

10 Vermillion Plain Talk

2010 Legal and Public Notices

ing the cause of the withdrawal and without written consent of the Owner after reviewing the cause.

The Owner reserves the right to reject any and all bids or parts hereof, and to waive any irregularities of any bid. The Owner also reserves the right to award the Contract to the lowest responsible bidder as may be determined by the Owner.

Carri R. Crum
Clay County Auditor

Publish three times at the total approximate cost of \$89.08. Published February 7th, 14th, & 21st, 2014.

The University of South Dakota is accepting sealed bids for USD 2014 A/C removal and install of units in South Dakota Union, Akeley Room 308, Burgess, and Service Center until 2:00 P.M., February 25th, 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 Purchasing Office at USD, contact Kyra Blatchford at 605-677-5667 or by email at kyra.blatchford@usd.edu. The University reserves the right to reject any and all bids.

Publish twice on February 14 & 21, 2014.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

SOUTH DAKOTA HOUSING DEVELOPMENT AUTHORITY,

Plaintiff,
vs.

STEVEN W. JOHNSON, AND CLAY COUNTY, SOUTH DAKOTA,

Defendants.

CIV. NO. 13-150

NOTICE OF MORTGAGE FORECLOSURE SALE

NOTICE IS HEREBY GIVEN in accordance with South Dakota Codified Laws 21-49-25, and pursuant to a Judgment dated the 22nd day of January, 2014, that a sale of certain mortgaged premises described as follows:

Lot Thirteen (13), Block Thirteen (13), Town of Wakonda, Clay County, South Dakota,

shall be made by public sale to the highest bidder on the 26th day of February, 2014, at 10:00 a.m., at the front door of the Clay County Courthouse, Vermillion, South Dakota.

The name of the mortgagor is Steven W. Johnson and the mortgage was given to First Dakota National Bank and assigned to the South Dakota Housing Development Authority of Pierre, South Dakota. The amount due, pursuant to the Judgment, is \$17,449.32. The date of the mortgage is 17th day of June, 1994, and the mortgage was recorded in the Office of the Clay County Register of Deeds on the 21st day of June, 1994, at 2:15 p.m., in Book 105 of Mortgages, page 520 and re-recorded on the 29th day of June, 1994, at 2:10 p.m., in Book 105 of Mortgages, page 553. **The sale is subject to the 2013 real property taxes due and payable in 2014, and any special assessments due and owing.**

Dated at Vermillion, South Dakota, this 6th day of February, 2014.

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ANDEW HOWE
SHERIFF OF CLAY COUNTY

Robert E. Hayes
Attorney for Plaintiff
Davenport, Evans, Hurwitz & Smith, L.L.P.
c/o South Dakota Housing Development

Authority
3060 E. Elizabeth Street, P. O. Box 1237

Pierre, South Dakota 57501-1237
Published twice at the total approximate cost of \$54.23

Published: February 14 & 21, 2014

Notice Of Application For Executive Clemency

Bethany Lyn Jensen who was sentenced from Clay County, the 20th Day of November 2001, to fine - \$200 Fine, Forfeiture, Jail or Prison.

For the crime of Contributing of the Delinquency of a Minor.

Has applied to the South Dakota Board of Pardons and Paroles for: Pardon

Published on February 7, 14, 21, 2014.

NOTICE OF APPLICATION

NO. 7933-3 to Appropriate Water

Notice is given that Doug Bye, 1559 Crestview Drive, Vermillion SD 57069 has filed an application for a water permit to appropriate 0.89 cubic feet of water per second from one well to be completed into the Missouri: Elk Point Aquifer (115 feet deep) located in the approximate center of the NW 1/4 Section 18 for irrigation of 90 acres located in the NW 1/4 Section 18; all in T92N-R52W.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7933-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by March 3, 2014.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Steven M. Pirner,

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Secretary, Department of Environment and Natural Resources.

Published once at the total approximate cost of \$27.80. Published: February 21, 2014.

Invitation To Bid

Sealed bids will be received by the State Engineer on behalf of the Board of Regents at the Office of the State Engineer, Joe Foss Building, 523 East Capitol, Pierre, South Dakota 57501-3182 until 3:00 PM CT, March 6, 2014 for Campus Mechanical and Electrical Infrastructure Overhaul and Modernization, University of South Dakota, Vermillion, SD, OSE# R0613--17X/PH3N and OSE# R0613--17X/PH3S (this is two projects).

Combined Bids will be received to replace campus infrastructure facilities, including all necessary Demolition, General, Mechanical, and Electrical work.

Bidders Please Note: There will be a non-mandatory on-site pre-bid meeting at the Service Center on the University of South Dakota campus at 10:30 AM CT, February 27, 2014. Bidders may contact Brad Hansen at 605.677.6690 for directions. Each bidder shall examine the premises and be satisfied as to the existing site conditions before submitting a sealed bid. Pre-bid meeting attendance is not mandatory, but is highly recommended for bidders to be responsible and for their bid to be considered.

Copies of the Plans and Specifications may be obtained by bidders at the office of Stockwell Engineers, 600 North Main Avenue, Suite 100, Sioux Falls, SD, 57104, 605.338.6668. Copies are on file for viewing purposes at the Office of the State Engineer, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501-3182. Anyone requesting, reviewing, or copying Plans and Specifications for this project (such individual is hereinafter referred to as "bidder") agrees that they are doing so for the sole purpose of submitting a bid on the project. In consideration of the State of South Dakota providing such Plans and Specifications for the purpose of preparing a bid, bidder further agrees:

- A.The Plans and Specifications are the sole property of the State;
- B.Any copies of the Plans and Specifications obtained directly from the State will be returned to the office of Stockwell Engineers immediately after the State provides notice that bidder will not be awarded a contract, or thirty (30) days after the bid opening for the project, whichever occurs first;
- C.Any copies of the Plans and Specifications made by the bidder will be destroyed immediately after the State provides notice that bidder will not be awarded a contract, or thirty (30) days after the bid opening for the project, whichever occurs first;
- D.If bidder does not submit a bid, bidder will fulfill the requirements of B and C above on or before the date of the bid opening;
- E.The Plans and Specifications are to be used only with respect to this project and are not to be used for any other project or purposes other than preparing a bid for this project;
- F.The Plans and Specifications will not be disseminated to any person or entity for purposes other than obtaining pricing information without the express written approval of the state;
- G.All information contained in the Plans and Specifications is confidential; and
- H.Should the bidder disseminate the Plans and Specifications to an individual or entity for purposes of obtaining pricing information, the bidder will require that individual or

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entity to adhere to the terms set forth herein. The bidder, however, assumes no liability for the misuse of the Plans and Specifications by such third party or such third party's failure to comply with the provisions contained herein.

Should bidder be awarded a contract for construction of the project, bidder does not need to return or destroy plans and specifications until after completion of the project.

Each bid in excess of \$50,000.00 must be accompanied by a certified check, cashier's check or draft in the amount of 5% of the base bid and all add alternates and drawn on a State or National Bank or a 10% bid bond issued by a surety authorized to do business in the State of South Dakota and made payable to the Board of Regents of the State of South Dakota.

The Board of Regents reserves the right to reject any or all bids and to waive any irregularities therein.

The University of South Dakota is a smoke-free campus.

KRISTI HONEYWELL, P.E.
State Engineer
Office of the State Engineer

Published at the total approximate cost of \$59.91. Published: February 21, 2014.

STATE OF SOUTH DAKOTA COUNTY OF CLAY:SS

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT
FILE NO. PRO. 14-3

ESTATE OF
DARREL J. LARSON,
Deceased

NOTICE TO CREDITORS

Notice is given that on February 11, 2014, Gail Fiedler, whose address is 411 Stanford Street, Lot 46, Vermillion, South Dakota, 57069, and Tim Larson, whose address is 46364 304th Street, Centerville, South Dakota, 57014, were appointed as co-personal representatives of the estate of Darrel J. Larson.

Creditors of decedent must file their claims within four months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the co-personal representatives or may be filed with the clerk and a copy of the claim mailed to the personal representative.

Dated February 12, 2014.

Gail Fiedler
411 Stanford Street Lot 46
Vermillion, SD 57069
(605) 624-4568

Tim Larson
46364 304th Street
Centerville, SD 57014
(605) 300-0065

Jessica Bosse
Clay County Clerk of Courts
P.O. Box 377
Vermillion, SD 57069
(605) 677-6756

Thomas H. Frieberg
Frieberg, Nelson & Ask, LLP
P.O. Box 511
Beresford, SD 57004-0511

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(605) 763-2107

Published three times at the total approximate cost of \$62.40. Published: February 21, 28, & March 7, 2014.

NOTICE OF HEARING

Notice is hereby given that the Clay County Commissioners, acting as the Board of Adjustment, will meet on Tuesday, March 11, 2014 at 9:15 a.m. in the Commissioners' Meeting Room of the Clay County Courthouse, Vermillion, SD at which time said Board will hear, consider and act upon the following:

Variance Hearing to consider building at storage shed 15 feet into the front yard setback and 50 feet into the rear yard set back (Missouri River) for Terrence and Lindia Brady on property located on Ponderosa Drive, Burbank, SD. Legal description: Lot 23 Ponderosa Addn & Dr Parts of Lot 1 Section 2 and Lot 1 Section 3, Fairview Township, Clay County, SD.

All interested persons are invited to attend the public meeting. Those interested but unable to attend are invited and encouraged to send written comments prior to the hearing to: Clay County Commission, 211 W. Main Street, Suite 200, Vermillion, SD 57069.

Carri Crum, Auditor
Clay County, South Dakota

Published once at the total approximate cost of \$17.22. Publish: February 21, 2014.

STATE OF SOUTH DAKOTA COUNTY OF CLAY:SS

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT
FILE NO. PRO. 14-2

ESTATE OF
BARBARA LARSON,
Deceased

NOTICE TO CREDITORS

Notice is given that on February 11, 2014, Gail Fiedler, whose address is 411 Stanford Street, Lot 46, Vermillion, South Dakota, 57069, and Tim Larson, whose address is 46364 304th Street, Centerville, South Dakota, 57014, were appointed as co-personal representatives of the estate of Barbara Larson.

Creditors of decedent must file their claims within four months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the co-personal representatives or may be filed with the clerk and a copy of the claim mailed to the personal representative.

Dated February 12, 2014.

Gail Fiedler
411 Stanford Street Lot 46
Vermillion, SD 57069
(605) 624-4568

Tim Larson
46364 304th Street
Centerville, SD 57014
(605) 300-0065

Jessica Bosse
Clay County Clerk of Courts
P.O. Box 377

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Vermillion, SD 57069
(605) 677-6756

Thomas H. Frieberg
Frieberg, Nelson & Ask, LLP
P.O. Box 511
Beresford, SD 57004-0511
(605) 763-2107

Published three times at the total approximate cost of \$62.40. Published: February 21, 28, & March 7, 2014.

MINUTES OF THE VERMILLION SCHOOL BOARD

Regular Meeting
Unapproved Minutes

February 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 #1-1114

Natasha Gault and her eighth grade group of students gave their Asian Carp presentation that won state honors.

Item #2-1114

Jim Peterson, Athletic Boosters, presented information on the booster club future plans regarding signage.

Motion by Stammer, seconded by Lavin, to approve the rendering of the reader sign as proposed by the Booster Club.
Aye: Unanimous.

Item #3-1114

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

- VII.A.4. USD dental program, and,
 - IX.G. Middle School roof consulting agreement.
- Aye: Unanimous.

Item #4-1114

Motion by Schwasinger, seconded by Lavin, to approve the minutes of the January 27, 2014 board meeting as presented.
Aye: Unanimous.

Item #5-1114

Motion by Stammer, seconded by Schwasinger, to accept the business manager's report for the month ending January 31, 2014 and approve the payment of claims as presented.
Aye: Unanimous.

Item #6-1114

Froke presented information on the following items:
1.Governor's CTE grant award,
2.Legislative items,
3.Follow-up with Johnson Controls assessment, and,
4.USD dental program.

Motion by Lavin, seconded by Schwasinger, to authorize the advertising of bids for a metal building as outlined in the CTE grant awarded the district by the state.
Aye: Unanimous.

Item #7-1114

Motion by Schwasinger, seconded by Lavin, to approve the Evaluation of Administrators and

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

Reporting Month: <i>JANUARY 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	2,586,439.84	1,816,306.76	651,511.81	712,826.51	411,292.27	58,099.03	249,006.23	466,910.02	50,977.01
Local Sources:	39,409.75	8,106.79	10,925.55	810.67	1,470.39	10,964.40	41,470.04	19,073.23	6,731.32
County Sources	14,326.07								
State Sources	233,100.00		27,778.00			404.00			
Federal Sources	38,228.32		45,867.00				21,941.11		
Miscellaneous									
NSF Checks Reversed									
TOTAL RECEIPTS	325,064.14	8,106.79	84,570.55	810.67	1,470.39	11,368.40	63,411.15	19,073.23	6,731.32
TOTAL DISBURSEMENTS Transfers/Voided Check	668,643.91	131,023.64	113,710.03			7,442.81	44,384.64	18,280.96	11,082.02
Other Financing Sources									
Ending 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