

2010 Legal and Public Notices

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 (Includes Townships)-----Senior Citizens Center/Wakonda - Star/Bethel/Wakonda Town, Irene Town

Rural Ward 3 (Includes Townships)-----4H Center/Fairgrounds. - Pr. Center/Spirit Md/Meckling/Norway/Verm./Fairview - 515 High St. Vermillion

Vermillion City: 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 \$.0404

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 \$.0047 Published: November 2, 2012

STATE OF SOUTH DAKOTA COUNTY OF CLAY JSS:

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.

/s/ 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 \$.1539 Published: November 2, 9, 16 & 23, 2012

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October 16, 2012 Joint Meeting with County Planning Commission

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.

Meeting was called to order by Leo Powell, Chairman.

Members present: Wilson, Kephart, Packard, Powell, Mockler, Bottolfson, Walz and Davidson. 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 page.

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

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 ratification.

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 Hearings.

Leo F. Powell, Chairman Board of County Commissioners ATTEST:

Ruth A. Bremer, County Auditor Published once at the total approximate cost of \$25.87 Estimated publishing cost per published copy \$0.139 Published: November 2, 2012



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.

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 copy \$0.088 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 or by email at kyra.blatchford@usd.edu. The University reserves the right to reject any and all bids. Published twice at the total approximate cost of \$39.57 Estimated publishing cost per published copy \$0.425 Published: October 26 & November 2, 2012

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Continued from Prior Page

Table with 3 columns: Question/Measure, Yes/No options, and Referred Laws. Includes Constitutional Amendments O, M, P, N and Initiated Measures 15 and 16.

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The University of South Dakota is accepting sealed bids for USD Emergency Snow Removal for FY13 until 2:00 P.M., November 6, 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 or by email at kyra.blatchford@usd.edu. The University reserves the right to reject any and all bids. Published twice at the total approximate cost of \$38.83 Estimated publishing cost per published copy \$0.417 Published: October 26 & November 2, 2012

October 09, 2012 Commissioner Minutes The Board of County Commissioners met in regular session Tuesday, October 09, 2012 at 9:00 a.m. Members present: Powell, Packard, Wilson, Passick and Kephart. Packard moved, seconded by Wilson and carried to approve the agenda as presented. Minutes of the October 2, 2012 meeting were approved with a motion by Passick, seconded by Packard and carried. 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 average 300. Immunization is at 52. A full scale POD (Point of Distribution) exercise for Clay & Union

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. Passick moved, seconded by Kephart and carried to authorize the Chairman to sign State and Local Agreement for 2013 as presented. 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 into their jurisdiction. Rod Polley/Highway Superintendent met with the Board to discuss highway matters. Gas Quotes 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 at the next meeting October 30th. 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 and Veteran's Reports were accepted and placed on file.

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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 and therefore cannot form an opinion. 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 THE 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 cash: Total amount of deposits in banks 2,240,313.11 Amount of actual cash 1,435,757.5 Total amount of checks and drafts in Treasurer's Possession not exceeding three days 38,789.41 Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days: 1,637.89 Checks returned and not deposited Cash Items Investments 251,000.00 Cash Variation Total 2,533,176.16

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Dated this 1st Day of October 1, 2012. 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 EQUITY 3,403,235.81 Following Year General Fund Budget (use current year for March analysis) 4,793,833.00 The unreserved, undesignated fund balance, account 27209, divided by the following year General Fund budget resulting in the fund balance percentage 14.29%

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 needs to proceed in the matter.

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 needs to proceed in the matter.

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