

**REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBERS, CITY HALL  
MITCHELL, SOUTH DAKOTA**

**JANUARY 19, 2010  
7:30 P.M.**

**PRESENT:** Dan Allen, Doug Backlund, Marty Barington, Geri Beck, Travis Carpenter, Scott Houwman, Mel Olson, Jeffrey Smith

**ABSENT:** none

**PRESIDING:** Mayor Lou Sebert

**AGENDA:**

Moved by Allen, seconded by Beck, to approve the agenda as prepared. Motion carried.

**MINUTES:**

Moved by Houwman, seconded by Barington, to approve the minutes of the regular City Council meeting held on January 4, 2010. Motion carried.

**CITIZEN'S INPUT:**

Kevin Thurman, Golf and Cemetery Director, informed the council that he can purchase two re-furbished 2006 mowers for \$24,000.00. He had originally budgeted to purchase two new mowers for \$60,000.00 to be paid over four years. By purchasing the re-furbished mowers rather than new, the savings would be \$36,000.00. The re-furbished mowers will have a life span of approximately 5-7 years. In comparison, the life span of new mowers would be approximately 7-10 years. Thurman would like to supplement the golf budget with \$9,000.00 and purchase the re-furbished mowers. Moved by Smith, seconded by Olson to approve the request for a budget supplement and purchase two re-furbished mowers, contingent upon the adoption of the budget supplement. Motion carried.

**DISCUSSION:**

A discussion was held regarding legal publications. Council member Scott Houwman spoke regarding the publishing of the legals in the local newspaper. Houwman said that the city pays approximately \$50,000.00 per year in publishing fees. He would rather see this money spent on equipment for televising the council meetings. Houwman also suggested that the minutes and other legal publications could be published on the Internet. There have been bills proposed in the South Dakota state legislature that would allow for this, however, the bills have never been passed into law. The proposed bill will be in front of the legislature again this year. No action was taken.

A discussion was held regarding snow removal permits. Council member Scott Houwman stated that he has noticed many businesses with large snow piles in their parking lots. He suggested that the city give out snow removal permits to allow business owners to dump their snow on designated city property. Public Works Director, Tim McGannon, said there are many issues to think about regarding

this suggestion. It would require city labor to monitor the sites, the possibility of contaminated snow which would be difficult to regulate, and the possibility of accident and insurance issues at the site. McGannon said that he has received calls in the past from private individuals regarding dumping snow on city property and the requests have been denied. Council members agreed to leave the policy as is.

A discussion was held regarding a statement of support from the city of Mitchell for the SD Municipal League to propose legislation for an additional penny of local option sales tax. Mayor Lou Sebert noted that the additional penny of sales tax would require a public vote and would have to be for a specific project with sales tax revenues paying off the bonds for that specific project. Moved by Olson, seconded by Carpenter, to authorize the Mayor to draft a letter of support. Motion carried.

### **BOARD OF ADJUSTMENT:**

Moved by Barington, seconded by Allen, for the City Council to adjourn and sit as the Board of Adjustment. Motion carried.

It was advised that this is the date and time set for hearing on the application of Bartscher Concrete for a variance to construct a 50' x 80' building for storage, located at 301 West Railroad Avenue, legally described as Lots R-2 and R-3, Depot 2<sup>nd</sup> Addition, City of Mitchell, Davison County, South Dakota. Notice of hearing has been given according to statute and affidavit of publication is on file. The Planning Commission recommended approval of said application. Moved by Houwman, seconded by Backlund, to approve said application. Motion carried.

Moved by Carpenter, seconded by Barington, that the 1<sup>st</sup> day of February, 2010 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Kendra Zimmer for a conditional use permit to operate a daycare center in her home, located at 704 South Wisconsin Street, Lot 15, Block 9, Van Eps 2<sup>nd</sup> Addition and to direct the Finance Officer to give notice according to statute. Motion carried.

Moved by Backlund, seconded by Smith, for the Board of Adjustment to adjourn and the City Council to reconvene in regular session. Motion carried.

### **COMMITTEE REPORTS:**

#### **Public Properties:**

Terry Johnson, Deputy Director of Public Works, is working with the county to identify all of the properties that are currently owned by the city. The process for declaring surplus property was discussed. The committee would like to do a bus tour in the spring to see where all of the properties are located.

Moved by Beck, seconded by Olson, to approve the committee reports. Motion carried.

### **DEPARTMENT REPORTS:**

Moved by Smith, seconded by Carpenter, to approve the following department reports: November reports - Finance Department Cash Balances and Library Board; December reports - Police Department, Palace Transit, Building Permits, Water Department, Airport, and Airport Board. Motion

carried.

**HEARING:**

It was advised that this is the date and time set for hearing on the application to transfer Retail (On-Off Sale) Wine License (RW-7571) from Wade Greenwood dba Wine Cellar to Kelly Hohn dba Platinum Players Club located at 324 West 10<sup>th</sup> Avenue. A discussion was held regarding the location of the proposed license. Joel Fisher lives behind the property and stated that he is not in favor of having a casino in a residential neighborhood. The applicant was not able to attend this meeting. Chief of Public Safety Lyndon Overweg recommended tabling the transfer until the meeting on February 15, 2010. Moved by Beck, seconded by Houwman, to table said application until February 15, 2010. Motion carried.

**RESOLUTIONS:**

Moved by Houwman, seconded by Oson, to adopt Resolution #2801, Issuance and Sale of Revenue Bonds, as follows:

**RESOLUTION #2801**

**A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS ECONOMIC DEVELOPMENT REFUNDING REVENUE BONDS, TO PROVIDE FOR THE REFUNDING OF THE CITY'S OUTSTANDING ECONOMIC DEVELOPMENT REFUNDING REVENUE BONDS (DAKOTA WESLEYAN UNIVERSITY ISSUE), SERIES 1998, AT THE REQUEST OF DAKOTA WESLEYAN UNIVERSITY, A SOUTH DAKOTA NONPROFIT CORPORATION**

BE IT RESOLVED by the City of Mitchell, South Dakota (the "City"), as follows:

1. Legal Authority. The City is, by the Constitution and laws of the State of South Dakota, including South Dakota Codified Laws, Chapter 9-54, as amended (the "Act"), authorized to issue and sell its revenue bonds and refunding revenue bonds for the purpose of financing and refinancing the cost of economic development projects and to enter into agreements necessary or convenient in the exercise of the powers granted by the Act.

2. Authorization of Project and Bonds, Documents Presented. Dakota Wesleyan University, a South Dakota nonprofit corporation (the "Borrower"), has proposed to this Council that the City issue and sell its City of Mitchell, South Dakota Economic Development Refunding Revenue Bonds (Dakota Wesleyan University Issue), Series 2010A (the "Series 2010A Bonds") and Series 2010B (the "Series 2010B Bonds"), in substantially the form set forth in the hereinafter-mentioned Indenture (the Series 2010A Bonds and the Series 2010B Bonds collectively referred to as the "Bonds"), pursuant to the Act and loan the proceeds thereof to the Borrower in order to refund the City's outstanding Economic Development Refunding Revenue Bonds (Dakota Wesleyan University Issue), Series 1998A and Series 1998B (collectively, the "Series 1998 Bonds" or the "Refunded Bonds"), all for the purpose of providing refinancing for improvements on the main campus of the Borrower located in the City, the street address of which is 1200 West University Avenue, Mitchell, South Dakota (the "Project"). Forms of the following documents relating to the Bonds have been submitted to the City and are now on file in the office of the Finance Officer:

- (a) Loan Agreement between the City and the Borrower (the “Loan Agreement”), whereby the City agrees to make a loan to the Borrower of the gross proceeds of sale of the Bonds and the Borrower agrees to complete the refunding of the Series 1998 Bonds and to pay amounts in repayment of the loan sufficient to provide for the full and prompt payment of the principal of, premium, if any, and interest on the Bonds when due; and
- (b) Trust Indenture (the “Indenture”), between the City and The First National Bank in Sioux Falls, as trustee (the “Trustee”), authorizing the issuance of and pledging certain revenues, including those to be derived from the Loan Agreement, as security for the Bonds, and setting forth proposed recitals, covenants and agreements relating thereto; and
- (c) Bond Purchase Agreement (the “Bond Purchase Agreement”), by and between the City (sometimes also referred to as the “Issuer”), Dougherty & Company LLC (the “Underwriter”), and the Borrower, providing for the purchase of the Bonds from the City by the Underwriter and setting the terms and conditions of purchase; and
- (d) Continuing Disclosure Agreement (the “Disclosure Agreement”), by and between the Borrower and the Trustee, in accordance with the provisions of Rule 15c2-12 promulgated by the Securities and Exchange Commission (this document not to be executed by the City); and
- (e) Preliminary Official Statement and form of final Official Statement, the form of the Preliminary Official Statement, together with the insertion of the final underwriting details of the Bonds, including the interest rates thereon, and any other changes deemed necessary or desirable, intended to constitute the form of the final Official Statement, and including all Appendices thereto (together the “Official Statement”), describing the offering of the Bonds, and certain terms and provisions of the foregoing documents.

3. Findings. It is hereby found, determined and declared that:

- (a) The Project being refinanced through the issuance of the Bonds constitutes a project authorized by and described in the Act.
- (b) The issuance of the Bonds will carry out a public purpose and benefit to the citizens of the community and further the purposes of the Act.
- (c) There is no litigation pending or, to the best of its knowledge, threatened against the City relating to the Bonds, the Loan Agreement, the Bond Purchase Agreement or the Indenture or questioning the due organization of the City, or the powers or authority of the City to issue the Bonds and undertake the transactions contemplated hereby.
- (d) The execution, delivery and performance of the City’s obligations under the Bonds, the Indenture, the Bond Purchase Agreement and the Loan Agreement do not and will not violate any order of any court or other agency of government or

in which the City is a party, or any indenture, agreement or other instrument to which the City is a party or by which it or any of its property is bound, or be in conflict with, result in a breach of, or constitute (with due notice or lapse of time or both) a default under any such indenture, agreement or other instrument.

- (e) It is desirable that the Bonds be issued by the City upon the terms set forth in the Indenture, under the provisions of which the City's interest in the Loan Agreement will be pledged to the Trustee as security for the payment of principal of, premium, if any, and interest on the Bonds.
- (f) The Loan Agreement provides for payments by the Borrower to the Trustee for the account of the City of such amounts as will be sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. The Loan Agreement obligates the Borrower to pay or cause to be paid all costs of operation and maintenance of the Project Facilities, including adequate insurance, taxes and special assessments.
- (g) Under the provisions of the Act, and as provided in the Loan Agreement and Indenture, the Bonds are not to be payable from nor charged upon any funds other than amounts payable pursuant to the Loan Agreement or the Lease referred to therein, and moneys in the funds and accounts held by the Trustee which are pledged to the payment thereof; no owners of the Bonds shall ever have the right to compel the exercise of the taxing power of the City to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the City; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City (other than the interest of the City in the Loan Repayments to be made by the Borrower under the Loan Agreement); and each Bond issued under the Indenture shall recite that such Bond is issued pursuant to the Act and that such Bond, including interest thereon, is payable solely from the sources described therein and shall not constitute or give rise to a charge against the general credit or taxing powers of the City.

4. Approval and Execution of Documents. The forms of Loan Agreement, Indenture, Bond Purchase Agreement, and Disclosure Agreement, referred to in paragraph 2, are approved. The Loan Agreement and Indenture shall be executed in the name and on behalf of the City by the Mayor and the Finance Officer, or executed by other officers of the City, in substantially the form on file, but with all such changes therein, not inconsistent with the Act or other law, as may be approved by the officers executing the same, which approval shall be conclusively evidenced by the execution thereof, and then shall be delivered to the Trustee. The Bond Purchase Agreement shall be executed by one or more officers of the City, as provided therein.

5. Approval, Execution and Delivery of Bonds. The City shall proceed forthwith to issue the Series 2010A Bonds in an aggregate principal amount not to exceed \$2,900,000, and the Series 2010B Bonds in an aggregate principal amount not to exceed \$480,000, and to be in the forms and upon the terms set forth in the Indenture, which terms are for this purpose incorporated in this resolution and made a part hereof; provided, however, that the maturities of the Bonds, the interest rates thereon, and any provisions for the optional or mandatory redemption thereof shall all be as set forth in the final form of the Indenture to be approved, executed and delivered by the officers of the

City authorized to do so by the provisions of this Resolution, which approval shall be conclusively evidenced by such execution and delivery; but provided further, however, that, in no event: (a) shall the weighted average maturity for the Series 2010A Bonds exceed the remaining weighted average maturity of the Series 1998A Bonds, nor shall the weighted average maturity for the Series 2010B Bonds exceed the remaining weighted average maturity of the Series 1998B Bonds; or (b) shall the rates of interest on the Series 2010A Bonds or the Series 2010B Bonds produce a net interest cost in excess of 4.50% per annum. The City agrees to sell the Bonds to the Underwriter pursuant to the provisions of the Bond Purchase Agreement, and subject to the conditions therein set forth, but only upon satisfaction of all such conditions to purchase. The City further approves a purchase price for each series of the Bonds equal to not less than 98.50% of the original principal amount of such Bonds, after allowance of original issue discount, if any (such original issue discount, if any, not to exceed 2.00% of the principal amount of the applicable series). The Mayor, Finance Officer and other City officers are authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and to deliver them to the Trustee, together with a certified copy of this Resolution and the other documents required by Section 2.08 of the Indenture, for authentication, registration and delivery to the Underwriter. As provided in the Indenture, each Bond shall contain a recital that it is issued pursuant to the Act, and such recital shall, to the full extent permitted by law, be conclusive evidence of the validity and regularity of the issuance thereof.

6. Official Statement. The City hereby approves the use of and consents to the circulation by the Underwriter of the Official Statement in offering the Bonds for sale; provided, however, that the City has not participated in the preparation of the Official Statement or independently verified the information in the Official Statement, and takes no responsibility for, and makes no representations or warranties as to, the accuracy or completeness of such information.

7. Certificates, etc. The Mayor, Finance Officer and other officers of the City are authorized and directed to prepare and furnish to bond counsel and the purchaser of the Bonds, when issued, certified copies of all proceedings and records of the City relating to the Bonds, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers', custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

8. Qualified Tax-Exempt Obligations. The Issuer hereby acknowledges that the Bonds have been or are being designated as "qualified tax-exempt obligations," within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), and that the Bonds are to be issued on behalf of an organization described in Section 501(c)(3) of the Code, as "qualified 501(c)(3) bonds," within the meaning of Section 145 of the Code.

Motion carried and resolution declared duly adopted.

Moved by Carpenter, seconded by Houwman, to adopt Resolution #2802, Plat of Lot 2, Block 2, of B. and J. DeVries First Addition, as follows:

**RESOLUTION #2802**  
**RESOLUTION OF CITY COUNCIL**

**WHEREAS**, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the 11<sup>th</sup> day of January, 2010; and

**WHEREAS**, it appears from an examination of the plat of LOT 2, BLOCK 2 OF B. AND J. DEVRIES FIRST ADDITION IN THE NE ¼ OF SECTION 31, T 104 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA; as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

**THEREFORE**, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 2, BLOCK 2 OF B. AND J. DEVRIES FIRST ADDITION IN THE NE ¼ OF SECTION 31, T 104 N, R 60 W OF THE 5<sup>TH</sup> P.M., DAVISON COUNTY, SOUTH DAKOTA; as prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

Motion carried and resolution declared duly adopted.

**ORDINANCES:**

Moved by Carpenter, seconded by Houwman, to place Ordinance #2324, Amendment of TIF Application, on second reading. Motion carried. Moved by Allen, seconded by Houwman, to adopt Ordinance #2324, Amendment of TIF Application, as follows:

**Ordinance #2324**  
**Amendment of TIF Application**

An ordinance amending 2-6-5 C of the municipal code and adding a new provision 2-6-5 D concerning amendment of the Tax Increment Financing application.

Preamble: That the City of Mitchell has established a procedure pursuant to 2-6-1 et. seq. of the municipal code for the implementation of tax increment financing. That an amendment is necessary to conform the code with the practice of the city in obtaining financing and also to provide a procedure for the amendment of the tax increment financing application. Now therefore

**BE IT ORDAINED B Y THE CITY OF MITCHELL, SOUTH DAKOTA, AS FOLLOWS:**

That 2-6-5 C be amended as follows

C. The city is responsible for acquiring all necessary financing. The city assumes no responsibility for the repayment of any loan or bond beyond the tax allocations outlined in the project plan.

That a new section be added  
2-6-5 D

D. Any plan previously approved by the committee pursuant to 2-6-1 et.seq. and approved by the city council, which plan is subsequently amended, but does not provide for any increase in the bonded indebtedness, but needs to be amended in any other particulars, does not need to be reconsidered by the TIF committee.

Motion carried and ordinance declared duly adopted.

Moved by Carpenter, seconded by Barington, to place Ordinance #2325, Supplemental Appropriations, on first reading. Motion carried.

**SET DATE:**

Moved by Beck, seconded by Carpenter, that the 1<sup>st</sup> day of February, 2010 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Area Community Theater in Mitchell Inc. for a Special Event Wine License and a Special Event Malt Beverage License for the Pepsi Cola Theater for “Ladies Night Out” on February 5-7, 2010. Motion carried.

Moved by Carpenter, seconded by Beck, that the 1<sup>st</sup> day of February, 2010 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Elks of Mitchell Building Association Trustees LLC for a Special Event Wine License and a Special Event Malt Beverage License for the Masonic Temple for the ACT Dinner Theater on February 7, 2010. Motion carried.

Moved by Smith, seconded by Allen, that the 1<sup>st</sup> day of February, 2010 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the application of Palace City Lions Club for a Special Event Malt Beverage License for the Corn Palace and City Hall for John Mueller’s Winter Dance Party on February 14, 2010. Motion carried.

Moved by Barington, seconded by Carpenter, that the 15<sup>th</sup> day of February, 2010 at 7:30 p.m. in the Council Chambers of City Hall be the date and time set for hearing on the Proposed Resolution of Necessity for 2010 Sidewalk Construction. Motion carried.

**CONSIDER APPROVAL:**

Moved by Carpenter, seconded by Olson, to approve an automatic supplement to the Special Revenue Fund – Parks, Recreation and Forestry in the amount of \$10,639.00 from a donation of funds. Houwman abstained. Motion carried.

Moved by Olson, seconded by Barington, to approve the purchase of two (2) Ford Crown Victoria patrol cars at \$23,045.00 each, which is below the state bid price, for a total of \$46,090.00 for Public Safety from Vern Eide Motorcars. Motion carried.

Moved by Beck, seconded by Carpenter, to authorize Gary Larson, CPA to conduct the audit for fiscal year January 1 – December 31, 2009. Motion carried.

Moved by Carpenter, seconded by Allen, to approve the application of Laura Sue Wehde for a Taxicab Drivers License for Palace Transit. Motion carried.

Moved by Carpenter, seconded by Olson, to approve the application of Phillip Sherman Nest II for a Taxicab Drivers License for Palace Transit. Motion carried.

Moved by Allen, seconded by Olson, to approve a request from the DWU Baseball team to conduct a raffle with the drawing to be held on February 6, 2010. Motion carried.

Moved by Olson, seconded by Smith, to approve a request from the Heartland Quilt Guild to conduct a raffle with the drawing to be held on July 24, 2010. Motion carried.

Moved by Olson, seconded by Allen, to approve a request from the Dakota Plains Chapter of the Red Cross to conduct a raffle with the drawing to be held on May 8, 2010. Motion carried.

### **ABATEMENT OF TAXES:**

Moved by Carpenter, seconded by Beck, to approve the following abatements of taxes:

- Palace City Federal Credit Union in the amount of \$491.40 for Lot 10 EX the N15' of the E15', Block 11, Van Eps 2<sup>nd</sup> Addition due to removal of structures,
- Jeffrey William Eschenbaum in the amount of \$765.42 for Lot 3, Block 55, Capital Addition due to missing application deadline for disabled veteran property tax exemption,
- Mitchell School District 17-2 in the amount of \$72.35 for Lot 16, Block 18, F.M. Greene Addition due to purchase by tax exempt entity on 11/10/09,
- Dakota District of the Wesleyan Church in the amount of \$675.17 for Lot 12, Block 6, Rowley's 2<sup>nd</sup> Addition due to removal of structures,
- Mark A. and Barbara A. Meier in the amount of \$84.28 for N185' of W1335' EX Lot H-1 located in the SW ¼ and NW ¼ EX H1-ITA and N ½ and EX N100 rods less N40 rods and EX Lot A of D L. Bruggs First Addition, 15-103-62 due to tax bill generated to transfer title,
- Larry and Jane Sexton in the amount of \$372.08 for Lots 3 and 4, Block 1, Fairview Addition due to removal of structures, and
- Edweena or Dave Brinker in the amount of \$201.58 (total of all 3 years of applicable taxes) for Lot 18 of Prairie Village due to a removed and destroyed mobile home.

Motion carried.

### **PAY ESTIMATES:**

Moved by Smith, seconded by Olson, to approve the following pay estimates:

- pay estimate #2-Final in the amount of \$69,946.00 for Police Gun Range Project #2008-35 contracted with Mueller Lumber Company,
- pay estimate #6 in the amount of \$1,996.66 for Old Leachate Monitoring Project #2009-28 contracted with Leggette, Brashears & Graham, and

- pay estimate #9 in the amount of \$1,445.96 for New Landfill Monitoring Project #2009-29 contracted with Leggette, Brashears & Graham.

Members present voting aye: Allen, Backlund, Barington, Beck, Carpenter, Houwman, Olson, Smith. Members present voting nay: none. Motion carried.

**BILLS:**

Moved by Carpenter, seconded by Olson, to approve the following payroll expenditures, adjustments to payroll and accounts payable warrants:

**PAYROLL, DECEMBER 27, 2009 – JANUARY 9, 2010:** City Council-\$2,440.24, Mayor-\$885.54, Attorney-\$1,986.55, Finance-\$11,070.48, Human Resources-\$3,417.40, Information Technology-\$1,329.12, Police-\$54,238.70, Traffic-\$3,021.11, Fire-\$34,718.47, Street-\$34,931.82, Public Works-\$14,776.39, Cemetery-\$3,645.14, Mosquito Control-\$46.00, Animal Control-\$1,275.11, Emergency Medical Services-\$8,385.73, Library-\$9,569.02, Playground & Athletics-\$3,591.49, Recreation Center-\$10,090.45, Ice Arena-\$2,464.26, Cadwell-\$301.88, Park-\$8,274.19, Supervision-\$5,228.03, Forestry-\$2,636.06, E911-\$16,503.97, RSVP-\$3,263.27, Palace Transit-\$15,174.32, Nutrition-\$1,572.82, Water-\$7,414.30, Water Distribution-\$6,669.57, Sewer-\$9,644.53, Airport-\$2,574.84, Waste Collection-\$10,651.35, Landfill-\$8,858.08, Corn Palace Maintenance-\$9,885.09, Corn Palace Shows-\$2,537.38, Corn Palace Concessions-\$3,251.35, and Golf Course-\$4,225.52.

**SALARY ADJUSTMENTS (per hour rate):**

COMMUNICATIONS: Sidney Vissia-\$15.495

CORN PALACE MAINTENANCE: Denny Geidel-\$14.032

FINANCE: Heidi Tegels-\$20.697

FIRE/EMS: Derek Fahey-\$12.729, Tom Schaffner-\$13.624, Paul Schreck-\$12.729

PALACE TRANSIT: Tami Workman-\$12.246

POLICE: Steve Clarke-\$20.178, Gary Kingsbury-\$21.019, Paul Paulson-\$17.789, Josh Petersen-\$18.075, Cheryl Shelton-\$17.789, Paul Wilson-\$18.075

SANITATION: Scott Dey-\$16.045

**NEW HIRES (per hour rate):**

CORN PALACE CONCESSIONS: Emmy Smith-\$7.25, Marissa Tubbs-\$7.25

PLAYGROUNDS & ATHLETICS: Jayna Morrill-\$7.25, Tara Palmer-\$7.25

**TRANSFERS:**

ICE ARENA: Chuck Jones

PARKS: Jeremy Nielsen

RECREATION CENTER: Don Bradwisch

**WARRANTS:** A & B Business, Supplies-\$1,067.42, A-Ox Welding Supply, Supplies-\$1,270.13, Accounts Management, Payroll Deduction-\$93.28, Aflac, Aflac Withholdings-\$3,868.44, Aflac/Flex One, Flex One Checks-\$1,560.94, Airport Lighting Equipment, Parts-\$70.74, Alltel, Utilities-\$2,181.90, American Institute of Small Business, Book-\$161.90, Amerikit Technology Solutions, Computer Maintenance-\$151.00, Association of Public Safety Communications Officials International, Dues-\$92.00, Argus Leader, Subscription-\$78.00, Avera Queen of Peace Hospital, Contract Services-\$892.00, B & B Upholstery, Repairs-\$145.00, Bailey Metal Fabricators, Repairs-\$151.50, Baker Bros Electric, Repairs-\$1,249.67, BBC Audiobooks America, Books-\$510.91, Big Sioux Nursery, Trees-\$341.25, Billion, Parts-\$65.44, Birch Communications, Supplies-\$11.16, BMI General Licensing, Licensing Fee-\$244.00, Boyer Trucks, Parts-\$1,560.83, Brad Kobza, Reimbursement-\$94.95, Brenmar Company, Supplies-\$3,132.22, Bryan Rock Products, Supplies-\$23.63, Business Products, Supplies-\$1,469.99, Butler Machinery, Parts-\$24.81, Campbell Supply, Supplies-\$975.36, Card Imaging, Equipment-\$2,271.00, Carolina Software, Support-\$200.00, Carquest Auto Parts, Supplies-\$74.85, Cellebrite USA, Computer Equipment-\$4,065.00, Center Point Large Print, Books-\$77.28, Central Electric Cooperative, Utilities-\$10,342.07, Chuck's Paint & Blinds, Supplies-\$99.64, City of Mitchell, Utilities-\$696.30, City of Mitchell, Payroll Deduction-\$25.00, Coca Cola Bottling Company, Supplies-\$1,712.55, Cook Implement, Supplies-\$71.39, Cook's Inn, Contract Services-\$768.00, Corn Palace Concessions, Supplies-\$45.00, County Fair, Supplies-\$25.81, Custom Micro, Software License-\$5,740.00, Daily Republic, Renewal & Legals-\$6,389.85, Dakota Counseling Institute, Contract Services-\$15,580.00, Dakota Fluid Power, Parts-\$14,321.09, Dakota Supply Group, Supplies-\$235.49, Danko Emergency Equipment, Equipment-\$632.22, Darrington Water Conditioning, Rental-\$40.00, Davison Rural Water System, Water Usage-\$71.80, Dearreader.Com, Online Book Clubs-\$450.00, Dell Marketing, Computers-\$3,734.56, Demco, Supplies-\$76.90, Department of Environment and Natural Resources, Renewal-\$150.00, Diamond Lake Book Company, Books-\$339.30, Dugout Lounge, Contract Services-\$1,581.10, Ed M Feld Equipment Company, Supplies-\$45.25, Ellen M. Hoffman, Refund-\$271.32, Farm & Home Publishers, 2010 County Books-\$304.80, Farmers Alliance, Repair-\$25.00, Farnams Genuine Parts, Parts-\$113.49, Farner-Bocken Company, Supplies-\$5,024.07, Fastenal Company, Supplies-\$270.59, First Bankcard, Supplies-\$4,700.71, Frito-Lay, Supplies-\$198.18, Frontier Precision, Supplies-\$25.00, Gale, Books-\$442.81, Galls, Supplies-\$360.69, Gallus Thill, Contract Services-\$230.00, Gaylord Bros, Supplies-\$47.21, General Drivers & Helpers, Union Dues-\$179.00, GI Sports, Supplies-\$125.21, Golden West Technologies, Security Monitoring-\$457.50, Grainger, Supplies-\$741.44, Greg Larson Sports, Supplies-\$952.00, HW Wilson Company, Books-\$276.00, Hanson's Painting Service, Contract Services-\$2,660.26, Hard Drive Central, Repairs-\$120.00, Harve's Sport Shop, Supplies-\$37.80, Hillyard, Supplies-\$87.02, Hohn Electronics, Sound System Repairs-\$150.00, Hohn Trucking, Contract Services-\$910.00, Huron Culvert & Tank, Equipment-\$1,056.00, ICOP, Equipment-\$457.63, Ingram Library Services, Supplies-\$2,523.60, Institutions Services, Supplies-\$127.20, Integrity Transcription, Transcribing Service-\$745.00, Interstate Office Products, Supplies-\$150.31, JC Penney, Uniform Allowance-\$40.99, JAC Implement, Parts-\$132.52, Jack Earl, Contract Services-\$496.33, James Valley Community Center, Allocation-

\$5,975.00, JCL Solutions-Janitors Closet, Supplies-\$277.82, Jeff Spars, Tools-\$11.60, Jones Supplies, Supplies-\$939.90, Joseph F Pekas, Allocation-\$2,400.00, K-Mart, Supplies-\$35.48, KMIT/KOOL 98, Advertising-\$224.00, Kone, Maintenance Coverage-\$580.02, KORN/KQRN Radio, Advertising-\$500.00, Krohmer Plumbing, Labor-\$107.14, Lakeview Sales, Supplies-\$176.85, Lakeview Veterinary Clinic, Dog Pound-\$1,298.45, Language Line Services, Over-The-Phone Interpretation-\$17.57, Larry's I-90 Service, Repairs-\$1,805.00, Lawson Products, Supplies-\$59.36, Leggette Brashers & Graham, Contract Services-\$3,442.62, Lighthouse Uniform, Pants-\$96.10, M & T Fire and Safety, Supplies-\$512.00, Make-A-Wish Foundation, Mega Gymnastics Donation-\$1,455.40, Maloney & Maloney, Legal Services-\$3,497.50, MC&R Pools, Parts-\$1,162.85, McCormack Distributing, Supplies-\$189.00, Mcfarland Supply Company, Supplies-\$340.70, McLeod's Printing, Supplies-\$162.54, Menard's, Equipment-\$1,798.43, Meridian Grain, Road Salt-\$2,717.48, Meyers Oil Company, Supplies-\$2,738.10, Mid-America Books, Books-\$108.81, Midcontinent Communications, Utilities-\$100.70, Midwest Tire & Muffler, Tires-\$453.40, Mike Magnuson, Cage Fight-\$100.00, Minnesota Valley Testing, Lab-\$41.00, Mitchell Area Chamber of Commerce, December Funding-\$435.75, Mitchell Area Convention and Visitors Bureau, December Funding-\$3,050.25, Mitchell Area Development Corporation, Allocation-\$21,121.50, Mitchell Community Scholarship, Round-Up Payment-\$714.03, Mitchell Iron & Supply, Parts-\$1,242.52, Mitchell Municipal Band, Allocation-\$7,600.00, Mitchell Plumbing & Heating, Repairs-\$56.12, Mitchell School District, Contract Services-\$10,171.15, Mitchell Telecom, Utilities-\$192.85, Mitchell United Way, United Way Deductions-\$500.80, Mount Vernon School District, Contract Services-\$115.50, Mueller Lumber Company, Supplies-\$70,087.22, Muth Electric, Repairs-\$942.03, National Emergency Number Association, 2010 Dues-\$120.00, Neve's Uniforms, Supplies-\$3,227.27, National Fire Protection Association, 2010 Membership-\$150.00, Northern Truck Equipment, Equipment-\$6,823.00, Northwestern Energy & Communications, Utilities-\$43,201.78, O'Connor & Son Trucking, Contract Services-\$715.00, One Call Systems, Locate Request Tickets-\$33.00, Palace Cleaners, Supplies-\$284.25, Palace Motors, Police Towing-\$674.96, Pat Dockendorf, Reimbursement-\$21.07, Patzer Woodworking, Cabinets-\$1,144.46, Paulson Sheet Metal, Repairs-\$150.00, Pepsi Cola Company, Rental-\$1,021.26, Photography Unlimited, Group Session-\$90.00, Planning & Development District, 2010 Membership Dues-\$10,309.00, Plastow & Associates, Computer Repairs-\$836.08, Pony Creek Steakhouse, Contract Services-\$1,521.60, Proseal, Contract Services-\$1,885.00, Pumpkin Books, Books-\$40.78, Qualified Presort, Mailing Service-\$1,501.42, Qwest, Utilities-\$444.76, Radio Shack, Supplies-\$33.98, Rand McNally & Company, Books-\$302.35, Random House, Books-\$840.00, Recorded Books, Books-\$947.25, Robideau Trucking, Contract Services-\$585.00, Rockmount Research & Alloy, Supplies-\$482.55, Ron's Bicycle Shop, Cut Keys-\$42.00, RSVP, Corn Palace Games-\$100.00, Ryan Muck, Travel-\$36.50, S & M Printing Company, Supplies-\$226.00, Santel Communications, Utilities-\$215.01, Schoenfelder Construction, Contract Services-\$1,170.00, Scott Supply Company, Supplies-\$932.92, South Dakota Chapter American Public Works Association, Registration-\$35.00, South Dakota Department of Environment & Natural Resources, Fees-\$15,185.76, South Dakota Governmental Finance Officers, 2010 Dues-\$70.00, South Dakota Municipal League, 2010 Dues-\$5,360.35, South Dakota Police Chiefs Association, 2010 Dues-\$90.38, South Dakota Public Assurance Alliance, Liability & Property Insurance-\$268,532.18, South Dakota Retirement System, South Dakota Retirement System Payment-\$40,313.56, South Dakota State Historical Society, Books-\$30.52, South Dakota State Treasurer, Senior Meals Sales Tax-\$11,284.80, South Dakota-Supplemental Retirement, Supplemental Retirement Payment-\$2,081.33, South Dakota Wastewater Association, 2010 Membership-\$330.00, Service Lighting Company, Supplies-\$623.80, Sheehan Mack Sales & Service, Parts-\$1,038.65, Shi International, Software-\$909.33, Shoemaker Computing, Computer Repairs-\$60.00, Shopko, Supplies-\$35.90, Sign Pro, Supplies-\$188.50, Sioux Equipment, Parts-

\$332.50, Sioux Falls Two-Way Radio, Equipment-\$9,830.61, Sirchie Finger Print Labor, Supplies-\$300.70, Sleepy Eye Industrial Knife, Re grind Olympia Knife-\$105.00, Small Business Development, 2010 Allocation-\$3,000.00, State of South Dakota, Utilities-\$266.78, Sterling Codifiers, Hosting Fee-\$500.00, Steve Roth, Travel-\$38.00, Sturdevant's Auto Parts, Parts-\$3,167.53, Sun Life Financial, Life Insurance Deductions-\$1,039.93, Swenson Bros Grain, Red Aggregate-\$1,531.20, Symbol Arts, Supplies-\$1,258.80, Tactical Technologies, Repairs-\$178.00, Tech Solutions, Repairs & Supplies-\$859.00, Thune True Value Hardware, Supplies-\$83.69, Titan Access Account, Parts-\$751.60, Tractor Salvage and Welding, Supplies-\$1,840.00, Tractor Supply, Supplies-\$89.97, Triotel Communications, Utilities-\$35.57, Troy Eilts, Contract Services-\$80.00, Tyler Technologies, Supplies & Maintenance-\$14,871.07, United Energy, Supplies-\$23,265.89, United Way & Volunteer Services, Reimbursement-\$8.05, UPS Store, Shipping & Shipping Supplies-\$406.68, Unites States Postal Service, Postage-\$576.00, Variety Foods, Supplies-\$1,240.21, Velvet Uniforms, Supplies-\$252.50, Verizon Wireless, Utilities-\$69.92, Walmart, Supplies-\$576.78, Water Environment Federation, Registration-\$95.00, Wells Fargo Bank, Paying Agent Fee-\$350.00, West Payment Center, Supplies-\$1,103.62, Wheelco Brake & Supply, Parts-\$587.64, Wholesale Electronics, Supplies-\$12.68, Woonsocket School District, Woonsocket New Year's Classic-\$1,133.10, and Wright Brothers Aviation, Contract Services-\$500.00.

Members present voting aye: Allen, Barington, Backlund, Beck, Carpenter, Houwman, Olson, Smith.  
Members present voting nay: none. Motion carried.

**ADJOURN:**

There being no further business to come before the meeting, it was moved by Carpenter and seconded by Olson to adjourn the meeting. Motion carried.

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Marilyn Wilson  
Finance Officer

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