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SEALED BIDS

ATTENTION JET SERVICE CENTER offered for sale by sealed bid April 30th. Business prime I-29 real estate and everything needed to operate. go to www.totalaar.com for info and bid form. Andy Harr Auctioneer/Broker Total Auctions and Real Estate 605-274-6500.

WANTED

WANTED TO BUY: Tom Turkey skins \$25.00, Antlers up to \$11.00, Rattlesnakes \$7.00, Taxidermy Mounts. Custer, SD, 1-605-517-0397 clawantlerhide@hotmail.com.

2010 Legal and Public Notices

ADVERTISEMENT

Saginaw Avenue Reconstruction Clay County, South Dakota

Sealed Bids will be received by the Board of County Commissioners of Clay County, South Dakota until 9:30 AM local time on Tuesday the 28th day of April, 2015 for the above referenced project. Bids shall be prepared and submitted in accordance with the Bidding Documents. Bids shall be delivered to the Auditors Office in Suite 200 of the Clay County Courthouse. Clay County reserves the right to accept or reject any and/or all Bids as set forth in the Bidding Documents.

At or shortly after the time named above and within the Clay County Commissioners Room, such Bids will be publicly opened and read aloud. Bids will be reviewed by the County Highway Superintendent during the meeting. The Clay County Commissioners may award a contract at a subsequent meeting of the Board of County Commissioners.

The Project includes the following Work:

Reconstructing Saginaw Avenue for approximately 2.0 miles and includes Contractor Furnished Borrow, Base Course, Asphalt Surfacing, and other associated items of work. Additional items as set forth in the Contract Documents.

Each bid shall be accompanied by a Bid Security as described in the Bidding Documents. The Successful Bidder will be required to provide Payment and Performance Bonds as described in the Bidding Documents.

Bidding Documents may be examined at the locations listed:

Clay County Courthouse
211 West Main Street
Suite 200
Vermillion, SD 57069
Phone - (605) 677-7120

Clark Engineering Corp.
Convention Center Plaza
1410 West Russell Street
Sioux Falls, SD 57104-1328
Telephone - (605) 331-2505

Clark Engineering Corp.
2301 8th Ave NE, Suite 125
PO Box 20
Aberdeen, SD 57402-0020
Phone - (605) 225-3494

Clark Engineering Corp.
16 5th Street NE
Watertown, SD 57201
Phone - (605) 880-3122

The Bidding Documents may also be examined at the following locations: Sioux Falls Builders Exchange or Plains Builders Exchange both in Sioux Falls, South Dakota.

An electronic copy of the Bidding Documents on a compact disc may be obtained from the Sioux Falls office of Clark Engineering Corporation.

BY: _____
Clay County Highway Superintendent

Published twice at the total approximate cost of \$58.39. Publish: April 17 & 24, 2015.

NOTICE OF APPLICATION FOR AIR QUALITY CONSTRUCTION PERMIT

The South Dakota Department of Environment and Natural Resources (DENR) received and reviewed the application for an

2010 Legal and Public Notices

quality construction permit for the following applicant:

APPLICANT NAME:
University of South Dakota

FACILITY LOCATION:
Vermillion, South Dakota

The air quality construction permit will allow the construction and operation of the following processes and units:

1. Unit #17B - 2015 Caterpillar 40 Kw diesel fuel emergency generator

A review of the application indicates the University of South Dakota can construct and operate the 2015 Caterpillar 40 Kw diesel fueled emergency generator in compliance with South Dakotas Air Pollution Control rules and the federal Clean Air Act. DENR, therefore, recommends the Board of Minerals and Environment issue an air quality construction permit to the University of South Dakota with conditions to ensure compliance with South Dakota Codified Laws (SDCL) 34A 1 and the federal Clean Air Act.

In accordance with the Administrative Rules of South Dakota (ARSD) 74:36:20:11, any person desiring to comment on DENR's draft permit conditions must submit written comments to the address below by close of business on the thirtieth day of this public notice. Comments may be directed to the following mailing address: Keith Gestring; PMB 2020; Department of Environment and Natural Resources; 523 East Capitol; Pierre, South Dakota 57501. DENR will consider and address all comments submitted and issue a final permit decision pursuant to ARSD 74:36:20:13. DENR will notify the applicant and each person that requested notice or submitted written comments of DENR's final permit decision, including notification of any changes to the permit based on the comments.

Any person desiring to contest the issuance of this permit and have a contested case hearing must file a petition, which complies with ARSD 74:09:01:01. This petition must be filed either by close of business on the thirtieth day of this public notice or, if that person submits comments on DENR's draft permit pursuant to the paragraph above, within thirty days of receiving notice of DENR's final permit decision. Upon receipt of a petition, DENR will schedule this matter for a contested case hearing before the Board of Minerals and Environment.

If no comments or objections are received by close of business on the thirtieth day of this public notice, the draft permit becomes the final permit decision and the permit will be issued.

Copies of DENR's draft permit conditions and other information may be obtained from Keith Gestring, Engineer II, at the above address or telephone at (605) 773-3151 or from DENR's website at: <http://denr.sd.gov/public/>

Steven M. Pirner, Secretary
Department of Environment and Natural Resources

Published once at the total approximate cost of \$36.41. Publish: April 17, 2015.

Notice of Intent to Mine

Notice is hereby given that a gravel mining operation is to be conducted by Wieman Construction, 30962 Frog Creek Road, Vermillion, SD 57069. The legal location is: NE ¼, Section 15, Spirit Mound Township, Clay County. The general location is: 6 miles North and 1 mile West of Vermillion.

The operation is to begin May 17th, 2015 and will be completed to include final reclamation by May 17th, 2045. Proposed future use of the affected land will consist of regrading, replacing topsoil, and reseeding to allow the area to be returned to pasture land and wildlife habitat.

For additional information, contact Wieman Construction at (605) 670-1221 or the Department of Natural Resources, Minerals and Mining Program, 523 East Capitol Avenue, Pierre, SD, 57501. (605) 773-4201.

Published once at the total approximate cost of \$11.25. Publish: April 17, 2015.

NOTICE OF SALE OF SURPLUS PROPERTY

Notice is hereby given that the Finance Officer of the City of Vermillion, South Dakota, will receive sealed bids for the sale of the following surplus personal property, pursuant to the provisions of SDCL 6-13-4, at City Hall in Vermillion, South Dakota on the **30th day of April, 2015, at 2:00 p.m.** Such bids will be publicly opened and read at that time. The bids will be acted upon by the City Council at City Hall on the 4th day of May, 2015, at 7:00 p.m. Sale will be to the highest bidder for cash (but not less than 90% of the appraised value of said property).

- 2 - Zoll E-Series Cardiac Monitors serial number AB09F011032 & AB09F011028 and 1 - 4 Bank Battery Charger serial number AC09F011032. Appraised value \$5,000.00

Copies of the bid documents may be obtained from the EMS Division Chief, 25 Center Street, Vermillion, SD 57069 or City Hall, 25 Center Street, Vermillion, South Dakota, 57069. All

2010 Legal and Public Notices

sealed bids must be accompanied by a certified check or cashier's check made payable to the City of Vermillion, South Dakota, in the amount of ten percent (10%) of the bid. All bids shall be on forms provided by the City and may not be withdrawn for a period of thirty (30) days after the opening of bids.

Dated at Vermillion, South Dakota this 6th day of April 2015.

City of Vermillion
By: _____
Michael D. Carlson, Finance Officer

Publish twice at the approximate cost of \$33.96. Publish: April 17 & 24, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT 1ST JUDICIAL CIRCUIT

In the Matter of the Petition of Colleen Kaye Lande-Speakman

For a Change of Name to Colleen Kaye Fickbohm

CIV: 15-35

NOTICE OF HEARING FOR ADULT NAME CHANGE

NOTICE IS HEREBY GIVEN a Verified Petition for Adult Name Change has been filed by Colleen Kaye Lande-Speakman the object and prayer of which is to change Petitioner's name from Colleen Kaye Lande-Speakman to Colleen Kaye Fickbohm. On the 27th day of May, 2015, at the hour of 9:00 am said verified petition will be heard by this Court before the Honorable Steven R. Jensen Presiding, at the Court Room in the Clay County Courthouse, City of Vermillion, Clay County, South Dakota, or as soon thereafter as is convenient for the court. Anyone may come and appear at that time and place and show reasons, if any, why said name should not be changed as requested.

Dated this 8th day of April, 2015 at Vermillion, South Dakota.

Nadyne Zimmerman
Clerk of Court Deputy

ATTEST:

Clerk of Court
By: _____
Deputy

Published four times at the approximate cost of \$64.15. Publish: April 17 & 24 and May 1 & 8, 2015.

The University of South Dakota is accepting sealed bids for the "Beede/Mickelson Generator Replacement" until 2:00 P.M., April 29th, 2015. There will be a MANDATORY pre bid walk through on April 22nd, 2015 at 1:00 PM at the Beede/Mickelson Facility front lobby. 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 for review from USD Purchasing office by contacting Kyra Blatchford at 605-677-5667 or kyra.blatchford@usd.edu. The University reserves the right to reject any and all bids.

Published twice at the total approximate cost of \$14.30. Publish: April 17 & 24, 2015.

Unapproved Minutes Council Special Session April 6, 2015 Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 6, 2015 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Holly Meins, Price, Ward, Willson, Mayor Powell

Absent: Clarene Meins

2. Informational Session - DENR Secretary's Award for Drinking Water Excellence

Mayor Powell reported that the South Dakota Department of Environment and Natural Resources has recognized the City of Vermillion Public Water System and each of the operators with the Secretary's Award for Drinking Water Excellence.

John Prescott, City Manager, presented the awards to Randy Isaacson, Water Superintendent.

3. Informational Session - Overview of Storm Drainage criteria - Jose Dominguez

Jose Dominguez, City Engineer, reported on the history of the storm drainage regulations that has brought the city to consider the present drainage criteria. Jose reviewed the city watershed basins as they apply to the criteria and the differences between the current storm drainage requirements and the new criteria. Jose reviewed the benefits of the new criteria as well as the costs to developers to implement the criteria. Jose reviewed projects completed to date that have used the new criteria. Jose answered questions on the criteria noting that it will be considered for adoption tonight.

4. Informational Session - Prentiss Park pool plan design - Jim Goblirsch

Jim Goblirsch, Director of Parks and Recreation, reported that City staff has been removing vegeta-

2010 Legal and Public Notices

tion in the park as part of implementing the master plan. Jim stated that Dave Burbach with Burbach Aquatics, Inc, who met with City staff this morning, will provide this update to the City Council and will meet with the pool committee at 4:00 p.m. today. Dave Burbach provided plans and a timeline for the pool project. Dave reviewed the timeline for the project including bidding and warranty work. Dave noted that any changes from today's meetings will be incorporated into the development of the final plans and specifications. Dave reviewed the project plans that were handed out. Jim Goblirsch and Dave Burbach answered questions of the City Council on the project.

5. Briefing on the April 6, 2015 City Council Regular Meeting

Council reviewed items on the agenda with City staff. No action was taken.

6. Adjourn

97-15 Alderman Ward moved to adjourn the Council special session at 12:53 p.m. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of April, 2015.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA
BY _____
John E. (Jack) Powell, Mayor
ATTEST:
BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes City Council Regular Session April 6, 2015 Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on April 6, 2015 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Holly Meins, Price, Ward, Willson, Mayor Powell, Student Representative Catie Dougherty

2. Pledge of Allegiance

3. Minutes

A. Minutes of March 16, 2015 Special Session; March 16, 2015 Regular Session

98-15 Alderman Collier-Wise moved approval of the March 16, 2015 Special Session and March 16, 2015 Regular Session minutes. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

99-15 Alderman Willson moved approval of the agenda. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Ratingen Week in Vermillion

Alderman Clarene Meins read the proclamation declaring the week of April 6 through April 13, 2015 as Ratingen Week in the City of Vermillion. Mayor Powell welcomed the students and teachers from Ratingen to Vermillion and presented them with the proclamation. Kami Dibley, Vermillion High School German Teacher, expressed her thanks for the support of the City Council on the exchange program. A representative of the German Students presented the Mayor with a gift.

B. National Poetry Month Proclamation

Alderman Collier-Wise read the proclamation recognizing April as National Poetry Month in Vermillion. Mayor Powell presented the proclamation to Susan Haggstad. Susan thanked the City Council for recognizing National Poetry Month and noted the activities planned at the public library for the month.

C. CASA program in Clay County

Sherri Rodgers-Conti, Program Director Southeast CASA, reported that they are expanding their services to include Clay County. Sherri explained the Court Appointed Special Advocates Program along with the services they provide to the children. Sherri provided handouts on the program noting that when they have volunteers trained the program will be expanding into Clay County. Sherri stated that she just wanted to inform the City Council that this program would be expanding into Clay County and was willing to answer any questions about the program.

6. Public Hearings - None

7. Old Business

A. Second Reading of Ordinance 1326 creating a requirement for daycare businesses to register, adding certain health and safety requirements, and adding Title XI Business Regulations, Chapter 121

John Prescott, City Manager, reported that, during the 2015 budget review sessions, the City Council posed a question about the location of daycare facilities

2010 Legal and Public Notices

in the community. John noted that at this time the City did not have regulations pertaining to daycare facilities. John stated that the City Council requested City staff to look into the matter and report back to the City Council. John stated that at the November 3, 2014 noon meeting City staff presented a list of what other SD communities have in their daycare regulations and a draft ordinance. John stated that the City Council reviewed the information and directed staff to contact some daycare providers to gather feedback. John stated that a list of providers was developed and the information previously provided to the Council was sent to the daycare providers requesting comments to be returned in December. John stated that the daycare providers were invited to a meeting on January 27, 2015 where staff explained the proposal and received additional feedback. John stated that the same presentation was made at the noon Council meeting on February 2, 2015. John noted that the City Council requested to have a special meeting with the daycare providers before placing the ordinance on a future agenda for consideration. John noted that a special City Council meeting was held on February 23, 2015 to review the proposed ordinance with the daycare providers. John stated that the City Council approved first reading of Ordinance 1326, requiring daycare provides to register, on March 16, 2015. The proposed ordinance has not changed much since the February 23rd meeting. John noted that some minor language clarifications were made. John noted that all of the providers that the City was aware of were mailed a copy of the attached ordinance prior to first reading on March 16th.

John noted that to register, a daycare provider will need to demonstrate safety items such as having a fire extinguisher, smoke detector, two ways out of basement space used for a daycare, safe electrical wiring, closets that prevent a child from being locked inside, and other basic safety requirements.

John noted that in the development of the proposal there was a lot of discussion on the requirement to have a fence. John stated that while the fence requirement is still part of the ordinance, an exception to having a fence can be obtained if the parents sign a consent form noting that there is not an enclosed playground at the registered location. John stated that the ordinance provides that a daycare can register prior to July 1, 2015 without completing an inspection. He noted that in this case the first inspection would not be until 2016. John noted that registrations are for a two year period and expire on the June 30th of even numbered years. John stated that, if the ordinance is adopted, a handout will be developed similar to the power point presentations used at the meetings to assist in explaining the details of the ordinance.

Carlotta Kruse, Lisa Sorensen, Lisa Johnson, Amy Askew, Rita Humphrey, Brandon Wiemers, Chris Lynch, Molly Molencamp, Teramie Hill, Alan Johnson, Lori Kruse and Amanda Lynch addressed the City Council with their concerns, anticipated impact if implemented on the daycare providers and the parents, asked questions on the proposed ordinance and inspection procedures. All were opposed to the City adopting the ordinance. They noted that providers have operated for many years without any issues stating that if it isnt broke why fix it.

Discussion followed among the City Council on the proposed ordinance and the Fire Chief was asked to explain the inspection process and how the registration information would be used including response.

99-15 Second reading of title to Ordinance No. 1326 entitled An Ordinance Amending Title XI, Adding Chapter 121, DayCare, to the 2008 Revised Ordinances of the City Of Vermillion, South Dakota, Creating a Requirement for Daycare Businesses to Register with the City Of Vermillion and Providing for Certain Health And Safety Requirements of the City of Vermillion, South Dakota

Mayor Powell read the title to the above named Ordinance, and Alderman Collier-Wise moved adoption of the following:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1326 entitled An Ordinance Amending Title XI, Adding Chapter 121, Day Care, to the 2008 Revised Ordinances of the City Of Vermillion, South Dakota, Creating a Requirement for Daycare Businesses to Register with the City Of Vermillion and Providing for Certain Health And Safety Requirements of the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 16th day of March, 2015 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 6th day of April, 2015 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

BE IT RESOLVED and ordained that said Ordinance be adopted to read as follows:

ORDINANCE NUMBER 1326

2010 Legal and Public Notices

AN ORDINANCE AMENDING TITLE XI, ADDING CHAPTER 121, DAY CARE, TO THE 2008 REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, CREATING A REQUIREMENT FOR DAY-CARE BUSINESSES TO REGISTER WITH THE CITY OF VERMILLION AND PROVIDING FOR CERTAIN HEALTH AND SAFETY REQUIREMENTS.

WHEREAS, the governing body of the City of Vermillion has deemed these regulations and controls to be reasonable and related to the purpose of promoting the health, safety, and general welfare of the City of Vermillion.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the City of Vermillion, South Dakota, that there be enacted a requirement for all day care businesses within the corporate limits of Vermillion to be registered with the City of Vermillion and Chapter 121 shall be added to Title XI as follows:

121.01 Definitions. The following words, terms and phrases, when used in this article, shall have the meanings provided in this section, except where the context clearly indicates a different meaning:

"Home day care" means the providing of group care and supervision of five or more children on a regular basis for part of a day, with or without compensation, as a supplement to regular parental care, including children under the age of six living in the home and children from more than one unrelated family receiving day care. (This definition may encompass Day Care, Family and Day Care, Group activities defined in the Vermillion Zoning Regulations, Chapter 155.)

"Home day care home" means the private residence wherein day care is provided.

"Provider" means the principal caretaker of children in a family day care home.

121.02 Required. Every person engaged in the business of operating a home day care shall, before engaging in such business, register with the City of Vermillion as provided in this article. The fee for such registration shall be set by resolution.

121.03 Application. Any person desiring to register as provided in this article shall file with the City Finance Officer a written application on a form provided by the City. The application shall be signed by each adult at least 18 years of age operating the day care. The application shall contain, at a minimum, the following information:

1. A floor plan of the proposed location;
 2. The expected number and age range of the children being cared for.
- Registration to engage in the business of home day care operation shall be valid until the next June 30 in an even numbered year. Applications for renewal shall be submitted within 45 days of the expiration of the current registration.

121.04 Central registry for child abuse and neglect/sex offender registry. No person whose name is currently, or at any time in the past has been on the state central registry for abuse and neglect, the state sex offender registry, or any similar registry or list maintained by any other state, shall reside in the premises in which the home day care business is being conducted, nor shall such person be employed in any capacity by the home day care. Applicant shall provide an affidavit to this extent.

121.05 Age requirements. No person under 18 years of age may be registered under this article. No person between 14 years of age and 17 years of age may provide child care services in a home day care unless a registered home day care provider is actually present in the home day care facility.

121.06 CPR required. All home day care operators registered under this article must maintain a current cardiopulmonary resuscitation (CPR) certification from the American Red Cross or American Heart Association. Employees of a home day care are recommended to have such certification.

121.07 Inspections. Any day care licensed under this article shall be inspected by the Fire Chief, or designee, prior to registration approval. All home daycares shall be open to announced or unannounced inspection by city officials at any time during normal business hours. The Fire Chief or designee shall re-inspect each premise prior to recommending the renewal of registration.

Exceptions: All home daycares registered with the City of Vermillion by July 1, 2015 will not be required to complete an inspection for the initial registration, and those registered as a family day care pursuant to SDCL ch.26-6 and ARSD 67:42:03 will not be subject to any inspections by the City of Vermillion.

121.08 Fencing or other barrier. Playground areas shall be enclosed by a fence, hedge, trellis, or other barrier not less than 42 inches high to protect the area from traffic, animals, or other hazards. Openings in a fence, trellis, or other man made barrier shall not allow passage of a four-inch diameter sphere. Playground areas shall be in rear yard whenever possible. Day