August, 2014, at the hour of 9:30 a.m. said verified petition will be heard by this Court before the Honorable Steven R. Jensen Presiding, at the Court Room in the Clay County Courthouse, City of Vermillion, Clay County, South Dakota, or as soon thereafter as is convenient for the court. Anyone may come and appear at that time and place and show reasons, if any, why said name should not be changed as requested.

Dated this 16 day of June, 2014 at Vermillion, South Dakota.

_____

Seven R. Jensen
Circuit Court Judge

ATTEST:

_____

Jessica Bosse, Clerk of Court
By:_____
Deputy

Published four times at the approximate cost of $68.08.
Publish: June 20 & 27, July 3 & 11, 2014.

STATE OF SOUTH DAKOTA
COUNTY OF CLAY: SS

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE
ESTATE OF
COLLEEN K. ODENBRETT,

Deceased.

Pro. No. 14-10

NOTICE TO CREDITORS
****

Notice is given that on June 6, 2014, Michelle Brunick, whose address is 514 Lee St., Vermillion, SD 57069, was appointed as personal representative of the estate of Colleen K. Odenbrett.

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.

_____

Michelle Brunick
514 Lee St.
Vermillion, SD 57069

Jessica Bosse, Clerk
211 W. Main St.
Vermillion, SD 57069
(605) 677-6756

Tamara D. Lee
Attorney at Law
PO Box 418
Yankton, SD 57078
(605) 267-2071

Published three times at the total approximate cost of $51.22
Publish: June 27, July 3 & 11, 2014.

STATE OF SOUTH DAKOTA
COUNTY OF CLAY: SS

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE
ESTATE OF
GAYLE FUCHS,

DECEASED.

PRO. 14-12

NOTICE TO CREDITORS
****

Notice is given that on the 9th day of June, 2014, WILLIAM S. FUCHS, whose address is 903 N. Monroe Avenue, Pierre, SD 57501, was appointed as personal representative of the estate of Gayle Fuchs, 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.

Dated this 9th day of June, 2014.

_____

William S. Fuchs
903 N. Monroe Avenue
Pierre, SD 57501
(605)280-3937

JESSICA BOSSE
CLERK OF COURTS
PO BOX 377
VERMILLION, SD 57069
(605)677-6759

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

Published three times at the total approximate cost of $57.66
Publish: June 13, 20, & 27, 2014.

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

IN CIRCUIT COURT
FIRST JUDICIAL DISTRICT

_____

Estate of
MARTIN WEEKS,

Deceased.

Probate No. 14-9

_____

NOTICE TO CREDITORS

Notice is given that on the 30th day of May, 2014, in the Circuit Court of Clay County, South Dakota, MARIAN JOSEPHINE WEEKS, whose address is 901 Maine, Apt. # 1, Lawrence, KS 66044, was informally appointed by the Clerk as Personal Representative of the *Estate of Martin Weeks*.

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.

DATED this 4th day of June, 2014.

_____

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

PREPARED AND SUBMITTED BY:

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 MARIAN JOSEPHINE WEEKS
PERSONAL REPRESENTATIVE

Published three times at the approximate cost of $64.55.
Publish: June 13, 20, & 27, 2014.

STATE OF SOUTH DAKOTA
COUNTY OF CLAY

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

SunTrust Mortgage, Inc.,

Plaintiff,

vs,

Brad D. Melstad; Beth A. Melstad; and any person in possession,

Defendants.

Civil No. 14-14

NOTICE OF REAL ESTATE SALE

* * * * * * * * * * * * * * * * * *

Judgment in the amount of $88,447.90 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 April 16, 2014, 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 December 15, 2011, which Bradley D. Melstad and Beth A. Melstad, Mortgagors, executed and delivered to Mortgage Electronic Registration Systems, Inc., Mortgagee:

Lots 1 and 2, Block 27, Town of Wakonda, Clay County, South Dakota.

and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the December 20, 2011, Book 132, Page 858; Said Mortgage was assigned to SunTrust Mortgage Inc. by Assignment of Mortgage dated September 12, 2013, recorded September 13, 2013, in Book 135 of Mortgages on Page 632, in order to realize the amount of $90,142.00, as of December 15, 2011, plus interest accruing thereafter on said amount at the rate of 3.50% 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 July 2, 2014, at 10:00 A.M. (CT).

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

Dated May 13, 2014.

Sheriff of Clay County, South Dakota

MACKOFF KELLOGG LAW FIRM

By:
David C. Piper, Attorney #4128
38 Second Avenue East
Dickinson, ND 58601
(701) 227-1841
Attorneys for Plaintiff

Published twice at the total approximate cost of $66.13.
Publish: June 20 & 27, 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 Co-Trustees of the MARTIN WEEKS 2008 DECLARATION OF TRUST.

Pursuant to SDCL 55-4-58(b)(1), if this Notice is served upon you as a known or potential creditor, the creditor must present a claim to the Co-Trustees within sixty (60) days of the date of such Notice.

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 Co-Trustees, or the filing of the claim with the clerk of courts; or (3) The creditor may commence a proceeding against the Trust in any court where the Co-Trustees may be subject to jurisdiction, to obtain payment of the claim. Such a claim is deemed presented on the date the proceeding is commended.

DATED this 28th day of May, 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
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Fax: (712) 252-4873
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clessmann@siouxcitylawyers.net
ATTORNEYS FOR CO-TRUSTEES

Published three times at the approximate cost of $112.32.
Publish: June 13, 20, & 27, 2014.

June 5, 2014

The Board of County Commissioners met in regular session Tuesday, June 5, 2014 at 9:00 a.m. Members present: Mockler, Packard, Powell, Kephart, and Passick.

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

Minutes of the May 27, 2014 meeting were approved with a motion by Packard, seconded by Mockler and carried.

The Sheriff's Monthly Activity Reports and the Veterans, Welfare, and Zoning Monthly Reports were accepted and placed on file.

The following Auditor's Account with the County Treasurer Report for April 2014 was accepted and placed on file.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners of Clay County
items in the hands of the County Treasurer as of May 31, 2014.
I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks
5,518,261.59

Amount of actual cash
2,930.04

Total amount of checks and drafts in Treasurer's Possession not exceeding three days
32,536.38

Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:
3,855.92

Checks returned and not deposited

Cash Items

Investments
1,000.00

Cash Variation
0.00

Total
5,558,583.93

Dated this 2nd day of June 2014.

_____

Carri R. Crum, County Auditor

Carri Crum, County Auditor, requested that the Board give an estimate of payroll increases for the 2015 Budget so that the department heads may prepare their budgets. The Board reviewed estimated CPI and Growth. Powell moved, seconded by Packard and carried to tentatively set the increases at 3%, subject to change once all budgets have been reviewed.

Recent payroll changes are as follows. Dominick Santa Maria resigned as part-time jailer 4/19/14, and Dane Hackett was hired 5/19/14 at Grade 14, Step 1, $12.99/hour. Tracy Chamberlain was hired as Deputy Register of Deeds II on 5/6/14 at Grade 10, Step 1, $11.76/hour. Joshua Laden resigned as part-time Deputy Treasurer II effective 5/7/14. Nathan Knutson started 5/19/14 as summer highway maintenance and weed sprayer for $12.00/hour. Madison Landeen started 5/20/14 as summer highway maintenance and weed sprayer for $12.50/hour. Michael Sand started 5/19/14 as summer highway maintenance and weed sprayer for $12.50/hour. Allen Schmitz started 5/12/14 as summer highway maintenance and weed sprayer for $12.50/hour. Thomas Sullivan started 5/12/14 as summer highway maintenance and weed sprayer for $12.50/hour.

At 9:05 a.m., the Board convened as the Canvassing Board and conducted a canvass of the official returns for the June 3, 2014 Primary/Municipal Election. Mockler moved, seconded by Kephart and carried to approve the figures as canvassed.

At 9:30 a.m., bids for the Wakonda Highway Shop building were opened and read aloud. Welfl Construction submitted a bid bond and a base bid of $244,000 which included $5,000 allowance for power to the electrical panel and an alternate bid of $9,900 for exterior concrete. Palace Builders submitted a bid bond and a base bid of $209,700. James Steel submitted a bid bond and a base bid of $152,455 and an alternate bid of $7,615 for exterior concrete. Powell moved, seconded by Packard and carried to accept the base bid plus alternate from James Steel contingent upon Rod Polley, Highway Superintendent, finding that the bids met specifications.

Polley reviewed with the Board a FHWA Urban Boundary Adjustment Map. It was decided that Polley would meet with the City Engineer and together they should contact the appropriate person regarding concerns about the boundaries on the map before the Board would grant approval.

Polley discussed the vacating of the part of Nevada Street between Blocks 26 & 29 in Wakonda, SD, where the County Highway Shop site is located. Packard moved, seconded by Mockler and carried to authorize the Chairman and Vice Chairman to sign the Petition to Vacate and the associated Affidavit and authorized the documents to be presented to the Governing Board of the Town of Wakonda for consideration.

Polley presented a proposal from the South Dakota Department of Transportation for safety improvements to the Burbank Road. The project is proposed to include durable pavement markings and 8 inch rumble strips along the sides for a total of 6 miles between Natalie Court and 470 Ave. The cost would be split with the County paying an estimated $7,200. Powell moved, seconded by Kephart and carried to authorize the County's participation in the project.

Cynthia Aden, Welfare Director, met with the Board to present Welfare Case #C14-14 for a County Burial. Powell moved, seconded by Mockler and carried to deny the request as the applicant did not meet the established guidelines.

Cynthia Aden, Zoning Administrator, met with the Board to discuss a zoning complaint received by Commissioner Packard regarding cleanup of a property. After some discussion, it was decided that Aden would work with the State's Attorney's Office to formulate a policy for the handling of this specific type of situation.

Ray Hofman, Register of Deeds, and Jane Olson met with the Board to discuss office staffing. Olson has been appointed to fill the remainder of Hofman's term after his June 6, 2014 retirement. Olson asked the Board for permission to hire Hofman to fill in occasionally in the office if she would need to be out of the office, as their new deputy has not yet been fully trained. Powell moved, seconded by Kephart and carried to authorize the request.

Rod Polley, Highway Superintendent, met with the Board to discuss a drainage complaint received by Commissioners Packard and Powell along University Road. The Board discussed previous action that had been taken in that area and work that had been done. Polley had reviewed the site prior to the meeting as well. No further action was taken at this time.

Discussion commenced regarding proposed changes to the County's current Burn Ban Ordinance. Layne Stewart, Emergency Management Director, and Philip Terwilliger, Deputy State's Attorney, were present and discussed the specific provisions and language of the ordinance. Packard moved, seconded by Kephart and carried to table any further discussion or action until such time as more information or clarification could be obtained from area fire departments and officials.

ATTENTION TAXPAYERS:
NOTICE OF
PROPERTY TAX INCREASE
OF $ 35,000.00

RESOLUTION FOR OPT OUT

THE GOVERNING BOARD OF Turner Lincoln Clay Water Proj District **do state that the above said board is unable to operate under the tax limitation measure currently in statute. We therefore OPT OUT of such tax limitation in the amount of $** 35,000.00 **starting with calendar year** 2014 **taxes payable in the calendar year** 2015 **. This opt out will be for** one **years, which will be through taxes payable in the calendar year** 2015 **This action has been taken by the board and approved by at least a two-thirds vote of the board.**

This decision may be referred to a vote of the people upon a petition signed by at least five percent of the registered voters in the district and filed with the governing body within twenty days of the first publication of this decision.

Unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the county auditor to spread an excess levy to raise tax dollars in the above stated amount.

Signed Gary Anderson **Board Chairman**
Richard Hasgard **Board Member**
Gloria Bogue **Board Member**
Richard C. Rhe **Board Member**
Larry A. Orgard **Board Member**
LeRoy Larson **Board Member**
David Smit **Board Member**
_____ **Board Member**
_____ **Board Member**
_____ **Board Member**

DATE 6-19-2014

PT 182