

FOR THE RECORD

Dec. 24-31, 2009
Santino R. Clay-Benning, 1020 N. Union St. Apt. 3, Madison: Possession of alcohol by minor, \$50 plus costs.
Jordan Ochocki, 1320 S. Snyder Cr., Sioux Falls: Municipal speeding, \$16 plus costs.
Michael K. Cannon, 5332 E. 900 N. Syracuse, IN: Municipal speeding, \$39 plus costs.
Brandon B. Brosz, Box 321, Armor: Left-turning vehicle - manner of making turn, \$51 plus costs.
Katherine Curtin Hayes, 16 W. Main St., Vermillion: Renewal registration during assigned month, \$51 plus costs.
Troy L. Widman, 1773 180th St., Sioux City, IA: Speeding other roadways, \$16 plus costs.
Tracy Jo Stephens, 306 S. 2nd Ave., Brandon: Overdriving road conditions, \$51 plus costs.
Freedom Valu Center, 830 E. Cherry, Vermillion: Give person alcohol ages 18-21 or w/o parent, \$76 plus costs.
Amanda Loucks, 816 Jefferson #23, Vermillion: Municipal speeding, \$16 plus costs.
Chad L. Rose, 434 N. Pine St. #21, Vermillion: Renewal registration during assigned month, \$51 plus costs.
Louis Gerald Geditz, 5054 S. 86th Parkway #12, Omaha, NE: No proper license plates on vehicle, \$50 plus costs.
Amy E. Robinette, 305 Regency Ct., S. Sioux City, NE: Speed on four-lane in rural areas, \$16 plus costs.
Amber Renee Chamberlain, 530

Marlene Renee North, 47760 325th St., Elk Point: Speed on four-lane in rural areas, \$16 plus costs.
Russell L. Husby, 916 E. Lewis St., Vermillion: Vandalism -- \$400 less - third degree, \$66 plus costs.
Nancy Jean Andresen, 310 Idaho, Wakonda: Municipal speeding, \$36 plus costs.
Jeffrey Swenson, 25914 487th Ave., Valley Springs: Possession of alcohol by minor, \$51 plus costs.
Richard Schultz, 2020 Vinton St., Omaha, NE: Municipal speeding, \$16 plus costs.
Jeffrey Nicholas Zach, 305 E. Franklin St., Hartington, NE: Litter from vehicle or transport it to rest area, \$101 plus costs.
Johnne Law McMahan, 219 High St., Vermillion: Seat belt violation, \$25.
Kalee S. Archer, 725 E. Clark St., Vermillion: Renewal registration during assigned month, \$51 plus costs.
Jerry Peterson, 711 Pine St., Yankton: Seat belt violation, \$25.
Andrew Johnson, 45646 SD Hwy. 50, Meckling: Speeding other roadways, \$36 plus costs.
Richard Warren Buechler, 625 Center St., Centerville: Speeding other roadways, \$36 plus costs.
Cody Christopher Koble, 2611 Pettersen Rd., Vermillion: Speed on four-lane in rural areas, Dismissed - not timely filed.
Mahabubur Rahaman MD, 104 Green St., Yankton: Speed on four-lane in rural areas, Dismissed - not timely filed.
Amber Renee Chamberlain, 530

Elm St. #45, Vermillion: Speeding on state highway, \$16 plus costs.
Judge Tami Bern presiding, Dec. 24-31, 2009
Roger K. Nelson, 435 Canby St., Vermillion: Driving under influence - first offense, \$350 plus costs; Open alcoholic beverage container accessible in vehicle, Dismissed - motion by prosecutor. Five days county jail is suspended based on the following conditions: 1. Get an alcohol evaluation and comply with recommendations (done).
Andrew R. Meyer, 46680 249th St., Colton: Driving under influence - first offense, Recharged; Driving under influence - first offense, \$350 plus costs, five days jail. Five days jail is suspended based on the following conditions: 1. Get an alcohol evaluation and comply with all recommendations by 3-2-10. 2. No alcohol related offenses in the next 360 days.
Spencer Keith Halgerson, 4223 E. Thorntwood Pl., Sioux Falls: Driving under influence - first offense, Recharged; Driving under influence - first offense, \$350 plus costs.
Blake Wolfswinkel, 7760 Ashwood Rd., West Des Moines, IA: Driving under influence - first offense, Recharged; Driving under influence - first offense, \$350 plus costs, five days jail. Five days jail is suspended based on the following conditions: 1. On an alcohol evaluation and comply with all recommendations by 3-2-10.
Joseph Robert Mank, 601 E. 10th St., Platte: Municipal speeding, \$19 plus costs.
Kielyn Haar, 215 N. Chicago

Jan. 4-7, 2010
Camden Arnold, 400 N. Pine #302, Vermillion: Seat belt violation, \$25.
Patricia Helen Diggins, 3381 130th St., Dunlap, IA: Failure to make proper stop at stop intersection, \$51 plus costs.
Nghia T. Vo, 1114 14th St., Sioux City, IA: Municipal speeding, \$36 plus costs.
Phillip Johnson, 302 Spruce St. #203, Vermillion: Seat belt violation, \$25.
Kim Taggart, 314 Austin #3, Vermillion: Seat belt violation, \$25.
Emily Sherman, 415 E. Clark St., Vermillion: Renewal registration during assigned month, \$51 plus costs.
Emily Sherman, 415 E. Clark St., Vermillion: Seat belt violation, \$25.
Ashley Finstad, 120 2nd St. #13, Brookings: Reckless driving, \$350 plus costs; Possess loaded firearm while intoxicated, \$300 plus costs, 60 days jail. Fifty days jail is suspended based on the following conditions: 1. No alcohol related offenses in the next 360 days.
Michael Touryon Weah, 2251 Carver Ave., Paul, MN: Possession of alcohol by minor, \$51 plus costs.
Jeremiah D. Kashas, 806 Rose St. #34, Vermillion: Speed on four-lane in rural areas, \$16 plus costs.
Joseph Robert Mank, 601 E. 10th St., Platte: Municipal speeding, \$19 plus costs.
Kielyn Haar, 215 N. Chicago

Ave., Madison: Careless driving, \$51 plus costs.
Trissa Marie McBride, 833 E. Duke St., Vermillion: Speeding other roadways, \$16 plus costs.
Daniel Ward Johnson, 4944 S. Kalen Pl., Sioux Falls: Speeding on state highway, \$56 plus costs.
Julius McBeth, 701 Broadway, Yankton: Speeding other roadways, \$56 plus costs.
Julius McBeth, 701 Broadway, Yankton: Driving with suspended (not revoked) license, \$201 plus costs.
Cing Bao, 530 Elm St. #30, Vermillion: Violate stopped vehicle with red/amber/yellow signal lights, Dismissed - motion by prosecutor; Following too closely, Stipulate to facts - found guilty, \$51 plus costs.
Marrissa Bunger, 1123 Roosevelt, Vermillion: Municipal speeding, \$16 plus costs.
Kevin Grunewaldt, 903 3rd Ave., Brookings: Municipal speeding, \$16 plus costs.
Calvin Vanderwal, 31946 469th Ave., Burbank: Careless driving, \$51 plus costs.
Nathan Kenneth Henry Martine, 34 Wilborg Ave. SW, Bagley, MN: Speed on four-lane in rural areas, \$36 plus costs.
Lindy Lee Mahoney, 1510 Pine St., Yankton: Municipal speeding, \$39 plus costs.
Mallory Zweber, 10 Alumni Dr. #102, Vermillion: Disorderly house, costs.
Jordan Vitek, 10 Alumni St. #10, Vermillion: Give person alco-

hol ages 18-21 or w/o parent, \$76 plus costs.
Jordan Vitek, 10 Alumni St. #10, Vermillion: Disorderly house, costs.
Grayson P. Zweber, 10 Alumni Dr. #102, Vermillion: Disorderly house, \$47 plus costs.
Mallory Zweber, 10 Alumni Dr. #102, Vermillion: Possession of alcohol by minor, \$51 plus costs; Give person alcohol ages 18-21 or w/o parent, costs.
Judge Tami Bern presiding, Jan. 4-7, 2010
Joseph Scott Gullickson, 3601 S. Jesse James Dr., Sioux Falls: Driving under influence - first offense, Recharged; Driving under influence - first offense, \$350 plus costs.
Brady Lee Severson, 48606 257th St., Garretson: Driving influence - first offense, \$100 plus costs, two days jail. Imposition of sentence is suspended based on the following conditions: 1. Six months of unsupervised probation. 2. Pay fines and court costs. 3. Serve two days in county jail. 4. Have no offenses of any kind during those six months of unsupervised.
Harold D. Hays, St. 46898 Jefferson St., Burbank: Driving under influence - second offense, Recharged; Driving under influence - second offense, \$500 plus costs, 30 days jail. Twenty days county jail is suspended based on the following conditions: 1. On an alcohol evaluation and comply with recommendations by 3-16-10.

PUBLIC NOTICES

From PUBLIC NOTICES Page 11

vs. Daniel L. Gordon; Kara D. Gordon; and any person in possession, Defendants. NOTICE OF REAL ESTATE SALE Judgment in the amount of \$84,152.98 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 June 24, 2009, 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 4, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgage: THE EAST 50 FEET OF THE SOUTH 150 FEET OF LOT 6, BLOCK 86, ADDITION TO SNYDER'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 17th of May, 2005, in Book 122 of Mortgages, Page 545; which mortgage was assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage recorded October 24, 2005, in Book 123 of Mortgages, Page 454; and further assigned to US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 60, in order to realize the amount of \$78,500.00, as of May 4, 2005, plus interest accruing there after on said amount at the rate of 9.38% 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 January 27, 2010, at 10:00 A.M. (CT). Dated December 9, 2009. Andrew M. Howe Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW FIRM Glen R. Bruhschwein SD ID #3080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published twice at the total approximate cost of \$50.65 Estimated publishing cost per circulated copy: \$0.1 Publish: January 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, Defendants. 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, L.L.C., 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: 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 THE 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 TO 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 FIRM Glen R. Bruhschwein SD BAR ID #03080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published four times at the approximate cost of \$77.65 Estimated publishing cost per circulated copy: \$0.1 Publish: January 1, 8, 15 & 22, 2010

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Civil No. 09-81 US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, Plaintiff, vs. Daniel L. Gordon; Kara D. Gordon; and any person in possession, Defendants. NOTICE OF REAL ESTATE SALE Judgment in the amount of \$96,596.79 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 June 24, 2009, 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 10, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgage: LOT 4, BLOCK 59, SNYDER'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 13th day of May, 2005, in Book 122 of Mortgages, Page 525; which mortgage was assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage recorded October 24, 2005, in Book 123 of Mortgages, Page 452; and further assigned to US Bank National Association, as Trustee for the Structured Asset Investment

Loan Trust, 2005-8, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 62, in order to realize the amount of \$90,500.00, as of May 10, 2005, plus interest accruing thereafter on said amount at the rate of 9.38% 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, at the front door of the Clay County Courthouse, in Vermillion, South Dakota, on January 27, 2010, at 10:00 A.M. (CT). Dated December 9, 2009. Andrew M. Howe Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW FIRM Glen R. Bruhschwein SD ID #3080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published twice at the total approximate cost of \$50.65 Estimated publishing cost per circulated copy: \$0.1 Publish: January 8 & 15, 2010

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

tion 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) 677-6756 CRAIG K. THOMPSON LAW OFFICES P.O. BOX 295 VERMILLION, SD 57069 (605) 624-2097 craig@ckllaw.net Published three weeks at the total approximate cost of \$36.99 Estimated publishing cost per circulated copy: \$0.1 Publish: 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, Defendants. 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, L.L.C., 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: 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 THE 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 TO 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 FIRM Glen R. Bruhschwein SD BAR ID #03080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published four times at the approximate cost of \$77.65 Estimated publishing cost per circulated copy: \$0.1 Publish: January 1, 8, 15 & 22, 2010

January 5, 2010 The Board of County Commissioners met in regular session Tuesday January 5, 2010 at 9:00 a.m. Member present: Sommervold, Powell, Wilson, Passick and Kephart. Wilson moved, seconded by Kephart and carried to approve the agenda as presented. The meeting adjourned at 9:30 a.m. on a motion by Kephart seconded by Passick. Board of County Auditor, Ruth Bremer, called the meeting to order. Members present: Sommervold, Kephart, Passick, Powell and Wilson. The Auditor called for nominations for Chairman for the ensuing year. Kephart moved to nominate Le Powell as Chairman. Wilson seconded the motion and that nominations cease and a unanimous vote be cast. All voting aye, motion carried. Chairman Powell presiding, the following proceedings were held. Sommervold moved, seconded by Passick to nominate Jerry Wilson as Vice Chairman and a unanimous vote be cast. All voting aye, motion carried. Wilson moved, seconded by Kephart and carried to adopt the Robert's Rules of Order (current version) no restrictions on the Chair and minutes not to record motions not seconded. Sommervold moved, second by Kephart and carried to reappoint the following positions for 2010. WHEREAS, SDCL 12-15-1 (4-2011) as Director, Emergency Management. Commissioner Powell to Fair Board, Commissioner Wilson member of the Executive Board of SECOG; Commissioner Passick to Board of Directors of the Clay County Youth Trust Fund and the Youth Service Council; William Willroth Sr. and

Dick Shoop as citizen members to the Missouri River Preservation & Development Committee. Task Force: Commissioner Kephart, Jay Bottolfson (3yr term)-2009-2012 and Melvin Walz (3 yr term)-2009-2012 to the Planning and Zoning Board, Dr. Dendinger as County Health Officer, Commissioner Sommervold as member of the Extension Board; Commissioner Passick as member to the Southeast Regional Detention Authority Steering Committee; Wilson to the Joint Landfill Advisory Board and citizen member-Terry Taggart; Commissioner Sommervold to the VDC as Ex-Officio member; Sommervold to the Vermillion Basin Advisory Board; Commissioner Powell to Vermillion Now Advisory Council. Sommervold moved, seconded by Wilson and carried to approve Hagen Benefit's Inc./Sioux Falls as county's liability and SDML for workmen's compensation insurance. Pursuant to SDCL 28-17-4, Kephart moved that on county burials the funeral director in charge shall furnish casket and outside container and conduct the funeral services in customary manner and the County shall allow the funeral director for merchandise and such services rendered, a sum of \$1900 (complete costs) which includes vault opening and closing of the grave. Motion seconded by Wilson and carried. Kephart moved, seconded by Wilson and carried to approve fees for boarding prisoners for other counties at \$20 per day and the fees for housing work release prisoners at \$15 maximum per day, and counties on Contract \$45 per day as recommended by the County Sheriff. Sommervold moved, seconded by Wilson and carried to designate the Plain Talk as the official newspaper for the County and the front door of the Courthouse and the fire control at the Post Office in Wakonda be designated as places for holding foreclosure sales. Passick moved, seconded by Wilson and carried to hold Commissioners meetings the first, second and last Tuesday of each month. Sommervold moved, seconded by Passick and carried to pass and adopt the following resolutions setting the fees for precinct election officials and establishing precinct-polling places for 2010. RESOLUTION #10-10 Establishment of Election Precincts/Polling Places For 2010 WHEREAS, the Board of County Commissioners in and for the County of Clay shall establish election precincts and polling places.

NOW THEREFORE BE IT RESOLVED, that hereinafter described precincts and polling places be hereby established. Rural Ward #1, SEDS Experimental Farm, 29974 University Rd, Beresford. Rural Ward #2, Senior Citizen Ctr./Wakonda, 119 Ohio St. Wakonda SD Rural Ward #3, 4-H Center/Fairgrounds, #15 High St. Vermillion. Vermillion City: All Precincts, National Guard Armory/Princeton St., 603 Princeton St. Vermillion Central 1 & 2/Northeast 1 & 2/ Northwest 1 & 2/Southeast 1 & 2. WHEREFORE, BE IT RESOLVED, that the foregoing resolution. Motion seconded by Commissioner. Vote of Commission: Aye 5, Nay 0. Upon which voting the resolution was declared passed and adopted. Dated at Vermillion, South Dakota this 5th day of January, 2010. Board of County Commissioners Clay County, South Dakota ATTEST: Ruth A. Bremer, County Auditor RESOLUTION #10-10 Precinct Election Officials Fees For 2010 WHEREAS, SDCL 12-15-11 made it the responsibility of the County Commissioners of each county to set the fee for precinct election officials of all units of government in the county. THEREFORE, BE IT RESOLVED, that the fee for precinct election officials in Clay County be set at \$110.00, and election superintendent at \$140.00, for each election. WHEREAS, SDCL 12-15-7 such election officials be allowed a fixed fee for attendance at a meet-

ing called by the County Auditor for instruction on election laws and the duties of the judges and clerks of election as follows: \$25.00 compensation for election officials residing within ten (10) miles from the county seat and \$30.00 for officials residing outside the ten (10) miles from the county seat. BE IT FURTHER RESOLVED, that there will be one cell phone provided by one precinct worker per polling place and a \$5.00 fee will be issued for the usage of the phone only that day. BE IT FURTHER RESOLVED, that the person delivering the pollbooks and ballot boxes to the County Auditor's Office at the county seat shall receive the county rate for mileage as established pursuant to SDCL 7-7-24, for miles necessarily traveled in going to and returning from making the delivery (SDCL 12-15-11). The county rate for mileage is .37 cents per mile. Commissioner _____ moved the adoption of the foregoing resolution. Motion seconded by Commissioner. Vote of Commission: Aye _____, Nay _____. Upon which voting the resolution was declared passed and adopted. Dated at Vermillion, South Dakota this 5th day of January, 2010. Board of County Commissioners Clay County, South Dakota ATTEST: Ruth A. Bremer, County Auditor Passick moved, seconded by Kephart and carried to designate Kephart and Trust Bank of the West, Co/Trust Bank/Vermillion, First Dakota National, Wells Fargo Bank/Vermillion, Wells Fargo Bank/Irene, First Premier Bank/Wakonda, SD FIT and Vermillion Federal Credit Union/Vermillion as the official depositories. A motion by Passick, seconded by Wilson that pursuant to regulations adopted by the State Board of Finance which provide for rates in connection with travel reimbursement, the mileage be set at \$.37 per mile, rates for meals set at \$26.00 per day (Breakfast-\$5.00, Lunch-\$9.00, Dinner-\$12.00) motion to include changes in 2010 as made by the state. Passick moved, seconded by Sommervold and carried that the allowance per diem for the Financing/Zoning Board, SECOG Board, Extension Board and Jt. Power Advisory Board (citizen member) be \$15.00 per mileage. Ray Hofman/Zoning Administrator met with the Board to discuss zoning matters. The Monthly Building Report for December 2009 with \$100,000 in assessable value and the Unapproved Zoning Minutes for December 19 & 29, 2009 were accepted and placed on file. Sommervold moved, seconded by Kephart and carried to appoint Planning Commission members, Jay Bottolfson and Melvin Walz as Commission members Jerry Wilson and Dusty Passick to the Joint Jurisdiction Committee who will meet together with 2 City Planning Commission members and 2 City Council members to the Joint Jurisdiction Ordinance before each Board vote on the final version of the Ordinance. The Annual Welfare Report for 2009 was reviewed. The Register of Deeds Statement of Fees Collected for December 2009 for \$7715.40, the ROD'S Yearly Report and the following Auditor's Account with the County Treasurer for December 2009 were accepted and placed on file. AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER To the Honorable Board of County Commissioners of Clay County, South Dakota I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer as of December 31, 2009

Total amount of deposits in banks 3,342,898.06 Amount of actual cash 916.14 Total amount of checks and drafts in treasurer's possession not exceeding three days 7,086.75 Cash Items 1,349.51 Investments 851,000.00 Cash Variation 585.65 Total 4,203,250.49

Checked returned and not deposited 1,349.51 Cash Items 1,349.51 Investments 851,000.00 Cash Variation 585.65 Total 4,203,250.49

ing called by the County Auditor for instruction on election laws and the duties of the judges and clerks of election as follows: \$25.00 compensation for election officials residing within ten (10) miles from the county seat and \$30.00 for officials residing outside the ten (10) miles from the county seat. BE IT FURTHER RESOLVED, that there will be one cell phone provided by one precinct worker per polling place and a \$5.00 fee will be issued for the usage of the phone only that day. BE IT FURTHER RESOLVED, that the person delivering the pollbooks and ballot boxes to the County Auditor's Office at the county seat shall receive the county rate for mileage as established pursuant to SDCL 7-7-24, for miles necessarily traveled in going to and returning from making the delivery (SDCL 12-15-11). The county rate for mileage is .37 cents per mile. Commissioner _____ moved the adoption of the foregoing resolution. Motion seconded by Commissioner. Vote of Commission: Aye _____, Nay _____. Upon which voting the resolution was declared passed and adopted. Dated at Vermillion, South Dakota this 5th day of January, 2010. Board of County Commissioners Clay County, South Dakota ATTEST: Ruth A. Bremer, County Auditor Passick moved, seconded by Kephart and carried to designate Kephart and Trust Bank of the West, Co/Trust Bank/Vermillion, First Dakota National, Wells Fargo Bank/Vermillion, Wells Fargo Bank/Irene, First Premier Bank/Wakonda, SD FIT and Vermillion Federal Credit Union/Vermillion as the official depositories. A motion by Passick, seconded by Wilson that pursuant to regulations adopted by the State Board of Finance which provide for rates in connection with travel reimbursement, the mileage be set at \$.37 per mile, rates for meals set at \$26.00 per day (Breakfast-\$5.00, Lunch-\$9.00, Dinner-\$12.00) motion to include changes in 2010 as made by the state. Passick moved, seconded by Sommervold and carried that the allowance per diem for the Financing/Zoning Board, SECOG Board, Extension Board and Jt. Power Advisory Board (citizen member) be \$15.00 per mileage. Ray Hofman/Zoning Administrator met with the Board to discuss zoning matters. The Monthly Building Report for December 2009 with \$100,000 in assessable value and the Unapproved Zoning Minutes for December 19 & 29, 2009 were accepted and placed on file. Sommervold moved, seconded by Kephart and carried to appoint Planning Commission members, Jay Bottolfson and Melvin Walz as Commission members Jerry Wilson and Dusty Passick to the Joint Jurisdiction Committee who will meet together with 2 City Planning Commission members and 2 City Council members to the Joint Jurisdiction Ordinance before each Board vote on the final version of the Ordinance. The Annual Welfare Report for 2009 was reviewed. The Register of Deeds Statement of Fees Collected for December 2009 for \$7715.40, the ROD'S Yearly Report and the following Auditor's Account with the County Treasurer for December 2009 were accepted and placed on file. AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER To the Honorable Board of County Commissioners of Clay County, South Dakota I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer as of December 31, 2009

Total amount of deposits in banks 3,342,898.06 Amount of actual cash 916.14 Total amount of checks and drafts in treasurer's possession not exceeding three days 7,086.75 Cash Items 1,349.51 Investments 851,000.00 Cash Variation 585.65 Total 4,203,250.49

Checked returned and not deposited 1,349.51 Cash Items 1,349.51 Investments 851,000.00 Cash Variation 585.65 Total 4,203,250.49

Checked returned and not deposited 1,349.51 Cash Items 1,349.51 Investments 851,000.00 Cash Variation 585.65 Total 4,203,250.49

Checked returned and not deposited 1,349.51 Cash Items 1,349.51 Investments 851,000.00 Cash Variation 585.65 Total 4,203,250.49

Dated this 4th Day of January 2010 Ruth A. Bremer, County Auditor Andy Howe/Sheriff met with the Board. Personnel Changes for Jail and Sheriff Dept.: Jathan Chicone, Pt. Time Jailer resigned as of Dec.31; New Deputy Sheriff: Aaron Armstrong beginning Jan 1st at \$12.92 until certification is obtained. Passick moved, seconded by Wilson and carried to set January 26th at 10:30 a.m. for the following Bid Opening on Meals for Inmates of Clay County Jail. NOTICE TO BIDDERS Notice is hereby given that the governing body of Clay County will be accepting sealed bids for the service of providing breakfast cereal and on a daily basis a noon and evening meal for the inmates of the Clay County Jail. Deadline for receiving sealed bids will be no later than 5:00 pm Monday, January 25, 2010. Bids will be opened at 10:30 am on Tuesday, January 26, 2010. Clay County reserves the right to refuse all bids or to accept a bid based on cost effectiveness, quality and efficiency. To be bid for a one year period, February 1, 2010 until January 31, 2011. Bid items: A covered disposable bowl containing at least 1 cup of cereal with sugar packet enclosed if applicable and plastic spoon for serving at breakfast, cereal shall be varied by at least 4 kinds each month and may be repeated the following month. This item will be delivered with lunch or supper for storage at the jail. A noon meal to consist of not less than one 4 oz. hot or cold sandwich or a main entrée with bread and butter, two side dishes at least 4 oz., one may be snack/potato chips. To be served in a disposable covered container with each meal. To be delivered to the Clay County Jail between the hours of 11:30 a.m. and 12:00 p.m. daily. An evening meal to consist of not less than one 8 oz. hot main dish, two side dishes at least 4 oz. each, bread and butter. To be served in a disposable covered container with plastic silverware and napkin included with each meal. To be delivered to the Clay County Jail between the hours of 5:30 p.m. and 6:00 p.m. daily. Receipt of all deliveries/meals must be acknowledged by signature of jailer on duty. Menu to be varied daily and not to be duplicated within 10 consecutive meals. Main entrée with evening meal may not be cold. Cold side dishes with hot main entrée shall be in separate covered container, at least 4 oz. in size. Bidder must also provide special menu requests (i.e. non-pork, vegetarian, etc.) when requested by the jail. Bidders must meet all federal and/or state requirements for sale of food to the public. Non-bid Item: Daily grocery delivery with the delivery of the noon meal and evening meal when necessary. Ruth A. Bremer County Auditor Commissioner Powell excused himself at 9:50 a.m. Vice Chairman Wilson conducted the following proceedings: At 10:00 a.m. the Board opened Bids for the following Sheriff's Car: ONE (1) 2010 Full Size Sedan (4-door) police special service/non-pursuit package, wheelchair not less than 112 inches) With Trade-in 2003 Ford Crown Vic w/168,000 miles. Only one bid was received, that being Vermillion Ford for \$22,399. The Board reviewed state bid with no trade-in at \$22,521. Passick moved, seconded by Sommervold and carried to accept Vermillion Ford's bid due to not knowing what could be gotten for the sale of the trade-in, due to its condition if they had to sale outright. At 10:21 p.m. Sommervold moved, seconded by Kephart and carried to adjourn and reconvene Tuesday, January 12, 2010 at 9:00 a.m. Leo F. Powell, Chairman Board of County Commissioners ATTEST: Ruth A. Bremer, County Auditor Published once at the approximate cost of \$135.85 Estimated publishing cost per circulated copy: \$0.7 Publish: January 15, 2010

Dated this 4th Day of January 2010 Ruth A. Bremer, County Auditor Andy Howe/Sheriff met with the Board. Personnel Changes for Jail and Sheriff Dept.: Jathan Chicone, Pt. Time Jailer resigned as of Dec.31; New Deputy Sheriff: Aaron Armstrong beginning Jan 1st at \$12.92 until certification is obtained. Passick moved, seconded by Wilson and carried to set January 26th at 10:30 a.m. for the following Bid Opening on Meals for Inmates of Clay County Jail. NOTICE TO BIDDERS Notice is hereby given that the governing body of Clay County will be accepting sealed bids for the service of providing breakfast cereal and on a daily basis a noon and evening meal for the inmates of the Clay County Jail. Deadline for receiving sealed bids will be no later than 5:00 pm Monday, January 25, 2010. Bids will be opened at 10:30 am on Tuesday, January 26, 2010. Clay County reserves the right to refuse all bids or to accept a bid based on cost effectiveness, quality and efficiency. To be bid for a one year period, February 1, 2010 until January 31, 2011. Bid items: A covered disposable bowl containing at least 1 cup of cereal with sugar packet enclosed if applicable and plastic spoon for serving at breakfast, cereal shall be varied by at least 4 kinds each month and may be repeated the following month. This item will be delivered with lunch or supper for storage at the jail. A noon meal to consist of not less than one 4 oz. hot or cold sandwich or a main entrée with bread and butter, two side dishes at least 4 oz., one may be snack/potato chips. To be served in a disposable covered container with each meal. To be delivered to the Clay County Jail between the hours of 11:30 a.m. and 12:00 p.m. daily. An evening meal to consist of not less than one 8 oz. hot main dish, two side dishes at least 4 oz. each, bread and butter. To be served in a disposable covered container with plastic silverware and napkin included with each meal. To be delivered to the Clay County Jail between the hours of 5:30 p.m. and 6:00 p.m. daily. Receipt of all deliveries/meals must be acknowledged by signature of jailer on duty. Menu to be varied daily and not to be duplicated within 10 consecutive meals. Main entrée with evening meal may not be cold. Cold side dishes with hot main entrée shall be in separate covered container, at least 4 oz. in size. Bidder must also provide special menu requests (i.e. non-pork, vegetarian, etc.) when requested by the jail. Bidders must meet all federal and/or state requirements for sale of food to the public. Non-bid Item: Daily grocery delivery with the delivery of the noon meal and evening meal when necessary. Ruth A. Bremer County Auditor Commissioner Powell excused himself at 9:50 a.m. Vice Chairman Wilson conducted the following proceedings: At 10:00 a.m. the Board opened Bids for the following Sheriff's Car: ONE (1) 2010 Full Size Sedan (4-door) police special service/non-pursuit package, wheelchair not less than 112 inches) With Trade-in 2003 Ford Crown Vic w/168,000 miles. Only one bid was received, that being Vermillion Ford for \$22,399. The Board reviewed state bid with no trade-in at \$22,521. Passick moved, seconded by Sommervold and carried to accept Vermillion Ford's bid due to not knowing what could be gotten for the sale of the trade-in, due to its condition if they had to sale outright. At 10:21 p.m. Sommervold moved, seconded by Kephart and carried to adjourn and reconvene Tuesday, January 12, 2010 at 9:00 a.m. Leo F. Powell, Chairman Board of County Commissioners ATTEST: Ruth A. Bremer, County Auditor Published once at the approximate cost of \$135.85 Estimated publishing cost per circulated copy: \$0.7 Publish: January 15, 2010

Dated this 4th Day of January 2010 Ruth A. Bremer, County Auditor Andy Howe/Sheriff met with the Board. Personnel Changes for Jail and Sheriff Dept.: Jathan Chicone, Pt. Time Jailer resigned as of Dec.31; New Deputy Sheriff: Aaron Armstrong beginning Jan 1st at \$12.92 until certification is obtained. Passick moved, seconded by Wilson and carried to set January 26th at 10:30 a.m. for the following Bid Opening on Meals for Inmates of Clay County Jail. NOTICE TO BIDDERS Notice is hereby given that the governing body of Clay County will be accepting sealed bids for the service of providing breakfast cereal and on a daily basis a noon and evening meal for the inmates of the Clay County Jail. Deadline for receiving sealed bids will be no later than 5:00 pm Monday, January 25, 2010. Bids will be opened at 10:30 am on Tuesday, January 26, 2010. Clay County reserves the right to refuse all bids or to accept a bid based on cost effectiveness, quality and efficiency. To be bid for a one year period, February 1, 2010 until January 31, 2011. Bid items: A covered disposable bowl containing at least 1 cup of cereal with sugar packet enclosed if applicable and plastic spoon for serving at breakfast, cereal shall be varied by at least 4 kinds each month and may be repeated the following month. This item will be delivered with lunch or supper for storage at the jail. A noon meal to consist of not less than one 4 oz. hot or cold sandwich or a main entrée with bread and butter, two side dishes at least 4 oz., one may be snack/potato chips. To be served in a disposable covered container with each meal. To be delivered to the Clay County Jail between the hours of 11:30 a.m. and 12:00 p.m. daily. An evening meal to consist of not less than one 8 oz. hot main dish, two side dishes at least 4 oz. each, bread and butter. To be served in a disposable covered container with plastic silverware and napkin included with each meal. To be delivered to the Clay County Jail between the hours of 5:30 p.m. and 6:00 p.m. daily. Receipt of all deliveries/meals must be acknowledged by signature of jailer on duty. Menu to be varied daily and not to be duplicated within 10 consecutive meals. Main entrée with evening meal may not be cold. Cold side dishes with hot main entrée shall be in separate covered container, at least 4 oz. in size. Bidder must also provide special menu requests (i.e. non-pork, vegetarian, etc.) when requested by the jail. Bidders must meet all federal and/or state requirements for sale of food to the public. Non-bid Item: Daily grocery delivery with the delivery of the noon meal and evening meal when necessary. Ruth A. Bremer County Auditor Commissioner Powell excused himself at 9:50 a.m. Vice Chairman Wilson conducted the following proceedings: At 10:00 a.m. the Board opened Bids for the following Sheriff's Car: ONE (1) 2010 Full Size Sedan (4-door) police special service/non-pursuit package, wheelchair not less than 112 inches) With Trade-in 2003 Ford Crown Vic w/168,000 miles. Only one bid was received, that being Vermillion Ford for \$22,399. The Board reviewed state bid with no trade-in at \$22,521. Passick moved, seconded by Sommervold and carried to accept Vermillion Ford's bid due to not knowing what could be gotten for the sale of the trade-in, due to its condition if they had to sale outright. At 10:21 p.m. Sommervold moved, seconded by Kephart and carried to adjourn and reconvene Tuesday, January 12, 2010 at