#### 2010 Legal and Public 2010 Notices

(GL# 10100X4221225)

Dated the 24th day of February, 2015.

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

Vote of the Commission: Mockler aye, Packard aye, Powell aye, Manning aye, and Passick

Upon which voting the foregoing Resolution was declared passed and adopted.

Travis Mockler, Chairman **Board of County Commissioners** Clay County, South Dakota

ATTEST:

Carri R. Crum, County Auditor

John Robertson, Cherry Street Grille, met with the Board to discuss the jail meal bid process. Robertson said he respectfully requests the County Commissioners reconsider Roberts Rules of Order regarding the awarding of a contract. It was discussed whether there actually was a contract, or just a bid situation. States Attorney Teddi Gertsma advised the Board to stand with the previous decision. It was decided that Robertson should be added to the agenda for the next meeting, and the States Attorneys Office would return with an opinion for the Board.

Cynthia Aden, Welfare Director, met with the Board to present Welfare Case #C14-35. Aden reported that she has worked with the States Attorneys Office to determine eligibility. Powell moved, seconded by Packard and carried to authorize payment of

the claim as presented. Packard moved, seconded by Manning and carried to approve the following claims for payment. February Payroll: Commissioners \$7,720.24, Auditor's Office \$8,599.42, Treasurer's Office \$13,281.88, States Attorney's Office \$13,948.42, Courthouse \$2,497.92 DOE's Office \$9,532.08, ROD's Office \$6,394.66, Veteran's Office \$1,630.83, Sheriff's Office \$31,722.40, County Jail \$21,307.98, 24/7 Sobriety Project \$1,283.52, LEPC \$377.67 Emerg. Mgmt. Office \$3,399.00, Highway Department \$35,815.33, Community Health Nurse \$2,204.08, Office Extension \$2,791.75, Weed Department \$1,441.75, and Zoning Office \$2,145.83. February Bills: (Payroll Withholdings) Aflac \$692.57; Clay CO Treasurer \$39,788.75; Life \$409.47: Colonial Conseco/Washington \$100.70; Dearborn National \$213.99; New York Life Insurance \$244.02; Optilegra Inc. \$17.92; SD Retirement System \$18,942.94; SD Supplement Retirement \$1,135.00; SDRS Roth 457(B) Plan \$350.00; United Way of Vermillion \$202.00; Vermillion Federal \$1,466.00 and Wellmark Blue Cross \$29,877.92; (Due to Other Governments) State of SD Game Fish and Parks \$775.00; Thomson Reuters West \$86.46; (Cleaning Fund Misc. \$32.58) Dept. of Revenue \$32.58; (Other Insurance) SD Public Assurance Alliance \$68,908.70; (Professional Services and Fees) Beck, Pat \$40.95; Billings, John P \$2,385.00; Corrisoft LLC \$277.20; Gapp, Debra \$1,170.00; Ilchuk Enterprises LLC \$65.00; Lewno, Lucille M \$159.49; MicWebs \$840.00; Pharmchem, Inc. \$283.00; Rehfuss, Cathy \$18.00; Sanford Health Clinic \$66.00; SDSU Extension Service \$7,112.00; Sioux Falls 2-Way \$100.00: Software Services, Inc. \$80.00; State Bar of SD \$415.00; Swanda, Karen \$18.00; Yankton Co Sheriff \$25.00 and Yankton Treasurer \$363.75; (Other Professional Service Bergendahl, David L \$678.00;

Schaefer, Dean \$186.00; Koletzky

Law Office \$222.40: Peterson.

Stuart. Rumpca \$5,640.14 and

Thompson, Craig K \$364.94;

(Rentals) Pictometry Internation

\$1,500.00; (Repairs and Mainte-

nance) Election System and

\$3,498.00; Kokne, Inc. \$615.48; Netsys Plus, Inc. \$62.50; Racom

Corporation \$418.22; SD Public

Assurance Alliance \$288.00;

Vermillion Ace Hardware \$20.00;

Walker Construction \$320.00;

(Clay Creek Ditch Expense)

Bureau of Administration \$21.00:

Mastel, Bruce \$35.00; Netsys

Plus, Inc. \$63.75 and Software

(Yankton Clay Expense) Crum,

Carri R \$29.44; Hojem, Patty

\$29.44; Mockler, Travis \$29.44;

Packard, Phyllis \$29.44 and

(Supplies & Materials) Bob

Barker Co Inc. \$109.85; Boyer

Trucks SF Inc. \$362.89; Butler

Machinery Co. \$268.55; Camp-

bell Machinery Co. \$235.39;

Chemco, Inc. \$39.82; Francotyp-

Postalia Inc. \$129.00; Hillyard

\$84.74; Hy-Vee Inc. \$56.77;

Marco \$272.32; MidAmerican

Research Co. \$98.51; Neves

Uniforms & Equipment \$128.90; Riverside Hydraulics \$25.27;

Sioux City Foundry Co. \$304.80;

Sturdevant's Auto Parts \$36.87:

Verizon Wireless \$12.05; Vermil-

lion Ace Hardware \$183.06 and

\$78.08; (Travel and Conference)

Ganschow, Dennis \$338.06; Howe, Andy \$60.00; Hy-Vee, Inc.

\$42.36; Professional Security

\$50.00; SD Ltap \$200.00 and

Stewart, Layne \$95.70; (Utilities)

Verizon Wireless \$73.99; Wakon-

da Town \$57.35; (Payment) Fast

Auto Glass, Inc. \$252.00; Free-

man, Grace \$425.00; Hy-Vee, Inc.

\$403.96: Quality Motors \$512.12:

Vermillion Ford \$184.80: Wal-

mart Community/Gecr \$230.35:

Community/Gecr

Manning, Micheal

Raymond \$29.44;

\$1,620.00;

Inc.

Sioux Falls 2-way

Services,

\$40.44:

Passick,

Walmart

#### Legal and Public 2010 **Notices**

Albertsen, Jody \$100.00; Brown, Laurie \$100.00; Callahan, Robin \$100.00; Hubert, Joseph \$100.00; Iacino, Noah \$100.00; Jensen, Lynn \$129.60; Jensen, Stephanie \$50.00; Leffers, Cindy \$100.00; McClennings, Michael \$100.00; Nemec, Kelsey \$100.00 and Thin Elk, Sasheen \$91.78; (Books) Thomson Reuters West \$486.41.

10:53 a.m., Packard moved, seconded by Passick and carried to adjourn and convene as Ditch Board in a joint meeting with Yankton County Commissioners for Yankton-Clay and Clay Creek Ditch Board. Mempresent: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, Raymond Passick, Deb Olmstead, Donna Freng, Kettering, Yankton County Auditor Patty Hojem, and Clay County Auditor Carri Crum.

Passick moved, seconded by Manning and carried to dispense with the reading of the February 25, 2014 minutes and approve the

Packard moved, seconded by Powell and carried to approve payment of the following claims: Mileage/Meeting Per Diem for 2014 Meeting

- C. Crum \$29.44
- J. Harper \$40.44 P. Hojem \$40.44
- B. Jensen \$40.44 T. Mockler \$29,44
- P. Packard \$29.44 R. Passick \$29.44
- L. Powell \$29.44
- A. Sinclair \$40.44

Freng moved, seconded by Manning and carried to approve retention the current levy of 8% (eight percent) of the original cost of the ditch in the Yankton-Clay Ditch District for the year 2015 payable 2016.

At 11:04 a.m., Packard moved, seconded by Manning and carried to adjourn and reconvene as the Clay Creek Ditch Board.

Packard moved, seconded by Passick and carried to dispense with the reading of the February 25, 2014 minutes and approve the

Packard moved, seconded by Powell and carried to approve payment of the following claims: **Engineering Services** 

Johnson Engineering \$9,500.00

Meal Cost for 2014 Meeting First Bank & Trust Visa/Tobys Lounge \$145.25

Publishing Broadcaster Press \$171.73 Star Publishing \$102.17 The Equalizer \$34.00 Ditch Cleanout

Pollman Excavation (Phase 2) \$84.591.99

Packard moved, seconded by Olmstead and carried to approve the levy of 40% (forty percent) of the original cost of the ditch in the Clay Creek Ditch District for the year 2015 payable 2016.

At the time for election of officers, Chairman Mockler turned the meeting over to Vice-Chairman Powell.

A motion was made by Kettering and seconded Packard to nominate Olmstead as Chair for the Clay Creek and Yankton-Clay Ditch Boards, with nominations to cease and a unanimous ballot be cast for Olmstead. Mockler, Packard, Powell, Manning, Passick, Kettering, and Freng voted aye; Olmstead voted nay. Motion passed.

Chairwoman Olmstead called for nominations for Vice-Chair. A motion was made by Passick and seconded by Kettering to nominate Mockler as Vice-Chair for the Clay Creek and Yankton-Clay Ditch Boards, with nominations to cease and a unanimous ballot be cast for Mockler. All voted aye. Motion passed.

Packard recommended regular communication, such as a quarterly report, between Yankton County and Clay County Commissioners regarding the ditches.

At 11:37 a.m., Kettering moved, seconded by Passick and carried to adjourn as Clay Creek

At 11:37 a.m., Powell moved, seconded by Packard and carried

to reconvene as Board of Clay County Commissioners. Yankton County Commissioners and Clay County Commissioners discussed the

Extension Service 4-H Educator contract and also collaboration between the counties highway departments and weed depart-

At 12:00 p.m. Manning moved, seconded by Packard and carried to adjourn and reconvene Tuesday, March 3, 2015 at 9:00

Travis Mockler, Chairman Board of County Commissioners

Carri R. Crum, County Auditor

Published once at the total approximate cost of \$149.25. Publish: March 6, 2015.

March 3, 2015

The Board of County Commissioners met in regular session Tuesday, March 3, 2015 at 9:00 a.m. Members present: Packard, Mockler, Powell, Passick and Manning.

Packard moved, seconded by Manning and carried to approve the agenda with the addition of Legal and Public 2010 Notices

Welfare Case #C15-06. Minutes of the February 24, 2015 meeting were approved with

a motion by Packard, seconded by

Manning and carried.

Rod Polley, Highway Superintendent, met with the Board. Passick moved, seconded by carried accept Beadle Countys bids for metal culverts, bridge decking, guardrail, steel piling, bridge lumber, galvanized sheet piling, and grader blades from TrueNorth

At 9:15 a.m., bid opening commenced for highway materials. Bids were opened and read aloud. As was the process in previous years, Powell moved, seconded by Manning and carried to have Polley review the bids and return at the next meeting for the Commissioners' acceptance.

At 9:30 a.m., a public hearing was held for the second reading & adoption of Ordinance #2015-01, an Ordinance Imposing a County Tax. The ordinance Packard was read aloud. moved, seconded by Powell, to adopt Ordinance #2015-01, an Ordinance Imposing a County Wheel Tax. Paul Hasse was present and challenged the ordinance by saying the Board did not vote on the ordinance at the first reading. State's Attorney Teddi Gertsma cited SDCL 7-18A-6, "The vote on all ordinances on the second reading shall be taken by yeas and nays and entered in the minutes of the meeting". She advised the Board that it would have been premature to vote until the second reading. Vote of the Board: Mockler aye, Packard aye, Powell aye, Manning aye, Passick aye. 5-0. Powell Motion passed moved, seconded by Passick to authorize the Chairman to sign Ordinance #2015-01. Vote of the Board: Mockler aye, Packard aye, Powell aye, Manning aye, Passick aye. Motion passed 5-0.

Cynthia Aden, Director, met with the Board to present Welfare Case #C15-06 for a county burial. Powell moved, seconded by Packard and carried to approve the application as the individual met welfare guidelines.

Uncollected property taxes were discussed, as it was a topic that the State Auditor reported on when he completed the audit. Teddi Gertsma, State's Attorney, and Cathi Powell, Treasurer, reported to the Board that the tax deed process is complex and time consuming, and they, along with the Register of Deeds Office, are working on it. About half of the 15 properties are currently under the tax deed process, and they will start the rest when those are complete.

The Board discussed the jail meal bids. Teddi Gertsma, State's Attorney, said that Robert's Rules of Order is not law, but rather a guidebook. Gertsma said she sees nothing wrong with the Board's actions regarding the jail meal bid situation. Andy Howe, Sheriff, said he spoke with the SD Department of Legislative Audit, and they told him the Boards actions were fair and proper. Gertsma pointed out the Board's proper actions saved the County over

The Veterans, Welfare, and Zoning Monthly Reports and the following Auditor's Account with the County Treasurer for February 2015 were accepted and placed on

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 February 28, 2015. I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks

Amount of actual cash

Total amount of checks and drafts in Treasurer's Possession not exceeding three days 54,641.52

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

returned deposited Cash Items Investments 1,000.00 Cash Variation 0.00

4,261,485.04

Dated this 2nd day of March

Carri R. Crum, County Auditor

The Board reviewed the 2014 Annual Report, and it was accepted and placed on file.

At 10:22 a.m. Packard moved, seconded by Powell and carried to adjourn and reconvene Tuesday, March 10, 2015 at 9:00

Travis Mockler, Chairman **Board of County Commissioners** ATTEST:

Legal and Public

Carri R. Crum, County Auditor

Published once at the total approximate cost of \$55.41. Publish: March 6, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT 1ST JUDICIAL CIRCUIT

In the Matter of the Petition regarding Daniel Joseph Thibodeau

For a Change of Name to Daniel Joseph Donovan

CIV: 15-29

NOTICE OF HEARING FOR NAME CHANGE OF A MINOR CHILD (UNCONTESTED)

NOTICE IS HEREBY GIVEN that a Verified Petition for Name Change of a Minor Child has been filed by Jeffery Donovan the object and prayer of which is to change their minor child's name from Daniel Joseph Thibodeau to Daniel Joseph Donovan. On the 1st day of April, 2015, at the hour of 9:00 am 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. Any interested party 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 2nd day of March, 2015 at Vermillion, South Dakota.

Nadyne Zimmerman Clerk of Court Deputy

ATTEST; Clerk of Court

Published four times at the approximate cost of \$65.27. Publish: March 6, 13, 20 & 27,

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE ESTATE OF RUTH MARILYN MORITZ, Deceased.

PRO. 15-03

NOTICE TO CREDITORS AND NOTICE OF INFORMAL PROBATE AND APPOINTMENT OF PERSONAL REPRESENTATIVE

Notice is given that on the 12th day of February, 2015, Douglas James Moritz, whose address is 717 West Main Street, Vermillion, South Dakota 57069, appointed as personal was representative of the estate of Ruth Marilyn Moritz.

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

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

Dated this 12th day of February, 2015.

Douglas James Moritz 717 West Main Street Vermillion, South Dakota 57069

Clerk of Courts 211 West Main Street Vermillion, SD 57069 Ph: 605-677-6755

James E. McCulloch Attorney at Law P.O. Box 335 Vermillion, SD 57069 Ph: 605-624-4262

Published: Feb. 20 & 27, 2015 & March 6, 2015.

NOTICE OF PUBLIC HEARING OF APPLICATIONS FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 16th day of March, 2015 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 March 17, 2015 at 1012

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

Dated at Vermillion, South Dakota this 27th day of February, 2015.

Michael D. Carlson, Finance

Published once at the approximate cost of \$15.56. Publish: March 6. 2015.

Fran Moore and Grace Bick of Eastern Star presented Vermillion's United Way Executive Director Kelsey Collier-Wise (center) with a donation from the organization.

**COURTESY PHOTO** 

# **ROBOTICS TEAM EXCELS**



The Vermillion High and Middle school robotics teams (along with the Eureka Junior High alliance team) won the robotics portion at the South Dakota State VRC VEX Robotics Championship Tournament competition against 22 other South Dakota teams last Saturday. This win qualified them for a spot in the U.S. Open Robotics Championship, set for April 7-9 at the Mid-America Center in Council Bluffs, Iowa.

The high school team is composed of freshman Wyatt Waage, Stian Olson, and Emily Rolfes who completed 13 alliance matches and won every one of them placing in first place after

the qualification rounds. This in-part, was due to their autonomous bonus (computerprogrammed portion) and the high school team was able to select their (2) alliance teams going into the finals. The middle school team - Roger Rolfes, Ross Dahlhoff, Jacob Rettig, Warrin Schaeffer, and Caden Dial - also did well in the alliance qualification rounds and with their autonomous runs. People can see some of the action on their YouTube video on the VEX VRC

http://youtu.be/1vXXYKvOZK8<http://youtu.be/1vXXYKvOZK 8>. There will be 72 middle school teams and 200 high school teams participating from all over the United States in the U.S. Open Robotics Championship event. The Club will be fundraising for event registration fees, additional robot hardware costs, and hope to cover some of the youth's travel expenses for this specific event.

Anyone wishing to donate to the group's expenses can submit checks to the "Vermillion Public School Foundation" with a notation in the memo field "VARC-STEM fund" and send them to P.O. Box 569, Vermillion, SD 57069.

The club will be having a robotics open house and a recruiting effort on Monday, March 23, from 3:30 - 5 p.m. at the Vermillion Public Library. BEST robotics teams and VRC VEX teams

of youth will present their robots. Pictured above, (left-right, front row) junior high team: Ross Dahlhoff, Warrin Schaeffer, Roger Rolfes, Jacob Rettig and Caden Dial; High school team (back row) Stian Olson, Wyatt Waage, and Emily Rolfes.

### **GOVERNOR DAUGAARD TO BE KEYNOTE SPEAKER** AT VERMILLION AREA CHAMBER & DEVELOPMENT



The Vermillion Area Chamber & Development Company's (VCDC) Annual Banquet is Tuesday, March 17 at the Vermillion Technology Center (VTC), 1012 Princeton. The guest speaker is Governor Dennis Daugaard. Honored guests are Senator Tim Johnson and Barb Johnson. VCDC Executive Director, Nate Welch says, "We are so excited to take this once in a lifetime opportunity to have our Annual Banquet at the brand new, state of the art, Vermillion Technology Center. This night will be a celebration of community, and the individuals who make it what it is and what it can be". The social hour will begin at 5:30 pm, followed by dinner and the program. It is a time to thank all of the members, individuals, and volunteers who support and contribute to the success of the chamber and business community through their membership and investments. The banquet also gives us an opportunity to recognize the outstanding achievements of the community's leaders and organizations by presenting the Family Business of the Year Award, the Mayor's Community Service Award, the United Way Volunteer of the Year Award, the VCDC Community Leader Award, along with other awards. The banquet is open to the public. For more information and to register by March 11, please contact the VCDC at 116 Market Street, 605-624-5571.

**FILE PHOTO** 

# Announce, Sell, Advertise, Recruit



Place a classified ad 24 hours a day 7 days a week at www.plaintalk.net