

2010 Legal and Public Notices

(Repairs/Maint.) A&B Business \$157.51, Brad Waage Construction \$30.60, Dakota PC Warehouse \$54.99, Johnson Controls \$197.25, Kaiser Refrigeration \$36.50, KONE \$615.48, Netsys Plus \$170.00, Office Elements \$4.05, Gretchen Richardson \$5.00, Daniel Swensen \$75.00, Turner Plumbing \$314.08; (Data Processing) Bruce Mastel \$35.00, Netsys Plus \$743.75; (Materials/Supplies) Allegiant Emergency Svc. \$338.76, Appera \$62.22, Blue Tarp Financial \$269.95, California Contractors Supply \$299.40, Campbell Supply \$92.93, Chemco \$61.89, Coyote Chemical Co. \$29.00, Davis Pharmacy \$172.93, Ed Roehr Safety Products \$218.02, Francotyp-Postalia \$129.00, Herren-Schempp \$115.20, Ray Hofman \$51.95, Holmes Welding & Mfg. \$76.75, Jack's Uniforms \$34.45, John Deere Financial \$51.96, Kaiser Refrigeration \$112.68, Kalins Indoor Comfort \$29.91, Marco \$213.29, Morse's Market \$165.00, Netsys Plus \$637.50, Pressing Matters \$23.00, Quill Corp. \$83.47, Riverside Hydraulics \$1201.04, SD Dept. of Transportation \$5953.27, SDAE4-HE \$105.00, Sioux City Foundry \$716.98, Sturdevant's Auto Parts \$157.63, Titan Machinery \$310.17, Truck-Trailer Sales & Svc. \$58.25, Verizon Wireless \$11.83, Vermillion ACE Hardware \$123.81, Wal-Mart Community \$99.78, Western Office Tech. \$21.98, Wheelco Brake & Supply \$78.56, Zee Medical Svc. \$151.85; (Travel/Conference) Dennis Ganschow \$226.44, Andrew Jensen \$56.24; (Inmate Transport) Pennington Co. Sheriff \$337.95; (Utilities) Centurylink \$494.46, Clay Rural Water \$47.30, Midcontinent Comm. \$270.00, Reliance Telephone \$400.00, Verizon Wireless \$354.06; (Machinery/Auto) Brunick Service \$28.00, Henderson's Exhaust Plus \$100.00, Quality Motors \$80.86, Star Headlight & Lantern \$1028.99; (Inmate Meals) Hy-Vee \$69.32, Wal-Mart Community \$129.11; (Coroner) Sanford Health \$100.00.

At 11:06 a.m. Mockler moved, seconded by Powell and carried to adjourn and reconvene Tuesday, March 4, 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 \$106.50. Published: March 7, 2014.

NOTICE OF DEADLINE FOR FILING NOMINATION PETITIONS

The deadline for filing nominating petitions is March 25, 2014 at 5:00 p.m. If a petition is mailed by REGISTERED MAIL by March 25, 2014 by 5:00 p.m., it shall be considered filed.

Nominating petitions for the offices of County Commissioners (2) at large, County Auditor, County Register of Deeds, County Sheriff, delegates to the Republican State Convention, and delegates to the Democratic State Convention, shall be filed in the office of the County Auditor located in the County Courthouse during regular business hours.

Nominating petitions for the offices of U.S. Representative, U.S. Senator, Governor, State Senator (District 17), State Representative (District 17), and First Circuit Court Judge Positions A-F shall be filed in the office of the Secretary of State, State Capitol Building, Pierre, SD 57501, between the hours of 8:00 a.m. and 5:00 p.m.

Notice that Precinct Committeeman or Committeewoman must file declarations of candidacy with the County Auditor by March 25, 2014.

**Carri R. Crum
Clay County Auditor**

Published twice at the total approximate cost of \$30.69. Published: March 7 & 14, 2014.

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

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 17th day of March, 2014 at the hour of 7:00 P.M. at the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for a special permit to exceed allowable sound levels on or about Saturday, March 22, 2014 between the hours of 5:00 p.m. and 7:00 p.m. which has been filed in the

2010 Legal and Public Notices

Finance Officer's Office:

Pi Kappa Alpha request for a special permit to exceed allowable sound levels in the northwest corner and basketball area of Prentis Park on or about Saturday, March 22, 2014 from 5:00 p.m. and 7:00 p.m. for a fundraising concert event.

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 3rd day of March, 2014.

Michael D. Carlson, Finance Officer

Published once at the approximate cost of \$17.04. Published: March 7, 2014.

NOTICE OF PUBLIC HEARING OF APPLICATIONS FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 17th day of March, 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 an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

Special Daily License (On-Sale) Malt Beverage and Wine License:

Vermillion Area Chamber & Development Company, Inc on or about April 24, July 10, July 24, August 7, August 21 and September 4, 2014 at the Ratingen Platz on the corner of Market and Main Street and the Market Street right of way from Main Street south a half a block.

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.

Dated at Vermillion, South Dakota this 4th day of March, 2014.

Michael D. Carlson, Finance Officer

Published once at the approximate cost of \$17.88. Published: March 7, 2014.

NOTICE OF PUBLIC HEARING OF APPLICATIONS FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 17th day of March, 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 an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

Special Daily License (On-Sale) Malt Beverage and Wine License:

Vermillion Area Arts Council on or about March 21, 2014 at 202 Washington Street.

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.

Dated at Vermillion, South Dakota this 3rd day of March, 2014.

Michael D. Carlson, Finance Officer

Published once at the approximate cost of \$15.89. Published: March 7, 2014.

NOTICE TO BIDDERS REINFORCED CONCRETE BOX CULVERTS & CATTLE PASSES

Notice is hereby given that the Board of County Commissioners of Clay County, South Dakota, will receive bids at the office of the County Auditor of Clay County, South Dakota, until 9:00 am on the 25th day of March, 2014, for furnishing F.O.B., Vermillion, South Dakota, or project site the following materials,

2010 Legal and Public Notices

contract to be for one year from date of letting.

Various diameter circular reinforced concrete pipe
4 ft. x 6 ft. reinforced concrete cattle pass
Various sizes reinforced concrete boxes
Various lengths pre-stressed concrete bridge beams
H20 and HS20 loading

All material must meet South Dakota Department of Highway Specifications for Roads and Bridges.

The Board of County Commissioners reserves the right to accept or reject any or all bids, or parts thereof, and to waive any defect or informality, if it is deemed to be in the best interest of Clay County, to do so.

All bids shall be in a sealed envelope or container plainly marked "BID ON CONCRETE CURVERTS, BOXES, CATTLE PASSES" addressed to Clay County Auditor 211 West Main Street, Suite 200, Vermillion, South Dakota 57069

CARRI R. CRUM
CLAY COUNTY AUDITOR

Published twice at the total approximate cost of \$36.65. Published: March 7 & 14, 2014.

NOTICE TO BIDDERS CRANE WORK, CRANE MEN, and DRIVEN PILING

Notice is hereby given that the Board of County Commissioners of Clay County, South Dakota, will receive sealed bids at the office of the County Auditor of Clay County, South Dakota, until 9:00 am on the 25th day of March, 2014.

CRANE WORK, CRANE MEN, AND DRIVEN PILING
Crane and operator per hour
Two men per hour
Proof of insurance & workman's compensation

All bids shall be in a sealed envelope or container plainly marked "BID FOR CRANE WORK, CRANE MEN, AND DRIVEN PILING", addressed to Clay County Auditor, 211 W. Main Street, Suite 200, Vermillion, South Dakota 57069.

A contract or contracts may be awarded to the company or companies offering the most advantageous proposition to Clay County. The Board of County Commissioners reserves the right to accept or reject any or all bids, to waive any defect or informality if it is deemed to be in the best interest of Clay County.

CARRI R. CRUM
CLAY COUNTY AUDITOR

Published twice at the total approximate cost of \$30.10. Published: March 7 & 14, 2014.

NOTICE TO BIDDERS LIQUID ASPHALT

Notice is hereby given that the Board of County Commissioners of Clay County, South Dakota will receive bids at the office of the County Auditor, Clay County, South Dakota until 9:00 am on the 25th day of March, 2014, for furnishing F.O.B. Clay County the following materials.

LIQUID ASPHALT:
MC70, RC800R, MC800R
Include price for additives.

Materials must meet South Dakota Department of Highways specifications. Materials to be ordered and delivered as required by the County during the 2014 season.

Materials to be delivered in truck transports at application temperature, and project site, Clay County. Materials not at application temperature will be rejected and returned with no cost to Clay County.

Clay County may cancel any order upon six (6) hours notice prior to specified delivery time. If order is cancelled by specified time any return charges will be the responsibility of bidder.

The Board of County Commissioners reserves the right to accept or reject any or all bids, or parts thereof, and to waive any defect or informality if it is deemed to be in the best interests of Clay County.

All materials bid shall be in a sealed envelope or container plainly marked "BID ON LIQUID ASPHALT" addressed to the Clay County Auditor 211 W. Main Street, Suite 200, Vermillion, South Dakota 57069.

2010 Legal and Public Notices

CARRI R. CRUM
CLAY COUNTY AUDITOR

Published twice at the total approximate cost of \$37.55. Publish: March 7 & 14, 2014.

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE ESTATE OF
LOIS M. JOHNSON

DECEASED.

PRO 14-5

NOTICE TO CREDITORS

Notice is given that on the 27th day of February, 2014, Timothy B. Johnson, whose address is 12425 50th Avenue N, Plymouth, MN 55442, was appointed as personal representative of the estate of Lois M. Johnson, Deceased.

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

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

Timothy B. Johnson
12425 50th Avenue N
Plymouth, MN 55442
(612)269-5214

JESSICA BOSSE
CLERK OF COURTS
211 W. MAIN STREET
VERMILLION, SD 57069
(605)677-6756

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

Published three times at the total approximate cost of \$56.36. Published: March 7, 14, & 21, 2014.

SECTION 00020 INVITATION TO BID

RECEIPT OF BIDS

Sealed bids for the Landfill Cell 5 Construction project will be received by the City of Vermillion, City Engineer, at City Hall, 25 Center Street, Vermillion, South Dakota, 57069, until April 3, 2014 at 2:00 p.m., and shortly thereafter the bids will be opened publicly and read aloud in a room at City Hall.

GENERAL DESCRIPTION OF WORK

The project consists of constructing and installing a 6.2 acre landfill cell with excavation and stockpiled soils, leachate collection and associated mechanical and electrical at the Vermillion Landfill located at 31426 Bluff Road, Vermillion, SD 57069. Approximately 265,000 cubic yards of excavation will be required to meet base grades. On time completion of this project is critical to landfill operations. Only contractors that can meet the contract's schedule requirements shall bid this project.

Additional bid requirements and specifications that must be met by BIDDER are included in subsequent specification sections of this specification package.

DOCUMENT EXAMINATION AND PROCUREMENTS

Copies of the Bidding and Contract Documents will be available electronically at no charge and e-mailed to the BIDDER.

Paper copies of the Bidding and Contract Documents (including specification book and half size plans) will also be available upon request at no charge. Non-South Dakota Contractors shall pay for shipping of the documents. Contract Documents will be shipped to South Dakota Contractors free of charge. For non-South Dakota Contractors, Contract Documents will not be shipped until BIDDER provides deliver payment method.

To obtain a copy of the Bidding and Contract Documents contact:

Garrett Williams
HDR Engineering, Inc.
402-399-1210

2010 Legal and Public Notices

Garrett.Williams@hdrinc.com

Plans are also available at the following locations:

Plains Builders Exchange, Inc.
200 N. Kiwanis Ave
P.O. Box 1396
Sioux Falls, SD 57101

Sioux Falls Builders Exchange
1418 C Avenue
Sioux Falls, SD 57104

No partial sets of Specifications or Drawings will be issued.

BID SECURITY

Each Bid must be accompanied by Bid security made payable to OWNER in the form of a certified check, bank money order or a Bid Bond, issued by a surety meeting the requirements of Paragraphs 5.01 and 5.02 of the General Conditions. The amount of the bid security shall be equal to:

a. Five percent of BIDDER's maximum Bid price if bid security is in the form of a certified check or bank money order.

b. 10 percent of BIDDER's maximum Bid price if bid security is in the form of a Bid Bond, issued by a surety meeting the requirements of Paragraphs 5.01 and 5.02 of the General Conditions.

CONTRACT SECURITY

The successful BIDDER will be required to furnish a Performance Bond and Payment Bond as described in Section 00700 - GENERAL CONDITIONS.

PREBID CONFERENCE

A prebid conference will be held at the Vermillion City Hall at 10:00 a.m. on March 12, 2014. The meeting will conclude with a visit and tour of the Vermillion Landfill.

CONTRACT TIME

The Contract Time is defined in Section 00700 - GENERAL CONDITIONS, and specified in Specification Section 00500 - AGREEMENT.

QUALIFICATION OF BIDDERS

Requirements concerning the qualifications of BIDDERS are described in Section Specification 00100 - INSTRUCTIONS TO BIDDERS.

SPECIAL INSTRUCTIONS

Bidders on this work will be required to comply with the President's Executive Order Nos 11246 as amended, 11518 and 11625 as amended. The requirements for bidders and contractors under these orders are explained in the specifications.

Bidders on this work will be required to comply with Title 40 CFR 33 and Executive order 12138. The requirements for bidders and contractors under this regulation which concerns utilization of Disadvantaged/Minority Business Enterprises (DBE/MBE) and Women's Business Enterprises (WBE) are explained in the specifications. The DBE/MBE and WBE goals for participation in this contract in terms of percentage of contract value are as follows: MBE 1.0 percent; WBE 4.0 percent.

Davis Bacon and Related Acts wages apply to this project. All provisions relative to those acts must be met.

OWNER'S RIGHT TO REJECT BIDS

The City of Vermillion reserves the right to waive irregularities and to reject bids.

CITY OF: _____
DATE: _____

City Manager

END OF SECTION

Published twice at the approximate cost of \$119.75. Publish: February 28th and March 7th.

Unapproved Minutes Council Special Session
February 24, 2014
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, February 24, 2014 at 12:00 noon at city hall second floor conference room.

1. Roll Call

Present: Collier-Wise, Davy, Grayson, Meins, Osborne (arrived 12:05), Willson, Zimmerman,

2010 Legal and Public Notices

Mayor Powell

Absent: Ward

Also Present: Marty Gilbertson, Dan Siefken, Greg Card, Rich Holland, Farrel Christensen, Eric Birkeland, Jim McCulloch, Richard Draper, John Prescott, Andy Colvin, Mike Carlson

2. Informational Session - Meeting with local leadership of South Dakota Multi-Housing Association to discuss proposed changes to International Property Maintenance Code and Rental Housing Code.

John Prescott, City Manager, stated that city staff met with representatives from the SD Multi-Housing Association and local builders on the code changes. John reported the South Dakota Multi-Housing Association submitted a listing of recommendations for City consideration in adopting the 2012 codes. John reported that from the SD Multi-Housing Association request Farrel has added a "City Response" to the request and following that is John's comments which he handed out. John stated that a meeting was held this morning with the SD Multi-Housing Association on these issues and that Dan Siefken has requested to make comments to the City Council.

Dan Siefken, Director of Governmental Affairs SD Multi-Housing Association, thanked the City Council for agreeing to meet today and stated that the association wanted to ensure safe, secure and sanitary housing in the community. He stated that they wanted to have a clear understanding of the City Council interpretation of certain areas of the 2012 codes that will be considered for adoption by the city. Dan stated that local members have made contact with the Mayor and Council members about their concerns and a local committee has been working with Farrel and the City Manager on the items they have concerns about.

Alderman Osborne arrived 12:05 p.m.

Dan stated that he was requesting the City Council interpretation on the issues raised so we all have an understanding of the intent of the codes being considered for adoption.

Mayor Powell asked Dan where he wanted to start.

Dan stated that if the City is going to follow the building code to require that all windows meet the egress requirement for single family rental homes why this same standard not applied to owner occupied homes.

There was discussion on hard wired smoke detectors and the ability to use a ten year sealed detectors. It was noted that all properties were to have hard wired smoke detectors by December 31, 2013 and there has not been acceptance of the ten year sealed detectors by the International Code Council.

Marty Gilbertson, local landlord and association member, noted that the association is not against health and safety issues. As to windows he noted that many of the older homes that are rental will have windows that will not comply with the current standards. He provided pictures of some of his rental property homes noting that a window in a dormer would require considerable modifications to be enlarged to meet the requirement. Marty asked if the requirements could be adjusted to a minimum width and height that would apply to these properties. Discussion followed on window size for firefighter access, historic districts and structural alterations requirements. Marty noted that if a minimum height and width table could be established he felt this issue would be resolved. He noted that working together a window policy could be developed that would protect the structural integrity of the properties and maintain historic structures while at the same time providing for the health and welfare of the occupants.

Dan stated that the code as proposed would have the City Council serve as the Board of Appeals and questioned if the City Council members had the training in this field to act on appeals. He suggested a Board of Appeals consisting of building professionals with maybe one City Council member.

Mayor Powell asked Jim McCulloch, City Attorney, if the City Council can delegate this to another board. Jim McCulloch reported that the state statute doesn't provide statutory authority for the proposed different Board of Appeals. Jim reported that if there isn't statutory authority to create such a board the City