2010 Legal and Public Notices

Addition in the W1/2 of Lot 2 in the NE1/4 and Lot 2 in the NW1/4 of Section 2, Township 94 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, (Except Lots H1 and H2 in Lot 2 of NW1/4). containing 4,584,766 sq. ft. (105.25 Acres) more or less; 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 40, 40A, 40B, 40C and 40D of Hansen Farms Addition in the W1/2 of Lot 2 in the NE1/4 and Lot 2 in the NW1/4 of Section 2, Township 94 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, (Except Lots H1 and H2 in Lot 2 of NW1/4), containing 4,584,766 sq. ft. (105.25 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.

Leo F. Powell, Vice 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 May 27, 2014.

Carri R. Crum County Auditor, Clay County, SD

Mockler moved, seconded by Packard and carried to pass and adopt the following resolution for appeared before the Board to plat of Tract 41 of Hansen Farms Addition in the E1/2 of Lot 2 in the NE1/4 of Section 3, Township 94 North, Range 52 West of the 5th Principal Meridian, Clay one appeared in opposition, and County, South Dakota, (Except no written correspondence was Lot H2 in the NE1/4) containing received. 1,452,567 sq. ft. (33.35 Acres) seconded by Mockler and carried more or less; Roger A. Hansen, to approve the vacating of the plat 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 41 of Hansen Farms Addition in the E1/2 of Lot 2 in the NE1/4 of Section 3. Township 94 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, (Except Lot H2 in the NE1/4) containing 1,452,567 sq. ft. (33.35 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.

Leo F. Powell, Vice 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 May 27, 2014.

Carri R. Crum County Auditor, Clay County, SD

Mockler moved, seconded by Kephart and carried to pass and adopt the following resolution for plat of Tract 42 of Hansen Farms Addition in Section 34, Township 95 North, Range 52 West of the

5th Principal Meridian, Clay

County, South Dakota, containing

Legal and Public **Notices**

3,874,749 sq. ft. (88.95 Acres) more or less; Roger A. Hansen, D/B/A Hansen Properties, owner.

2010

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 42 of Hansen Farms Addition in Section 34, Township 95 North, Range 52 West of the 5th Principal Meridian, Clay County, South Dakota, containing 3,874,749 sq. ft. (88.95 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.

Leo F. Powell, Vice 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 May 27,

Carri R. Crum County Auditor, Clay County, SD

At 10:00 a.m. a Public Hearing was held for Petition for Vacation of Plat of Lots 6A & 6B and Lots 10 through 18, Engstom-Abbott Subdivision in the NE1/4 and SE1/4 of Section 2 and in the NW1/4 and SW1/4 of Section 1, all in T92N, R52W of the 5th P.M., Clay County, SD except for the unopened section line commonly known as Carr Street, Princeton Avenue, and Robert Penn Lane. Lindsay Hovden, attorney for the petitioners, explain that her clients were returning the land to the way it was previously as the owners have abandoned plans to develop it. No Packard moved,

The Board considered two Applications for Abatement or Refund of Taxes. Kephart moved, seconded by Packard and carried to approve and authorize the Vice Chairman to sign the applications as they met the requirements.

contingent upon taxes being paid

to date.

An estimate was presented for the remodeling of the door to the Court Services Office. Packard moved, seconded by Kephart and carried to approve the estimate and completion of the project.

Mockler moved, seconded by Kephart and carried to pass and adopt the following Resolution #2014-06 for Fund Transfers.

RESOLUTION # 2014-06 FUND TRANSFER

BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from the General Fund (10100) in the amount of \$853,920 to Highway Fund (20100); \$88,504 to E-911 Fund (20700); and \$24,065 to Emergency Mgmt. Fund (22600) as levied for in the 2014 Budget.

Motion by Commissioner Mockler seconded by Commissioner Kephart.

Vote of the Board:

Packard Aye, Kephart Aye, Passick Absent Powell Aye, Mockler Aye Motion carried.

Dated this 27th day of May, 2014

Board of County Commissioners

Leo F. Powell, Vice Chairman

Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

Carri Crum, County Auditor, discussed County Poor Liens related to mental illness committals. The previous recommended procedures for handling the liens were discussed, as well as the current South Dakota

Legal and Public **Notices**

2010

2010

Codified Law 27A-10-5. Packard moved, seconded by Mockler and carried that going forward the should County recommended by the State's Attorney's Office per SDCL 27A-10-5. As the liens being discussed are many years old, Mockler moved, seconded by Packard and carried to pass and adopt the following Resolution #2014-07 for Release and Satisfaction of County Aid to the Poor Liens.

RESOLUTION #2014-07 RELEASE AND SATISFACTION OF COUNTY AID TO THE POOR LIENS

WHEREAS, there appears in the office of the Register of Deeds of Clay County, South Dakota, liens in favor of Clay County, in the sum of \$169,634.05 against 314 persons, the same being the County Aid to the Poor;

WHEREAS, the liens have been deemed uncollectable;

THEREFORE. BEIT RESOLVED that Clay County hereby does waive its claim in the sum of \$169,634.05 against said 314 lienees, the same being the County Aid to the Poor.

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners and the County Auditor of Clay County, South Dakota hereby authorize and direct the Register of Deeds of Clay County to release and satisfy said liens.

Commissioner Mockler moved the adoption of the foregoing Resolution. Motion seconded by Commissioner Packard.

Vote of the Clay County Commission:

AYE 4 NAY 0; Passick Absent

Upon which voting, the Resolution was passed and adopted.

Dated at Vermillion, South Dakota this 27th day of May,

Board of County Commissioners Clay County, South Dakota

Leo F. Powell, Vice Chairman

ATTEST:

Carri R. Crum, County Auditor Clay County, South Dakota

Packard moved, seconded by Mockler and carried to approve payroll and the following claims payment. May Payroll: \$4995.50 Commissioners \$9151.50, Office Treasurer's Office \$12,501.11, Attornev's Office States \$13357.67, Courthouse \$2425.83, DOE's Office \$9151.50, ROD's Office \$8,775.50, Veteran's Office \$1583.33. Sheriff's Office \$29,352.08, Jail County \$12,335.31, 24/7 Sobriety Project \$2,145.59, LEPC \$366.67, Emerg. Office \$3,300.00, Highway Department \$34,889.74, CHN Office \$1,343.56, WIC Office \$694.94, Extension Office \$2,818.25, Weed Department \$4,268.62, and Zoning Office \$2,339.57. May Bills: (Law Library) Thomson Reuters-West \$82.35; (Payroll Withholdings) Alfac \$784.20; Clay Co Treasurer \$36,966.49; Colonial \$409.47; Conseco/Washington \$100.70; Dearborn National \$202.86: Nationwide Ret. Solutions \$58.82; New York Life Insurance \$440.23; SD Retirement System \$18,492.30; Supplement Retirement \$700.00; SDRS Roth 457(B) Plan \$275.00; Tasc Pvr \$2,934.00; United Way of Vermillion \$130.00; Vermillion Federal \$1,141.00 and Wellmark Blue Cross \$31.810.87: (Professional

Services and Fees) BW Insurance Inc. Cali \$100.00; Cody, Denise \$15.00; Corrisoft LLC \$435.60; Lewno, Lucille M \$150.49; Netsys Plus, Inc. \$60.00; Pollard & Larson, LLp \$180.00; SD Dept of Health Lab \$370.00; Secretary of State \$30.00; Swanda, Karen \$15.00; Yankton Co Sheriff \$25.00 and Zuercher Technologies; (Other Professional Service) Bergendahl, David L \$483.60; Shepherd Reporting \$30.00; De Castro \$3,264.00; Fox & Youngberg, P.C. \$181.24; Peterson Stuart, Rump \$5,035.84 Yankton Co Treasurer \$110.00; (Repairs and Maintenance) Bear, INc. DBA Todd's Electric \$63.25; Johnson Controls, Inc. \$500.98; Netsys Plus, Inc. \$937.50; Office Elements \$3.43; Paul's Plumbing, Inc. \$575.00; Presto-X Company LLc \$67.43 and Turner Plumbing Inc. \$140.97; (Clay Creek Ditch Expense) Bureau Of Administration \$19.00; (Supplies and Materials) Appeara \$43.04; Bob Barker Co Inc. \$222.20; Brock White Company \$488.24; Campbell Supply Co. \$102.34;

Francotyp-Postalia Inc. \$129.00,

Hillyard \$17.80; Hy-Vee, Inc.

\$59.85; JCL Solutions - Spencer

\$725.90; Jensen, Andrew \$18.19;

Legal and Public **Notices**

Maco \$212.84; Mcleod's Printing

& Supply \$341.85; Paul's

Plumbing, Inc. \$156.45; Quill

Corporation \$444.46; Sanford

Health Clinic \$45.00; Sturdevant's

Auto Part \$398.25; Total Flooring

if this Notice is served upon you LLC \$1,329.36; Verizon Wireless as a known or potential creditor, \$11.93; Vermillion Ace Hardware the creditor must present a claim \$5.67 and Wheelco Brake and Supply \$42.30; (Travel and Confrence) Powell, Cathi \$42.00; Notice. Stewart, Lavne \$56.62 and The Lodge at Deadwood \$237.00; (Utilities) Clay Rural Water System \$72.80; Verizon Wireless \$354.06; Cherry Street Grille \$5,929.92; Hy-Vee Inc. \$481.03; Mercy Child \$70.34; Mobile Electronic Svc \$1,868.74; Quality Motors \$156.25; Sioux Falls 2-Way \$75.00; Van Deist Supply Company \$2,997.30; and Walmart Community/Gecr \$159.36; (Payments) Cournoyer, Ray \$80.68; Ellis, Ray \$85.50; Snodgrass, Ashley \$175.80 and Minnehaha County JDC \$465.00; (Books) Thomson Reuters - West \$463.25; (Furniture and Minor Equipment) Netsys Plus, Inc. \$1,186.50; Quill Corporation \$249.99. (Disbursements) Vermillion Basin Water Development District \$12,947.31, Centerville School District \$174,088.17, Vermillion School District \$2.512.220.15. Beresford School District \$247,128.86, Gayville-Volin School District \$36,619.50, Viborg-Hurley School District \$1,504.97, Irene-Wakonda School District \$537.922.06. Glenwood Township \$21,712.70, Riverside \$27,062.41, Star Township Township \$22,051.84, Bethel Township \$20,090.88, Pleasant Valley Township \$9,271.93, Garfield Township \$34,893.18, Prairie Center Township \$14,153.93, Spirit Mound Co-Trustees, or the filing of the Township \$11,115.84, Meckling claim with the clerk of courts; or Township \$8,353.30, Norway (3) The creditor may commence a Township \$11,423.41, Vermillion proceeding against the Trust in Township \$18,504.26, Fairview any court where the Co-Trustees Township \$27,778.25, Irene City may be subject to jurisdiction, to \$20,261.83, Wakonda City obtain payment of the claim. Such \$34,422.47, Vermillion City a claim is deemed presented on \$896,582.14, Rural Service the date the proceeding is District 1 \$76.71, Rural Service commended. District 2 \$14.06, Seiler's Second Road District \$2,647.63, TLC

At 10:27 a.m. Mockler moved, seconded by Kephart and carried to adjourn and reconvene Thursday, June 5, 2014 at 9:00 a.m.

Water District \$4,049.10.

Leo F. Powell, Vice Chairman **Board of County Commissioners**

ATTEST:

Carri R. Crum, County Auditor

Published once at the total approximate cost of \$279.87. **Publish: June 13, 2014.**

PUBLIC NOTICE

Under the Department of Transportation Capital Assistance Grant Programs for Rural Public and/or Special Transportation, SESDAC, Inc. dba Vermillion Public Transit, 604 1/2 High St., Vermillion, SD 57069 presents notification of intent to purchase software and software maintenance contracts. The proposed contracts will allow us to use the scheduling and dispatch software to provide efficient public transportation.

Interested public or private transit or paratransit operators within the area are invited to comment on this proposal to provide the necessary service by sending a written notice to SESDAC, Inc. dba Vermillion Public Transit and the South Dakota Department Transportation, 700 East Broadway Ave., Pierre, South Dakota 57501-2586, ATTN: Office of Air, Rail, and Transit. Written notice and comments should be mailed no later than thirty (30) days following the appearance of this notice.

Published twice at approximate cost of \$ 22.36. Publish: June 6 & 13, 2014.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL DISTRICT

IN THE MATTER OF THE MARTIN WEEKS 2008

DECLARATION OF TRUST

NOTICE TO CREDITORS

To all persons regarding MARTIN WEEKS, deceased, who died on or about April 17, 2014, and last resided at 31551 SD Hwy 19, Vermillion, South Dakota 57069. You are hereby notified that MARIAN JOSEPHINE WEEKS, residing at 901 Maine, Apt. # 1, Lawrence, Kansas 66044, and PATRICIA BANCROFT, residing at 104 South Harvard, Vermillion, South Dakota 57069, are the Successor

Legal and Public 2010 2010 Notices

Co-Trustees of the MARTIN WEEKS 2008 DECLARATION OF TRUST.

Pursuant to SDCL 55-4-58(b)(1),

to the Co-Trustees within sixty (60) days of the date of such Pursuant to SDCL 55-4-58(b)(2), for all unknown creditors and all creditors which the Co-Trustees, in good faith, are unable to locate, this Notice shall be published once per week for three successive weeks in a legal newspaper in the County of Decedent's last residence. Notice to such creditors is hereby given, that any person or entity possessing a claim against Martin Weeks, the deceased settlor of the Trust, must present a claim within four (4) months after the date of first publication of this Notice or any later claim or collection efforts, which otherwise could have been asserted or enforced against the Trust or assets thereof, may be forever barred. Claims may be presented to the above Co-Trustees by any of the following methods: (1) The creditor may deliver or mail to the Co-Trustees a written statement of the claim indicating its basis, the name and address of the creditor, and the amount claimed; (2) If the Trust is court-supervised, the creditor may file a written statement of the claim with the Clerk of Courts and mail or deliver a copy thereof to the Co-Trustees. The claim is deemed presented on the first to occur of the receipt of the written statement of claim by the

DATED this 28th day of Μ 2014.

MARIAN JOSEPHINE WEEKS 901 Maine Apt. # 1 Lawrence, KS 66044 Tel: (785) 840-4332 Co-Trustee

PATRICIA L. BANCROFT 104 South Harvard Vermillion, SD 57069 Tel: (605) 670-9799 Co-Trustee

PREPARED AND SUBMITTED BY:

Ray Edgington Colby M. Lessmann, SBSD # 3066

VRIEZELAAR, TIGGES, EDGINGTON, BOTTARO, BODEN & ROSS, L.L.P. 613 Pierce Street

PO Box 1557 Sioux City, IA 51102-1557 Tel: (712) 252-3226 Fax: (712) 252-4873

Email: clessmann@siouxcitylawyers.net ATTORNEYS FOR CO-TRUSTEES

Published three times at the approximate cost of \$112.32. Publish: June 13, 20, & 27,

Unapproved Minutes Council Special Session June 2, 2014 Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, June 2, 2014 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne, Ward, Willson, Zimmerman

Absent: Mayor Powell

2. Educational Session Integrated Resource Plan - Jason Anderson and Mark Koller

Jason Anderson, Assistant City Engineer, reported that our contract with Western Area Power Administration (WAPA) requires the City to comply with the requirements of the Energy Planning and Management Program and, as such, each five years update and adopt an Integrated Resource Plan (IRP). Jason stated that the City provides information to Missouri River Energy Services (MRES), our supplemental power supplier, who prepares the IRP for its member cities. Jason noted that the IRP is to notify WAPA that the utility is

Legal and Public

Notices adequately planning for the future needs of the utility. Jason stated that City staff has been working with MRES on completing the IRP and will have this item on the next City Council agenda for adoption. Mark Koller. Electric Superintendent, stated that, once approved, the IRP will be available at City Hall, Electric Department and will be posted on the City web site. Jason and Mark answered questions of the City Council on the IRP process.

Informational Session -Construction progress update -Jose Dominguez, Jason Anderson and Mark Koller

Jason Anderson, Assistant City Engineer, reviewed the projects that the utilities currently have in progress or are under contract for this year as follows: water tower, electric substation improvements, waste water treatment boiler project, Cottage Street water main replacement and the Bliss Pointe project which, even though it is a VCDC project, the city is monitoring the utility work as we will be accepting ownership at the end of the project. Jason reported on the costs and contract completion date of each project. Jose Dominguez, City Engineer, reported on the remainder of City projects in progress or under contract for this year as follows: Norbeck Street utility and street paving project, paving of north south alley in Block 68 Bigelow's Addition, Recycling Center entrance paving project, chip seal project to be bid later this year, landfill leachate pond, landfill baler and conveyor, landfill building and landfill cell 5 construction. Jose's report included costs and contract completion dates for each project. Jason and Jose answered questions of the City Council on the construction projects.

4. Briefing on the June 2, 2014 City Council Regular Meeting

Council reviewed items on the agenda with City staff. No action was taken.

5. Adjourn

Alderman Davies moved to adjourn the Council special session at 12:26 p.m. Alderman Ward seconded the motion. Motion carried 8 to 0. President Osborne declared the motion adopted.

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

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY

ATTEST:

BY Michael D. Carlson, Finance Officer

Unapproved Minutes City Council Regular Session June 2, 2014 Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on June 2, 2014 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell

2. Pledge of Allegiance

3. Minutes

A. Minutes of May 19, 2014 Special Session; May 19, 2014 Regular Session.

175-14

Alderman Collier-Wise moved approval of the May 19, 2014 Special Session and May 19, 2014 Regular Session minutes. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

Alderman Grayson approval of the agenda with the addition to New Business of Item - Request to have City staff schedule closure of North Dakota Street from East Clark to East Cherry Street and North University from 500 feet North of East Cherry Street to 700 feet North of E. Cherry Street for USD construction projects. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard - None