

2000 Notices

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2010 Legal and Public Notices

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 **10th day of June 2015, 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 15th day of June 2015, at 7:00 p.m. The materials and services required are as follows:

2015 MISCELLANEOUS CONCRETE

The major quantities are 172 SY of Sidewalk Removal; 121 SY of Concrete Pavement Removal; 117 LF of Curb and Gutter Removal; 422 CY of Unclassified Excavation; 228 Tons of Subbase; 567 SY of Concrete Pavement, 8-Inch; 121 SY of Concrete Pavement Fillet, 6-Inch; 117 LF of Curb and Gutter; 254 SY of 5-Inch Sidewalk; 1 EA of Replace Inlet Top, Type V; 1 LS Landscaping; 5 EA Storm Sewer Repair

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.

Dated at Vermillion, South Dakota this 13th day of May, 2015.

CITY OF VERMILLION

Jose L. Dominguez, P.E., City Engineer

Published twice at the total approximate cost of \$39.32. Publish: May 22 & 29, 2015.

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 June 9, 2015, 3:00 PM CT for Olson / Richardson Commons Reroof, University of South Dakota, Vermillion, SD, OSE # R0615-21X.

Bids will be received to reroof Olson / Richardson Commons with EPDM.

Copies of the Plans and Specifications may be obtained by bidders at the office Falls Architecture Studio LLC, 408 W. Lotta St., Suite 3, Sioux Falls, SD 57105; phone: 605.334.7179. 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

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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 Falls Architecture Studio LLC 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, whichever 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, whichever 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. The bidder, however, assumes no liability for the misuse of the Plans and Specifications by such 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.

The University of South Dakota is a smoke-free campus.

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

Published at the total approximate cost of \$41.71. Publish: May 22, 2015.

May 12, 2015

The Board of County Commissioners met in regular session Tuesday, May 12, 2015 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Raymond Passick.

Powell moved, seconded by Manning and carried to approve the agenda with the addition of Ditch Board.

Minutes of the May 5, 2015 meeting were amended to update the total for the Mack truck bid to \$118,800 with the same options as the Freightliner at \$110,644, making the Freightliner the low bid, and minutes were approved with a motion by Passick, seconded by Packard and carried.

Fuel quotes were presented for 1600 gallons of 10% Ethanol. Powell moved, seconded by Packard and carried to accept the low bid of \$2.32/gallon from Brunick Service, Inc.

Cynthia Aden, Zoning Administrator, met with the Board to discuss HB1194, which will require additional signage in the County for zoning changes and variances beginning July 1. Aden said the Zoning budget for 2015 does not currently have the funds for the signs, and the Highway Department will likely need to put the signs up and take them down. It was discussed that other counties require the landowner to place the sign and leave a deposit with the county for the sign until it is returned.

The Sheriff's Monthly Activity Reports, Register of Deeds Monthly Report, and the following Auditor's Account with the County Treasurer Report were 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 April 30, 2015. I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks 9,347,221.82

Amount of actual cash 2,180.76

Total amount of checks and drafts in Treasurer's Possession not

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exceeding three days 717,066.86

Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days: 14,214.09

Checks returned and not deposited
Cash Items
Investments 1,000.00
Cash Variation 0.00

Total
10,081,683.53

Dated this 1st day of May 2015.

Carri R. Crum, County Auditor

The consensus of the Board was to set May 26, 2015 after the Commissioner Meeting as the date for the annual Tour of Roads.

Passick moved, seconded by Powell and carried to approve the following claims for payment. May Bills: (Due to other Governments) Dept of Revenue \$124,127.38 and SD Assn of Co Officials \$242.00; (Payroll With holdings) Tasc Pvr \$2,979.98; (Professional Services and Fees) Avera McKennan Hospital \$5,187.10; City of Vermillion \$156.00; Cody, Denise \$22.50; Corrisoft LLC \$306.90; Davis Pharmacy \$1,029.40; Gary's Tree Service \$495.00; Hansen Funeral Home \$1,900.00; Lewis & Clark Behavior \$320.00; Lewno, Lucille M \$171.49; Netsys Plus Inc. \$289.55; Pharmchem, Inc. \$125.00; Swanda, Karen \$22.50; University Cleaners \$120.00; Vermillion Federal Credit Union \$7.87; Yankton Co Sheriff \$75.00 and Yankton Medical Clinic \$367.85; (Other Professional Services) Scheid, Pamela M. \$913.80; Dept of Revenue \$120.00; SD Achieve \$180.00; Sedd Activity Center \$360.00 and Dept of Revenue \$1,718.38; (Publishing) Broadcaster Press \$671.93; Plain Talk \$54.00; Star Publishing \$656.64 and The Equalizer \$223.96; (Repairs and Maintenance) Fast Auto Glass, Inc. \$80.00; First Bank & Trust Visa \$9.00; Hartelco \$10.00; Interstate Power Sys \$2,226.94; Midwest Bldg. Maint. \$32.00; Midwest Striping \$150.00; Netsys Plus, Inc. \$100.36; Office Systems Company \$145.00 and Turner Plumbing Inc. \$174.42; (Clay Creek Ditch Expense) Microfilm Imaging Systems \$432.00; Netsys Plus, Inc. \$697.09 and Software Services, Inc. \$980.00; (Supplies and Materials) A & B Business \$228.50; A-Ox Welding Supply Co. \$206.46; Appeara \$44.60; Brock White Company \$33.72; Butler Machinery Co. \$1,086.02; C & R Supply, Inc. \$62.92; Campbell Supply Co. \$186.97; Davis Pharmacy \$15.00; Fast Auto Glass, Inc. \$415.00; First Bank & Trust Visa \$560.55; Herren-Schempp \$51.96; Hillyard \$61.78; Interstate Power Sys \$7,186.27; Intoximeters, Inc. \$600.00; JCL Solutions - Spencer \$855.83; Lyle Signs, Inc. \$2,125.15; Mart Auto Body & Marina \$76.83; Midwest Bldg. Maint. \$63.00; Midwest Striping \$670.08; Netsys Plus, Inc. \$150.00; North Central \$812.58; Orr Farm Supply \$93.99; Plain Talk \$26.00; Stewart Oil & Tire \$1,813.54; Sturdevant's Auto Parts \$575.02; T & D Chopping \$350.00; 3-D Specialties, Inc. \$790.96; Torco Remfg. \$156.00; True Value \$41.40; Vermillion Ace Hardware \$98.90; Western Office Tech. \$187.56 and Wheelco Brake and Supply \$137.76; (Travel and Conference) Stewart, Layne \$74.86 and Vermillion Federal Credit Union \$174.20; (Utilities) Centurylink \$531.29; Clay Rural Water System \$73.80; Clay Union Electric Company \$583.11; Fischer's Disposal LLC \$50.00; Hartelco \$79.95; MidAmerican Energy \$382.57; Midcontinent Comm. \$270.00; Taggart, Tom N \$300.00; Vermillion Garbage Svc \$60.00 and Wakonda Town \$61.60; (Payment) The Roadhouse \$77.00; and Bullard, Logan \$20.00; (Buildings and Structures) Garys Tree Service \$90.00; (Books) Thomson Reuters - West \$486.41; (Furniture and Minor Equipment) Century Business Products \$50.00; Microfilm Imaging System \$150.00; Western Office Tech. \$459.00 and Layne's World \$33.34.

At 9:32 a.m., Passick moved, seconded by Packard and carried to adjourn and convene as Ditch Board.

It was reported that a culvert has been installed at a driveway on 1A without permission, and it is 13" too high. The Board discussed that corrective action should be taken.

At 9:39 a.m., Passick moved, seconded by Powell and carried to adjourn and reconvene as Board of Clay County Commissioners.

At 9:39 a.m. Passick moved, seconded by Packard and carried to adjourn and reconvene Tuesday, May 26, 2015 at 9:00 a.m.

Travis Mockler, Chairman
Board of County Commissioners
ATTTEST:

Carri R. Crum, County Auditor

Published once at the total approximate cost of \$71.50. Publish: May 22, 2015.

NOTICE OF AUDIT OF THE FISCAL AFFAIRS OF CLAY COUNTY

Notice is hereby given that the records and books of account of Clay County, South Dakota, have

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been audited by the Department of Legislative Audit for the two years ended December 31, 2013, and that a detailed report thereon is filed with the county auditor of Clay County and the Department of Legislative Audit in Pierre, South Dakota for public inspection.

The following finding and recommendation referred to in the report are hereby listed in accordance with the provisions of SDCL 4-11-12.

CURRENT AUDIT FINDING AND RECOMMENDATION

Finding:

The County has not instituted the tax deed procurement procedures in accordance with South Dakota Codified Law (SDCL) 10-25-1 (Tax Deeds) or SDCL 10-26-1 (Scavenger Tax Law) on 41 parcels of real property having delinquent taxes from tax year 2001 through 2009 in the total amount of \$337,223.64.

RECOMMENDATION:

We recommend the County institute tax deed procurement procedures in accordance with South Dakota Codified Law 10-25-1 and 10-26-1.

Management's Response:

Management chose not to respond to this finding.

MARTIN L. GUINDON, CPA AUDITOR GENERAL DEPARTMENT OF LEGISLATIVE AUDIT

Published twice at the total approximate cost of \$35.75. Publish: May 22 & 29, 2015.

NOTICE OF PERMIT RENEWAL, CITY OF VERMILLION LANDFILL
Recommendation by the Department of Environment and Natural Resources

The South Dakota Department of Environment and Natural Resources (DENR) has received an application from the city of Vermillion to renew a permit for operation of a Type IIA municipal solid waste landfill located in the SE¼ NW¼ and SW¼ NE¼ of Section 34, T93N, R52W, Clay County, South Dakota. Total acreage of the site is approximately 80 acres. The facility serves Clay County and the surrounding region. The permit renewal will be granted for a period of five years as provided for under South Dakota Codified Law (SDCL) 34A-6-1.16.

The recommendation for renewal of this permit is subject to the applicant's compliance with the Administrative Rules of South Dakota (ARSD) 74:27(Solid Waste) and a total of 50 permit conditions and 5 variances. The permit conditions include general requirements (10 conditions), design and construction requirements (6 conditions), operating requirements (19 conditions), recordkeeping and reporting (3 conditions), monitoring requirements (6 conditions), closure/postclosure requirements (3 conditions), financial assurance (3 conditions), and 5 variances. The 5 variances relate to the use of alternative daily cover material, distance to residences, alternative liner design, alternative final cover design, and to the special waste requirements for handling and disposal of petroleum contaminated soil. The permit conditions and variances are intended to ensure that the landfill complies with the environmental laws of this state.

In accordance with SDCL 34A-6-1.14, DENR's recommendation of approval will become the final decision on the permit application and this permit will be renewed 30 days after publication of this notice. A person adversely affected or having an interest adversely affected by the DENR's recommendation of approval may petition the board for a contested case hearing. The petition must comply with the requirements of ARSD 74:09:01:01. If a petition for such a hearing is not filed within 30 days of this publication date, a permit renewal will be formally and finally granted at that time.

A copy of all recommended terms and conditions are available from DENR and may be obtained upon request from: South Dakota Department of Environment and Natural Resources, Waste Management Program, 523 East Capitol Avenue, Pierre, South Dakota, 57501-3182. Attn.: Steven Kropp, telephone (605) 773-3153. A copy of the draft permit and online commenting are available at <http://denr.sd.gov/public/default.aspx>. During the 30-day public notice period, written comments will also be accepted at the above mailing address.

Steven M. Pirner, Secretary
Department of Environment and Natural Resources

Published once at the approximate cost of \$34.09. Publish: May 22, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE ESTATE OF

WILLIAM PETER HANSEN, DECEASED

PRO. 15-7

NOTICE TO CREDITORS

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NOTICE IS GIVEN that on March 20, 2015, BONNIE SIMONSEN, 319 Scott Place, Tea, SD 57064, was appointed as Personal Representative of the Estate of WILLIAM PETER HANSEN.

The creditors of the Decedent must file their claims within four (4) months after the date of the first publication of this Notice or their claims will 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.

BONNIE SIMONSEN
319 Scott Place
Tea, SD 57064
(605) 595-3430

JESSICA BOSSE
CLAY COUNTY CLERK
PO BOX 377
211 WEST MAIN ST
VERMILLION, SD 57069

DON M. McCARTY
HELSPER, McCARTY, MAHLKE & KLEINJAN, P.C.
415 8th STREET SOUTH
BROOKINGS, SD 57006

Published three times at total approximate cost of \$49.05. Publish: May 8, 15 & 22, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE ESTATE OF

NICOLE THIELVOLDT,

DECEASED.

PRO. 15-11

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

Notice is given that on the 11th day of May, 2015, Renee S. Vrana, whose address is 3300 E. 11th St., Apt. 10, Sioux Falls, South Dakota, 57103, was appointed as personal representative of the estate of Nicole Thielvoldt.

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 11th day of May, 2015.

Renee S. Vrana
3300 E. 11th St., Apt. 10
Sioux Falls, SD 57103
(605) 205-0065

Craig K. Thompson
Craig K. Thompson Law Office
P.O. Box 295
Vermillion, SD 57069
(605) 624-2097

Published three times at the approximate cost of \$51.64. Publish: May 15, 22 & 29, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE ESTATE OF

LAURA E. BRUNICK,

DECEASED.

PRO. 15-12

NOTICE TO CREDITORS

Notice is given that on the 13th day of May, 2015, Mary E. Taggart, whose address is 1106 W. Clark Street, Vermillion, SD 57069, was appointed as personal representative of the estate of Laura E. Brunick, 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.

Mary E. Taggart
1106 W. Clark Street
Vermillion, SD 57069
605-624-6967

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 approximate cost of \$52.50. Publish: May 22, 29 & June 5, 2015.

The Clay Area Emergency Services Communications Center has filed an application with the Federal Communications Commission ("FCC") to register the courthouse and tower mounted atop the courthouse with their Antenna Structure Registration

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system. The courthouse/tower is located in Vermillion, South Dakota, Clay County, SD (N42° 46'47.4" W96° 56' 8.9"). This application may be viewed by going to www.fcc.gov/ast/applications and entering Application Number A0971006. Interested persons may raise potential environmental impact concerns associated with this application by filing a Request for Further Environmental Review with the FCC ("Requests"). Requests can be filed online and instructions for filing such Requests can be found at www.fcc.gov/ast/environmentalrequest. Requests should also be sent to RACOM Corporation, Attn: Carrie Loney, 201 West State Street, Marshalltown IA 50158. All requests must be received within 30 days of the date of this notice.

Published once at the total approximate cost of \$11.92. Publish: May 22, 2015.

The University of South Dakota is accepting sealed bids for the "Akeley Lawrence Science Building 3rd floor Lab Renovations - Area F" until 2:00 P.M., June 2nd, 2015. Sealed bids must be delivered to the University of South Dakota, Purchasing Office, 209 Sgale Hall, 414 East Clark St., Vermillion SD. Copies of the bid solicitation and specifications are available for review from the offices of A&D Technical Supply, 1822 N Street, Lincoln, Nebraska 402-474-5454. The University reserves the right to reject any and all bids.

Published twice at the total approximate cost of \$12.51. Publish: May 22 & 29, 2015.

USD Celebrates 100th Birthday Of Artist Oscar Howe With His Works On Tour

USD is marking the 100th birthday of Native American Artist Oscar Howe today (May 13, 2015) with eight of his works on tour around the United States.

This fall the university plans a special exhibition of Howe's works featuring more than 40 of the 100 paintings maintained at USD, which houses the largest collection of Howe's work in the world.

"It is thrilling to see one of USD's Oscar Howe paintings at the Metropolitan Museum," said USD President James Abbott. "He was an outstanding artist who made enormous contributions to the evolution of Native American art.

"USD is proud to share Oscar Howe's brilliance with the world, and we are honored to make his art more accessible to the public, both in South Dakota and world-wide," Abbott said.

Howe's 1962 work, "Calling On Wakan Tanka," is currently on display at the Metropolitan Museum of Art in New York, part of an exhibition called "The Plains Indians: Artists of Earth and Sky." Earlier the same painting was shown in Paris and Kansas City.

Two other Howe paintings, "Ghost Dancer" from 1963 and "Eagle Dance" from 1960, are on display in the Denver Art Museum through next February.

Five Howe pieces will be shown at The Journey Museum in Rapid City from May 30-Sept. 7 this year, honoring the 100th anniversary of his birth. They include "War Dancer," "Breaking a Wild Horse," "Buffalo Hunter," "Council," and "War and Peace Dancer."

Oscar Howe was born May 13, 1915, at Joe Creek on the Crow Creek Reservation in South Dakota, and showed artistic talent at a young age. After serving in World War II Howe earned a bachelor's degree at Dakota Wesleyan University in Mitchell and a master's of fine art at the University of Oklahoma in 1954.

He became a professor of art at USD in 1957, and was named professor emeritus in 1980. He died in 1983 at the age of 68. Howe's award-winning paintings and murals earned him the title of Artist Laureate of South Dakota. He was credited with influencing the development of contemporary art in the Indian community.

The College of Fine Arts at the University of South Dakota promotes research and educational projects in Native American art and sponsors the USD Summer Art Institute, the Oscar Howe Archive Project, The Oscar Howe Memorial Lecture and the Robert Penn Northern Plains Contemporary Indian Art Collection.

Howe's work is on display year-around at the Oscar Howe Gallery in Old Main on the USD campus. The gallery is open 1-5 p.m. daily or by appointment. The larger Howe exhibition will be Sept. 15-Oct 16 in the John A. Day Gallery at the Warren M. Lee Center for Fine Arts at USD.