2010	Legal and Public
	Notices

# (d) Depreciation Account. There

2010

shall be established a General Depreciation Account. Out of the revenues of the System Revenue Account there shall be set aside each month into the General Depreciation Account an amount determined by the City Council to be a proper and adequate amount for repair and depreciation of the System.

(e) Surplus Account. There shall be established the General Surplus Account. Revenues remaining in the System Revenue Account at the end of any fiscal year after all periodic transfers have been made therefrom as above required, shall be deemed to be surplus and shall be credited to the General Surplus Account. If at any time there shall exist any default in making any periodic transfer to the System Debt Service Account, the City Council shall authorize the City Finance Officer to rectify such default so far as possible by the transfer of money from the General Surplus Account. If any such default shall exist as to more than one account at any time, then such transfer shall be made in the order such accounts are listed above.

When not required to restore a current deficiency in the System Debt Service Account, moneys in the General Surplus Account from time to time may be used for any of the following purposes and not otherwise:

i. To redeem and prepay the Revenue Bond when and as such Revenue Bond becomes prepayable according to its terms;

ii. To pay for repairs of or for the construction and installation of improvements or additions to the System; and, if the balances in the System Debt Service Account and the Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made there from prior to the end of the then current fiscal year, then:

iii. To be held as a reserve for redemption and prepayment of any bonds of the System which are not then but will later be prepayable according to their terms;

iv. To be used for any other authorized municipal purpose designated by the City Council.

No moneys shall at any time be transferred from the General Surplus Account or any other account to any other account of the City, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvements bonds or other obligations payable from other funds, except as allowed by this Section.

Pledge of Revenues. The Revenue Bond, together with the interest thereon, shall not constitute a charge against the City's general credit or taxing power, but shall be a limited obligation of the City payable solely out of the System Debt Service Account, which payments, revenues and receipts are hereby and in the Loan Agreement pledged and assigned for the equal and ratable payments of the Revenue Bond and shall be used for no other purpose than to pay the principal of and interest on the Revenue Bond, except as may be otherwise expressly authorized in the Loan Agreement (including the purpose of securing Additional Bonds issued as permitted by the terms thereof). The City covenants and agrees to charge rates for all services from the System or establish special charges or surcharges which will be sufficient to provide for the payments upon the Revenue Bond issued hereunder as and when the same become due, and as may be necessary to provide for the operation and maintenance and repairs of the System, and depreciation, and the Rate Ordinance shall be revised from time to time so as to produce these amounts. The City hereby reserves the right to determine on a periodic basis the appropriate allocation of operation and maintenance expenses, depreciation, repair and reserves associated with the facilities financed with the Revenue Bond, provided that such determination of allocable operation and maintenance expenses shall in no event abrogate, abridge or otherwise contravene the covenant of the City set forth in this Section 8 or any other covenant or agreement in the Loan Agreement.

Notices agrees that pursuant to SDCL 9-(Memorandum 15-296) 40-28 and SDCL 9-40-29, the Roll Call: All members present voting Aye; voting Nay: None. lawful holders of the Revenue Bond shall have a statutory mortgage lien upon the System and the extensions, additions and im-Commissioner Gross introduced, provements thereto acquired pursuant to the Act, until the payand Mayor Carda, read the title of ment in full of the principal and

Legal and Public

2010

Motion adopted.

Action 15-381

AND

dum 15-288)

Action 15-382

Motion adopted.

or Carda

interest on the Revenue Bond, and the City agrees not to sell or otherwise dispose of the System, the Project, or any substantial part thereof, except as provided in the Loan Agreement and shall not establish, authorize or grant a franchise for the operation of any other utility supplying like products or services in competition therewith, or permit any person, firm or corporation to compete with it in the collection and treatment of wastewater for municipal, industrial, and domestic purposes within the City.

The City covenants and (d) agrees with the Board and other owners of the Revenue Bond that it will maintain the Project and the System in good condition and operate the same in an efficient manner and at a reasonable cost, so long as any portion of the Revenue Bond remains outstanding; that it will maintain insurance on the System for the benefit of the holders of the Revenue Bond in an amount which usually would be carried by private companies in a similar type of business; that it will prepare, keep and file records, statements and accounts as provided for in this Resolution and the Loan Agreement. The Revenue Bond shall refer expressly to this Resolution and the Act and shall state that it is subject to all provisions and limitations thereof pursuant to SDCL 9-40-19.

(e) The Finance Officer shall cause all moneys pertaining to the Accounts to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of SDCL Ch. 4-6A, in a deposit account or accounts, which shall be maintained separate and apart from all other accounts of the City, so long as any of the Revenue Bond and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No money shall at any time be withdrawn from such deposit accounts except for the purposes of the Accounts as authorized in this Resolution; except that moneys from time to time on hand in the Accounts may at any time, in the discretion of the City's governing body, be invested in securities permitted by the provisions of SDCL 4-5-6; provided, however, that the Depreciation Account may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the Account from whose moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys therein.

(f) In the event of mismanagement of the System, a default in the payment of the principal or interest of the Revenue Bond, or in any other condition thereof materially affecting the lawful holder of the Revenue Bond, or if the revenues of the Project or System are dissipated, wasted or diverted from their proper application as set forth in the Loan Agreement, Revenue Bond, or herein, the City hereby consents to the appointment of a receiver pursuant to SDCL 9-40-33, and agrees that the receiver will have the powers set forth therein, and in SDCL 9-40-34 and SDCL 9-40-35 to operate and administer the System, and charge and collect rates as described therein.

#### Signs Legal and Public Notices

former U.S. Attorney's Office Brendan Johnson about helping his office host a human trafficking conference geared towards healthcare professionals and law enforcement.

ORDINANCE NO. 984, BE IT ORDAINED THAT ORDI-"He (John-NANCE NO. 968 APPROPRIATson) said ING MONIES FOR DEFRAYmost people ING THE NECESSARY EXwho have PENSES AND LIABILITIES OF been traf-THE CITY OF YANKTON, SOUTH DAKOTA, FOR THE ficked have had interac-FISCAL YEAR BEGINNING JANUARY 1, 2015, AND ENDtion with ING DECEMBER 31, 2015, some type of PROVIDING FOR THE healthcare LEVY OF THE ANNUAL TAX entity, like FOR ALL FUNDS CREATED a clinic or a BY THE ORDINANCE WITHIN SAID CITY BE AMENDED TO

hospital," Fischer-Clemens said. "Those healthcare people didn't see the signs or do anything. Several of those present

at Monday night's program, which focused on signs to watch for in identifying human trafficking victims, were healthcare professionals in "You will think of some of

these things and they will be red flags as you take care of patients," Fischer-Clemens

said. She shared several stories of human trafficking offenders and victims, which included young women being brought to the hospital for a variety of reasons. In one story, Fischer-Clemens recounted a young woman forced into prostitution who became pregnant. Her captor attempted a botched abortion, causing her to hemorrhage and to be taken to the hospital. The captor

### County

David Carda From Page 1

> "I have worked with independent projects within city governments," he said. Buresh said, while his

company's focus has been on non-governing entities, the security needs for government sites are very similar.

"In reality, it's not much of a leap when you look at it from a security or a technical standpoint," he said. "With exception to open records laws, security and regulations within those industries is pretty strict. Taking that extra step, it's not as far out as it

would seem. The county considered a number of website design services, which they narrowed down to two finalists — Intuvio Solutions and CivicPlus of Manhattan, Kansas.

Woods said the commissioners liked both proposals, but Intuvio stood out more to him.

"Both website providers,

did all the talking and made outlandish excuses to the various markings on the woman's body as a result of her captivity. No one in the hospital questioned the story and woman was released back to her captor.

Any healthcare practitioners suspicious of any type of abuse are required to report

"People don't believe it's happening even though we have the most individuals in federal prison of any state in the country. It does happen and it happens around us every day."

#### **DEB FISCHER-CLEMENS**

it to someone at the facility. The signs Fischer-Clemens described healthcare professionals to look for were:

• If the person who brought the patient in doesn't let them answer any questions and does all the talking

• If the patient appears afraid, anxious, depressed, submissive or nervous;

• If the patient avoids eye contact at all cost; and

• If the patient is suffering from malnutrition and/or dehydration and has some type of traumatic injury or injuries.

When approaching these types of patients, Fischer-Clemens advises that healthcare professionals build a level of trust, get the patient alone by way of asking for a urine sample or an x-ray and reassure them they're in a safe environment.

"One line to say is, 'The hospital is always open and

very good," he said. "I would say they're very equal in many cases. Intuvio has a lot of history in working with medical companies ... The level of security they have to provide the healthcare industry is very strong and I was impressed with the website and the appearance of the website."

Another factor came down to the cost of each service. Woods said Intuvio Solutions had a one-time cost of \$4,500 and would cost \$50 per month after. CivicPlus would include a \$6,000 starting fee, broken down across three years, and nearly \$2,000 per year after the initial cost, not including any major add-ons.

Buresh said he's happy to have the chance to work with Yankton County on its new website.

"I think this is going to be a great opportunity for us to show our skills and come up with a great design that meets web standards, as well as helping the county convey the information they need and create a more open government," he said. "The easier we can make it for them to get

there are people who are interested in your wellbeing 24/7, 365 days," she said.

If the victim is hesitant to talk, healthcare personnel can get the license plate number of the vehicle the patient arrived in or ask the patient for their family's telephone number. They can also discreetly give the victim a phone

number to call for help by writing it in their shoe. In recent years, South

Dakota has taken steps to improve its human trafficking

problem. At the Sturgis Motorcycle Rally, there are teams that search for missing young people and another team that creates false profiles for child prostitutes to catch pedophiles.

However, the state still has a long way to go in stopping human trafficking from occurring within its borders.

"How much do you want to bet we won't see one bill that will help with human trafficking," Fischer-Clemens stated, referring to the upcoming legislative session. "People don't believe it's happening even though we have the most individuals in federal prison of any state in the country. It does happen and it happens around us every day.'

For more information on human trafficking, visit www. traffickingresourcecenter.org.

Follow @ReillyBiel on Twitter.

better off the public is."

Woods said there's also talk of having someone on the county staff in charge of updating new website on an ongoing basis.

Currently, the website doesn't have anybody overseeing it," he said. "Every department head is kind of taking it on their own. That's one thing — we have to appoint a person who's interested in doing that, but right now we don't have that name.'

Woods is hoping to see the new website active in the first quarter of 2016, but acknowledges it could be as late as the second quarter.

Buresh said website building for a client normally takes six to eight weeks.

Woods said a new website will be a huge plus.

"If it's easier to navigate and the information is clear and easy to find, I think it will make the users happy because the information will be out there," he said.

Follow @RobNielsenPandD on Twitter.

Mayor

Al Viereck Finance Officer Published once at the total approximate cost of \$272.70.

ATTEST:

12 + 8CHAMBER OF THE BOARD OF CITY COMMISSIONERS YANKTON, SOUTH DAKOTA CITY COMMISSION STUDY SESSION, 6:00 P.M.

**NOVEMBER 23, 2015** 

Study Session of the Board of City Commissioners of the City of Yankton was called to order by Mayor Carda. Roll Call: Present: Commissioners Ferdig, Gross, Hoffner, Knoff,

Miner, Sommer, and Woerner, City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Johnson. Ouorum present.

ers Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Woerner. Absent: City Attorney Den Herder and City Manager Nelson. Quorum present.

Action 15-383 Moved by Commissioner Woerner, seconded by Commissioner Sommer, to adjourn at 9:26 p.m. Roll Call: All members present

voting Aye; voting Nay: None.

Motion adopted.

WIT, and set December 14, 2015.

as the date for the second reading

and public hearing. (Memoran-

Moved by Commissioner Woern-

er, seconded by Commissioner

Ferdig, to adjourn into Executive

ters under SDCL 1-25-2.

voting Aye; voting Nay: None.

Regular meeting of the Board of

City Commissioners of the City of

Yankton was reconvened by May-

Roll Call: Present: Commission-

Session at 7:47 p.m. to discuss Personnel and Contractual Mattraining. Roll Call: All members present

<u>8. Additional Bonds.</u> As permitted by SDCL 9-40-8 and SDCL 9-40-9, additional Bonds payable from revenues and income of the System may be issued, as permitted in the Loan Agreement and no provision of this Resolution shall have the effect of restricting the issuance of, or impairing the lien of, such additional parity bonds with respect to the net revenues or income from the extensions, additions or improvements. The City shall have the right to issue additional bonds secured by a lien subordinate to the lien from the Revenue Bond pursuant to the Loan Agreement.

9. General Covenants.

(a) The City hereby covenants and agrees with the Board and other owners of the Revenue Bond that it will punctually perform all duties with reference to the Project, the System and the Revenue Bond required by the constitution and laws of the State of South Dakota and by this Resolution.

The City agrees and covenants that it will promptly construct the improvements included in the Project.

The City covenants and (c)

10. Severability. If any section, paragraph, clause or provision of this Resolution, the Loan Agreement, the Revenue Bond, or any other Loan Document shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution or said Loan Agreement, Revenue Bond, or any other Loan Document.

Authorization of City Officials. The Mayor, Finance Officer, City Attorney and City officials shall be and they are hereby authorized to execute and deliver for and on behalf of the City any and all other certificates, documents or other papers and to perform such other acts as they may deem necessary or appropriate in order to implement and carry out the actions authorized herein.

<u>12. Definitions.</u> All terms used in this Resolution which are not defined herein shall have the meanings assigned to them in the Loan Agreement unless the context clearly otherwise requires.

<u>13. Effective Date.</u> This Resolution shall take effect on the 20th day following its publication, unless suspended by a referendum.

### EXHIBIT A DESCRIPTION OF THE PROJECT

The city of Yankton is to replace the weigh scale as well as make improvements to the ingress and egress routes to sufficiently handle expected traffic loads at the transfer station.

Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

#### Action 15-380

Moved by Commissioner Hoffner, seconded by Commissioner Ferdig, to adopt the Downtown Yankton Facade Grant Program Guidelines and Application. General discussion of Fox Run Course operations was held.

Commissioner Johnson entered the meeting at 6:22 p.m.

#### Action 15-371

Moved by Commissioner Gross, seconded by Commissioner Sommer, to adjourn at 6:58 p.m. Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

David Carda

Mayor

ATTEST:

#### Al Viereck Finance Officer

Published once at the total approximate cost of \$

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when it came down to it, were

Computer

#### From Page 1

to go into the Play Lab and create games through coding for other students and schools to complete. "When we had classes years ago, we talked about computer coding and thought that was for only people who would be going in to the field of computers," said Jerome Klimisch, Stewart Elementary School principal. "Now kids see it a little differently. They see it as a way to control things. After the success of YSD's eight-week coding club pro-

gram that began in September, administration expects large participation this year. We hope that by giving students some experiences with coding, that will translate to them having an interest or pursuing it further, like doing it at home and signing up for clubs," Mitzel said. 'And our teachers – having an hour to kind of play with it and teach it – will incorporate it in their classrooms as well.'

This is part of the district's 5-Year Strategic Plan to implement more Science, Technology, Engineering

## **Budget**

A coalition Daugaard established is exploring the viability of expanding

The measure under review would pay for the state's share of a potential expansion in part by broadening access to services that are fully funded by the federal government, with the goal of freeing up enough state funding to pay for the addition of more residents to the Medicaid program.

information to the public, the

and Math (STEM) programs in the schools. Now that kids are exposed to more technology than ever before learning how it works could take students from a hobby to a career.

With currently 586,982 open computing jobs nationwide – 1,010 of them in South Dakota, advocates are hoping to spark interest in those skills using the technology as a form of education and fun activities.

"Having all those areas come together and knowing that the skills and knowledge they need for those disciplines are so essential for student success," said Melanie Ryken, Webster Elementary School principal "It gets them prepared for the real world, especially for new jobs that will be coming in to this field."

According to code.org, only 27 states allow students to count computer science courses toward high school graduation. South Dakota, Nebraska and Iowa are not among them. Nor do any of these states have computer science standards within their school curriculums.

But technology presence is still a major factor in Yankton's elementary schools. Teachers implement that

Brian Gosch said he hopes Daugaard leaves some funds uncommitted to be put into budget reserves or set aside for lawmakers to appropriate. Gosch said he also hopes more money will be added to the state's schools above what is required by

law. South Dakota's economy is better and more stable than many states, Daugaard said.

"It's certainly a different situation than five years ago, considerably different than that," Daugaard said.

The state closed the fiscal year that ended on June 30 with a budget surplus, piling up \$21.5 million more knowledge in the opportunities offered to students.

"We know, nationwide, parents want students to study computer science," Ryken said. "We know that the majority of schools aren't teaching it, but we do know that kids are geared towards it and have an interest in it."

Students continue to use the school's computer labs every week. The older kids have their Chrome books. the younger kids have their IPads and every classroom uses these differently.

'(Kids) are on devices earlier, so teaching them to do that at an earlier age is helpful," Mitzel said. "It empowers kids to do things like making websites, having a career if they so choose and understanding how devices actually work. We all use devices, but we seldom know why it works that way."

The lessons are available to anyone through the code. org website. These online activities are highly interactive and do not require immediate knowledge of coding or programming techniques.

Follow @alwooc01 on Twitter.

than projections because of higher revenues and lowerthan-anticipated spending.

Revenues grew by an unexpected \$10 million and state spending was \$11.5 million lower than economic estimates, which lawmakers approved in March. Stronger receipts in construction and insurance taxes coupled with lower spending for education and Medicaid were largely responsible for the surplus for the 2015 budget year.

Bureau of Finance and Management Commissioner Jason Dilges said those trends have continued into the current budget year.

From Page 1

Medicaid.

House Majority Leader

From Page 1