

Additional federal funding available for health insurance

New federal funding is available for eligible individuals to continue their group health insurance according to officials with the South Dakota Department of Revenue and Regulation, Division of Insurance.

Insurance Division Director Merle Scheiber announces these funds are available due to an extension of the premium reduction under the American Recovery Reinvestment Act (AARA) subsidy for South Dakota citizens.

"I am pleased Congress has acted on and President Obama has signed the Fiscal Year 2010 Defense Appropriations Act," says Scheiber. "The act extends the period to apply for the AARA premium reduction for an additional two months (through Feb. 28, 2010) and the maximum period for receiving the premium subsidy for an additional six months (from nine to 15 months). Unemployed South Dakota citizens and their families will be better able to afford and keep their health benefit coverage because of the extension."

Information regarding the federal premium subsidy is available on the Division of Insurance website at www.state.sd.us/insurance. Individuals may also access the United States Department of Labor COBRA Web site at www.dol.gov/cobra to get information on new notice requirements, updated guidance, fact sheets, and frequently asked questions as they become available.

If you have additional questions regarding the premium subsidy, you may contact the Division of Insurance at (605) 773-3563 or by email at insurance@state.sd.us.

Pool/ from page 6

three wins from Solomon for the Bombers of Bunyans. Colene Zea showed her stuff with a four win night for Careys 2. Zac Lacey ran in three wins for the home team.

The Char 2 got four wins each from Josh Bieber and "Hot Rod" Jensen to race past the Varsity 1 Lettermen by the score of 13-12. The Lettermen were paced by three wins each from Mike Stewart, Jarred Muhlbauer and Carl Towner.

Well that's about it for the

rest of this year. The league results from Dec. 16 will be out after the calendar turns to 2010. It seems like this year went pretty fast. So, I remind all of you to take care and look out for the other guy. I also would like to wish you all a Merry Christmas and a Happy New Year. Travel safe and please stay off of your cell phones while you are driving.

Peace be with us all. Thanks a billion (a million just isn't enough). MOJO

Council/ from page 1

are there, and preserve that through an R-1 designation that would limit the use to single-family dwellings only," he said. "The planning commission did decide to recommend the zone change, and city staff agrees that the best way to preserve this neighborhood would be to approve the down-zoning from R-2 to R-1."

City Manager John Prescott said several pieces of correspondence, both in favor and against the zoning change, had been received prior to the hearing at city hall.

Lydia Freedom, 25 E. Bloomingdale, spoke in opposition to the zoning change.

"I'm opposed to the change. There are any number of us who have purchased property in this area specifically because it was R-2 and it gives us the flexibility to have duplexes and use them as rental properties if we so choose," she said. "I am a landlord, so I am aware of the hazards of multi-family housing, and I think that the city of Vermillion has put in a lot of ordinances recently where you can have a three-strike process if you have problems with tenants, so I don't know that making it single-family dwellings is going to take care of the problems you are concerned about."

Freedom noted that changing the zoning won't guarantee that the properties in the

area will be maintained properly.

"You can have single-family homes that are for rent, and have very bad neighbors," she said, "and it would just be from one family. You don't necessarily have that problem if you have a duplex or a four-plex. So, I'm very much opposed to this."

Robert Stoner, 18 West Bloomingdale, spoke in favor amending the zoning.

"I have lived in this neighborhood all 45 years that I have lived in Vermillion," he said. "I find it a nice, quiet neighborhood even though, at least where I live, it is only two blocks from Main Street. It's a mixed neighborhood as far as inhabitants are concerned - there are working people and professional people, there are USD professors who live in that neighborhood, there are inhabitants with families, with children, and yet it is a nice, quiet neighborhood without a lot of traffic."

"I would like to see that area preserved in the kind of atmosphere that I have grown accustomed to over the 45 years that I have lived in that neighborhood."

Melvin Walz, 18 ? Bloomingdale, also stated he was in favor of the zoning change.

Doug Tuve, a member of the planning commission who was present at the city council meeting, was asked by Alderman Mary Edelen to address the concerns

expressed by Freedom and others who are opposed to amending the area's zoning.

"As far as rental property there, I believe it is grandfathered in if it is currently rental property," Tuve said. "As long as the current owner owns the building, it can continue to be rental property if it is already rental property. Once it is sold, though, or if major changes are made to the property, then it would revert to R-1."

"The non-conforming use would last as long as that use was maintained," Christensen said. "So if it is a duplex, which I think we only have three of in the neighborhood, they would be allowed to stay on as long as they were registered with the rental registry and actively rented; if they ever expire for more than a year, they lose that use, or if they are ever damaged by more than 50 percent of their assessed value."

"If you have a non-conforming use, you can keep it and maintain it forever if you choose to," he said.

Tuve said the commission considered long-term planning when it made its recommended zoning of the area be amended.

"Since it considered a historic district, the thinking was that this would in keeping with the long range planning," he said. "Another factor that came in was various discussions of other cities and their

experiences with down-zoning. The conclusion was that property is usually better maintained and housing prices are stable if not rising in a R-1 area. They tend to go down in a R-2."

"The discussion also admitted that we have some exceptional people in the area who are very conscientious about caring for their homes," Tuve said, "including those who own rental property. But if that were sold, we would not know who that would be sold to, and we may be out of luck. We can't depend, as an administrative body, on the good will of people. We have to also have rules."

In a memo to the city council, Christensen noted that an objective of Vermillion's comprehensive plan is to down-zone historical neighborhoods to single-family only zones to help maintain the character of the property.

"It appears that there may be several potential historical homes included in the zone change area; at least one home is on the National Register of Historic Places," Christensen wrote. "With respect to the city's zoning map, the area is adjacent to an existing single-family district to the east. Nearly all of the residential property south of Main Street in the city is zoned R-1, which occurred during the 2008 revision of the city zoning map."

PUBLIC NOTICES

From PUBLIC NOTICES Page 7

BOARD, DAKOTA DOME TOURNAMENT SHIRTS, 2,391.70
35, TROY GREGOIRE, UNDERGROUND REIMBURSEMENT, 500.00

36, UNITED PARCEL SERVICE, SHIPPING, 165.10

37, USD, SHARE OF DOME TOURNAMENT, 4,000.00

38, US POSTMASTER, POSTAGE FOR UTILITY BILLS, 950.00

39, VISA/FIRST BANK & TRUST, FUEL/SUPPLIES, 339.01

40, DAKOTA DOME TOURNAMENT, OFFICIALS, 4,146.00

41, GLORIA BROOKS, BRIGHT ENERGY REFUND, 21.00

42, PAUL JOHNSON, BRIGHT ENERGY REFUND, 7.00

43, WENDALL GAUGER, BRIGHT ENERGY REFUND, 25.00

44, TODD HALVERSON, BRIGHT ENERGY REFUND, 14.00

45, KAREN HARRIS, BRIGHT ENERGY REFUND, 50.00

46, FRED SAVOIE, BRIGHT ENERGY REFUND, 50.00

47, MICHAEL GILLISPIE, BRIGHT ENERGY REFUND, 21.00

48, MARK KOLLER, BRIGHT ENERGY REFUND, 21.00

49, KEVIN CONNELLY, BRIGHT ENERGY REFUND, 10.00

50, RANDY VOSS, BRIGHT ENERGY REFUND, 50.00

51, MARTY NYGREN, BRIGHT ENERGY REFUND, 21.00

52, RICHARD STENSAAS, BRIGHT ENERGY REFUND, 250.00

53, MELVIN WALZ, BRIGHT ENERGY REFUND, 150.00

54, DAN HANSON, BRIGHT ENERGY REFUND, 150.00

55, PAT GROSS, BRIGHT ENERGY REFUND, 250.00

56, BENNO WYMAR, BRIGHT ENERGY REFUND, 250.00

57, TYLER MESSERSMITH, BRIGHT ENERGY REFUND, 250.00

58, LEO ALBERS, BRIGHT ENERGY REFUND, 150.00

59, REBECCA TERK, BRIGHT ENERGY REFUND, 150.00

60, WENDALL GAUGER, BRIGHT ENERGY REFUND, 150.00

61, CURTIS JOPLING, BRIGHT ENERGY REFUND, 250.00

62, DON FORSETH, BRIGHT ENERGY REFUND, 150.00

63, NICK KOLLMAN, BRIGHT ENERGY REFUND, 150.00

64, MARY MALONE, BRIGHT ENERGY REFUND, 250.00

65, LARRY SCHUETH, BRIGHT ENERGY REFUND, 250.00

GRAND TOTAL, \$70,687.40

2010 INVOICES TO BE PAID IN THE NEW YEAR

1, SDML WORKER'S COMPENSATION FUND, WORKERS COMPENSATION, 112,420.00

2, SD PUBLIC ASSURANCE ALLIANCE, BOILER INSURANCE, 10,094.00

GRAND TOTAL, 122,514.00

Alderman Hofman seconded the motion. Motion carried 9 to 0. Mayor Christopherson declared the motion adopted.

12. Consensus Agenda

A. Set a bid opening date of January 26, 2010 for 115 kV substation materials

B. Set a bid opening date of January 26, 2010 for 115 kV transmission line construction

C. Set a public hearing date of January 4, 2010 for the transfer of the retail on-off sale malt beverage license to Jonathan T. Robertson for the Cherry Street Grille at 1122 East Cherry from JNJ Management, Inc.

Alderman Osborne moved approval of the consensus agenda. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Christopherson declared the motion adopted.

13. Adjourn

438-09

Alderman Hofman moved to adjourn the Council Meeting at 8:26 p.m. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Christopherson declared the motion adopted.

Dated at Vermillion, South Dakota this 21st day of December, 2009.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY Dan Christopherson, Mayor

ATTEST: Michael D. Carlson, Finance Officer

Published once at the approximate cost of \$376.54

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Publish: January 1, 2010

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

Pro. 09-43

IN THE MATTER OF THE ESTATE OF HELEN M. COLLINS, Deceased.

NOTICE TO CREDITORS AND NOTICE OF INFORMAL PROBATE AND APPOINTMENT OF PERSONAL REPRESENTATIVE

Notice is given that on the 17th day of December, 2009, Patricia Cockrum, whose address is 12740 Rd. B.2 SW, Royal City, WA 99357, was appointed as Personal Representative of the Estate of Helen M. Collins.

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 Personal Representative or may be filed with the Clerk and a copy of the claim mailed to the Personal Representative.

Patricia Cockrum
12740 Rd. B.2 SW
Royal City, WA 99357
Clay County Clerk of Courts
P.O. 377
Vermillion, SD 57069

Michael D. Stevens
BLACKBURN & STEVENS,
PROF. L.L.C.
P.O. Box 753
100 West Fourth Street
Yankton, SD 57078-0753
(605) 665-5550

Published three weeks at the total approximate cost of \$37.86

Estimated publishing cost per circulated copy: \$0.1

Publsh: January 1, 8 & 15, 2010

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

CIV. 09-268

U.S. Bank National Association, as trustee, on behalf of the holders of the Asset Backed Securities Corporation Home Equity Loan Trust, Series NC 2005-HE8, Asset Backed Pass-Through Certificates, Series NC 2005-HE8, Plaintiff,

vs. Casey Davidson; Century Mortgage Corporation; and any person in possession, Defendant(s).

SUMMONS

To the Above-Named Defendant(s): You are hereby summoned and required to serve upon Plaintiff's attorney, Mackoff Kellogg Law Firm, c/o Quality Attorney Services, LLC, PO Box 90644, Sioux Falls, SD 57109, an answer to the complaint which is herewith served upon you within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This action involves a real property situated in the County of Clay, State of South Dakota described as follows:

29687 466th Ave.

Beresford, South Dakota 57004 (605) 351-0406

Robin Iverson
Clerk of Courts
211 W. Main Street
Vermillion, SD 57069
(605) 624-2097

Craig K. Thompson
Craig K. Thompson Law Offices
P.O. Box 295
Vermillion, SD 57069
(605) 624-2097
craig@cktlaw.net

Published three weeks at the total approximate cost of \$36.99

Estimated publishing cost per circulated copy: \$0.1

Publish: December 25, 2009, & January 1, 8, 15, 2010

LOT 1, BLOCK 15, VAN METERS' ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, THE TRIANGLE SHAPED PIECE OF LAND LYING BETWEEN THE NORTH LINE OF SAID LOT 1 AND THE SOUTH LINE OF MAIN STREET AS NOW LAID OUT IN THE CITY OF VERMILLION, AND THE EAST 1/2 AND THE WEST 1/2 OF VACATED CHESTNUT STREET BETWEEN MAIN STREET AND NINTH STREET SAID TRACT RUNNING ALONG THE EAST SIDE OF LOT 7, BLOCK 14 OF SAID VAN METERS' ADDITION THE ENTIRE LENGTH OF SAID LOT; aka 524 West Main Street, Vermillion, South Dakota 57069.

The Plaintiff makes no personal claim against you in the action. Dated September 10, 2009.

MACKOFF KELLOGG LAW
Attorneys for Plaintiff
Tel: (701) 227-1841
SD BAR ID #03080

Glen R. Bruschwein, Attorney
Published four times at the approximate cost of \$77.65

Estimated publishing cost per circulated copy: \$0.1

Publsh: January 1, 8, 15 & 22, 2010

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

Pro. 09-46

IN THE MATTER OF THE ESTATE OF LILA D. HUBBEL, Deceased.

NOTICE TO CREDITORS

Notice is given that on the 22nd day of December, 2009, Timothy Alan Hubbel, whose address is 2016 Bradford Court, Sioux Falls, South Dakota 57106, was appointed as personal representative of the estate of LILA D. HUBBEL, deceased.

Creditors of decedent must file their claims within four (4) months after the date of the first publication of this notice or their claims may be barred.

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

Timothy Alan Hubbel
2016 Bradford Court
Sioux Falls, SD 57106
(605) 373-9183

ROBIN IVERSON
CLERK OF COURTS
P.O. BOX 377
VERMILLION, SD 57069
(605) 624-2097

CRAIG K. THOMPSON
CRAIG K. THOMPSON LAW OFFICES
P.O. BOX 295
VERMILLION, SD 57069
(605) 624-2097
craig@cktlaw.net

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Publsh: January 1, 8 & 15, 2010

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

Pro. 09-44

IN THE MATTER OF THE ESTATE OF JULES M. NESS, JR., Deceased.

NOTICE TO CREDITORS

Notice is given that on the 21st day of December, 2009, David Christensen, whose address is 29687 466th Ave., Beresford, South Dakota 57004, was appointed as personal representative of the estate of JULES M. NESS, JR., Deceased.

Creditors of decedent must file their claims within four (4) months after the date of the first publication of this notice or their claims may be barred.

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

David Christensen

29687 466th Ave.
Beresford, South Dakota 57004 (605) 351-0406

Robin Iverson
Clerk of Courts
211 W. Main Street
Vermillion, SD 57069
(605) 624-2097

Craig K. Thompson
Craig K. Thompson Law Offices
P.O. Box 295
Vermillion, SD 57069
(605) 624-2097
craig@cktlaw.net

Published three weeks at the total approximate cost of \$36.99

Estimated publishing cost per circulated copy: \$0.1

Publsh: December 25, 2009, & January 1, 8, 15, 2010

NOTICE TO BIDDERS

Notice is hereby given that the Governing Body of the City of Vermillion, South Dakota, will receive bids for providing the following equipment at City Hall, 25 Center Street, Vermillion, South Dakota 57069, on the 26th day of January, 2010, at 1:30 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 1st day of February, 2010 at 7:00 p.m. The equipment required is as follows:

There will be three (3) separate bids consisting of the following:

Bid No. 1 - Furnish 115 kV GOAB Switches

Bid No. 2 - Furnish 115 kV Circuit Interrupters

Bid No. 3 - Furnish Steel Structures

Material suppliers desiring a copy of the bid forms and specifications for individual use may obtain them from the office of the Engineer, DeWild Grant Reckert and Associates Company, 1302 South Union, P.O. Box 511, Rock Rapids, Iowa 51246, telephone 712-472-2531, Fax 712-472-2710, e-mail: dgr@dgrnet.com, no deposit required.

Each bid must be accompanied by a certified check, cashier's check or draft made payable to the City of Vermillion, South Dakota, in an amount equal to five percent (5%) of the total amount of the bid, such check to be certified or issued by either a State or National Bank; or in lieu thereof a bid bond made payable to the City of Vermillion, South Dakota, in an amount equal to ten percent (10%) of the total amount of the bid, such bond to be issued by a surety authorized to do business in the State of South Dakota. This deposit is a guarantee that if the bid is accepted, a contract will be entered into and its performance secured. The bid security must not contain any conditions either in the body or as an endorsement thereon. Such bid security shall be forfeited to the City as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within ten (10) days after the award of contract.

Payment for the equipment herein provided for will be made from cash.

The City of Vermillion reserves the right to reject any or all bids, and to waive any irregularities herein.

Dated this 21st day of December, 2009.

CITY OF VERMILLION, SD
By **Harold Holoch**
Utilities Engineer

Published twice at the approximate cost of \$44.69

Estimated publishing cost per circulated copy: \$0.2

Publsh: December 25, 2009 & January 1, 2010

NOTICE OF PUBLIC HEARING ON APPLICATIONS FOR SALE OF ALCOHOLIC BEVERAGE LICENSE OUTSIDE MUNICIPALITIES

NOTICE IS HEREBY GIVEN THAT: The Board of County Commissioners in and for Clay County, South Dakota, on the 12th day of January 2010, at 10:00 A.M., at the Clay County Courthouse in the County Commissioners Meeting Room,

will meet in regular session to consider the following applications for Dealers Liquor License to operate outside of a municipality for the 2010 Licensing period, which have been presented to the Board of County Commissioners and filed in the County Auditor's Office.

Transfer: (Whimp's Place Inc) Melissa & Daniel Radigan (on-sale/off-sale) Lots 1 and 2, Block 19, Burbank Township in Section 35, T92N, R51W, Clay County, SD

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 Commissioner 211 W. Main Street, Suite 200 Vermillion, SD 57069

Dated at Vermillion, South Dakota, this 29th day of December, 2009.

Ruth A. Bremer
Clay County Auditor

Published once at the approximate cost of \$13.90

NOTICE TO BIDDERS

Notice is hereby given that the Governing Body of the City of Vermillion, South Dakota, will receive