,250	\$ 149,796	\$ (14,454)
State grant	-	-	-	-	-	-	-	-	-	9,125	13,315	4,190
Miscellaneous:												
Public payments for improvements	18,950	77,420	58,470	-	-	-	-	-	-	-	-	-
Interest	-	-	-	-	-	-	-	-	-	-	-	-
Contributions and donations from private sources	-	-	-	-	-	-	-	-	-	-	-	-
Total revenue	<u>18,950</u>	<u>77,420</u>	<u>58,470</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>25,400</u>	<u>4,972</u>	<u>(20,428)</u>	<u>173,375</u>	<u>163,111</u>	<u>(10,264)</u>
EXPENDITURES												
Current												
Public works	110,000	16,037	93,963	-	-	-	-	-	-	182,500	166,440	16,060
Culture & recreation	-	-	-	-	-	-	75,000	6,067	68,933	-	-	-
Total expenditures	<u>110,000</u>	<u>16,037</u>	<u>93,963</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>75,000</u>	<u>6,067</u>	<u>68,933</u>	<u>182,500</u>	<u>166,440</u>	<u>16,060</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(91,050)</u>	<u>61,383</u>	<u>152,433</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(49,600)</u>	<u>(1,095)</u>	<u>48,505</u>	<u>(9,125)</u>	<u>(3,329)</u>	<u>5,796</u>
OTHER FINANCING SOURCES(USES)												
Transfer in	131,000	62,462	(68,538)	-	-	-	49,600	1,095	(48,505)	9,125	3,329	(5,796)
Proceeds from sale of bonds	-	-	-	-	-	-	-	-	-	-	-	-
Transfer out	<u>(20,369)</u>	<u>(20,369)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total other financing sources(uses)	<u>110,631</u>	<u>42,093</u>	<u>(68,538)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>49,600</u>	<u>1,095</u>	<u>(48,505)</u>	<u>9,125</u>	<u>3,329</u>	<u>(5,796)</u>
Net change in fund balances	<u>19,581</u>	<u>103,476</u>	<u>83,895</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund balances - beginning		<u>(119,614)</u>			<u>364</u>							
Fund balances - ending		<u>\$ (16,138)</u>			<u>\$ 364</u>			<u>\$ -</u>			<u>\$ -</u>	

Unaudited Financial Statements

Bliss Point			Mill Overlay			Stanford			Library Renovation		
Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)
\$ -	\$ -	\$ -	\$ 24,000	\$ 33,347	\$ 9,347	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	223,330	215,470	(7,860)
-	-	-	24,000	33,347	9,347	-	-	-	223,330	215,470	(7,860)
1,378,565	98,039	1,280,526	24,000	33,347	(9,347)	-	-	-	-	-	-
1,378,565	98,039	1,280,526	24,000	33,347	(9,347)	-	-	-	477,615	469,688	7,927
(1,378,565)	(98,039)	1,280,526	-	-	-	-	-	-	(254,285)	(254,218)	67
16,000	-	(16,000)	-	-	-	-	-	-	552,900	552,833	(67)
1,732,000	-	-	-	-	-	-	-	-	-	-	-
1,748,000	-	(16,000)	-	-	-	-	-	-	552,900	552,833	(67)
389,435	(98,039)	1,264,526	-	-	-	-	-	-	298,615	298,615	-
-	-	-	-	-	-	-	-	-	-	(288,615)	-
\$ (98,039)	-	-	\$ -	-	-	\$ -	-	-	\$ -	-	-



**CITY OF VERMILLION
COMBINING STATEMENTS
INTERNAL SERVICE FUNDS**

INTERNAL SERVICE FUNDS - Internal Service Funds are established to account for the financing of goods or services provided by one department to other departments of the governmental unit, or to other governmental units, on a cost reimbursement basis.

The following funds included in this fund type and their purposes are as follows:

Copier-Fax-Postage Fund - The copier-fax fund is used to account for all the operating cost and replacement of the central copier and fax machine in city hall. All departments are billed for copies, postage and faxes used at a cost plus depreciation

Unemployment Insurance Fund – This fund has been established to account for the City self-insurance for unemployment insurance claims.

Equipment Replacement Fund - The equipment replacement fund is used to account for rental of equipment used by all City departments and to provide the means to purchase replacement equipment when needed. All the major items of the city's rolling stock are contained in this fund. Each department on a quarterly basis pays the rental amounts.

Custodial Services Fund – The custodial services fund is used to account for the costs associated with providing janitorial services for all City buildings.

CITY OF VERMILLION
 COMBINING STATEMENT OF NET POSITION
 INTERNAL SERVICE FUNDS
 DECEMBER 31, 2013

	Copier- Fax- Postage	Unemployment Insurance	Equipment Replacement	Custodial Services	Totals
ASSETS:					
Current assets:					
Cash	\$ 14,762	\$ 288	\$ 96,857	\$ 8,698	\$ 120,605
Investments	-	12,000	298,000	-	310,000
Accounts receivable	2,483	-	-	-	2,483
Interest receivable	-	97	1,227	-	1,324
Total current assets	<u>17,245</u>	<u>12,385</u>	<u>396,084</u>	<u>8,698</u>	<u>434,412</u>
Capital assets:					
Machinery & equipment	12,797	-	5,434,513	2,316	5,449,626
less accumulated depreciation	<u>(12,797)</u>	<u>-</u>	<u>(2,345,614)</u>	<u>(1,280)</u>	<u>(2,359,691)</u>
Total capital assets	<u>-</u>	<u>-</u>	<u>3,088,899</u>	<u>1,036</u>	<u>3,089,935</u>
Total assets	<u>17,245</u>	<u>12,385</u>	<u>3,484,983</u>	<u>9,734</u>	<u>3,524,347</u>
LIABILITIES					
Current liabilities:					
Accounts payable	378	-	262,019	1,265	263,662
Accrued leave payable	<u>-</u>	<u>-</u>	<u>-</u>	<u>3,237</u>	<u>3,237</u>
Total current liabilities	<u>378</u>	<u>-</u>	<u>262,019</u>	<u>4,502</u>	<u>266,899</u>
Noncurrent liabilities:					
Accrued leave payable	<u>-</u>	<u>-</u>	<u>-</u>	<u>4,633</u>	<u>4,633</u>
Total non current liabilities	<u>-</u>	<u>-</u>	<u>-</u>	<u>4,633</u>	<u>4,633</u>
Total liabilities	<u>378</u>	<u>-</u>	<u>262,019</u>	<u>9,135</u>	<u>271,532</u>
NET POSITION					
Invested in capital assets, net of related debt	-	-	3,088,899	1,036	3,089,935
Unrestricted	16,867	12,385	134,065	(437)	162,880
Total net position	<u>\$ 16,867</u>	<u>\$ 12,385</u>	<u>\$ 3,222,964</u>	<u>\$ 599</u>	<u>\$ 3,252,815</u>

CITY OF VERMILLION
INTERNAL SERVICE FUNDS
COMBINING STATEMENT OF REVENUES
EXPENSES, AND CHANGES IN FUND NET POSITION
FOR THE YEAR ENDED DECEMBER 31, 2013

	<u>Copier- Fax- Postage</u>	<u>Unemployment Insurance</u>	<u>Equipment Replacement</u>	<u>Custodial Services</u>	<u>Totals</u>
Operating Revenues:					
Charges for goods and services	\$ 18,122	\$ -	\$ 407,948	\$ 83,020	\$ 509,090
Total operating revenue	<u>18,122</u>	<u>-</u>	<u>407,948</u>	<u>83,020</u>	<u>509,090</u>
Operating expenses:					
Personnel services	-	-	-	80,855	80,855
Other current expenses	17,120	-	-	2,269	19,389
Depreciation	1,600	-	322,301	179	324,080
Total operating expenses	<u>18,720</u>	<u>-</u>	<u>322,301</u>	<u>83,303</u>	<u>424,324</u>
operating income(loss)	<u>(598)</u>	<u>-</u>	<u>85,647</u>	<u>(283)</u>	<u>84,766</u>
Nonoperating revenue:					
Interest earned	-	66	2,358	-	2,424
Gain(loss) on disposition of assets	-	-	1,143	-	1,143
Total nonoperating revenue	<u>-</u>	<u>66</u>	<u>3,501</u>	<u>-</u>	<u>3,567</u>
Income before contributions and transfers	(598)	66	89,148	(283)	88,333
Capital Contributions and grants	-	-	119,837	-	119,837
Transfer in	-	-	100,000	-	100,000
Change in net position	<u>(598)</u>	<u>66</u>	<u>308,985</u>	<u>(283)</u>	<u>308,170</u>
Net position - beginning	17,465	12,319	2,913,979	882	2,944,645
Net position - ending	<u>\$ 16,867</u>	<u>\$ 12,385</u>	<u>\$ 3,222,964</u>	<u>\$ 599</u>	<u>\$ 3,252,815</u>

CITY OF VERMILLION
INTERNAL SERVICE FUNDS
COMBINING STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2013

	Copier- Fax- Postage	Unemployment Insurance	Equipment Replacement	Custodial Services	Totals
CASH FLOWS FROM OPERATING ACTIVITIES					
Cash received from customers	\$ 17,974	\$ -	\$ 407,948	\$ 83,020	\$ 508,942
Cash paid for personal services	-	-	-	(79,205)	(79,205)
Cash paid to suppliers	(17,422)	(435)	-	(1,887)	(19,744)
Net cash provided (used for) operating activities	<u>552</u>	<u>(435)</u>	<u>407,948</u>	<u>1,928</u>	<u>409,993</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES					
Acquisition and construction of capital assets	-	-	(580,644)	-	(580,644)
Proceeds from sale of assets	-	-	29,695	-	29,695
Net cash (used for) capital and related financing activities	<u>-</u>	<u>-</u>	<u>(550,949)</u>	<u>-</u>	<u>(550,949)</u>
CASH FLOWS FROM INVESTING ACTIVITIES					
Interest on investments	-	-	2,242	-	2,242
Purchase and sale of investments	-	-	220,000	-	220,000
Net cash provided (used for) investing activities	<u>-</u>	<u>-</u>	<u>222,242</u>	<u>-</u>	<u>222,242</u>
Net increase (decrease) in cash and cash equivalents	552	(435)	79,241	1,928	81,286
Cash and cash equivalents beginning of year	<u>14,210</u>	<u>723</u>	<u>17,616</u>	<u>6,770</u>	<u>39,319</u>
Cash and cash equivalents end of year	<u>\$ 14,762</u>	<u>\$ 288</u>	<u>\$ 96,857</u>	<u>\$ 8,698</u>	<u>\$ 120,605</u>
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES					
Operating income (loss)	\$ (598)	\$ -	\$ 85,647	\$ (283)	\$ 84,766
Adjustments to reconcile net operating income (loss) to net cash provided by operating activities:					
Depreciation	1,600	-	322,301	179	324,080
(Increase) decrease in assets and increase (decrease) in liabilities:					
Accounts receivable	(148)	-	-	-	(148)
Accounts payable	(302)	(435)	-	382	(355)
Accrued leave payable	-	-	-	1,650	1,650
Net cash provided by (used for) operating activities	<u>\$ 552</u>	<u>\$ (435)</u>	<u>\$ 407,948</u>	<u>\$ 1,928</u>	<u>\$ 409,993</u>
Noncash investing, capital and financing activities:					
Transfer in of capital assets	-	-	-	-	-
Gain(loss) on disposal of fixed assets	-	-	1,143	-	1,143
Total noncash investing, capital and financing activities	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,143</u>	<u>\$ -</u>	<u>\$ 1,143</u>

From: Mike Carlson, Finance Officer

Meeting: March 3, 2014

Subject: 2013 Annual Financial Report additional information

Presenter: Mike Carlson

Mayor and City Council:

The 2013 unaudited annual financial report was included in your packets. The annual report is required to be presented to the City Council by the first meeting in March. The report, as presented, is unaudited and the City has contracted with the firm Williams & Company to audit the financial statements. Prior to the audit, we will complete the introductory section, management discussion and analysis, footnotes to the financial statements and statistical sections all required for the comprehensive annual financial report.

There is a lot of information consolidated into this report and the following is provided as explanation of the individual statements contained in the report.

Exhibits 1 and 2, contained on pages 5 and 7, are the government-wide financial statements. These two exhibits report the City operations similar to financial reports of business entities by including all assets, depreciation, receivables, payables and debt. Reported on page 5 is the net position of the City separated into columns for governmental activities, business-type activities and total for the City. The last column is the information of Housing and Redevelopment Authority that is considered to be a component unit of the City as the City Council created the entity and appoints the Board members, thus requiring their information be included in the City's annual report. The information reported for the Housing and Redevelopment Authority is taken from their audited financial statements.

Exhibit 1, on page 5, the Statement of Net Position, reports that the City has over \$96 million of assets (\$96,330,076) and over \$25 million of liabilities (\$25,519,139) leaving net position of over \$70 million (\$70,810,937). Last year we had over \$67 million of net position (\$67,717,423), thus an increase of over \$3 million (\$3,093,514) in net position for 2013.

Exhibit 2, on Page 7, the Statement of Activities, lists in the first column the expenses, followed by columns for charges for goods and services, operating and capital grants that are received for the corresponding expenditures. This exhibit shows the revenue and expense by activity and the changes in net position for governmental activities and business type activities and a total for the City. Governmental activities net position increased by \$1.1 million (\$1,196,516) while business activities net position increased by over \$1.8 million (\$1,896,998) for a total increase in the City's net position of just over \$3 million (\$3,093,514) for the year. If the City was a private business, this would be the net income for 2013. Again, as in Exhibit 1, the last column is the activities of the

Housing and Redevelopment Authority. Reported in the Business-Type Activities column is the extraordinary item for the insurance recovery net of fire loss for the landfill fire on October 22, 2012 reporting a gain of \$435,515 in 2013. The 2012 financial statements reported an extraordinary gain of \$608,209 from the landfill fire loss. The correction for 2013 was based upon the bids received for the landfill baler, landfill building and additional equipment lost.

Exhibit 3, on page 8, reports the Governmental Funds Balance Sheet for the individual major funds (General Fund and Second Penny Sales Tax Fund) and a total column for all other governmental funds. The General Fund is considered a major fund as well as any other fund that has over 10% of the total governmental fund assets, liabilities, revenues or expenditures or 5% of the entity total assets, liabilities, revenues or expenditures. This year, the other major fund was Second Penny Sales Tax Fund. The total other governmental funds are made up of the 18 remaining governmental funds whose individual fund balance sheets are reported on Exhibit A-1 on pages 24 & 25.

Exhibit 3A, on page 9, is a reconciliation of the Governmental Fund Balance Sheet with a fund balance shown on page 8 of \$6,534,798 to the total net assets reported on the Statement of Net Position shown on page 5 of \$34,246,287. The reconciliation adds in capital assets that are not reported in governmental funds, receivables that are not available to pay current period expenditures, prepaid expenses that are expenditures in governmental fund when paid and net assets of internal service funds that provide services to City funds. Reductions are long term liabilities, accrued leave payable and accrued interest payable.

Exhibit 4, on page 10, reports the Governmental Fund Revenues, Expenditures and Changes in Fund Balance for the individual major funds (General Fund and Second Penny Sales Tax Fund) and a total column for all other governmental funds. The total other governmental funds is made up of the 18 remaining governmental funds whose individual fund statement of revenues, expenditures and changes in fund balance are reported on Exhibit A-2 on pages 26 & 27.

Exhibit 4A, on page 11, is a reconciliation of the change in fund balance from page 10 of \$389,923 to the changes in net assets shown on page 7 of \$1,196,516. The reconciliation adjusts for inventory, expenditures for capital assets, contributions and donations of capital assets, depreciation, the sale of capital assets reported as revenue, payment on long term debt, change in prepaid expenses, change in accrued interest and net revenue of internal service funds.

Exhibit 5, 6 & 7, on pages 12, 13 & 14, are the statements of net position, revenues and expenses and changes in net position and statement of cash flows for the business type funds, electric, water, wastewater, liquor, golf, Joint Powers and curbside recycling. The last column is the total of the internal service funds made up of the copier, fax, postage fund, unemployment insurance fund, equipment replacement fund and custodial fund (the individual internal service fund activity is reported on page 34, 35 & 36).

Exhibit 5, on page 12, titled Statement of Net Position, reports for the individual proprietary funds (business-type funds) the fund assets, liabilities and net position.

Exhibit 6, on page 13, Statement of Revenues, Expenses and Changes in Net Position, reported an operating income for all funds except the golf course and Joint Powers. The golf course has increased rates for 2014. The Joint Powers did increase landfill rates in October 2011 which was offset by the decline in recycling markets in 2013 and additional operating expenses attributed to the recovery from the fire. Each fund reported an increase in net position, with the exception of wastewater and liquor store. The wastewater fund reported a (\$59,604) decrease that is attributed to increase in operating expenses. The liquor fund reported a (\$24,655) decrease that is attributed to the transfer to general fund of more than the income for the year.

Exhibit 7, on page 14, Statement of Cash Flows reports for the proprietary funds (business type funds) the individual fund cash flows. An item to note are in the total column the City acquired \$2,637,425 of capital assets, issued \$3,768,972 of debt and retired \$3,891,425 of debt during 2013.

Exhibit 8, on pages 17, reports the general fund revenues and expenditures compared to budget and the variance from budget. The general fund revenues were below the budget by (\$48,219) and expenses are below budget by \$327,380. To balance the 2013 budget, it was projected to use \$186,051 of general fund reserves. We ended 2013 adding to the general fund reserve \$120,780. The 2014 budget included using \$210,282 of the general fund reserves thus the increase from 2013 will address over half of the reserve needs for 2014.

Exhibit 9, on page 18, reports the Second Penny Sales Tax fund revenues and expenditures compared to budget and the variance from budget. Revenues are (\$13,979) below budget, expenditures are \$135,639 under budget and transfers were \$77,336 under budget for a net decrease to Second Penny Sales Tax reserves of (\$25,686). It should be noted that items budgeted but not expended in 2013 were police department equipment of \$10,090, concrete work City share of \$39,882, street lights state project of \$43,000, parks equipment of \$13,990 and armory boiler of \$14,155. The transfer budgeted but not made were for City share of airport improvements of \$5,796, City share of bike path improvements of \$48,505, and transfer to TIF #6 of \$18,523.

Exhibit 10, on page 19, lists the City Deposit accounts. The City maintains change funds at the City Hall Utility Office, Landfill, Recycling Center, Golf Course and Police Department. The operating checking account is at CorTrust Bank. City reserve funds are invested in certificates of deposit at local banks and SD Public Funds Investment Trust by comparing yield rates. Investments are with the SD Public Funds Investment Trust for bond reserves, bond payments and landfill closure reserve. The Library Board operations are reported as a governmental special revenue fund and, as such, their depositories are listed. The investments at First National Bank are the City Hall bond reserves and the electric transmission line bond reserve. As trustee, for the bonds, they hold the reserve funds.

Exhibit A-1 and A-2, on page 24-27, contain the combining balance sheet for non major governmental funds and the combining statement of revenues and expenditures. The total from Exhibit A-1 move forward to page 8 and totals from Exhibit A-2 move forward to page 10. Exhibit A-3, on pages 28-29, report the budget vs. actual for the non major governmental funds and Exhibit A-4, on pages 30-31, report the budget vs. actual for the capital projects funds.

Exhibit B-1, B-2 and B-3, on pages 34, 35 & 36, report the activities from the internal service funds. These funds provide goods and services to other funds within the City. The copier, fax, postage fund, and custodial fund reported operating losses for the year on page 35. While not large, we will monitor to see that charges for services meet the costs of providing the services. The totals on these exhibits move forward to Exhibits 5, 6 & 7 on pages 12-14.

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: March 3, 2014

Subject: Final Plat of Schmitz Lot 1 and Heine Lot 1, SE ¼ NE ¼, in Section 20, T92N, R51W of the 5th P.M., Clay County, South Dakota

Presenter: Jose Dominguez

Background: McLaury Engineering, Inc. has submitted a final plat for the above mentioned parcel on behalf of the owners. The area to be final platted is roughly 16.56-acres. The lots are located roughly one mile east of the intersection of Crawford and Main Sts and ½ mile south of E Main Street. The lots will be bordered by 466th Avenue on the east side. The proposed plat will create two lots; Schmitz Lot 1 will be a homestead while Heine Lot 1 will be agricultural land.

This plat falls within the Joint Jurisdictional Zoning Area; therefore it is first reviewed by the County Planning Commission who then recommends to the City Council. The County Planning Commission reviewed the plat at their February 24th meeting and recommended approval to the City Council.

Discussion: Staff reviewed the final plat and found that it complies with all of the code provisions. All of the lots will be having access off a platted street.

Financial Consideration: The applicant has paid all required platting fees.

Conclusion/Recommendations: Administration finds that the final plat meets all of the ordinance requirements and recommends approval of the final plat.

SURVEY PLAT

OF

SCHMITZ LOT 1 AND HEINE LOT 1

IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER
IN SECTION 20, TOWNSHIP 92 NORTH, RANGE 51 WEST
OF THE 5th P.M., CLAY COUNTY, SOUTH DAKOTA



ANY CERTIFICATION EXPRESSED OR IMPLIED HEREIN APPLIES ONLY TO THE INDIVIDUAL(S), ASSOCIATION(S), AGENCY(S), AND/OR CORPORATION(S) EXPLICITLY LISTED. ANY CERTIFICATION EXPRESSED OR IMPLIED IS INVALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF KIM LARUE McLAURY, STATE OF SOUTH DAKOTA, REGISTERED PROFESSIONAL LAND SURVEYOR, NUMBER 5801.

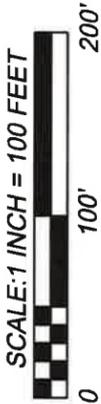
Kim LaRue McLaury

LEGEND

- IRON MONUMENT FOUND
TYPE NOTED
- IRON MONUMENT SET
5/8" x 18" REBAR W/CAP
"SDRLS KLM 5801"
- △ CALCULATED CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE
- R.O.W. RIGHT OF WAY
- N.A.P. NOT A PART OF THIS SURVEY

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND DOES NOT PURPORT TO SHOW EASEMENTS OF RECORD, IF ANY.
2. AN 8.00' EASEMENT IS GIVEN TO THE CITY OF VERMILLION FOR FUTURE USE.

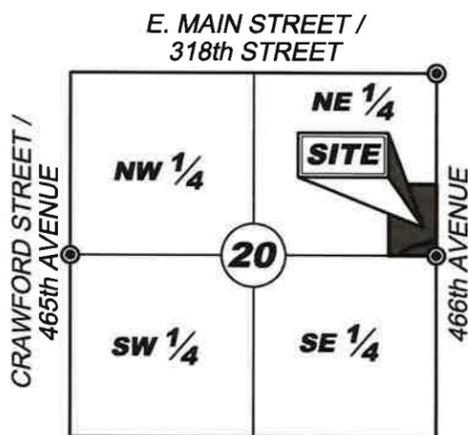


BALANCE OF
SE1/4 NE1/4

N01°39'46"W 1045.00'(M)

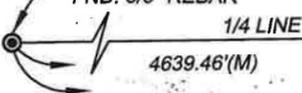
PREVIOUS WEST LINE OF SCHMITZ TRACT 1

SCHMITZ LOT 1
14.75 ACRES ±
INCL. 0.61 ACRES ROAD R.O.W. ±



SECTION LINE
VICINITY MAP
NO SCALE

W. 1/4 COR. 20-92-51
FND. 5/8" REBAR



4639.46'(M)

1/4 LINE

134.60'(M)

S88°59'25"W 5330.06'(M)

HEINE LOT 1

1.81 ACRES ±
INCL. 0.18 ACRES ROAD R.O.W. ±

8.00' EASEMENT

S74°46'36"W 289.00'(M)

8.00' EASEMENT

S53°27'43"W 226.00'(M)

8.00' EASEMENT

556.00'(M)

8.00' EASEMENT

E. 1/4 COR. 20-92-51
FND. CAP "KENNEDY 5350"

243.00'(M)

S64°27'23"W
98.00'(M)

33.00'(M&P) R.O.W.

8.00' EASEMENT

N88°59'25"E 690.60'(M)

BALANCE OF
SE1/4 NE1/4

N.E. COR. 20-92-51
FND. 1/2" REBAR

R.O.W. LINE

SECTION LINE

1608.19'(M)

802.00'(M)

S01°39'46"E 2653.19'(M)

466th AVENUE

SURVEY CREW: MSB 02/10/14

DRAWN BY: TAA 02/11/14

PROJECT NO. 12140203

SCALE: 1" = 100'



**McLaury
Engineering, Inc.**

P.O. BOX 1130
118 W. MAIN STREET
ELK POINT, SD 57025
(605) 356-2308

SURVEY PLAT

OF

SCHMITZ LOT 1 AND HEINE LOT 1

IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER
IN SECTION 20, TOWNSHIP 92 NORTH, RANGE 51 WEST OF
THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE:

TO: JEROME A. SCHMITZ AND SALLY J. SCHMITZ, TRUSTEES OF THE
JEROME AND SALLY SCHMITZ LIVING TRUST AND HEINE PARTNERSHIP

I, KIM LaRUE McLAURY, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE
STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE DIRECTION OF
JEROME A. SCHMITZ AND SALLY J. SCHMITZ, TRUSTEES OF THE JEROME AND
SALLY SCHMITZ LIVING TRUST AND HEINE PARTNERSHIP, "SCHMITZ LOT 1 AND
HEINE LOT 1 IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER IN
SECTION 20, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH P.M., CLAY
COUNTY, SOUTH DAKOTA", WAS SURVEYED AND PLATTED BY ME OR UNDER MY
DIRECT PERSONAL SUPERVISION, FOLLOWING GENERALLY ACCEPTED
PROFESSIONAL STANDARDS FOR SURVEYING AND PLATTING IN THE STATE OF
SOUTH DAKOTA.

DATED THIS 21ST DAY OF February, 2014

Kim LaRue McLaury

REGISTERED LAND SURVEYOR



ANY CERTIFICATION EXPRESSED OR IMPLIED HEREIN
APPLIES ONLY TO THE INDIVIDUAL(S), ASSOCIATION(S),
AGENCY(S), AND/OR CORPORATION(S) EXPLICITLY
LISTED. ANY CERTIFICATION EXPRESSED OR IMPLIED
IS INVALID WITHOUT THE SIGNATURE AND ORIGINAL
SEAL OF "KIM LaRUE McLAURY, STATE OF SOUTH
DAKOTA, REGISTERED PROFESSIONAL LAND
SURVEYOR, NUMBER 5801".

OWNERS CERTIFICATE:

JEROME A. SCHMITZ AND SALLY J. SCHMITZ, TRUSTEES OF THE JEROME AND
SALLY SCHMITZ LIVING TRUST AND HEINE PARTNERSHIP, CERTIFY THAT AS
THE ABSOLUTE AND UNQUALIFIED OWNERS OF THE REAL ESTATE HEREAFTER
DESCRIBED AS: "SCHMITZ LOT 1 AND HEINE LOT 1 IN THE SOUTHEAST
QUARTER OF THE NORTHEAST QUARTER IN SECTION 20, TOWNSHIP 92 NORTH,
RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA".

WE CERTIFY THAT SAID PLAT WAS MADE AT OUR REQUEST AND DIRECTION FOR
THE PURPOSE OF LOCATING, MARKING AND PLATTING SAME, AND THAT SAID
PROPERTY IS FREE OF ALL ENCUMBRANCES. WE ALSO CERTIFY THAT
DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE
ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

PURSUANT TO SDCL 11.3.20, 11.3.20.1 AND 11.3.20.3, THE APPROVAL AND FILING
OF THIS PLAT VACATES THE PLAT OF "SCHMITZ TRACT 1 IN THE SOUTHEAST
QUARTER OF THE NORTHEAST QUARTER IN SECTION 20, TOWNSHIP 92 NORTH,
RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA", AS
PLATTED IN BOOK OF PLATS 7, PAGE 653, FILED ON OCTOBER 26, 2010, IN THE
CLAY COUNTY REGISTER OF DEEDS OFFICE.

JEROME AND SALLY SCHMITZ LIVING TRUST

Jerome A. Schmitz

JEROME A. SCHMITZ, TRUSTEE

Sally J. Schmitz

SALLY J. SCHMITZ, TRUSTEE

HEINE PARTNERSHIP

ACKNOWLEDGMENT OF OWNER:

STATE OF South Dakota COUNTY OF Union

ON THIS THE 21ST DAY OF February, 2014, BEFORE ME,
Lori J. Merkley, THE UNDERSIGNED OFFICER,
PERSONALLY APPEARED JEROME A. SCHMITZ AND SALLY J. SCHMITZ,
TRUSTEES OF THE JEROME AND SALLY SCHMITZ LIVING TRUST, KNOWN TO ME
OR SATISFACTORILY PROVEN TO BE THE PERSON(S) DESCRIBED IN THE
FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THEY EXECUTED THE
SAME IN THE CAPACITY THEREIN STATED AND FOR THE PURPOSES THEREIN
CONTAINED.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Lori J. Merkley

NOTARY PUBLIC - SOUTH DAKOTA

MY COMMISSION EXPIRES 5/31/2019



ACKNOWLEDGMENT OF OWNER:

STATE OF _____ COUNTY OF _____

ON THIS THE _____ DAY OF _____, 2014, BEFORE ME,
PERSONALLY APPEARED _____, THE UNDERSIGNED OFFICER,
ACKNOWLEDGED HIMSELF TO BE ONE OF THE PARTNERS OF HEINE
PARTNERSHIP, A PARTNERSHIP, AND THAT HE, AS SUCH PARTNER, BEING
AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE
PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF THE PARTNERSHIP
BY HIMSELF AS A PARTNER

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC - SOUTH DAKOTA

MY COMMISSION EXPIRES _____

VERMILLION CITY COUNCIL RESOLUTION:

WHEREAS, IT APPEARS THAT THE OWNER(S) THEREOF HAVE CAUSED A PLAT TO
BE MADE OF THE FOLLOWING DESCRIBED REAL PROPERTY: PLAT OF "SCHMITZ
LOT 1 AND HEINE LOT 1 IN THE SOUTHEAST QUARTER OF THE NORTHEAST
QUARTER IN SECTION 20, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH
P.M., CLAY COUNTY, SOUTH DAKOTA".

BE IT RESOLVED, THAT THE ATTACHED AND FOREGOING PLAT HAS BEEN
SUBMITTED TO AND A REPORT AND RECOMMENDATIONS HEREON MADE BY THE
VERMILLION PLANNING COMMISSION TO THE VERMILLION CITY COUNCIL AND
HAS RECOMMENDED APPROVAL.

BE IT FURTHER RESOLVED, THAT THE ATTACHED AND FOREGOING PLAT HAS
BEEN SUBMITTED TO THE GOVERNING BODY OF THE CITY OF VERMILLION,
WHICH HAS EXAMINED THE SAME; THAT IT APPEARS THE SYSTEM OF STREETS
AND ALLEYS SET FORTH THEREIN CONFORMS TO THE SYSTEM OF STREETS AND
ALLEYS OF VERMILLION; THAT ALL TAXES AND SPECIAL ASSESSMENTS, IF ANY,
UPON THE TRACT OR SUBDIVISION HAVE BEEN FULLY PAID; THAT SUCH PLAT
AND SURVEY THEREOF HAVE BEEN EXECUTED ACCORDING TO LAW; THE SAME
IS HEREBY ACCORDINGLY APPROVED.

BE IT ALSO RESOLVED THAT ACCESS SHALL BE GRANTED TO THE LOTS(S) IN
ACCORDANCE WITH THE CITY OF VERMILLION STREET ACCESS AND DRIVEWAY
APPROACH POLICY, WHICH REQUIRES AN APPLICATION AND PERMIT.

DATED THIS _____ DAY OF _____, 2014.

JOHN E. (JACK) POWELL, MAYOR

I, THE UNDERSIGNED FINANCE OFFICER OF THE CITY OF VERMILLION, DO
HEREBY CERTIFY THAT THE CERTIFICATE OF APPROVAL IS A TRUE COPY OF
THE APPROVAL BY THE CITY COUNCIL OF THE CITY OF VERMILLION, SOUTH
DAKOTA ON THIS _____ DAY OF _____, 2014.

FINANCE OFFICER, CITY OF VERMILLION, SD

(SEAL)

CLAY COUNTY PLANNING COMMISSION:

BE IT RESOLVED BY THE CLAY COUNTY, SOUTH DAKOTA, PLANNING
COMMISSION THAT THE ABOVE PLAT THEREOF HAS CAUSED A PLAT TO BE MADE
OF THE FOLLOWING DESCRIBED REAL PROPERTY: "SCHMITZ LOT 1 AND HEINE
LOT 1 IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER IN SECTION
20, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY,
SOUTH DAKOTA"; BE AND THE SAME IS HEREBY APPROVED.

Jan Bostrom

CHAIRMAN PLANNING COMMISSION

SURVEY CREW: MSB 02/10/14

DRAWN BY: TAA 02/11/14

PROJECT NO. 12140203

NONE



**McLaury
Engineering, Inc.**

PO BOX 1130,
118 W MAIN STREET,
ELK POINT, SD 57025
(605) 356-2308

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: March 3, 2014

Subject: Final Plat of Heine Lot 1, SW ¼, in Section 21, T92N, R51W of the 5th P.M., Clay County, South Dakota

Presenter: Jose Dominguez

Background: McLaury Engineering, Inc. has submitted a final plat for the above mentioned parcel on behalf of the owner. This lot is located 1 ½ miles east of the intersection of Crawford Road and Burbank Road. The lot was recently the location of Muhlbauer Enterprises. The area to be final platted is roughly 2.8-acres. The lot will be bordered by Burbank Road on the south side. The proposed plat will create a homestead lot.

This plat falls within the Joint Jurisdictional Zoning Area; therefore it is first reviewed by the County Planning Commission who then recommends to the City Council. The County Planning Commission reviewed the plat at their February 24th meeting and recommended approval to the City Council.

Discussion: Staff reviewed the final plat and found that it complies with all of the code provisions. The lot will be having access off a platted street.

Financial Consideration: The applicant has paid all required platting fees.

Conclusion/Recommendations: Administration finds that the final plat meets all of the ordinance requirements and recommends approval of the final plat.

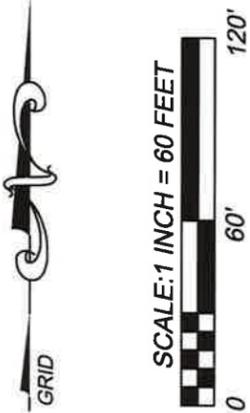
SURVEY PLAT

OF

HEINE LOT 1

IN THE SOUTHWEST QUARTER OF SECTION 21,
TOWNSHIP 92 NORTH, RANGE 51 WEST OF
THE 5th P.M., CLAY COUNTY, SOUTH DAKOTA

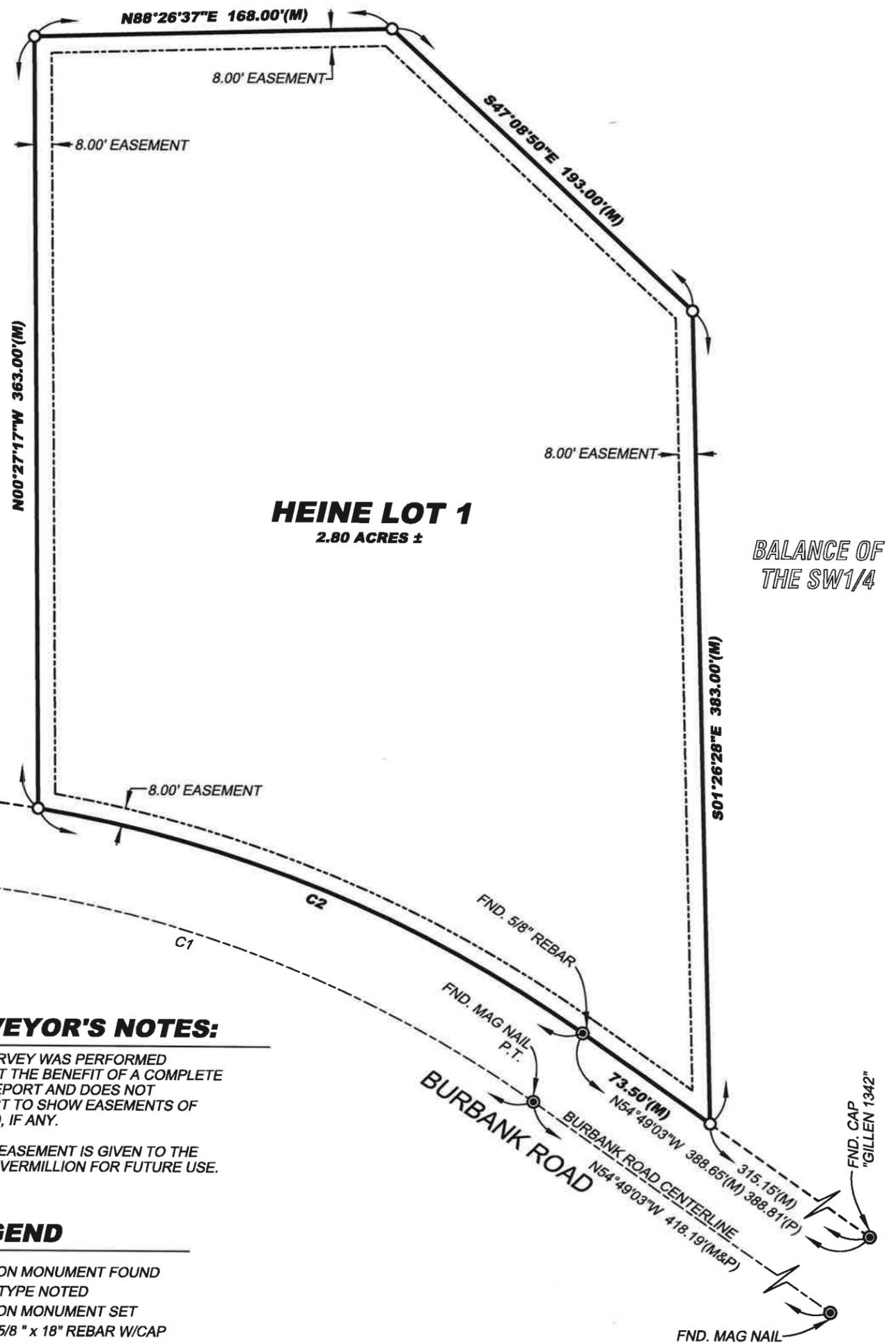
BALANCE OF
THE SW1/4



BALANCE OF
THE SW1/4

Kim LaRue McLaury

ANY CERTIFICATION EXPRESSED OR IMPLIED HEREIN APPLIES ONLY TO THE INDIVIDUAL(S), ASSOCIATION(S), AGENCY(S), AND/OR CORPORATION(S) EXPLICITLY LISTED. ANY CERTIFICATION EXPRESSED OR IMPLIED IS INVALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF "KIM LaRUE McLAURY, STATE OF SOUTH DAKOTA, REGISTERED PROFESSIONAL LAND SURVEYOR, NUMBER 5801".



SURVEYOR'S NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND DOES NOT PURPORT TO SHOW EASEMENTS OF RECORD, IF ANY.
2. AN 8.00' EASEMENT IS GIVEN TO THE CITY OF VERMILLION FOR FUTURE USE.

LEGEND

- IRON MONUMENT FOUND
TYPE NOTED
- IRON MONUMENT SET
5/8" x 18" REBAR W/CAP
"SDRLS KLM 5801"
- △ CALCULATED CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE
- R.O.W. RIGHT OF WAY
- N.A.P. NOT A PART OF THIS SURVEY
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENT

CURVE TABLE

NAME	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	TANGENT LENGTH	CHORD DIRECTION
C1	36°29'21"	572.96	364.89	358.76	188.87	N 73°03'43" W
C1P	36°29'21"	572.96	364.89		188.87	
C2	26°04'14"	612.96	278.91	276.51	141.91	N 67°51'10" W



VICINITY MAP
NO SCALE



SURVEY CREW: MSB 02/10/14

DRAWN BY: TAA 02/12/14

PROJECT NO. 12140208

SCALE: 1" = 80'



**McLaury
Engineering, Inc.**

P.O. BOX 1130
118 W. MAIN STREET
ELK POINT, SD 57025
(605) 356-2308

SURVEY PLAT

OF

HEINE LOT 1

IN THE SOUTHWEST QUARTER OF
SECTION 21, TOWNSHIP 92 NORTH, RANGE 51 WEST OF
THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE:

TO: HEINE PARTNERSHIP

I, KIM LaRUE McLAURY, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE DIRECTION OF HEINE PARTNERSHIP, "HEINE LOT 1 IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA", WAS SURVEYED AND PLATTED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, FOLLOWING GENERALLY ACCEPTED PROFESSIONAL STANDARDS FOR SURVEYING AND PLATTING IN THE STATE OF SOUTH DAKOTA.

DATED THIS 21st DAY OF February, 2014

REGISTERED LAND SURVEYOR

ANY CERTIFICATION EXPRESSED OR IMPLIED HEREIN APPLIES ONLY TO THE INDIVIDUAL(S), ASSOCIATION(S), AGENCY(S), AND/OR CORPORATION(S) EXPLICITLY LISTED. ANY CERTIFICATION EXPRESSED OR IMPLIED IS INVALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF "KIM LaRUE McLAURY, STATE OF SOUTH DAKOTA, REGISTERED PROFESSIONAL LAND SURVEYOR, NUMBER 5801".



OWNERS CERTIFICATE:

HEINE PARTNERSHIP, CERTIFIES THAT AS THE ABSOLUTE AND UNQUALIFIED OWNERS OF THE REAL ESTATE HEREAFTER DESCRIBED AS: "HEINE LOT 1 IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA".

WE CERTIFY THAT SAID PLAT WAS MADE AT OUR REQUEST AND DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING SAME, AND THAT SAID PROPERTY IS FREE OF ALL ENCUMBRANCES. WE ALSO CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

PURSUANT TO SDCL 11.3.20, 11.3.20.1 AND 11.3.20.3, THE APPROVAL AND FILING OF THIS PLAT VACATES ALL OF THE PLAT OF "OLSON TRACT 1 IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA", AS PLATTED IN BOOK OF PLATS 7, PAGE 507, FILED ON SEPTEMBER 22, 2005, IN THE CLAY COUNTY REGISTER OF DEEDS OFFICE.

Heine Partnership by Todd Heine
HEINE PARTNERSHIP

ACKNOWLEDGMENT OF OWNER:

STATE OF South Dakota COUNTY OF Clay

ON THIS THE 21 DAY OF February, 2014, BEFORE ME, Angela Madsen, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Todd Heine, WHO ACKNOWLEDGED HIMSELF TO BE ONE OF THE PARTNERS OF HEINE PARTNERSHIP, A PARTNERSHIP, AND THAT HE, AS SUCH PARTNER, BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF THE PARTNERSHIP BY HIMSELF AS A PARTNER

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Angela Madsen
NOTARY PUBLIC - SOUTH DAKOTA
MY COMMISSION EXPIRES 8-9-16



VERMILLION CITY COUNCIL RESOLUTION:

WHEREAS, IT APPEARS THAT THE OWNER(S) THEREOF HAVE CAUSED A PLAT TO BE MADE OF THE FOLLOWING DESCRIBED REAL PROPERTY: PLAT OF "HEINE LOT 1 IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA".

BE IT RESOLVED, THAT THE ATTACHED AND FOREGOING PLAT HAS BEEN SUBMITTED TO AND A REPORT AND RECOMMENDATIONS HEREON MADE BY THE VERMILLION PLANNING COMMISSION TO THE VERMILLION CITY COUNCIL AND HAS RECOMMENDED APPROVAL.

BE IT FURTHER RESOLVED, THAT THE ATTACHED AND FOREGOING PLAT HAS BEEN SUBMITTED TO THE GOVERNING BODY OF THE CITY OF VERMILLION, WHICH HAS EXAMINED THE SAME; THAT IT APPEARS THE SYSTEM OF STREETS AND ALLEYS SET FORTH THEREIN CONFORMS TO THE SYSTEM OF STREETS AND ALLEYS OF VERMILLION; THAT ALL TAXES AND SPECIAL ASSESSMENTS, IF ANY, UPON THE TRACT OR SUBDIVISION HAVE BEEN FULLY PAID; THAT SUCH PLAT AND SURVEY THEREOF HAVE BEEN EXECUTED ACCORDING TO LAW; THE SAME IS HEREBY ACCORDINGLY APPROVED.

BE IT ALSO RESOLVED THAT ACCESS SHALL BE GRANTED TO THE LOTS(S) IN ACCORDANCE WITH THE CITY OF VERMILLION STREET ACCESS AND DRIVEWAY APPROACH POLICY, WHICH REQUIRES AN APPLICATION AND PERMIT.

DATED THIS _____ DAY OF _____, 2014.

JOHN E. (JACK) POWELL, MAYOR

I, THE UNDERSIGNED FINANCE OFFICER OF THE CITY OF VERMILLION, DO HEREBY CERTIFY THAT THE CERTIFICATE OF APPROVAL IS A TRUE COPY OF THE APPROVAL BY THE CITY COUNCIL OF THE CITY OF VERMILLION, SOUTH DAKOTA ON THIS _____ DAY OF _____, 2014.

FINANCE OFFICER, CITY OF VERMILLION, SD

(SEAL)

CLAY COUNTY PLANNING COMMISSION:

BE IT RESOLVED BY THE CLAY COUNTY, SOUTH DAKOTA, PLANNING COMMISSION THAT THE ABOVE PLAT THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING DESCRIBED REAL PROPERTY: "HEINE LOT 1 IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA", BE AND THE SAME IS HEREBY APPROVED.

Joy Butcher
CHAIRMAN PLANNING COMMISSION

CERTIFICATE OF COUNTY TREASURER:

STATE OF SOUTH DAKOTA - COUNTY OF CLAY

I, _____, COUNTY TREASURER OF CLAY COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE TAXES WHICH ARE LIENS UPON THIS LAND HAVE BEEN PAID TO DATE.

COUNTY TREASURER

DATE

SURVEY CREW: MSB 02/10/14

DRAWN BY: TAA 02/12/14

PROJECT NO. 12140208

NONE



McLaury
Engineering, Inc.

PO BOX 1130,
118 W MAIN STREET,
ELK POINT, SD 57025
(605) 356-2308

Council Agenda Memo

From: John Prescott, City Manager
Meeting: March 3, 2014
Subject: Courthouse and Public Safety Chiller Bid award
Presenter: John Prescott

Background: In early summer 2013, the chiller at the Clay County Courthouse failed. The County rented a chiller for the balance of the cooling season and hired John Dewit as the Mechanical Engineer to plans and specifications. While the Public Safety Center system remained operational, the air conditioning system in the Public Safety Center has experienced problems in recent years. The 2013 budget included funding to upgrade and replace parts in the Public Safety Center HVAC system. The repairs were put on hold when the Courthouse chiller problem developed. As the Courthouse and Public Safety Center are connected, the option of replacing both systems was explored in 2013. The Council reviewed information on the estimates at the August 5, 2013 noon meeting. Ultimately, the decision was made to only bid the chiller. Replacement of the air conditioning in the dispatch and IT room in the basement were to bid as alternates.

Discussion: The County Commission opened the only bid received from Precision Mechanical of Sioux Falls during their February 25, 2014 meeting. Condensing Unit #2 which serves the north half of the Public Safety Center and Condensing Unit #1 which serves the south half of the Public Safety Center were part of the base bid. The base bid was \$175,608. Of this amount, \$38,107 would be the City's responsibility for the work related to replacing Condensing Unit #1.

The bid for Alternate #1 to replace the system in Dispatch is \$14,963. This cost would be split between the City and the County.

The cost to air condition the IT room in the basement is \$7,977. The Police Chief and Sheriff are not recommending accepting this alternative.

Financial Consideration: The 2014 budget will need to be revised to account for these expenditures. The funding would likely come from the 2nd Penny budget.

8. New Business; item a

Conclusion/Recommendations: Administration recommends funding \$38,107 of the base bid cost and \$3,988.50 (50% of the total) of Alternate #1.

John Prescott

From: Carri Crum [Carri.Crum@claycountysd.org]
Sent: Thursday, February 27, 2014 8:07 AM
To: John Prescott
Subject: FW: Base Bid

John,

Here is the breakdown for the Police Department unit. Please let me know if you need anything.

Carri Crum
Clay County Auditor
Clay County Auditor's Office
211 W Main St, Suite 200
Vermillion, SD 57069
Phone: 605-677-7120
Fax: 605-677-7109

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From: Joel Bornhoft [<mailto:joelb@precisionmech.biz>]
Sent: Wednesday, February 26, 2014 9:53 PM
To: 'John deWit'
Cc: Carri Crum
Subject: FW: Base Bid

John and Carri,

The Breakout is \$38,107.00 and includes the following:

- 1. Remove Old Coil and Pipe
- 2. Remove Old CU
- 3. Provide and Install new coil and CU #2
- 4. New Refrigerant Piping
- 5. Piping Insulation
- 6. Temperature Controls
- 7. Concrete for CU #2
- 8. Electrical Disconnect/Reconnect

This is a breakout for accounting purposes only and assumes the rest of the base bid will be awarded.

Let me know if you have any questions.

Thank you,

Council Agenda Memo

From: Jason Anderson, Assistant City Engineer

Meeting: March 3, 2014

Subject: Light & Power Department Pickup Truck

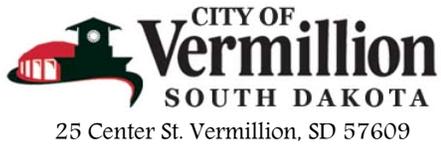
Presenter: Jason Anderson

Background: The 2000 Light & Power Department pickup truck is budgeted for replacement in the 2014 Equipment Replacement Fund. Sealed bids were opened on February 25, 2014 at 10:00 a.m. A copy of the bid summary is attached.

Discussion: The notice was published and bid specifications for a replacement ½ ton 2-wheel drive pickup were sent to the local Chevy and Ford dealerships. The low bid was submitted by Vermillion Ford for the amount of \$21,737. In 2012, the City paid \$23,699 for a similar pickup, with a \$125 adder for the switch panel.

Financial Consideration: The 2014 Equipment Replacement Fund has \$20,800 budgeted for the purchase of this pickup.

Conclusion/Recommendations: Administration recommends awarding the bid for the purchase of one ½ ton 2-wheel drive pickup truck to the low bidder, Vermillion Ford, for a total amount of \$21,737.



BID SUMMARY
One New 1/2 Ton Pickup Truck

February 25, 2014--10:00 A.M.

BIDDER:	Rasmussen Motors, Inc.	Vermillion Ford	
ADDRESS:	209 West Cherry Street Vermillion, SD 57069	101 West Cherry Street Vermillion, SD 57069	
BID SECURITY:	Cashier's Check \$1,155.65	Cashier's Check \$1,100	
<u>PROPOSAL 1</u>	Price	Price	Price
One New 2014 Model, 6700 GVWR Pickup Truck	\$23,113	\$21,737	
Make_____	Chevrolet	Ford	
Model_____	CC15903	F150	
ADD/OPTION--Auxillary Switch Panel	N/A	N/A	



Council Agenda Memo

From: Jason Anderson, Asst. City Engineer

Meeting: March 3, 2014

Subject: Sale of Surplus Parks and Golf Course Equipment

Presenter: Jason Anderson

Background: The 2003 Toro Greensmaster 3150 greens mower, 2005 Toro Workman Utility, and 2000 Goosen Versa Vac turf sweeper were included in the Equipment Replacement Fund to be replaced in 2014. The used equipment has been declared surplus, appraised, and a bid date of February 25, 2014 was set for the opening of sealed bids.

Discussion: The 2003 greens mower, 2005 utility vehicle, and 2000 turf sweeper were appraised at \$7,500, \$6,000, and \$6,000, respectively. The City cannot accept a bid for less than 90% of appraised value, which would be \$6,750, \$5,400, and \$5,400, respectively.

The bid opening was advertised regionally, and some inquiries were received, but no bids were submitted. Since no bids were received, the City by State law can sell the surplus property by private sale for not less than 90% of appraised value.

Contact has since been made with Midwest Turf & Irrigation, a Toro distributor, from Omaha, NE. They have agreed to offer the City the 90% of appraised value for the 2003 greens mower. Staff recommends that we sell the surplus greens mower to the dealer for \$6,750, or 90% of the appraised value.

Staff would also recommend that we continue to market the surplus utility vehicle and turf sweeper for sale, and delay purchasing new replacement equipment until the sale of the surplus equipment. Staff will also explore options for potential trade-in opportunities if a buyer cannot be located.

Financial Consideration: All revenue from the sale of the surplus parks and golf course equipment will go to the equipment replacement fund.

Conclusion/Recommendations: Administration recommends authorizing the sale of the surplus 2003 greens mower to Midwest Turf & Irrigation for \$6,750, or 90% of the appraised value.

Staff will continue to market the 2005 utility vehicle and 2000 turf sweeper. Staff is recommending Council approval to sell of the 2005 utility vehicle and 2000 turf sweeper for not less than 90% of appraised value. The purchaser and the amount of the sale would be included in a future Council packet.

CITY OF VERMILLION
 INVOICES PAYABLE-MARCH 3, 2014

1	UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	25.00
2	ALLEGIANT EMERGENCY SERVICE	FIREFIGHTER EQUIPMENT	21,286.55
3	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	153.30
4	ARGUS LEADER MEDIA #1085	SUBSCRIPTION	48.00
5	ASSURED LOCK TOOL & SUPPLY	PARTS	445.16
6	AUDIO EDITIONS	BOOK	8.00
7	AUTOMATIC BUILDING CONTROL	ANNUAL INSPECTION	1,593.00
8	BAKER & TAYLOR BOOKS	BOOKS	413.45
9	BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	10,818.04
10	BARCO MUNICIPAL PRODUCTS	SUPPLIES	137.67
11	BARNES DISTRIBUTION	SUPPLIES	564.32
12	BARRY BRATTEN	SAFETY BOOTS REIMBURSEMENT	59.99
13	BENJAMIN NELSEN	MEALS REIMBURSEMENT	24.00
14	BEST WESTERN RAMKOTA HOTEL	LODGING	939.90
15	BLACKSTONE AUDIO INC	BOOKS	150.00
16	BORDER STATES ELEC SUPPLY	SUPPLIES	153.24
17	BOUND TREE MEDICAL, LLC	SUPPLIES	2,109.50
18	BOYER TRUCKS	PARTS	54.21
19	BROADCASTER PRESS	ADVERTISING	519.27
20	BTI ACCESS CONTROLS, INC	PARTS	235.69
21	BUTCH'S PROPANE INC	PROPANE	1,790.32
22	BUTLER MACHINERY CO.	PARTS/WARRANTY	13,632.76
23	CAMPBELL SUPPLY	SUPPLIES	452.91
24	CANNON TECHNOLOGIES, INC	PARTS	5,163.46
25	CASK & CORK	MERCHANDISE	1,623.85
26	CENTURY BUSINESS LEASING	COPIER CONTRACT	138.25
27	CENTURYLINK	TELEPHONE	745.82
28	CHEMCO, INC	SUPPLIES	360.01
29	CITY OF VERMILLION	POSTAGE/COPIES	1,182.95
30	CITY OF VERMILLION	UTILITY BILLS	41,972.42
31	CLAY RURAL WATER SYSTEM	WATER USAGE	62.60
32	CLEVELAND GOLF	MERCHANDISE	162.26
33	CLIMATE SYSTEMS, INC	PROFESSIONAL SERVICES	220.00
34	CLUBHOUSE HOTEL & SUITES	LODGING	1,713.00
35	COLONIAL LIFE ACC INS.	INSURANCE	2,918.96
36	COX AUTO SUPPLY	PARTS	573.56
37	CRYSTAL BRADY	GYM MEMBERSHIP REIMBURSEMENT	175.00
38	CUMMINS CENTRAL POWER, LLC	REPAIRS	4,897.92
39	D-P TOOLS	SUPPLIES	15.47
40	DAKOTA BEVERAGE	MERCHANDISE	9,760.16
41	DAKOTA COUNTY LIBRARY	BOOKS	13.99
42	DAKOTA PC WAREHOUSE	COMPUTER/REPAIRS	1,356.83
43	DAKOTA PUMP INCORP	PARTS	136.78
44	DAKOTA RIGGERS & TOOL SUPPLY	SUPPLIES	32.84
45	DANIELS RESIDENTIAL INC	BALER BUILDING	67,050.00
46	DANKO EMERGENCY EQUIPMENT	SUPPLIES	156.97

47	DELTA DENTAL PLAN	INSURANCE	6,440.92
48	DEMCO	SUPPLIES	171.78
49	DENNIS MARTENS	MAINTENANCE	833.34
50	DEPT OF REVENUE	TESTING	195.00
51	DGR ENGINEERING	PROFESSIONAL SERVICES	13,523.69
52	DRIVERS LICENSE GUIDE CO	ID CHECKING GUIDE	62.85
53	DUANE FULK	SAFETY BOOTS REIMBURSEMENT	100.00
54	DUST TEX	SUPPLIES	92.40
55	ECHO ELECTRIC SUPPLY	PARTS	721.52
56	EDWARD F. HEIBERGER	BOOKS	23.98
57	ELECTRONIC ENGINEERING	BATTERIES	160.00
58	ELLIOTT EQUIPMENT CO	SEWER CAMERA SYSTEM	27,390.09
59	EMERSON MANUFACTURING	PARTS	27.06
60	ENERGY LABORATORIES	TESTING	660.00
61	FARMER BROTHERS CO.	SUPPLIES	154.84
62	FEDEX.	SHIPPING	11.47
63	FERGUSON ENTERPRISES, INC	PARTS	112.68
64	FILTERTEC	FILTERS	707.47
65	FULL BLAST ENGINEERING	POLICE EQUIPMENT	6,000.00
66	GALE	BOOKS	124.07
67	GENTLE TOUCH CARPET CARE	CLEANING	60.00
68	GEOTEK ENGINEERING	PROFESSIONAL SERVICES	1,599.50
69	GRAINGER	PARTS	313.80
70	GRAYBAR ELECTRIC	LIGHT POLE	2,478.00
71	GRAYMONT CAPITAL INC	CHEMICALS	7,494.25
72	GREG SIGNS	PAINTING	90.00
73	GREGG PETERS	FREIGHT	1,826.50
74	GREGG PETERS	RENT	937.50
75	GUARANTEE OIL CO INC	SUPPLIES	39.96
76	HAUFF MID-AMERICA SPORTS	SUPPLIES	55.00
77	HD SUPPLY WATERWORKS	SUPPLIES	9,805.63
78	HDR ENGINEERING, INC	PROFESSIONAL SERVICES	6,246.42
79	HELGET SAFETY SUPPLY, INC	SUPPLIES	133.71
80	HENDERSONS ULTIMATE CAR WASH	CAR WASH CARD	50.00
81	HERCULES INDUSTRIES, INC	SUPPLIES	316.83
82	HERREN-SCHEMPP BUILDING	SUPPLIES	134.21
83	HY VEE FOOD STORE	SUPPLIES	185.77
84	IN CONTROL, INC	PROFESSIONAL SERVICES	260.00
85	INDEPENDENCE WASTE	WASTE HAULING	747.00
86	INGRAM	BOOKS	169.70
87	INTERNATIONAL CODE COUNCIL	SUPPLIES	29.50
88	INTOXIMETERS	SUPPLIES	168.00
89	ISAAC VOSS	MEALS REIMBURSEMENT	140.00
90	JIM BALLEWEG	SAFETY GLASSES REIMBURSEMENT	150.00
91	JOHN A CONKLING DIST.	MERCHANDISE	5,465.59
92	JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	28,852.37
93	JOHNSON CONTROLS	REPAIRS	3,188.43
94	JOHNSON FEED, INC	REPAIRS	695.66
95	JONES FOOD CENTER	SUPPLIES	472.66
96	JOSE DOMINGUEZ	MEALS REIMBURSEMENT	23.00

97	JOYCE MOORE	MILEAGE REIMBURSEMENT	196.10
98	KALINS INDOOR COMFORT	REPAIRS	148.75
99	KARSTEN MFG CORP	MERCHANDISE	1,196.96
100	LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	2,936.22
101	LESSMAN ELEC. SUPPLY CO	SUPPLIES	456.00
102	LINCOLN MUTUAL LIFE	INSURANCE	462.40
103	LOCATORS AND SUPPLIES, INC	REPAIRS	1,283.75
104	LONG RIDER BOOKS	BOOKS	611.29
105	LSC ENVIRONMENTAL PRODUCTS	RENTAL FEE	2,200.00
106	MAGUIRE IRON, INC	WATER STORAGE TANK	20,681.20
107	MALLOY ELECTRIC	PARTS	2,227.71
108	MART AUTO BODY	TOWING	385.00
109	MATHESON TRI-GAS, INC	SUPPLIES	263.30
110	MC2, INC	PARTS	13,537.68
111	MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,864.00
112	MEAD LUMBER	SUPPLIES	498.25
113	MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	193.05
114	MERRICK INDUSTRIES	REPAIRS	1,064.05
115	MICRO MARKETING ASSOC	BOOKS	133.49
116	MIDWEST ALARM CO	ALARM MONITORING	63.00
117	MIDWEST BUILDING MAINTENANCE	MAT SVC	539.50
118	MIDWEST TURF & IRRIGATION	PARTS	1,352.31
119	MISSOURI VALLEY MAINTENANCE	REPAIRS	1,446.02
120	MUNICIPAL ELEC. ASSOC.	REGISTRATION	130.00
121	MURPHS APPLIANCE & TV	REFRIGERATOR	499.00
122	N B GOLF LLC	PARTS	167.42
123	NAMI-SD	REGISTRATION	220.00
124	NCL OF WISCONSIN, INC	SUPPLIES	624.50
125	NETSYS+	PROFESSIONAL SERVICES	257.50
126	NEW YORK LIFE	INSURANCE	94.02
127	NORTHERN TRUCK EQPT CORP	PARTS	117.44
128	OTIS ELEVATOR COMPANY	SERVICE CONTRACT	1,097.76
129	OVERDRIVE INC	MAINTENANCE FEE	3,000.00
130	PCC, INC	COMMISSION	2,567.89
131	PLAIN TALK PUBLISHERS	SUBSCRIPTION	26.00
132	PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
133	PRAIRIE BERRY WINERY	MERCHANDISE	586.50
134	PRESSING MATTERS	ENVELOPES	63.00
135	PRESTO-X-COMPANY	INSPECTION/TREATMENT	97.23
136	PRINT SOURCE	ADVERTISING	348.75
137	PUMP N PAK	FUEL	1,374.45
138	QUALITY TELECOMMUNICATION	TELEPHONE	504.00
139	QUEEN CITY WHOLESALE	MERCHANDISE	522.70
140	QUILL	SUPPLIES	2,248.56
141	RACOM CORPORATION	MAINTENANCE CONTRACT	775.50
142	RANDOM HOUSE, INC	BOOKS	142.50
143	RASMUSSEN MECHANICAL SERVICE	PARTS	1,593.13
144	RECORDED BOOKS, INC	BOOKS	583.60

145	REPUBLIC NATIONAL DIST	MERCHANDISE	24,958.58
146	RIVERSIDE HYDRAULICS & LAB	PARTS	94.67
147	RS HALSTEAD CORP	LANDFILL LEACHATE POND	42,680.54
148	SANFORD HEALTH PLAN	FSA PARTICIPATION FEES	69.00
149	SANFORD VERMILLION HOSPITAL	TB/FLU SHOTS	290.00
150	SANP-ON TOOLS	PARTS	146.80
151	SCHAEFFER MFG. CO	SUPPLIES	595.20
152	SD ARBORISTS ASSOCIATION	MEMBERSHIP DUES	70.00
153	SD ASSOC. OF RURAL WTR SYSTEMS	REGISTRATION	700.00
154	SD FIREFIGHTERS ASSOCIATION	MEMBERSHIP	690.00
155	SD MUNICIPAL STREET MAINTENANCE	REGISTRATION	50.00
156	SD PLANNERS ASSOCIATION	MEMBERSHIP/SUBSCRIPTION	55.00
157	SD RETIREMENT SYSTEM	CONTRIBUTIONS	49,645.62
158	SD STATE UNIVERSITY	PROFESSIONAL SERVICES	52.50
159	SERVALL TOWEL & LINEN	SUPPLIES	29.40
160	SERVICES UNLIMITED INC	REPAIRS	761.65
161	SIouxLAND HUMANE SOCIETY	PROFESSIONAL SERVICES	74.00
162	SOOLAND BOBCAT	PARTS	222.94
163	STATE RADIO COMMUNICATION	TELETYPE SERVICE	3,500.00
164	STERN OIL CO.	SUPPLIES	1,142.39
165	STEWART OIL-TIRE CO	REPAIRS	35.00
166	STUART C. IRBY CO.	SUPPLIES	3,259.17
167	STURDEVANTS AUTO PARTS	PARTS	820.95
168	THE EQUALIZER	ADVERTISING	496.00
169	THE WALKING BILLBOARD	T-SHIRTS	256.25
170	TITLEIST DRAWER CS	MERCHANDISE	1,236.67
171	TODDS ELECTRIC SERVICE	LOAD MGMT CONTROLLER	25.00
172	TRUE VALUE	SUPPLIES	206.82
173	TUMBLEWEED PRESS INC	SUBSCRIPTION	499.00
174	TURNER PLUMBING	REPAIRS	969.39
175	TYLER TECHNOLOGIES	MAINTENANCE	19,817.61
176	ULTRAMAX	SUPPLIES	1,802.00
177	UNITED WAY	CONTRIBUTIONS	458.46
178	USA BLUEBOOK	SUPPLIES	1,105.28
179	VERIZON WIRELESS	CELL PHONES	1,559.65
180	VERMILLION ACE HARDWARE	SUPPLIES	384.66
181	VHS WORLD LANGUAGE CLUB	BBB CONTRIBUTION	750.00
182	VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	9,092.11
183	WAL-MART COMMUNITY	SUPPLIES	475.20
184	WALKER CONSTRUCTION	WATER HEATER REBATE/SNOW REMOVAL	250.00
185	WATERTOWN REGIONAL LIBRARY	BOOKS	15.50
186	WESCO DISTRIBUTION, INC	SUPPLIES	9,598.00
187	WH OVER MUSEUM	CONTRIBUTION	15,000.00
188	WOW! BUSINESS	911 CIRCUIT	1,365.50
189	YANKTON JANITORIAL SUPPLY	SUPPLIES	1,087.07
190	ZEE MEDICAL SERVICE	SUPPLIES	299.65
191	ZEP SALES & SERVICE	SUPPLIES	601.75
		GRAND TOTAL	\$595,107.26