NOTICE OF ELECTION

The General Election will be held on Tuesday November 6. 2012 in all the voting precincts in Clay County.

The election polls will be open from seven o'clock a.m. to seven o'clock p.m. central standard time on the day of the election.

The polling place in each precinct of this county is as follows:

Rural Ward 1 (Includes Townships)----Southeastern SD Experimental Farm - Pleasant Valley/Garfield/Glenwood/Riverside - 29974 University Road

Rural Ward 2 (IncludesTownships) -----Senior Center/Wakonda Citizens Star/Bethel/Wakonda Town, Irene

Rural Ward 3 (Includes Townships)-----4H Center/Fairgrounds. -Pr. Center/Spirit Md/Meckling/Nor-way/Verm./Fairview - 515 High St. Vermillion

Vermillion All Precincts-----National Guard Armory - 603 Princeton St., Vermillion

Voters with disabilities may contact the County Auditor for information and special assistance in absentee voting or polling place accessibility.

A public demonstration of the tabulating equipment will be given Friday November 2, 2012 at 10:00 a.m. in the County Auditor's Office at 211 West Main, Vermillion, SD.

Ruth A. Bremer Clay County Auditor

Published twice at the total approximate cost of \$37.58 Estimated publishing cost per published copy

Published October 26 & November 2, 2012

Notice Regarding Burning in **Clay County**

The Ban all Open Burning within the County has been released effective immediately. October 30, 2012 and would like to remind all residents to be mindful of weather conditions (wind) and the return of dry conditions. South Dakota law provides that it is a Class 2 misdemeanor for a person to negligently allow a fire to spread.

County Commissioners Clay County. South Dakota

Ruth A. Bremer Clay County Auditor

Published once at the total approximate cost of \$8.79 Estimated publishing cost per published copy

Published: November 2, 2012

STATE OF SOUTH DAKOTA COUNTY OF CLAY)SS:

IN CIRCUIT COURT 1ST JUDICIAL CIRCUIT **********

IN THE MATTER OF THE PETITION OF ASHLY LEAH MARIE SARHA

FOR A CHANGE OF NAME TO LEAH MARIE SARHA

CIV: 12-349

NOTICE OF HEARING FOR ADULT NAME CHANGE

NOTICE IS HEREBY GIVEN a Verified Petition for Adult Name Change has been filed of which is to change Petitioner's name from Ashly Leah Marie Sarha to Leah Marie Sarha. On the 5th day of December, 2012, at the hour of 9:00am 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 his 25 day of October, 2012 at Vermillion, South Dakota.

Nadyne Zimmerman Circuit Court Judge or Clerk of

Court Deputy

ATTEST:

Clerk of Court

By: Teri Beeson

Deputy Published four times at the total

approximate cost of \$71.57 Estimated publishing cost per published copy

Published: November 2, 9, 16 &

Notices October 16, 2012

The Board of County Commissioners met in joint session with the Clay County Planning and Zoning Board Tuesday October

16, 2012 at 9:00 a.m.

Joint Meeting with County

Planning Commission

Meeting was called to order by Leo Powell, Chairman.

Members present: Wilson, Kephart, Packard, Powell, Mockler, Bottolfson, Walz and David-Also present: Toby Brown, SECOG Representative, Cindy Aden, Zoning Director and Teddi Gertsma, States Attorney.

Toby Brown gave an overview of what the committee has been working on for changes and they began the process of working thru the proposed ordinance page by

At 10:15 a.m. Commissioner Powell excused himself from the meeting to attend another commit-

The Joint Boards continued the discussion thru page 66 of the document.

At 10:30 a.m. Toby Brown excused himself from the meeting to attend another commitment.

It was the consensus of the County Commissioners to allow the chairman to sign a legal document on pending legal case and to place the item on the agenda for the October 30th meeting for rati-

The Joint County Commission & Planning & Zoning Meeting adjourned at 10:40 a.m. and all present agreed to reconvene with the joint meeting on October 29th at 5:45 p.m. in the Commissioner Room of the Courthouse to continue the discussion of the proposed Clay County Zoning Ordinance prior to setting the Public

Leo F. Powell, Chairman Board of County Commissioners

Ruth A. Bremer, County Auditor Published once at the total approximate cost of \$25.87 Estimated publishing cost per published copy

Published: November 2, 2012

Please Recycle!

PUBLIC NOTICE

Clay County Planning Commission and Vermillion City Planning Commission to Hold Joint Public Hearing on Re-Zoning application.

Notice is hereby given that a Public Hearing will be held before the Clay County Planning Commission and the Vermillion City Planning Commission in joint session at 5:30 pm on November 13, 2012 at Vermillion City Hall to consider the following:

A request to re-zone land by Eldon Nygaard from Agriculture to Commercial as required by the State of South Dakota to place a billboard for property owned by Verna Saito and located at 1103 E SD Highway 50, Vermillion, South Dakota, which is Lee Tract 1. SE1/4. SE1/4 11-92-52. Vermillion Township, Clay County, South Dakota.

2010

All interested persons are encouraged to attend this public hearing. Those interested persons not able to attend are invited and encouraged to send written comments before November 13, 2012 to the Clay County Planning Commission, 211 W. Main Street, Suite 203, Vermillion, SD, 57069.

Cynthia Aden **Zoning Administrator** Published once at the total approximate cost of \$16.43 Estimated publishing cost per published coy

Published: November 2, 2012

The University of South Dakota is accepting sealed bids for USD Fine Arts: Colton Recital Hall **Rigging Renovation** until 2:00 P.M., November 8, 2012. Sealed bids must be delivered to the University of South Dakota, Purchasing Office, 209 Slagle Hall, 414 East Clark St., Vermillion SD. Copies of the bid solicitation and specifications are available from Purchasing Office at USD, contact Kyra Blatchford at 605-677-5667 by email at kyra.blatchford@usd.edu. University reserves the right to reject any and all bids. Published twice at the total ap-

proximate cost of \$39.57 Estimated publishing cost per published copy

\$.0425 Published: October 26 & No-

Legal and Public 2010

Notices

Legal and Public 2010

Legal and Public 2010 **Notices**

Clay County, South Dakota

Constitutional Amendment O

Constitution changing the method for distributions from the cement plant trust fund.

Attorney General Explanation: In 2001, the

\$238 million in proceeds from the sale of the state cement plant were placed in a

constitutionally created trust fund. Currently, the Constitution requires a yearly transfer of \$12

million from the cement plant trust fund to the state general fund. In addition, under certain

circumstances the Legislature must authorize

for the support of education.

education.

distributions of cement plant trust fund earnings

Amendment O replaces the existing method for cement trust fund distributions. The amendment would require a yearly transfer of 4%

of the market value of the cement plant trust fund

the cement plant trust fund.

Constitutional Amendment P

Attorney General Explanation: While the constitution currently restricts the State from incurring debt, it does not expressly require the State to have a balanced budget. Amendment P

requires the Governor to propose a balanced budget. In addition, Amendment P prohibits legislative appropriations from exceeding anticipated revenues and existing available funds. The amendment is not intended to affect other constitutional provisions.

Yes A vote "Yes" will include balanced budget requirements in the Constitution.

No A vote "No" will leave the constitution as it is.

Initiated Measure

The following initiated measure was proposed by petition for submission to the voters. This initiated measure will not become effective unless approved by majority vote.

Initiated Measure 15

Title: An initiated measure to increase state general sales and use taxes for additional K-12 public education and Medicaid funding.

Attorney General Explanation: The initiated

enrollment, to be spent on improving education as school boards determine. The Medicaid funds will be spent only on payments to Medicaid

The additional funds cannot replace or reduce

providers and related state expenses.

state funding levels set for fiscal year 2012

relating to existing Medicaid and K-12 public education programs, including state aid to

education. Currently, state aid is to be adjusted annually by 3% or the rate of inflation, whichever

Yes A vote "Yes" is for changing the method for distributions from

No A vote "No" will leave the

to the state general fund for the support of

constitution as it is.

Title: An Amendment to the South Dakota

Constitution adding balanced budget requirements.

Title: An Amendment to the South Dakota

Legal and Public 2010

Notices

Referred Laws

Legislature and referred to the voters by petition.

Referred Law 14

Attorney General Explanation: The referred law establishes the "Large Project Development Fund." Beginning Japuary 1, 2013, 22% of

Title: An Act to establish the Large Project

contractors' excise tax revenues would be

transferred from the state general fund to the Large Project Development Fund.

The South Dakota Board of Economic

These laws will not become effective unless

The following laws were adopted by the

approved by majority vote.

Development Fund.

Legal and Public Notices

Continued from Prior Page

November 6, 2012

INSTRUCTIONS TO THE VOTER: To vote on a ballot question **FILL IN**

the oval (🗬) next to "yes" or "no". DO NOT cast more votes than are allowed in each race.

Constitutional Amendments

The following amendments to the State Constitution are submitted to the voters by the Legislature. The amendments will not become effective unless approved by majority

Constitutional Amendment M

Title: An Amendment to the South Dakota Constitution regarding certain provisions relating to corporations.

Attorney General Explanation: The Constitution currently contains certain restrictions on the Legislature's authority to enact laws regarding corporations. For example, corporate directors must be elected by cumulative voting, in which a shareholder may choose to cast all votes for a single candidate or spread the votes among two or more candidates. Corporate stock or bonds may only be issued for money, labor or property received by the corporation. Corporate stock or debt may not be increased without prior notice to and consent of current stockholders.

Constitutional Amendment M removes these restrictions, and allows the Legislature to: (1) authorize alternative methods of voting in elections for corporate directors; (2) expand the types of contributions a corporation may receive for the issuance of stock or bonds; and (3) establish procedures governing the increase of corporate stock or debt.

Yes A vote "Yes" will remove the constitutional restrictions.

> A vote "No" will leave the Constitution as it is.

Constitutional Amendment N

Title: An Amendment to the South Dakota Constitution repealing certain reimbursement restrictions for travel by legislators to and from a legislative session.

Attorney General Explanation: The Constitution fixes the mileage reimbursement rate for legislators at five cents per mile for their travel to and from a legislative session. Constitutional Amendment N repeals this

constitutional limitation and allows legislator travel reimbursement to be set by the Legislature

Yes A vote "Yes" will eliminate the fixed travel reimbursement rate.

A vote "No" will leave the

Go to top of next column

Legal and Public

The University of South Dakota

accepting sealed bids for USD

Emergency Snow Removal for

FY13 until 2:00 P.M., November

6, 2012. Sealed bids must be de-

livered to the University of South

Dakota, Purchasing Office, 209

Slagle Hall, 414 East Clark St.,

Vermillion SD. Copies of the bid

solicitation and specifications are

available from Purchasing Office

at USD, contact Kyra Blatchford

at 605-677-5667 or by email at

University reserves the right to re-

Published twice at the total ap-

Estimated publishing cost per published copy

Published: October 26 & No-

The Board of County Commis-

sioners met in regular session

Tuesday, October 09, 2012 at 9:00

a.m. Members present: Powell,

Packard moved, seconded by

Minutes of the October 2, 2012

Jill Munger/Community Health

Nurse met with the Board and

presented the Quarterly Report for

Jul, Aug, and Sep 2012. Average

WIC clients for this quarter aver-

tion) exercise for Clay & Union

meeting were approved with a

motion by Passick, seconded by

Wilson and carried to approve the

Wilson, Passick and

kyra.blatchford@usd.edu.

ject any and all bids.

vember 2, 2012

October 09, 2012

Packard.

agenda as presented.

Packard and carried.

Kephart.

Commissioner Minutes

proximate cost of \$38.83

Notices

The

2010

adjustment cannot exceed the growth rate in state general fund revenues. Any resulting shortfall in state aid will be made up in subsequent years. Yes A vote "Yes" is for the proposed law.

is less. Under the measure, this annual

proposed law. Go to top of next column

No A vote "No" is against the

Legal and Public 2010 **Notices**

Counties is planned for October 23rd in the Concourse of the Vermillion Dakota Dome.

Layne Stewart/Emergency Management Director met with the Board. Packard moved, seconded by Passick and carried to authorize the Chairman to sign 4th Quarter Wage Reports for Emergency Management Grant.

Kephart and carried to authorize the Chairman to sign State and Local Agreement for 2013 as pre-

into their jurisdiction.

Rod Polley/Highway Superintendent met with the Board to discuss highway matters. Gas Ouotes were reviewed. It was the consensus of the Board to approve the low quote from Jerry Service, Hartington Ne. for 3.5414 per gal for 1768 gallons and to ratify that

It was the consensus of the board to allow travel expenses paid for Hwy Superintendent Rod Polley and Emergency Manager Layne Stewart to attend Safety Loss Control Meeting in Chamberlain October 16-17-18.

The Monthly Zoning, Welfare age 300, Immunization is at 52. A full scale POD (Point of Distribucepted and placed on file.

opinion.

Passick moved, seconded by

The Board discussed with the Emergency Management Director, the progress in what the current status with Federal funding allocation for the work done at Myron Grove Landing. They are currently attempting to work thru the Game Fish & Parks, as this falls

at the next meeting October 30th.

and Veteran's Reports were ac-

Legal and Public 2010 **Notices**

The Board reviewed a request for evaluations to be completed on Andy Jensen , Interim 4-H Youth Program advisor serving Bon Homme, Clay and Yankton Counties. It was the consensus of the Board that they have not observed his performance as of this date therefore cannot form an

The Register of Deeds Statement of Fees Collected for September 2012 for \$10,615.50 and the following Auditor's Account with the County Treasurer for September 2012 were accepted and placed on file.

AUDITOR'S ACCOUNT WITH COUNTY TREASURER To the Honorable Board of County Commissioners of Clay County

items in the hands of the County Treasurer as of Sept 30, 2012. I hereby submit the following report of my examination of the

Total amount of deposits in 2,240,313.11 banks Amount of actual cash 4 3

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

38,789.41 Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three 1.637.89 days: Checks returned and not depos-

ited Cash Items Investments

Cash Variation 2.533.176.16 Total

The South Dakota Board of Economic Development would use Large Project Development would use Large Project Development Fund monies to provide grapts for the construction of large economic development projects within the state. To be eligible, a project must have a cost exceeding \$5 million. Examples of eligible projects include laboratories and facilities for testing, manufacturing, power generation, power transmission, agricultural processing, and wind energy. Examples of neligible projects include retail establishments; residential housing; and facilities for lodging, health care services and the raising or feeding of livestock.

No A vote "No" is against the referred law.

Development Fund.

Yes A vote "Yes" is for the

establishment of the Large Project

Referred Law 16

Title: An education reform act to establish a teacher scholarship program; create a program for math and science teacher bonuses; create a program for teacher merit bonuses; mandate a uniform teacher and principal evaluation system; and eliminate state requirements for teacher

Attorney General Explanation: Referred Law 16 is an education reform act with five key components. First, it establishes a scholarship program for eligible college students who commit to teach in South Dakota in critical need subject

Second, the referred law creates a program to provide state-funded annual bonuses for eligible math and science teachers.

Third, the referred law develops a separate "Top Teachers" bonus program. This program provides annual state-funded merit bonuses for up to 20% of each school district's full-time measure increases the state general sales and use tax rate from 4% to 5%. The additional tax revenue will be split evenly between K-12 public education and Medicaid. The education funds will be provided to school districts based on certified teachers, as awarded by the local school boards. Alternatively, a school board may enact its own program for teacher bonuses, using these state-provided funds. A school board may opt out of these merit bonus programs altogether, esulting in re-allocation of its merit bonus funds to other participating school districts.

Fourth, the referred law mandates a uniform atewide system for evaluating teachers and principals, including a rating system.

Fifth, the referred law eliminates state equirements for continuing contracts ("tenure") for teachers who do not achieve tenure by July 1, 2016. School boards may, in their discretion, choose to offer continuing contracts to non-tenured teachers.

A vote "Yes" is to enact the education reform act.

No A vote "No" is against the referred law.

Turn Page

Typ:01 Seq:0001 Spi:01

Notices Dated this 1st Day of October 1,

Legal and Public

Ruth A. Bremer, County Auditor

The following General Fund Surplus Analysis as of September 30, 2012 was accepted and placed on file. (SDCL 7-21-18.1)

27209 Undesignated 684,856.68 TOTAL LIABILITIES AND EQ-UITY 3,403,235.81 Following Year General Fund

Budget (use current year for 4,793,833.00 March analysis) unreserved, undesignated fund balance, account 27209, divided by the following year General Fund budget resulting in the fund balance percentage

Larry O'Connor/Prairie Center landowner met with the Board to report unauthorized drainage in the Twp. Someone has compromised the culvert by placing rocks into it to stop drainage and another culvert where the digging is deeper than the culvert bottom which could possibly cause the road to give way. It was requested of the board that a larger culvert be placed further south of the area where a 24" culvert currently sits, it would help prevent flooding problems in the future. It was the consensus of the Board that the Sheriff's Department be requested to do an investigation into the alleged ditching and work with the States Attorney in getting to the bottom of the complaint and what necessary legal advice the county 2 5 1,000.00 needs to proceed in the matter.

> At 10:25 a.m. Wilson moved, seconded by Kephart and carried

www.plaintalk.net

vember 2, 2012