

**2010 Legal and Public Notices**

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

SN/ \_\_\_\_\_  
Raymond Passick, Chairman  
Board of County Commissioners

I, Kathryn Heles, County Deputy Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on January 29, 2013.

Deputy County Auditor, Clay County, SD

Mockler moved, seconded by Packard and carried to pass and adopt the following resolution approving survey Plat of Tract 1 of Davis Addition in the North Half of the SE 1/4 of Section 15, T95N, R53W of the 5th P.M., Clay County South Dakota, Patricia Grimes, owner.

**RESOLUTION OF COUNTY COMMISSIONERS**

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

Plat of Tract 1 of Davis Addition in the North Half of the SE 1/4 of Section 15, T95N, R53W of the 5th P.M., Clay County South Dakota, Patricia Grimes, owner.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

SN/ \_\_\_\_\_  
Raymond Passick, Chairman  
Board of County Commissioners

I, Kathryn Heles, County Deputy Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on January 29, 2013.

Deputy County Auditor, Clay County, SD

February 11th at 5:30 p.m. is the Clay County Planning Commission and City Planning Commission meeting in joint session to make recommendations to the County Commission and City Council regarding the minimum lot size in the Agriculture District of the Joint Jurisdiction Zoning Regulations.

At 10:30 a.m. the time set for opening bids on providing meals for inmates for the Clay County Jail. Cherry Street Catering was the only bid received. Bidding - \$5.50 per lunch and dinner meals and .60 for breakfast. Powell moved, seconded by Mockler to accept bid by Cherry Street Catering. All voting aye, motion carried.

Andy Howe/Sheriff met with the Board to discuss the replacement of the Sheriff's Department shotguns with patrol rifles with sites. They can all be replaced for \$8,000.00. Powell moved, seconded by Kephart and carried to purchase all rifles with sites and supplement budget if needed from contingency. Kephart asked that Howe not get rid of all shotguns. Howe will surplus any old rifles and other firearms the department has seized. This money will go back into county general.

The Sheriff's Monthly Expense report for November and December 2012 was accepted and placed on file.

Gene Lunn/DOE met with the Board to discuss abatement and refunds.

Packard moved, seconded by Mockler and carried to authorize the Chairman to sign the following Abatement and Refunds #13-02.

Application #13-02 on Parcel #08000 09352 10204 - 10/093/52.

Due to error in assessment, making the taxes too high in 2010, 2011 and 2012. Therefore there is a refund for 2010 taxes for \$24.25, a refund for 2011 taxes for \$30.79 and abatement for

**2010 Legal and Public Notices**

2012 taxes for \$32.22.

Lunn explained to the Board that the hard drive for Pictometry was being installed and training dates will be getting set up.

Donnie O'Connor resident of the County was requesting permission to add to an existing Drainage Permit he had done in 2009. O'Connor explained he would put laterals to the tile he already has in place and that the flow rate would not change. Teddi Gertsma/States Attorney was available for consult. As the drainage ordinance clearly states "A permit shall also be required before any person may modify the drainage authorized in an original permit issued by the Board", therefore it is the consensus of the Board that Donnie O'Connor would need to get a new drainage permit for this project.

At 11:20 a.m. Powell moved, seconded by Packard and carried to going into executive session to discuss personnel matters.

At 11:40 a.m. Kephart moved, seconded by Packard and carried to come out of executive session. No action was taken.

**Motion by Packard, seconded by Mockler and carried to approve the following claims for payment: January Payroll:** All salaries listed are monthly unless otherwise noted.

- |                         |                         |                         |                         |                           |                            |                           |                                   |                      |                              |                               |                           |                      |                          |                            |                              |                         |                        |                         |                             |                         |                        |  |                     |                        |                                      |                             |                                  |                              |                              |                         |                         |                       |                          |                        |                           |                        |                         |                            |                             |                       |                           |                           |                            |                         |                            |                        |                          |                         |                          |                        |                      |                            |                              |                               |                         |                       |                           |                                |   |                                   |                         |  |  |                              |                                  |                                     |                        |                                   |  |   |  |                              |                      |                                   |                       |                       |                              |                             |                             |                       |  |                     |                                 |                        |                                  |                           |                           |                      |                             |                             |                           |                       |                          |                               |                               |                              |  |  |                              |                                   |  |                            |                                 |                                     |  |                      |             |
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| Cynthia Aden-\$1533.33, | Cynthia Aden-\$1871.42, | Aaron Anders-\$3462.67, | Kevin strong-\$2857.67, | Bryan Becker-\$12.62/hr., | Steven Bierle-\$15.76/hr., | Cynthia Bremer-\$3950.00, | Andrew Carri-rington-\$13.14/hr., | Joan Crum-\$2641.67, | Rachel Eberstrong-\$2283.33, | Dennis Gertschow-\$18.90/hr., | Nathan Gertsma-\$5585.67, | Brent Hayes-\$12.93, | Kathryn Heles-\$2822.00, | Jennifer Hofman-\$3950.00, | Andrew Hollman-\$50.00/call, | Tiffany Howe-\$4833.33, | Diane Husby-\$3169.67, | Paul Johnson-\$2493.17, | Leslie Johnson-\$19.48/hr., | David Kephart-\$950.00, | Colleen Kye-\$2987.58, | Timothy L and e - S p e a k m a n - \$ 2 6 3 1 . 6 7 , | Larson-\$17.62/hr., | Eugene Lunn-\$3950.00, | Linda Manning-\$1315.83 (15.18/hr.), | Frank R. Martz-\$18.52/hr., | Timothy McClelland-\$58.00/call, | Janice McGuire-\$50.00/call, | Larry McPherson-\$20.44/hr., | Sarah Miller-\$1092.00, | Kevin Mockler-\$950.00, | Jane Noble-\$2709.33, | Beverly Olson-\$2773.33, | Phyllis Orr-\$2631.67, | Raymond Packard-\$950.00, | Paul Pasick-\$1050.00, | Ina Pederson-\$3377.25, | Rodney Peterson-\$2773.33, | Catherine Powell-\$4216.67, | Leo Powell-\$3950.00, | Gretchen Powell-\$950.00, | Derek ardsen-\$10.00/hr., | Dominick ning-\$11.42/hr., | John Maria-\$12.62/hr., | Michael Shefl-\$14.57/hr., | Layne Smith-\$2950.17, | David Stewart-\$2493.00, | Laura Stewart-\$273.92, | Daniel Styles-\$2464.42, | Mary Sundet-\$1886.25, | Swensen-\$19.98/hr., | Phillip Taggart-\$2822.00, | Timothy Tigert-\$58.00/call, | Linda Vanderkooi-\$18.52/hr., | Jerami Weber-\$2966.92, | Jason West-\$3548.08, | Staci Westcott-\$2240.33, | Staci Wuestewald-\$50.00/call, | Staci Wuestewald-\$11.42/hr., (Payroll Withholding) AFLAC-\$922.68, | Clay County Treasurer-\$34359.91, | Colonial Life-\$560.26, | Conseco/Washington National Ins.-\$465.50, | Nationwide Retirement Solutions-\$58.82, | New York Life Ins.-\$306.96, | SD Retirement System-\$18021.63, | SD Supplement Retirement-\$1125.00, | TASC (Flex)-\$2487.63, | United Way Of Vermillion-\$96.00, | Vermillion Federal Credit Union-\$2071.00, | Wellmark Blue Cross/Blue Shield-\$30551.86; | January Bills: (Prof. Serv./Fees) John Billings-\$3081.25, | City of Vermillion-\$540.00, | Denise Cody-\$52.50, | Greentree Psychological-\$270.00, | Chase Corp.-\$470.25, | Linda Kinchen-\$6.00, | LaCroix Law Office-\$551.60, | Lewis & Clark BHS-\$447.00, | Lincoln Co. Lewno-\$473.85, | Netsys Plus-\$551.49, | Peterson, Stuart, & R u m p e a - \$ 4 0 6 1 . 1 6 , | PharmChem-\$105.00, | Pollard & Larson, LLP-\$174.00, | Bruce Preheim-\$13.00, | Redwood Toxicology Lab-\$190.00, | Sanford Health-\$8549.52, | Kristen Scissons-\$19.00, | SD Achieve-\$120.00, | Security Shredding-\$35.00, | Shepherd Reporting-\$96.25, | State Bar of SD-\$705.00, | Karen Swanda-\$52.50, | Craig Thompson-\$720.20, | Timekeeping Systems-\$306.20, | Vermillion/Clay EMS-\$217.16, | Yankton Co. Sheriff-\$50.00, | Yankton Co. Treasurer-\$182.90; (911 Service) City of Vermillion-\$53821.20; (Publishing) Plain Talk-\$266.76; (Repairs/Maint.) Butler Machinery Co.-\$818.90, | Election Systems & Software-\$3498.00, | Hansen Locksmithing-\$45.00, | James Heating & Cooling-\$283.88, | Richard Jepsen/Jepsen Service-\$20.00, | Johnson Electric-\$121.02, | Kalins Indoor Comfort-\$222.00, | Matt Taggart Construction-\$331.50, | Mark Nelsen/Nelsen Electric-\$1050.00, | Netsys Plus-\$40.00, | Pollman Ex- |
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cavation-\$138.75, Precision Lawn Care-\$187.50, Tom Taggart/Tom Taggart Snow Removal-\$122.40, Vermillion ACE Hardware-\$10.00; (Historic Preservation) Vermillion Area Chamber & Development-\$200.00; (Clay Creek Ditch) Broadcaster-\$24.00; (Data Processing) Bureau of Administration-\$38.00, Manatron-\$965.40, Bruce Mastel/Macman Designs-\$37.50, The Schneider Corp.-\$6850.00; (Materials/Supplies) American Institutional-\$63.98, Butler Machinery-\$2617.69, California Contractors Supply-\$131.40, Campbell Supply-\$390.59, C h e m c o - \$ 1 6 3 . 7 3 , Claritus-\$345.22, Clark's Rentals-\$600.00, Dakota Riggers & Tool-\$294.00, Higman Sand & Gravel-\$3512.50, Iowa Office Supply-\$599.90, JCL Solutions-\$343.98, Richard Jepsen/Jepsen Service-\$47.50, John Deere Financial-\$115.79, Lawson Products-\$218.99, Layne's World-\$27.50, Mac's, Inc.-\$1081.00, Matheson Tri-Gas-\$2119.58, McLeod's Printing-\$346.08, MidAmerican Research Chemical-\$86.48, Mills & Miller, Inc. Distributing-\$4404.40, Mark Nelsen/Nelsen Electric-\$2097.70, Netsys Plus-\$119.99, Pollman Excavation-\$2.78, Quill Corp-\$744.30, Riverside Hydraulics-\$105.35, Sioux City Foundry-\$1232.45, Titan Rentals-\$370.82, Truck-Trailer Sales & Svc.-\$29.50, USPS-Halsler-\$10.500.00, Vander Haag's-\$819.00, Verizon Wireless-\$13.75, Vermillion ACE Hardware-\$212.52, Wal-Mart Community / G E M B - \$ 9 0 . 5 6 , Western Office Tech.-\$260.20, Wheelco Brake & Supply-\$315.94; (Copier Contract) Century Business Products-\$29.07; (Travel/Conference) SD Assn. of Co. Weed Boards-\$170.00; (Inmate Transport) Matt Olson-\$11.00; (Utilities) Jeff Anders-\$120.00, Aaron Armstrong-\$120.00, Centurylink-\$493.96, City of Vermillion-\$1683.39, Clay Rural Water System-\$57.50, Howe-\$240.00, Tiffany Husby-\$120.00, Dave Kyte-\$120.00, Midcontinent Paul Pederson-\$120.00, Reliance Telephone-\$300.00, Michael Smith-\$120.00, Verizon Wireless-\$358.03, Jerami West-\$120.00; (Machinery/Auto) Smithco Mfg.-\$20000.00; (Jail Meals) Cherry Street Grille-\$3338.80; (Books) West Group-\$1961.50; (Juvenile Detention) Minnehaha Co. JDC-\$1015.00; (Furniture/Minor Equip.) Netsys Plus-\$108.99, Timekeeping Systems-\$195.00; (Jury/Witness) Patrick Anderson-\$10.00, Leslie Aust-\$60.00, Marrisna Bunger-\$10.00, Tamara Burdick-\$10.00, Mary Christopherson-\$60.00, Katherine DeBoer-\$10.00, Janet Erickson-\$20.00, Natasha Gault-\$61.48, Patricia Goebel-\$60.00, Ronald Gylfe-\$28.50, Cody Hall-\$60.00, Ruth Hessman-\$97.00, Joseph Johnson-\$65.92, Steven Johnson-\$28.50, Barbara John Lynch-\$15.18, Miranda Manecke-\$10.00, Michael McFarland-\$10.00, Heather Mollman-\$10.00, Brian Mount-\$14.44, Gwendolyn Mount-\$15.18, Virginia Mullinix-\$97.00, Monty Munkvold-\$60.00, Jennifer O'Connell-\$28.50, Douglas Seveining-\$10.00, Justin Smith-\$10.00, Janice Strom-\$23.32, Debra Thomas-\$10.00, Steven Thum-\$10.00, Chris Tieszen-\$20.00, Jessica Tieszen-\$20.00, Roger Turner-\$12.22, Harlan Wentzel-\$65.92, Rufus Williams-\$10.00, Steven Williams-\$10.00.

At 11:45 a.m. Powell moved, seconded by Kephart and carried to adjourn and reconvene Tuesday, February 5, 2013 at 9:00 a.m.

Raymond (Dusty) Passick, Chairman  
Board of County Commissioners

ATTEST:  
Kathryn Heles, Deputy County Auditor

Published once at the total approximate cost of \$187.23.

Published: February 8, 2013

**NOTICE OF PUBLIC HEARING OF APPLICATIONS FOR SALE OF ALCOHOLIC BEVERAGES**

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 19th day of February, 2013 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated, which has been presented to the City Council and filed in the Finance Officer's Office:

Retail on-off Sale Wine license until December 31, 2013:  
Sunset Oil, Inc for Pump N Pak at 629 Stanford Street.

NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be

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heard at said scheduled public hearing who are interested in the approval or rejection of any such application.

Dated at Vermillion, South Dakota this 4th day of February, 2013.

Michael D. Carlson, Finance Officer  
Published once at the total approximate cost of \$15.40.  
Published: February 8, 2013

**STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS**

**IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT**

**IN THE MATTER OF THE CHANGE OF NAME OF JOANNE WINGO.**

**CIV. # 13-7 ORDER TO SHOW CAUSE AND NOTICE OF HEARING**

On the reading and filing of the Affidavit and Petition of Joanne Wingo for a change of name from Joanne Wingo to JOANNE LEONARD, her maiden name, and good cause appearing therefore:

**IT IS HEREBY ORDERED:**

1. That all persons who may be affected or prejudiced by the change of name appear before this Court on the 13th day of March, 2013, at 9:00 o'clock a.m., then and there to show cause, if any they may have, why the Petition for Change of Name should not be granted; and
2. That a copy of this Order be published in a legal newspaper of general circulation in Clay County one time per week for four successive weeks preceding the date set for the hearing.

Dated at Vermillion, South Dakota, this 17th day of January, 2013.

BY THE COURT:  
Clerk of the Court for Clay County  
ATTEST:  
/s/ \_\_\_\_\_  
Jessica Bosse by N. Zimmerman  
Clay County Clerk of Courts  
Published four times at the total approximate cost of \$65.28.

**STATE OF SOUTH DAKOTA COUNTY OF CLAY**

**IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT**

**JPMORGAN CHASE BANK, NA s/b/m TO CHASE HOME FINANCE LLC**

Plaintiff,  
  
vs,  
  
Joshua G Balleweg; and any person in possession,  
  
Defendants.  
  
Civil No. 12-57

**NOTICE OF REAL ESTATE SALE**

Judgment in the amount of \$158,577.25 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 November 28, 2012, 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 July 30, 2009, which Joshua G. Balleweg, Mortgagee, executed and delivered to Mortgage Electronic Registration Systems, Inc, Mortgagee:

SNORTLAND TRACT 1 IN THE SE 1/4 OF SECTION 23, TOWNSHIP 94 NORTH, RANGE 52 WEST OF THE 5TH P.M.; CLAY COUNTY, SOUTH DAKOTA.

and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 31st of July, 2009 in Book 129 Mtgs on page 640. Said Mortgage was assigned to JPMorgan Chase Bank, NA by Assignment of Mortgage recorded January 19, 2012, in Book 132 of Mortgages, Page 962, in order to realize the amount of \$137,700.00, as of July 30, 2009, plus interest accruing thereafter on said amount at the rate of 5.5% 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 February 27, 2013, at 10:00 A.M. (CT).

Dated December 7, 2012.

**2010 Legal and Public Notices**

Sheriff of Clay County, South Dakota

MACKOFF KELLOGG LAW FIRM

By: \_\_\_\_\_  
David C. Piper, Attorney #4128  
38 Second Avenue East  
Dickinson, ND 58601  
(701) 227-1841  
Attorneys for Plaintiff  
Published twice at the total approximate cost of \$60.48.  
Published: February 8 & 15, 2013

**NOTICE OF HEARINGS**

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of Vermillion, South Dakota, will meet at 5:30 p.m. on Monday, the 25th day of February, 2013, in the Planning Commission Room at City Hall in the City of Vermillion, at which time the said Planning Commission will hear, consider and act upon a recommendation for the following:

An ordinance to amend the County Side Planned Development District Area B regulations to include Multiple Family Dwellings

**NOTICE IS HEREBY GIVEN** that the Governing Body of the City of Vermillion, South Dakota, will meet at 7:00 p.m. on Monday, the 5th, day of March, 2013 in the City Council Chambers at 25 Center Street in the City of Vermillion, at which time the said Governing Body will hear, consider and act upon the following:

An ordinance to amend the County Side Planned Development District Area B regulations to include Multiple Family Dwellings

Notice is further given that at the times and places aforesaid any person may appear and be heard upon all matters pertaining to the said ordinance change and that at said time and place the Governing Body Will consider and decide whether or not this ordinance change should be approved.

Dated at Vermillion, South Dakota this 4th Day of February, 2013

Farrel Christensen, City Building Inspector

Published once at the total approximate cost of \$21.02.  
Published: February 8, 2013



The Vermillion Area Swim team took 2nd place in the recent Snowfox Swim Meet in Sioux Falls, walking away with 18 first place finishes in various events. Members of VAST who attended the meet and helped achieve the 2nd place finish include: Back row, left to right: VAST Head Coach Mike Moran, Madisen Martinez, Jacob Krier, Kyleigh Moran, Anna Van Holland, Toria Andre, Megan Muriuki, and VAST Coach Melanie Mahowald. Middle Row: Lexie Malimanek, Maddie Lavin, Annika Holdhusen, Fatma Alemam, Basmala Alemam, Hunter Lavin, Brady Martinez. Front Row: Rebekah Sharples-Schmidt, Kristy Muriuki, Douglas Sharples-Schmidt and Andrew Sharples-Schmidt. Missing from the photo is Anna Hackemer.

**VAST**  
From Page 5

says a lot about the quality of swimmers we have in Vermillion."

In other VAST achievements, Maddie Lavin currently holds top spots as the fastest swimmer in the State of South Dakota in the 11-12 age group in eight events. Another rising VAST star is Vermillion High School sophomore Jacob Krier, who as of last week, was ranked as one of the fastest swimmers in the state of South Dakota in the 15-16 year-old age group. He is ranked in the top 10 in eight events, and in the top three in the 50, 100 and 200- yard freestyle events.

Krier is making a new mark in VAST history this spring. Krier is one of only three male swimmers in VAST history to make the qualifying time to compete in the USA Swimming Speedo Champions Series Meet, which will take place in March in Wisconsin. Krier qualified to compete in the men's 50-yard freestyle with a time of 22.75 seconds. He remains very close to also making the qualifying time for the 100- and 200-yard freestyle events and the 100-yard

**SDHSAA honors Vermillion teams**

Initiated during the 1996-97 school year, the SDHSAA Academic Achievement Team Award program is designed to recognize varsity athletic teams and fine arts groups for their academic excellence. The South Dakota High School Activities Association believes that high school students learn in two distinct ways; inside the classroom and outside the classroom – on the stage and/or athletic field. This academic program creates a positive environment for school teams to have its members excel in the classroom. This program is also meant to motivate students toward academic excellence and to promote academic encouragement from teammates.

All varsity athletic teams and fine arts groups that participate in Association sponsored activities are eligible for this recognition program. Based on a duplicated count, as reported in the 2011-12 SDHSAA Participation Survey, over 29,789 students participate in interscholastic athletics and over 28,613 more are involved in fine arts activities. The Academic Team Award program provides high school students with the opportunity to prove they can be overwhelmingly successful in both academics as well as in athletic and fine arts activities.

All varsity athletic teams and fine arts groups that achieve a combined grade point average of 3.0 or higher are eligible to receive the SDHSAA Academic Achievement Team Award. With the completion of all the SDHSAA fall athletic and fine arts activities, the SDHSAA announces that the schools and their teams on the attached list have received the "Academic Achievement Team Awards" for the 2012-2013 Fall Season.

Vermillion High School recipients of this award are: Boys golf team, oral interpretation, girls cross country team, boys cross country team, girls tennis team, All-State Chorus, volleyball team.

backstroke. It's a great achievement, said Moran.

"At the Sectionals meet, Krier will compete against the fastest swimmers from Iowa, Illinois, Minnesota, North Dakota, South Dakota, and Wisconsin.

"The competition at Sectionals is always very fast," said Moran. "Most of the best swimmers in the region attend the meet. In order to get into the final heats after preliminaries, he will have to swim as fast as some of the best collegiate swimmers around. Even some college swimmers have been known to enter the meet."

The VAST swim season will be wrapping up in the next month. Sixteen VAST swimmers have qualified for state and are expected to compete at the State swim meet this year, to be held March 1 – 3 in Aberdeen. A week later will be the Speedo Sectionals in Wisconsin, followed by Midwest Regional competition toward the end of March.

"The season is going by fast and all of our swimmers are showing great improvement," said Moran. "The coaching staff is very excited for the end of the year meets coming up in the next two months as the team looks to finish the season better than we ever have."