#### Legal and Public 2010 2010 **Notices**

Propane quotes were submitted. moved, seconded Packard and carried to accept low quote from Butch's Propane, Maskell, NE for \$1.219 per gal.

Right of Way Application was submitted by Clay Union Electric for cable installation under Greenfield Road in Section 27 of Prairie Center Twp. Powell moved, seconded by Packard and carried to authorize the Chairman to sign said application.

Jim Stone, Tom Thaden and Jim Wilson with Historic Preservation Commission gave the Board a review of their plans for 2013. Powell moved, seconded by Packard and carried to appoint Dr. Molly Rozum to the Historic Preservation Board.

It was reported that on May 3rd a Wallace Dow film will be showing at 2:30pm in the MUC (USD Student Union). It will also be on public television May 6th.

On May 23rd the Historic Preser-Commission will have a Preservation Celebration from 12 (Noon) to 9pm at the Austin Whittemore House.

They will be relocating the Historic School House to the South West corner of the Austin Whitte-

At 10:30 a.m. the seconded reading and adoption of the following County Ordinance 2013-01 was

#### **ORDINANCE #2013-01**

#### AN ORDINANCE AMENDING **ORDINANCE #05-01** BY REZONING CERTAIN PROPERTY

BE IT ORDAINED BY CLAY COUNTY, SOUTH DAKOTA:

Ordinance amended as follows:

A zoning change from A-1 Agricultural District to C-1 Commercial District for the placement of a Commercial Business by owner Heine Electric & Irrigation, for property located in the NE \_ SE \_, Section 5, Township 92 North, Range 52 West of the 5th P.M., Clay County, South Dakota (Nor-

And the official zoning map referred to in Article 4, Section 4.03 is amended to include the property in the Commercial District (C-1).

Zoning Board Public Hearing:

Ruth A. Bremer, County Auditor Clay County, South Dakota

February 25, 2013

First Reading: March 12, 2013

Second Reading: March 26, 2013

Adoption: March 26, 2013

Publication: March 29, 2013

Effective Date: April 18, 2013

### CLAY COUNTY BOARD OF **COMMISSIONERS**

Raymond Passick, Chairman

Leo F. Powell

Phyllis Packard

Travis Mockler

Leslie K. Kephart

ATTEST:

Ruth A. Bremer, Clay County Auditor

No public was present for the hearing and no written comments been received. moved, seconded by Mockler to pass and adopt County Ordinance #2013-01. Roll call vote was taken - All voting aye, motion car-

Brown/SECOG Planner Teddi Gertsma/States Attorney met with the Board to discuss the Clay County Drainage Ordinance #94-5 and relevant laws.

Rose Benson/Credit Collections Bureau of Sioux Falls, SD met with the Board to discuss their collections software. Clay County currently has Noll's Collection Service from Sioux City, IA.

The Soil Conservation Annual Report for 2013 was accepted and

Packard moved, seconded by Mockler and carried to approve Resolution #2013-06 for a lien release against welfare case #2703 & #2007. This case was for an involuntary committal mental health and was deemed uncollectable.

#### RESOLUTION #2013-06 Lien Release

WHEREAS, there appears in the office of the Register of Deeds of Clay County, South Dakota liens in favor of Clay County, in the sum of \$1007.33 against Wel-

## Legal and Public 2010 **Notices**

fare Case #2703, and in the sum of \$345.00 against Welfare Case #2007, the same being the County Aid to the Poor.

WHEREAS, the Lienees are for involuntary mental health costs and liens are not deemed collect-

THEREFORE, BE IT RE-SOLVED that Clay hereby does waive its claim

in the sum of \$1007.33 against Welfare Case #2703, and in the sum of \$345.00 against Welfare Case #2007, the same being the County Aid to the Poor.

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners and the County Auditor of Clay County, South Dakota hereby authorized and direct the Register of Deeds of Clay County to release and satisfy said Commissioner

moved the adoption of the foregoing Resolution. Motion seconded by Commissioner

Upon which voting, the Resolu-

tion was passed and adopted. Dated at Vermillion, South Dakota this 26 day of March, 2013

Raymond Passick, Chairman **Board of County Commissioners** 

Ruth A. Bremer, County Auditor

Powell discussed the recent Commissioner Workshop meeting. It was the consensus of the Board to have Gary Drewes of Hagan Benefits Inc. come and review our liability insurance to make sure we are properly insured under all the various Boards.

Powell discussed Lake Thompson, the Establishment of the outlet elevation with Kingsbury and Hamlin Counties.

Dennis Ganschow/Weed Supervisor met with the Board to request travel.

Kephart moved, seconded by Packard and carried to approve travel to Bon Homme County on April 11th for Salt Cedar Grant meeting.

Ganschow also notified them of the annual SD/NE Purple Loosestrife Project meeting in Niobrara NE on April 25th.

In regards to the Vermillion Now letter that was mailed out, the Board requests Steve Howe to come and visit about the development of the new TIF district in the City of Vermillion.

Powell moved seconded by Mockler and carried to set April 9th at 9:30 a.m. for the following Drainage Permit Hearing.

## PERMIT HEARING

Notice is hereby given that in accordance with the Clay County Drainage Permit Ordinance, Sections 106 and 107, the Clay County Commissioners sitting as the Clay County Board of Resolutions will conduct a hearing on drainage permit application for drainage into County ROW, in the Commissioners room at the Clay County Courthouse for the following applicant at 9:30 a.m. Tuesday, April 9, 2013.

#2013-04 Tom Logue, 30565 455 Ave, Volin SD 57072

For Proposed drainage tile in the SW1/4, Sec. 12, Township 94 North, (Bethel Twp) Range 53 West, of the 5th P.M. to drain Northeast into existing waterway to Spirit Mound Creek, then Southeast to the Vermillion River.

All interested persons are encouraged to attend the public hearing. Those interested persons not able to attend are invited and encouraged to send written comments prior to the hearing, to:

Clay County Commissioners 211 W. Main Street. Suite 200 Vermillion, SD 57069

Ruth A. Bremer Clay County Auditor

Powell moved seconded by Mockler and carried to set April 30th at 9:30 a.m. for the following Drainage Permit Hearing.

### NOTICE OF DRAINAGE PERMIT HEARING

Notice is hereby given that in accordance with the Clay County Drainage Permit Ordinance, Sections 106 and 107, the Clay County Commissioners sitting as the Clay County Board of Resolutions will conduct a hearing on drainage permit application for drainage into County ROW, in the Commissioners room at the Clay County Courthouse for the following applicant at 9:30 a.m. Tuesday, April 30, 2013.

#2013-05 Randall Jensen, 30540 455 Greenfield Rd. Beresford, SD

For Proposed drainage tile in the North 1/2, Section 14, Township 94 North, (Garfield Twp) Range **Legal and Public Notices** 

51 West, of the 5th P.M. to drain Northwest & Southwest into Baptist Creek, then Southwest to the Vermillion River.

All interested persons are encouraged to attend the public hearing Those interested persons not able to attend are invited and encouraged to send written comments prior to the hearing, to:

Clay County Commissioners 211 W. Main Street. Suite 200 Vermillion, SD 57069

Ruth A Bremer Clay County Auditor

Publish: April 19, 2013 Motion by Powell, seconded by Packard and carried to approve the following claims for payment: March Payroll: Commissioners-\$4850.00, Office-\$9413.67, Treasurer's Office-\$12021.81, States Attorney's Office-\$12054.07 Courthouse-\$2283.33, DOE's Office-\$8039.16, ROD's Office-\$6723.33, Veteran's fice-\$1533.33, Sheriff's Office-\$28648.80, County Jail-\$12663.30, 24/7 Sobriety Proiect-\$1431.88. Coroner-\$76.50, LEPC-\$273.92, Mgmt. Emerg. Highway Office-\$2493.00, Department-\$33103.50, CHN Office-\$1738.78, WIC Of-Office-\$892.89, Extension fice-\$2691.67, Weed Department-\$1237.07, and Zoning Office-\$1968.07; (Payroll Withhold-AFLAC-\$833.29, ing) Clay Treasurer-\$33446.26, County Co-Life-\$491.94, lonial Conseco/Washington National Ins.-\$465.50, Nationwide Retirement Solutions-\$58.82. New York Life Ins.-\$306.96, SD Retirement System-\$17570.33, SD Supplement Retirement-\$1125.00, (Flex)-\$2487.63, United Way Of Vermillion-\$126.00, Vermillion Credit Union-\$1071.00, Federal Blue Wellmark Cross/Blue Shield-\$30539.26; March Bills: (Liability Insurance) Jensen Insurance-\$35.17; (Prof. Serv./Fees) David Bergendahl-\$793.60, Ruth Bremer-\$8.30, Mary Ekeren-\$3.00, **EMS** Assn.-\$130.00, Debra Gapp/Gapp Svc.-\$1590.00, Counseling Lewis & Clark BHS-\$447.00, Lucille Netsys Lewno-\$109.75, Plus-\$82.50, Peterson, Stuart, & Rumpca-\$4096.14, Redwood Toxicology Lab-\$67.00, Cathy Rehfuss-\$3.00, Sanford Health-\$117.50, Shepherd Reporting-\$6.60, Yankton Sheriff-\$25.00, Yankton Medical Clinic-\$79.22; (Pictometry) Schneider Corp.-\$2115.00; (Repairs/Maint.) Dakota PC Warehouse-\$49.99, Roger Hauger/Hauger Service-\$630.00, Inc.-\$671.00, Netsys Plus-\$55.00, Plumbing-\$333.63; (Data Processing) Bureau Administration-\$18.00, Mastel/Macman Designs-\$35.00, Plus-\$125.00; (Materials/Supplies) Bierschbach Equip.-\$9.75, Blue Tarp Financial-\$219.99, Boyer Trucks SF-\$327.39 Brunick Service-\$2067.22, Campbell Sup-Constructed Concepts-\$4097.73, macy-\$351.61, Ed Roehr Safety Prod.-\$44.95, Richard Jepsen/Jep-Service-\$237.21, sen Lessman Electric Supply-\$159.42, Menard's-\$243.38, Netsys Plus-\$110.49, North C e n t r a 1 - \$ 6 5 . 8 2 Pharmchem-\$131.00, Pressing Matters-\$33.50, Rasmussen Motors-\$263.56, Prod-Sanitation ucts-\$853.25, Sioux City Foundry-\$432.38, Sioux Falls Two-Way Radio Svc.-\$922.96, Houston-\$21.95, Sturde-Stan Parts-\$54.46, vant's Auto Sydell-\$45.00, The Walking Billboard-\$79.75. Vander Haag's-\$1086.86. Verizon Wireless-\$11.85. Vermillion ACE Hardware-\$4.29, Wal-Mart Community/GEMB-\$81.85, Jason Westcott-\$7.76, Yankton Janitorial-\$530.25; (Travel/Conference) Orr-\$227.00, Beverly Raymond Passick-\$292.91, Rodney Polley-\$40.00, Layne Stewart-\$42.55; (Inmate Trans-Brunick Service-\$377.20; (Utilities) Bureau of Administration-\$114.94, Butch's Propane-\$1706.60, City of Vermillion-\$1716.50, Clay Rural Water System-\$47.30, Midcontinent Comm.-\$260.00, Reliance phone-\$400.00, Verizon Wireless-\$354.06; (Machinery/Auto) Brunick Service-\$2803.58 Henderson's Exhaust Plus-\$100.00, Mobile Electronic Svc.-\$234.00, Quality Motors-\$50.42; (Coroner/Post Mortem) Sanford Health-\$2360.38; (Jury/Witness) Leslie Aust-\$50.00, Mary Christopherson-\$50.00, Gault-\$50.74, Patricia Goebel-\$50.00, Cody Hall-\$50.00, Ruth Hessman-\$68.50,

At 11:45 a.m. Mockler moved, seconded by Kephart and carried to adjourned the meeting and attend a Dinner at the Historic Austin Whittemore House and will reconvene for the next Commissioner meeting on April 2nd, 2013 at 9:00 a.m.

(Juvenile

(Books)

(Law

Minnehaha

Legal and Public 2010 **Notices** 

Board of County Commissioners

2010

Kathryn Heles, Deputy Auditor Published once at the total approximate cost of \$188.13. Published: April 5, 2013

> MINUTES OF THE VERMIL-LION SCHOOL BOARD **Regular Meeting Unapproved Minutes** March 25, 2013

VERMILLION PUBLIC **SCHOOLS** 

members present: Esping, Fairholm, Schwasinger, and Stammer.

Presiding officer present: Esping-president.

Officer present: Beermann-business manager.

Administrators present: Froke-superintendent, Johnson-Austin elementary prin-Upward-Jolley elementary Cameron-high school principal, Huska-dean of students.

School attorney present: McCul-

## Item #1-1813

Motion by Stammer, seconded Fairholm, to approve the agenda as presented with the following additions:

IX.E. Add student matter to executive session, and,

IX.F. Action on student matter. Aye: Unanimous.

## Item #2-1813

Motion by Schwasinger, seconded by Lavin, to approve the minutes of the March 11, 2013 board meeting as presented. Aye: Unanimous.

Item #3-1813 Froke presented information on

the following items: 1.Preliminary general status, and,

2.Five-year capital outlay plan.

## Item #4-1813

Stammer and Schwasinger presented information on the meeting held with soccer representatives.

## Item #5-1813

Motion by Lavin, seconded by Schwasinger, to approve the allergen management plan on first reading as amended.

Aye: Esping, Lavin, Schwasinger, Stammer. Nay: Fairholm.

## Item #6-1813

The following high school roof bids were received:

MJ Delsin Base \$429,595 Roy Johnson Base Bid, Tremco

\$550, 000, Alternate Bid, EPDM \$493, 130 Guarenteed Roofing (SF) Base Bid, Tremco \$425, 580, Alternate

Bid, <u>EPDM</u> 398, 775 Roof Systems Inc. Base Bid, Tremco \$478, 500, Alternate Bid, EPDM 445, 000

ARS Inc. Base Bid, Tremco \$510, Alternate Bid, EPDM 472, Great Plains Roofing Base Bid, Tremco \$498, 421, Alternate Bid,

EPDM \$468.700 Guarenteed Roofing (SC) Base Bid, Tremco \$586, 740, Alternate Bid, EPDM \$549, 990

Motion by Fairholm, seconded by Lavin, to approve the EPDM roof type over the TREMCO

product. Aye: Unanimous.

Motion by Stammer, seconded by Lavin, to accept the low bid of submitted by Guaranteed Roofing (SF) plus a 5.5% project management fee for Farrell Anderson amounting to \$21,932 for a total project cost of \$420,707. Aye: Unanimous.

## Item #7-1813

The non-athletic personnel evaluation form was presented for review and information.

## Item #8-1813

Motion by Lavin, seconded by Fairholm, to go into executive session at 8:35 p.m. for student, personnel and negotiations mat-

Aye: Unanimous.

### Esping declared the board out of executive session at 10:05 p.m.

Virginia

Monty

Harlan

Deten-

Library)

Co.

West

Item #10-1813 Motion by Stammer, seconded by Lavin, to approve a student request for reinstatement of eligibility for participation in extra-curricular activities.

## Item #11-1813

Aye: Unanimous.

Motion by Schwasinger, seconded by Fairholm, to adjourn the meeting at 10:07 p.m. Aye: Unanimous.

**Legal and Public Notices** 

Chris Esping  $P \quad r \quad e \quad s \quad i \quad d \quad e \quad n \quad t$ 

Sheila R. Beermann Business Manager Published once at the total approximate cost of \$48.26. Published: April 5, 2013

# **BALL**

From Page 05

stole a base, and both scored on a dropped fly ball.

Three of Harrisburg's eight errors let in two more Tanager runs in the fifth. The productive seventh inning began with Justin Bendesky's walk and Ethan James' single. Seth Miller reached on an error. The next four VHS batters – Ty Iverson, Brown, Anderson and Settles -

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all came up with RBI singles. Huska drove in a run on a fielder's choice.

Among the Tanagers' 13 hits, Anderson had three while Settles, Huska and Brown hit safely twice each. Huska had three RBIs; Anderson and Settles each drove in a pair. On defense Anderson had five assists at his third-base position, Olson had two assists while pitching, and Haught had two assists at second base. The Tanagers stole seven bases.

## **SAFETY** From Page 01

The bill would have increased instruction time to nine months so teen drivers could experience all South Dakota weather conditions with

supervision, she said. While it passed the Senate, the bill was killed in the House transportation committee.

This also was the fate of SB107, which would have restricted the number of passengers for anyone with a restricted minor's permit, except for school-related events.

"The more rural legislators really did not support this," Kline said. The bill that had the most

discussion – SB126 – was about establishing a uniform driver education program. "There's actually federal

money available that would come to the state to create a full-time employee to basically standardize a curriculum across the state and create a network of drivers ed teachers. This would really improve our overall drivers education system," Kline

This was the only one of the bills to pass through the House Transportation Committee, but since it did not receive a 2/3 vote, it died on the House floor.

Kline said she has hope for

next year's session. "The three (bills) that did not make it through we will no doubt be introducing again next vear, so I'm going to be working

hard throughout the year to educate people on the importance of these, and how important it is to try and lower the rates of our teen deaths," she

Teen driver safety was not the only area in which Kline said South Dakota's children lost out. SB209 dealt with the registration of day care facilities.

"Right now we are the only state where no registration is required, so you can have up to 12 kids in your home with no registration ... and nobody knows you're operating, so you could have up to 12 babies for all we know," Kline said.

The state with the nexthighest allowance requires registration starting with seven kids, while most states require it with five, Kline said.

'We really are an outlier in this area," she said. Kline described registration

as a simple process that holds the providers to basic safety standards, such as the presence of egress windows and fire extinguishers.

The bill made it out of the Senate Health and Human Services Committee, but died on the Senate floor.

"The people who opposed it said, 'We know our providers in our small town, and they're good people," Kline said. "Most likely they are, but our argument back to them is this: The legislature actually passed a law three years ago, that if you're running a hunting lodge ... and you're bringing hunters in and they're staying in your cabin, you have to have egress windows and basic safety things like a fire extinguisher. And yet we're not passing those same things for our kids."

Kline said she expects the bill to be introduced again next

# **BAN** From Page 01

Bison County, it's just not that much of an issue, but they don't have to deal with thousands of students coming in every year that use texting as a primary means of communication.

"Unfortunately, I don't think they necessarily ... have the same priorities we do (on the issue)," she said.

With the adoption of its local texting ban, Vermillion joins Sioux Falls, Brookings, Watertown and Huron as one of the first communities in the state to take a legal stand on the issue. Prescott said Mitchell is

mulling a similar law, as well.

# Municipal officials meet in Dell Rapids

More than 140 municipal officials representing 24 cities gathered at the South Dakota Municipal League's annual District 3 Meeting, held in Dell Rapids on March 27.

Yvonne Taylor, South Dakota Municipal League executive director, spoke about the outcome of the 2013 Legislative Session, and the effect new laws will have on South Dakota municipalities.

Taylor also discussed the direction and future of the Municipal League and services offered to the municipalities.

"More and more we are seeing the need to get better information out to the citizens and legislators. Municipal government provides a vast array of services, and people need to be informed of where their tax dollars are going. This type of education can only benefit municipal

government. The taxpayers would be very proud of their local government if they were fully aware of how much service a municipality provides at a relatively low cost," Taylor said.

Elaine Hendrickson, SDML Past President for 2013 and Finance Officer for the City of Baltic, was also on hand to conduct the election of District 3 officers for the upcoming year. Others in attendance were representatives of various state agencies and representatives of groups affiliated with the Municipal League.

Mike Wendland, Mayor of Baltic, was re-elected as District 3 chair and Carrie Testerman, councilmember in Dell Rapids, was reelected as vice chair.

In other business, those attending voted to hold the 2014 District 3 Meeting in

Raymond Passick, Chairman

son-\$52.96,

tion)

Mullinix-\$68.50,

Munkvold-\$50.00,

Wentzel-\$52.96;

JDC-\$150.00;

Group-\$294.00;

West Group-\$479.25.