

2010 Legal and Public Notices

permit to exceed allowable sound levels for a band on Kidder Street from Court to Market Street from noon to midnight on August 23, 2014.

Old Lumber Company Grill and Bar, LLC request for a special permit to exceed allowable sound levels for a band on Kidder Street from Court to Market Street from 5:00 p.m. to midnight on October 10, 2014 and from noon to midnight on October 11, 2014.

NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be heard at said scheduled public hearing who are interested in the approval or rejection of any such application for special permit.

Dated at Vermillion, South Dakota this 2nd day of July, 2014.

Michael D. Carlson, Finance Officer

Published once at the approximate cost of \$21.02. Publish: July 11, 2014

NOTICE OF PUBLIC HEARING FOR SPECIAL PERMIT TO EXCEED ALLOWABLE SOUND LEVELS

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 21st day of July, 2014 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 a special permits to exceed allowable sound levels which has been filed in the Finance Officer's Office:

Ribs, Rods & Rock'n Roll, Inc request for a special permit to exceed allowable sound levels for a street dance on Main Street between High and Prospect on Friday, September 5, 2014 between 5:00 p.m. and 1:00 a.m. and on Saturday, September 6, 2014 between 5:00 pm and 1:00 a.m.

NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be heard at said scheduled public hearing who are interested in the approval or rejection of any such application for special permit.

Dated at Vermillion, South Dakota this 2nd day of July, 2014.

Michael D. Carlson, Finance Officer

Published once at the approximate cost of \$16.38. Publish: July 11, 2014.

NOTICE OF PUBLIC HEARING FOR SPECIAL PERMIT TO EXCEED ALLOWABLE SOUND LEVELS

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 21st day of July, 2014 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 a special permits to exceed allowable sound levels which has been filed in the Finance Officer's Office:

USD Dakota Days Committee request for a special permit to exceed allowable sound levels for a band and public gathering at the Ratingen Platz located at the corner of Market and Main Street on or about October 8, 2014 from 8:00 p.m. to 11:00 p.m.

NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be heard at said scheduled public hearing who are interested in the approval or rejection of any such application for special permit.

Dated at Vermillion, South Dakota this 2nd day of July, 2014.

Michael D. Carlson, Finance Officer

Published once at the approximate cost of \$15.72. Publish: July 11, 2014

The University of South Dakota is accepting sealed bids for USD Verizon Transformer until 2:00 P.M., July 17th, 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 may be obtained by bidders at the office of A&D Technical Supply, 1822 N Street, Lincoln, Nebraska, phone number: 402-474-5454. The University reserves the right to reject any and all bids.

Published twice at the total approximate cost of \$11.92. Publish: July 4 & 11, 2014.

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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, July 24, 2014 for labor and materials to Arena and SHRL Project, USD, Vermillion, SD OSE# R0612--02X.

Combined Bids will be received for General, Mechanical, and Electrical. Contract Category A1.1 - Site Preparation, SWPPP Installation, and Earthwork; Contract Category A1.2 - GeoPiers; Contract Category A1.3 - Cast in Place Concrete; Contract Category A1.4 - Precast Concrete (Architectural); Contract Category A1.5 - Precast Concrete (Structural); Contract Category A1.6 - Structural Steel Framing; Decking & Long Span Roof System; Contract Category A1.7 - Elevators/Escalators.

Contractor Please Note: There will be an on-site pre-bid meeting 3:00 PM, July 15, 2014 at the south side parking lot of the Dakota Dome. Each Bidder shall be held to have examined the premises at the pre-bid meeting and be satisfied as to the existing site conditions before submitting a sealed Bid. Pre-bid Meeting Attendance is optional for bidders to be responsible and their Bid to be considered.

Copies of the Plans and Specifications may be obtained by bidders at the office of Mortenson Construction, 1201 N. Western Ave., Sioux Falls, SD telephone number 605.336.0029 Jason.miranowski@mortenson.com. 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 Mortenson Construction 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, which ever 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, which ever 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 entity to adhere to the terms set forth herein.

bidder, however, assumes no liability for the misuse of the Plans and Specifications by 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.

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

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Published once at the total approximate cost of \$60.91. Publish: July 11, 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 2:30 PM, July 24, 2014 for labor and materials to Track and Soccer Project, USD, Vermillion, SD OSE# R0612--02X.

Combined Bids will be received for Demolition, General, Mechanical, and Electrical. T1.1 Track/Soccer - Track & Soccer Project - Complete.

Contractor Please Note: There will be an on-site pre-bid meeting 2:00 PM, July 15, 2014 at the track site. Each Bidder shall be held to have examined the premises at the pre-bid meeting and be satisfied as to the existing site conditions before submitting a sealed Bid. Pre-bid Meeting Attendance is optional for bidders to be responsible and their Bid to be considered.

Copies of the Plans and Specifications may be obtained by bidders at the office of Mortenson Construction, 1201 N. Western Ave., Sioux Falls telephone number 605.336.0029 Jason.miranowski@mortenson.com. 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 Mortenson Construction 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, which ever 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, which ever 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 entity to adhere to the terms set forth herein.

bidder, however, assumes no liability for the misuse of the Plans and Specifications by 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.

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

Published once at the total

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approximate cost of \$56.94. Publish: July 11, 2014.

July 1, 2014

The Board of County Commissioners met in regular session Tuesday, July 1, 2014 at 9:00 a.m. Members present: Mockler, Packard, Powell, Kephart, and Passick.

Kephart moved, seconded by Mockler and carried to approve the agenda with the addition of Executive Session at the end.

Minutes of the June 24, 2014 meeting were approved with a motion by Mockler, seconded by Packard and carried.

Rod Polley, Highway Superintendent, presented an Application for Entrance from a Clay County Highway on University Road .17 miles south of 314 St. on behalf of Joe Ablor. Mockler moved, seconded by Packard and carried to approve the application.

Polley presented fuel quotes. Packard moved, seconded by Mockler and carried to accept low bid of \$3.35/gallon from Brunick Service.

Polley reported that 300 St. and Tabernacle Road are still closed due to flooding, and the Highway Department is still working to get the affected roads cleaned up.

Layne Stewart, Emergency Management Director, met with the Board to discuss a Disaster Declaration, as the County has met the threshold for assistance. Mockler moved, seconded by Kephart and carried to pass and adopt the following Resolution #2014-08 for Declaration of Disaster.

RESOLUTION #2014-08 DECLARATION OF DISASTER

WHEREAS, Clay County, South Dakota, is suffering severe damage brought on by the heavy rains and the Vermillion River flooding; and

WHEREAS, the immediate impact of the heavy rains during the week of June 16, 2014, flash flooding and the Vermillion River flooding damaged roads, culverts, bridges, and public infrastructure, according to the Clay County Highway Department and Township Boards.

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Commissioners at their regular meeting held July 1, 2014, is hereby requesting that the Governor declare a disaster to exist in the County of Clay, South Dakota.

Dated this 1st day of July, 2014.

Raymond Passick, Chairman Clay County Commission

ATTEST:

Carri R. Crum, Clay County Auditor

Jane Larson, Vermillion Public Library, met with the Board to discuss the 2015 budget request. Packard moved, seconded by Powell and carried to approve a \$3,000 allocation, with the possibility of an additional \$500-1,000 if funds are available once the Board has reviewed all budgets.

Jim Wilson, Clay County Historic Preservation Commission, met with the Board to discuss the 2015 budget request. Wilson reported that the grant funding which passes through the county will be \$15,000, and the Commission requests \$2,000 from the county, the same as last year. Powell moved, seconded by Kephart and carried to approve the request of \$17,000 (\$15,000 grant funds and \$2,000 county funds).

Maxine Johnson, WH Over Museum and Clay County Historical Society, met with the Board to discuss the 2015 budget requests. Johnson requested \$15,000 for the WH Over Museum and \$600-1,000 for the Austin-Whittemore House. The Board will review the request as the budget process progresses in order to determine what level of funding will be available.

Jane Norling, Beresford Public Library, met with the Board to discuss the 2015 budget request. Norling reported that the library is requesting \$1,500. The Board will review the request as the budget process progresses.

The Board reviewed other budgets as time allowed and made the following determinations.

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Packard moved, seconded by Mockler and carried to set the Commissioners' Contingency budget at \$120,000, as it has been in previous years. Mockler moved, seconded by Packard and carried to authorize \$6,725 for the Elections budget. Powell moved, seconded by Kephart and carried to approve \$67,922 for the Public Defender budget. Mockler moved, seconded by Powell and carried to authorize \$30,420 for the Court Appointed Attorney budget. Mockler moved, seconded by Kephart and carried to authorize \$7,098 for the Court Appointed Attorney for Abuse & Neglect budget. Powell moved, seconded by Packard and carried to approve \$1,084 for the Animal Damage Control Fund budget.

Cynthia Aden, Zoning Administrator, met with the Board to present the following three plats.

Powell moved, seconded by Mockler and carried to pass and adopt the following two resolutions for plat of Tracts 35 and 46 of Hansen Farms Addition; Roger A. Hansen, D/B/A Hansen Properties, 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 35 of Hansen Farms Addition in the E1/2 NW1/4 of Section 26, T95N, R52W of the 5th P.M., Clay County, South Dakota, containing 2,858,258 sq. ft. (65.62 acres) more or less; Roger A. Hansen, D/B/A Hansen Properties, 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, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on July 1, 2014.

Carri R. Crum County Auditor, Clay County, SD

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 46 of Hansen Farms Addition in the NE1/4 SW1/4 of Section 26, T95N, R52W of the 5th P.M., Clay County, South Dakota, containing 1,663,067 sq. ft. (38.18 acres) more or less; Roger A. Hansen, D/B/A Hansen Properties, 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, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on July 1, 2014.

Carri R. Crum County Auditor, Clay County, SD

Mockler moved, seconded by Kephart and carried to pass and

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adopt the following resolution for plat of Tract 3 in the SE1/4 of Section 22, T93N, R51W of the 5th P.M., Clay County, South Dakota; Ralph J. Marquardt & Lucille M. Marquardt, owners.

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 3 in the SE1/4 of Section 22, T93N, R51W of the 5th P.M., Clay County, South Dakota; Ralph J. Marquardt & Lucille M. Marquardt, owners.

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, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on July 1, 2014.

Carri R. Crum County Auditor, Clay County, SD

Cynthia Aden, Welfare Administrator, and the appellant met with the Board to discuss the appeal of Welfare Case #C14-14. After a review of the appeal, Powell moved, seconded by Kephart and carried to authorize payment of the claim in the amount of \$1,900.

At 10:13 a.m., Powell moved, seconded by Mockler and carried to adjourn and reconvene Tuesday, July 8, 2014 at 9:00 a.m.

Raymond Passick, Chairman Board of County Commissioners

ATTEST:

Carri R. Crum, County Auditor

Published once at the total approximate cost of \$116.18. Publish: July 11, 2014.

100 - NOTICE TO BIDDERS

Notice is hereby given that the Governing Body of the City of Vermillion, South Dakota will meet at the City Hall meeting room of said City on the **16th day of July 2014, at 2:00p.m.** at which time bids and proposals will be received, publicly opened and read. The bids will be acted upon by the City Council at City Hall located at 25 Center Street on the 21st day of July 2014, at 7:00 p.m. The materials and services required are as follows:

MISCELLANEOUS CONCRETE

- The major quantities are 177.5 SY of Remove Sidewalk;
- 85.5 SY of Remove PCC Pvm; 151.5 LF of Remove Curb and Gutter; 2 EA of Remove Inlet, Less than 8-feet; 1 EA of Remove Manhole, Less than 8-feet; 94 CY of Unclassified Excavation; 93 TONS of Subbase; 116.5 SY PCC Pvm, 8-Inches; 232.5 LF of Concrete Curb and Gutter, 6-Inches; 190.5 SY of Sidewalk, 5-Inches; 135 SY of Sidewalk, 6-Inches; 1 EA of Inlet, Type V, Less than 8-feet; 59 SY of PCC Fillet, 6-Inches; 1 EA of Manhole, Less than 8-feet; 1 LS of Landscaping; 1 LS of Traffic Control

Copies of the specifications are available for review at the office of the City Engineer, 25 Center Street, Vermillion, South Dakota, 57069.

Bid security is required according to state law and the bid specifications.

Payment for the materials and services herein provided for will be in cash.

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