

2010 Legal and Public Notices

By _____
John E. (Jack) Powell, Mayor
ATTEST:
By _____
Michael D. Carlson,
Finance Officer
The motion was seconded by Alderman French. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.
Dated this 4th day of April, 2011.
Michael D. Carlson
Finance Officer
Published once at the approximate cost of \$60.47
Estimated publishing cost per published copy \$0.325
Published: April 8, 2011

MINUTES OF THE VERMILLION SCHOOL BOARD Regular Meeting Unapproved Minutes

March 28, 2011
VERMILLION PUBLIC SCHOOLS
Board members present: Bottolfson, Fairholm, Girard, Lavin, and Stammer.
Presiding officer present: Bottolfson-president.
Officer present: Beermann-business manager.
Administrators present: Froke-superintendent.
School attorney present: McCulloch.
Item #1-1911
Teri Bellis made a presentation opposing a music staff reduction proposal.
Item #2-1911
Motion by Girard, seconded by Fairholm, to approve the agenda as presented.
Aye: Unanimous.
Item #3-1911
Motion by Stammer, seconded by Lavin, to approve the minutes of the March 14, 2011 board meeting as presented.
Aye: Unanimous.
Item #4-1911
Froke presented information on the following items:
1. Federal budget legislation order and effect on the school district,
2. Review proposed budget reduction plan, and,
3. School snow make-up days and last school day for seniors, other students and staff.
Item #5-1911
Beermann presented information on the Appletree refund.
Motion by Girard, seconded by Lavin, to donate the \$972.75 refund to the district wellness committee.
Aye: Unanimous.
Item #6-1911
Motion by Girard, seconded by Stammer, to approve the following driver's education personnel for the summer of 2011 and set the fee at \$225 per participant:
Bill Settles-classroom instruction at \$224.99/day,
Bill Settles-driving instruction at \$16.50/hr.,
Jon Reuvers-driving instruction at \$16.50/hr., and,
Barb Cameron-administrative duties at \$150.00/summer.
Aye: Unanimous.
Item #7-1911
Motion by Lavin, seconded by Girard, to approve the following retirements according to the standard early retirement program with incentive:
Gwen Hall-Title I, and,
Ilene Lerseth-high school instructor.
Aye: Unanimous.
Item #8-1911
Motion by Fairholm, seconded by Stammer, to approve the following retirements according to the amended early retirement program incentive, but without any requested reservations:
Shari Kolbeck-librarian, and,
Lea Gustad-guidance.
Aye: Unanimous.
Item #9-1911
Motion by Girard, seconded by Stammer, to approve the following resignations:
Kelli Bartscher, elementary instructor, and,
Kate Durst-elementary instructor.
Aye: Unanimous.
Item #10-1911
Motion by Lavin, seconded by Fairholm, to go into executive session at 8:12 p.m. for personnel and negotiations matters.
Aye: Unanimous.
Item #11-1911
Bottolfson declared the board out of executive session at 8:57 p.m.
Item #12-1911
Motion by Fairholm, seconded by Lavin, to adjourn the meeting at 8:58 p.m.
Aye: Unanimous.

Mark Bottolfson
President
Sheila R. Beermann
Business Manager
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March 08, 2011 Commissioner Meeting

The Board of County Commissioners met in regular session Tuesday March 8, 2011 at 9:00 a.m. Members present: Passick, Wilson, Powell, Packard and Kephart.
Wilson moved, seconded by Kephart and carried to approve the agenda.
Minutes of the March 1, 2011 meeting were approved with a motion by Kephart seconded by Passick and carried.
Rod Polley/Hwy Supt. met with the Board to discuss hwy matters
Wilson moved, seconded Kephart and carried to pass and adopt the following resolution approving county request for Bridge Reinspection with the SDDOT and approving Johnson Engineering as the Consulting Engineer.

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RESOLUTION #2011-05 BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS
WHEREAS, Title 23, Section 151, *United States Code* and Title 23, Part 650, Subpart C, *Code of Federal Regulations*, requires initial inspection at intervals not to exceed two years;
THEREFORE, Clay County is desirous of participating in the Bridge Inspection Program using Bridge Replacement Funds.
Clay County requests SDDOT to hire Johnson Engineering, Inc. (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. Clay County will be responsible for the required 20% matching funds.
There are two bridges in Clay County that require inspection, #14-088-170 & 14-133-170.
Dated this 8th day of March 2011 at Vermillion, South Dakota.
Leo F. Powell, Chairman
Board of County Commissioners O f Clay County

Ruth A. Bremer, County Auditor
ATTEST:
The Board discussed the need for updating the county's two way radios from wide band to narrow band, complying with FCC regulations. The County currently has 38 radios needing to be replaced. The Hwy Dept. received 3 bids, with Sioux Falls 2-Way being low bidder at \$28,137.05 (radios only). It was reported that the repeater the county was using burned up this winter and has been replaced with newer version compatible for use with the new radios. It was requested that GPS option be added to the radio system for tracking job related activities, but funding has not been included in this year's budget.
It was the consensus of the Board that GPS be scheduled for purchase in the 2012 Budget.
Passick moved, seconded by Kephart and carried to set April 5th at 9:30 a.m. for the following Highway bid opening:
NOTICE TO BIDDERS
Notice is hereby given that the Board of County Commissioners of Clay County, South Dakota, will conduct bid opening at 9:30 a.m. April 5th and will receive bids at the office of the Clay County Auditor, Clay County, South Dakota until 9:00 a.m. on the 5th day of April, 2011, for the furnishing the following materials:
ASPHALT CONCRETE
LIQUID ASPHALT CONCRETE & METAL CULVERTS
CONCRETE BRIDGE DECKING
BLADES
TRAFFIC SIGNS & STEEL SIGN POSTS
CRANE WORK, CRANE MEN, AND DRIVEN PILING
CRUSHED GRAVEL
CRUSHED QUARTZITE
Specifications for the above materials are on file at the Clay County Auditor's Office, 211 West Main St., Vermillion, South Dakota.
Ruth A. Bremer
Clay County Auditor
Passick moved, seconded by Packard and carried to approve the Hwy Dept. purchase of one _ ton truck from SD Federal Property in Huron, SD and to allow the 1998 Ford F150PU with 262,000 miles, 500 gal diesel Tank w/electric fuel pump, and 250 gal propane tank declared surplus and sold at the Girard Auction Sale this March at 15 Ohio Street, Wakonda, SD. Passick moved, seconded by Packard and carried to approve the Sheriff's Surplus Misc. Property as presented and sold during the City Auction sometime this spring. (list includes: computer items, radios, and light bars, etc).
The Sheriff's Monthly Cash report was accepted and placed on file.
At 10:30 a.m. Kephart moved, seconded by Passick and carried to adjourn and convene as Ditch Board. SDDOT Paul Nikolas and Ron Peterson were present to discuss the Hwy50 road project and their request for drainage into existing county drainage ditches. The new proposal will drain in Highway right-of-way from 455 Ave on the north side of Hwy 50 to approximately 457 Ave. crossing over to the South side of Hwy 50 east/southeast of Meckling to the Vermillion River.
Wilson moved, seconded by Passick and carried to set a Joint Ditch Meeting with Yankton County to review the SDDOT Road Project Hwy50 Reconstruction concerning Lateral 50 and other items that may come before the Ditch Board on March 29th at 6:30 p.m. in the public safety center. (Courthouse basement)
Wilson moved, seconded by Packard and carried to authorize the payment to Plain Talk -\$19.12, for advertising the Special Joint Meeting held Feb.22, 2011.
Passick moved, seconded by Kephart and carried to approve the payment to Wade Larson \$7414.18 for the cleaning of Lateral50A. (Mike Pollman was hired & paid to clean the lateral by the landowner in 2010.)
Kephart moved, seconded by Passick and carried to authorize the follow notice to bidders for cleaning a portion of the Yankton/Clay Ditch, Lateral 50A,50B, and 50B Extension and replacement of culverts (2) on Clay Creek Ditch.
NOTICE TO BIDDERS
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Furnish all necessary equipment and labor for the cleaning of the Yankton/Clay Ditch from the Meckling Road (Sec. 2 Norway Twp) moving East Southeast until ending at Norway Street (Sec.7 Norway Twp) Clay County, South Dakota. The Project consists of cleaning, leveling spoil-banks and removal and disposal of all trees, brush and stumps

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within said Ditch. All work to be done under the supervision of the County Highway Superintendent.
Minimum Equipment Required: Track-type hoe with six (6) foot ditch cleaning bucket, Programmable laser comparable to a laser beacon LB-4, Proof of Insurance, and bid the project by Sections, using the County Bid Sheet furnished, with a final total bid of the project.
Bids will be received in the office of the Clay County Auditor, Clay County South Dakota until 5:00 p.m. on the 11th day of April, 2011.
Bid Sheets/Maps for the above project are on file at the Clay County Auditor's Office, Vermillion, South Dakota.
Ruth A. Bremer
Clay County Auditor
NOTICE TO BIDDERS
Notice is hereby given that the Board of County Commissioners of Clay County South Dakota, acting as the Ditch Board will be open bids for the cleaning of Lateral 50A, 50b, and 50b Branch (Meckling Township) April 12, 2011 at 10:30 a.m. in the Commissioner's Meeting room at the Clay County Courthouse.
Lateral 50a -Beginning 25' South of Northwest Corner of the NE1/4 Section 19-93-53 along the South side of 312 St going East until ending at 454 Ave. (Lateral 50 Ditch)
Lateral 50b - Beginning 25' North and 25' West of Corner Common to Sec 19,20,29 and 30, 93-53 along the North side of 313th St. going East until it connects with lateral 50 at the junction of SDHwy 50.
50b Branch -Beginning at 25' West Northwest corner of Sec. 27, 93-53 West side of 455 Ave going South 3165', 500' South of the Northeast Corner of SE1/4, Sec.28, Township 93 North, Range 53 West (Meckling Twp.) Clay County, South Dakota.
The Project consists of cleaning, leveling spoil-banks and removal & disposal of all trees, brush and stumps within said lateral. Furnish all necessary equipment and labor for the restoration of the said laterals. All work to be done under the supervision of the County Highway Superintendent.
Minimum Equipment Required: Track-type hoe with six (6) foot ditch cleaning bucket, Programmable laser comparable to a laser beacon LB-4, Proof of Insurance, and bid the project by Sections, using the Bid Sheet furnished by the county, with a final total bid.
Specifications/Plans for the above project are on file at the Clay County Auditor's Office, Vermillion, South Dakota.
Bids will be receive in the office of the Clay County Auditor, Clay County South Dakota until 5:00 p.m. on the 11th day of April, 2011.
Ruth A. Bremer
Clay County Auditor
NOTICE TO BIDDERS
Clay County Ditch Board is taking bids on removal and installation of culverts on the Clay Creek Ditch.
#1. Culvert is located in the S.W. _ of Sec. # 34-94-53, Bethel Twp. south side of ditch. Culvert is 60" x 30' metal with a flog gate. Clay County Ditch Board will furnish metal culvert and flog gate and can be picked up at Clay County Highway Dept.
#2. Culvert is located in the S.E. _ Sec. # 7-93-52, Spirit Mound Twp. north side of ditch. Culvert is 18" x 40' metal culvert with flog gate. Clay County Ditch Board will furnish metal culvert and flog gate and can be picked up at Clay County Highway Dept.
Culverts are to be installed at existing flow line, using same type of mechanical compaction. All fill is the responsibility of the contractor. Hwy Supt. responsible for final inspection and disposal of old culvert.
Bids will be accepted at the Clay County Auditor's Office, 211 W. Main St., Suite 200 Vermillion, SD 57069 until 10:30 a.m. April 12th 2011.
Ruth A. Bremer
Clay County Auditor
At 11:40 a.m. Passick moved, seconded by Kephart and carried to adjourn as Ditch Board and reconvene as Board of Commissioners.
Gene Lunn/DOE met with the Board to discuss office personnel and the 2011 Budget supplement needed to support the additional staff.
Cindy Aden/Veterans Officer and Zoning Admin. met with the Board. Travel request was submitted for VA Mini Conference April 13 in Brookings and Orientation School in Sioux Falls May 10th and 11th. Passick moved, seconded by Wilson and carried to approve travel expenses for Veterans Service Officer as submitted.
Information regarding the Flood Plain Development Permit by Applicant and Administrator were reviewed. It was the consensus of the Board that included in the permit fee there would be costs associated with engineering or other professional services to be paid by the applicant. The Board also reviewed flow charts for Zoning Board of Adjustments, Conditional Use Permits and Amendments and Change of Zone for proposed Joint Jurisdictional Area.
Wilson moved, seconded by Kephart and carried that the county adopt the International Building Code with the same limitations as exercised by the City of Vermillion for the Joint Jurisdictional zone, and that the county enter into a joint powers agreement with the City whereby the City inspects residential, commercial and industrial buildings in the joint jurisdictional zone. The fees to be covered by applicant.
Wilson moved seconded by Kephart and carried to approve travel expenses for Elected Officials, Commissioners and Assessor to attend District Meeting in Turner County March 23rd.
The Register of Deeds Statement of Fees Collected for February 2011 for \$8246.90 and the following Auditor's Account with the County Treasurer for February, 2011 were accepted and placed on file.
AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER
To the Honorable Board of County Commissioners of Clay County

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Passick moved, seconded by Kephart and carried to approve the payment to Wade Larson \$7414.18 for the cleaning of Lateral50A. (Mike Pollman was hired & paid to clean the lateral by the landowner in 2010.)
Kephart moved, seconded by Passick and carried to authorize the follow notice to bidders for cleaning a portion of the Yankton/Clay Ditch, Lateral 50A,50B, and 50B Extension and replacement of culverts (2) on Clay Creek Ditch.
NOTICE TO BIDDERS
Notice is hereby given that the Board of County Commissioners of Clay County South Dakota, acting as the Ditch board for Yankton/Clay Ditch, will open Bids April 12th at 10:30 a.m. for the following:
Furnish all necessary equipment and labor for the cleaning of the Yankton/Clay Ditch from the Meckling Road (Sec. 2 Norway Twp) moving East Southeast until ending at Norway Street (Sec.7 Norway Twp) Clay County, South Dakota. The Project consists of cleaning, leveling spoil-banks and removal and disposal of all trees, brush and stumps

Leo F. Powell, Chairman
Board of County Commissioners O f Clay County
Ruth A. Bremer, County Auditor
ATTEST:
The Board discussed the need for updating the county's two way radios from wide band to narrow band, complying with FCC regulations. The County currently has 38 radios needing to be replaced. The Hwy Dept. received 3 bids, with Sioux Falls 2-Way being low bidder at \$28,137.05 (radios only). It was reported that the repeater the county was using burned up this winter and has been replaced with newer version compatible for use with the new radios. It was requested that GPS option be added to the radio system for tracking job related activities, but funding has not been included in this year's budget.
It was the consensus of the Board that GPS be scheduled for purchase in the 2012 Budget.
Passick moved, seconded by Kephart and carried to set April 5th at 9:30 a.m. for the following Highway bid opening:
NOTICE TO BIDDERS
Notice is hereby given that the Board of County Commissioners of Clay County, South Dakota, will conduct bid opening at 9:30 a.m. April 5th and will receive bids at the office of the Clay County Auditor, Clay County, South Dakota until 9:00 a.m. on the 5th day of April, 2011, for the furnishing the following materials:
ASPHALT CONCRETE
LIQUID ASPHALT CONCRETE & METAL CULVERTS
CONCRETE BRIDGE DECKING
BLADES
TRAFFIC SIGNS & STEEL SIGN POSTS
CRANE WORK, CRANE MEN, AND DRIVEN PILING
CRUSHED GRAVEL
CRUSHED QUARTZITE
Specifications for the above materials are on file at the Clay County Auditor's Office, 211 West Main St., Vermillion, South Dakota.
Ruth A. Bremer
Clay County Auditor
Passick moved, seconded by Packard and carried to approve the Hwy Dept. purchase of one _ ton truck from SD Federal Property in Huron, SD and to allow the 1998 Ford F150PU with 262,000 miles, 500 gal diesel Tank w/electric fuel pump, and 250 gal propane tank declared surplus and sold at the Girard Auction Sale this March at 15 Ohio Street, Wakonda, SD. Passick moved, seconded by Packard and carried to approve the Sheriff's Surplus Misc. Property as presented and sold during the City Auction sometime this spring. (list includes: computer items, radios, and light bars, etc).
The Sheriff's Monthly Cash report was accepted and placed on file.
At 10:30 a.m. Kephart moved, seconded by Passick and carried to adjourn and convene as Ditch Board. SDDOT Paul Nikolas and Ron Peterson were present to discuss the Hwy50 road project and their request for drainage into existing county drainage ditches. The new proposal will drain in Highway right-of-way from 455 Ave on the north side of Hwy 50 to approximately 457 Ave. crossing over to the South side of Hwy 50 east/southeast of Meckling to the Vermillion River.
Wilson moved, seconded by Passick and carried to set a Joint Ditch Meeting with Yankton County to review the SDDOT Road Project Hwy50 Reconstruction concerning Lateral 50 and other items that may come before the Ditch Board on March 29th at 6:30 p.m. in the public safety center. (Courthouse basement)
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