

12 Vermillion Plain Talk

2010 Legal and Public Notices

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF NovaStar Mortgage Funding Trust, Series 2007-2 NovaStar Home Equity Loan Asset-Backed Certificates, Series 2007-2,

Plaintiff,

vs,

Paul A Layne; Penny Layne; and any person in possession,

Defendants.

Civil No. 12-31

NOTICE OF REAL ESTATE SALE

Judgment in the amount of \$102,221.58 having been entered in favor of plaintiff and against defendants, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on December 11, 2013, for the foreclosure of a real estate mortgage.

Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated May 17, 2007, which Paul A. Layne and Penny Layne, Mortgagors, executed and delivered to Mortgage Electronic Registration Systems, Inc., Mortgagee:

LOT 2, BLOCK 2, DAKOTA ADDITION, CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA.

and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 19th day of June, 2007, in Book 126 of Mtg. Page 212; said mortgage assigned to DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF NovaStar Mortgage Funding Trust, Series 2007-2 NovaStar Home Equity Loan Asset-Backed Certificates, Series 2007-2 recorded January 6, 2012, in Book MT132, Page 913, Document # D125864, in order to realize the amount of \$68,000.00, as of May 17, 2007, plus interest accruing thereafter on said amount at the rate of 9.99% per year together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, and easements and restrictions of record, to the highest bidder for cash under the direction of the Sheriff of Clay County, South Dakota, at the front door of the Clay County Courthouse, in Vermillion, South Dakota, on April 16, 2014, at 10:00 A.M. (CT).

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

Dated February 17, 2014.

Sheriff of Clay County, South Dakota

MACKOFF KELLOGG LAW FIRM

By: _____
David C. Piper, Attorney #4128
38 Second Avenue East
Dickinson, ND 58601

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(701) 227-1841
Attorneys for Plaintiff

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March 25, 2014

The Board of County Commissioners met in regular session Tuesday, March 25, 2014 at 9:00 a.m. Members present: Mockler, Packard, Kephart, and Passick; Powell absent.

Packard moved, seconded by Mockler and carried to amend the agenda to include discussion regarding the Clay County Zoning Ordinance Section 3.07 and to approve the agenda as amended.

Minutes of the March 11, 2014 meeting were approved with a motion by Mockler, seconded by Packard and carried.

Rod Polley, Highway Superintendent, met with the Board. He discussed the vacating process for the portion of Nevada Street in Wakonda that runs through the current Highway Shop grounds. The process for vacating a road was discussed. Mockler moved, seconded by Kephart and carried to authorize the Chairman to sign the petition to vacate the road, providing that the process is verified by the State's Attorney's Office to be correct.

Polley discussed upcoming necessary sewer system repairs at the Highway Shop on Timber Rd.

Polley reported that the Irene Development Corporation has requested the placement of signs listing the distance to Irene at the Volin Oil and the County Line and around the corner coming from the South. Mockler moved, seconded by Packard and carried to approve placement of the signs if they are under \$500.

At 9:15 a.m., bid opening commenced for highway materials. Bids were opened and read aloud. As was the process in previous years, Polley would review the bids and return at the next meeting for the Commissioners' acceptance.

Cynthia Aden, Zoning Administrator, and Kolly Fostvedt met with the Board to present a variance application for Kolly and Michelle Fostvedt for Lot 2 Danielson Tract No. 1 Danielson's, Section 21, T92N, R53W of the 5th P.M., Clay County, SD. No one appeared in opposition, and no written correspondence was received. Mockler moved, seconded by Kephart and carried to approve the variance as presented.

Cynthia Aden, Welfare Director, met with the Board to present Welfare Case #C14-05. Aden reported that the individual met County guidelines. Mockler moved, seconded by Packard and carried to approve payment to Sanford Health for \$16,277.34 as payment in full.

Jill Munger, County Health Nurse, met with the Board to present the Point of Dispensing Grant. Clay County has been awarded \$4,000. Packard moved, seconded by Kephart and carried to authorize Layne Stewart, Emergency Management Director, to sign the grant.

The following members of the Clay County Soil Conservation District met with the Board: Connie Wulff, District Manager, Roger Hansen, Board Member, Mike Lynch, Board Member, Terrence Taggart, Board Member, and Jeff Loof, NRCS District Conservationist. Chairman Passick asked for information to help the County Commissioners better understand how the Soil

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Conservation District operates. Wulff explained that the district operates under SD Codified Law 38-8, that the board is elected, and funding comes from the County and any grants that they may receive for equipment. Mockler asked how Clay County is different from other counties whose contributions to soil conservation are less. Wulff explained that Clay is the smallest county in the state for soil conservation districts, and the overhead is much higher. Loof added that other counties offer only tree planting, and Clay County Soil Conservation District offers grass planting. Packard pointed out that one frustration she has heard from people is the seeding process is very slow. Loof, Wulff, Taggart, Lynch and Hansen explained that there is a specific process for preparing the ground for seeding and a small window of time. Occasionally weather causes delays, the client has not ordered the seed in advance, or the soil conditions are not correct. The Commissioners asked that the district submit a 3 year financial report for budget preparation purposes, and Packard explained that it is the same process for County departments during budget hearings. Passick explained that, because the Commissioners are allocating taxpayer dollars at budget time, they needed to have a good understanding of how the district operates, and he thanked the board members for coming to the meeting.

Brandi Johnson, Ron Huot, Pleasant Valley Township Board Members, Sheldon Johnson, and Rod Polley, Highway Superintendent, met with the Board to discuss the portion of 307 St. that has been closed. Polley explained that the engineer had checked the culvert and advised for the section to be closed. He was not opposed to making the repairs, but there are no residences and the replacement cost could be \$70,000-100,000. The group discussed several options including a different sized culvert, a wooden bridge, a steel bridge, and a low water crossing as well as any potential for cost-sharing. Polley will explore options and come back with an update.

Dennis Ganschow, Weed Supervisor, met with the Board to discuss the annual Dept. of Transportation Weed Contract. Packard moved, seconded by Mockler and carried to authorize the Chairman to sign the contract.

Packard moved, seconded by Kephart and carried to authorize Ganschow to hire five summer employees at \$12.00/hour for new hires and \$12.50/hour for returning employees.

The Board considered two abatement applications. Both structures were destroyed, one by fire. Packard moved, seconded by Mockler and carried to approve both applications as presented.

The Board considered a change order request from Precision Mechanical to move substantial completion of the HVAC project from May 23rd to June 5th. Mockler moved, seconded by Kephart and carried to approve the change order as presented.

Cynthia Aden, Zoning Administrator, met with the Board to discuss Zoning Ordinance Section 3.07. It was decided that Aden would work with the State's Attorney's Office to clarify definitions and return at the next meeting with options.

Mockler moved, seconded by Packard and carried to approve payroll and the following claims for payment. March Payroll: Commissioners \$4995.50, Auditor's Office \$9151.50, Treasurer's Office \$13015.24, States Attorney's Office \$13357.67, Courthouse \$2425.83, DOE's Office \$9151.50, ROD's

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Office \$6925.17, Veteran's Office \$1583.33, Sheriff's Office \$29795.24, County Jail \$12347.35, 24/7 Sobriety Project \$2045.73, LEPC \$366.67, Emerg. Mgmt. Office \$3320.00, Highway Department \$33181.54, CHN Office \$1310.46, WIC Office \$728.04, Extension Office \$2802.50, Weed Department \$1821.88, and Zoning Office \$2210.34. (Payroll Deductions) AFLAC \$798.66, Clay Co. Treasurer \$35545.22, Colonial Life \$409.47, Washington National \$100.70, Dearborn National \$207.06, Nationwide Retirement \$58.82, New York Life Insurance \$440.23, SD Retirement System \$18205.34, SD Supplemental Retirement \$600.00, SDRS Roth 457b \$275.00, TASC (Flex System) \$2479.46, United Way of Vermillion \$130.00, Vermillion Federal Credit Union \$1641.00, Wellmark Blue Cross/Blue Shield \$32983.87. March Bills: (Law Library) Thomson Reuters-West \$545.59; (Prof. Serv./Fees) Norma Andersen \$15.00, David Bergendahl \$577.00, Ruth Bremer \$259.20, Charles Mix County News \$18.97, Caitlin Collier \$3644.10, Corrisoft LLC \$321.75, Justin Cortez \$31.00, Marv Ekeren \$15.00, Lewis & Clark BHS \$640.00, Lucille Lewno \$150.49, James McCulloch \$509.80, Netsys Plus \$127.50, Peterson, Stuart, Rumpca & Rasmussen \$5035.84, PharmChem \$315.00, Professional Security \$179.00, Shepherd Reporting \$60.00, State Farm Insurance \$50.00, Creighton Thurman \$190.40, Tri-County News \$25.00, Vermillion Event Center \$1131.00, Kristy Williams \$7.00, Yankton Co. Sheriff \$75.00, Yankton Co. Treasurer \$461.75; (Publishing) Plain Talk \$556.41; (Repairs/Maint.) A&B Business \$55.63, Heiman, Inc. \$663.58, Office Elements \$2.93, Paul's Plumbing \$112.50, Presto-X \$65.11, Walker Construction \$331.50; (Data Processing) Bureau of Administration \$19.00, Bruce Mastel \$35.00, Netsys Plus \$21.25, Software Services \$460.00; (Materials/Supplies) American Institutional \$185.17, Appera \$20.74, Jessica Beringer \$46.00, Boyer Trucks SF \$366.44, Butler Machinery \$490.00, Campbell Supply \$246.29, Carri Crum \$245.06, Dakota PC Warehouse \$14.99, Heiman, Inc. \$895.97, Kathy Heles \$46.00, Herren-Schempp \$155.63, Hy-Vee \$3.68, Jack's Uniforms \$34.45, JCL Solutions \$20.00, Jerry's Service \$22270.50, Light & Siren \$319.00, Marco \$215.17, Mead Lumber \$94.62, North Central \$422.00, Print Source \$11.40, Professional Security \$8.50, SD Assn. of Co. Weed Boards \$150.00, SD Dept. of Transportation \$1969.58, Sirchie \$176.56, Sturdevant's Auto Parts \$151.02, Titan Machinery \$11.85, Vermillion ACE Hardware \$29.99, Wal-Mart Community \$63.19, Warne Chemical & Equip. \$7.30, Yankton Janitorial Supply \$340.50; (Travel/Conference) Cynthia Aden \$58.09, SD Police Chief's Assn. \$75.00, Layne Stewart \$47.36, Tri-State EMA \$10.00; (Utilities) Centurylink \$534.37, Clay Rural Water \$62.60, Verizon Wireless \$354.06; (Machinery/Auto) American Tire Dist. \$418.20, Brunick Service \$65.00, KEEPRS \$157.97, Quality Motors \$694.28; (Inmate Meals) Hy-Vee \$363.17, Wal-Mart Community \$133.93; (Jury/Witness) Tom Hage \$20.00; (Allocations) Clay Co. Soil Conservation Dist. \$8750.00; (County Health Nurse Payment) Dept. of Revenue \$1545.00; (Furniture/Minor Equip.) Netsys Plus \$336.74.

At 12:03 a.m. Kephart moved, seconded by Mockler and carried to adjourn and reconvene Tuesday, April 1, 2014 at 9:00 a.m.

Raymond Passick, Chairman
Board of County Commissioners

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ATTEST:

Carri R. Crum, County Auditor

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Publish: April 4, 2014.

The University of South Dakota is accepting sealed bids for USD Nygaard Field Softball Scoreboard until 2:00 P.M., April 9th, 2014. Sealed bids must be delivered to the University of South Dakota, Purchasing Office, 209 Slagle Hall, 414 East Clark St., Vermillion SD. Copies of the bid solicitation and specifications are available from Planning and Construction at USD Service Center, contact 605-677-3163. The University reserves the right to reject any and all bids.

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Publish: March 28 & April 4, 2014.

MINUTES OF THE VERMILLION SCHOOL BOARD

Regular Meeting
Unapproved Minutes

March 10, 2014

VERMILLION PUBLIC SCHOOLS

Board members present: Esping, Fairholm, Lavin, Schwasinger, Stammer.

Presiding officer present: Esping-president.

Officer present: Beermann-business manager.

Administrators present: Froke-superintendent.

School attorney present: McCulloch.

Item #1-1314
Darlene Bogenpohl, USD Dental Hygiene Department, provided information on the dental services provided to Vermillion School District students.

Item #2-1314
Motion by Fairholm, seconded by Lavin, to approve the agenda as presented with the following addition:
VII.A.3. Debate team.
Aye: Unanimous.

Item #3-1314
Motion by Schwasinger, seconded by Stammer, to approve the minutes of the February 10, 2014 and March 3, 2014 board meetings as presented.
Aye: Unanimous.

Item #4-1314
Motion by Lavin, seconded by Schwasinger, to accept the business manager's report for the month ending February 28, 2014 and approve the payment of claims as presented.
Aye: Unanimous.

Item #5-1314
Froke presented information on the following items:
1.Governor's CTE grant building bid specifications,
2.Debate team state tournament championship, and,
3.Legislative report.

Item #6-1314
Beermann presented information on the following items:
1.2014 school election calendar timelines, and,
2.Bond refinancing results.

Item #7-1314
Schwasinger and Stammer presented information from the

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finance committee meeting held on Friday, March 7, 2014.

Item #8-1314
Motion by Stammer, seconded by Schwasinger, to approve the School Personnel Social Media Policy on second reading.
Aye: Unanimous.

Item #9-1314
The following middle school roof project bids were submitted:
Guarantee Roofing-South Falls
Base Bid: \$498,385
Unit Price #1: \$2.50/sq. ft.
Unit Price #2: \$8.50/sq. ft.
ARS, Inc.
Base Bid: \$557,270
Unit Price #1: \$8.50/sq. ft.
Unit Price #2: \$12.50/sq. ft.
MJ Dalsin
Base Bid: \$572,068
Unit Price #1: \$4.00/sq. ft.
Unit Price #2: \$13.00/sq. ft.
Guarantee Roofing-Sioux City
Base Bid: \$556,155
Unit Price #1: \$5.00/sq. ft.
Unit Price #2: \$10.00/sq. ft.

Motion by Lavin, seconded by Fairholm, to accept the low middle school roof replacement bid submitted by Guarantee Roofing-Sioux Falls at a base bid of \$498,385.
Aye: Unanimous.

Item #10-1314
Motion by Fairholm, seconded by Stammer, to approve the Policy Item GCPCBA Early Retirement for Administrators on first reading.
Aye: Unanimous.

Item #11-1314
Motion by Stammer, seconded by Lavin, to declare the shed and playhouse built by the high school building trades class as surplus property and dispose of them according to SDCL surplus property laws.
Aye: Unanimous.

Item #12-1314
Motion by Stammer, seconded by Schwasinger, to accept the following early retirement and resignation requests:
Early Retirement:
Laury Cusick-elementary teacher,
Resignations:
Sarah Gates-elementary teacher,
and,
Rebecca Solberg-elementary teacher.
Aye: Unanimous.

Item #13-1314
Motion by Schwasinger, seconded by Fairholm, to accept the resignation from Mary Chicoine, custodian, effective June 5, 2014.
Aye: Unanimous.

Item #14-1314
Motion by Stammer, seconded by Lavin, to approve the employment of Randall LaMie, assistant drama musical director at \$600.00.
Aye: Unanimous.

Item #15-1314
Motion by Fairholm, seconded by Lavin, to go into executive session at 8:28 p.m. for personnel and negotiations matters.
Aye: Unanimous.

Item #16-1314
Esping declared the board out of executive session at 10:02 p.m.

Item #17-1314
Motion by Schwasinger, seconded by Lavin, to adjourn the meeting at 10:03 p.m.
Aye: Unanimous.

Chris Esping
President

Financial Report to the School Board from the Business Manager - Vermillion School District #13-1

Reporting Month: <i>FEBRUARY 2014</i>	General Fund	Capital Outlay Fund	Special Ed Fund	Pension Fund	Bond Red. Fund	Enterprise Funds	Food Service Fund	Internal Service Fund	T & A Fund
Beginning Cash Balance	2,242,860.07	1,693,389.91	622,372.33	713,637.18	412,762.66	62,024.62	268,032.74	467,702.29	46,626.31
Local Sources:	115,697.07	50,649.24	28,672.55	5,064.99	8,027.95	11,349.16	37,976.25	18,041.41	14,707.81
County Sources	14,425.21								
State Sources	364,421.88		27,778.00			612.50			
Federal Sources	38,347.67					433.31	26,851.03		
Miscellaneous									
NSF Checks Reversed	(18.00)						10.00		(80.00)
TOTAL RECEIPTS	532,873.83	50,649.24	56,450.55	5,064.99	8,027.95	12,394.97	64,837.28	18,041.41	14,627.81
TOTAL DISBURSEMENTS Transfers/Voided Check	677,495.67	6,377.71	131,586.18			9,585.25	56,787.73 (130.50)	22,878.73	6,061.55 130.50
Other Financing Sources									
Ending Cash Balance	2,098,238.23	1,737,661.44	547,236.70	718,702.17	420,790.61	64,834.34	275,951.79	462,864.97	55,323.07