

CITY  
From Page 01

Vermillion Now! campaign. During the first campaign, the city contributed \$450,000 in cash and in-kind funds.

Howe said he wanted to assure the public that financial oversight is “extremely important” to the campaign.

“There (are) no unilateral decisions made on how these funds are spent,” he said. “Every check has a dual signature.”

Additionally, all expenses more than \$2,500 require the approval of the VCDC board, which has two representatives from the city.

No expenses more than \$10,000 can be made without the approval of both the VCDC board and the Advisory Governance Council, he said.

“There are a lot of eyes looking at these funds,” Howe said.

During a meeting last month, Howe said the VCDC commissioned a survey last summer, the results of which indicated the public would support a second campaign.

“I personally conducted this survey with 55 individuals here, and we tested several things,” said David Madigan of Convergent Nonprofit, which did the survey. “We were interested in what the economy looked like, and what the projection of the economy may be. We received very positive response and reply to that.

“We were interested in how the public looked at the results of Vermillion (Now!) 1. Again, we received very, very positive results on that,” he said.

Convergent also tested a prospectus plan for Vermillion Now! 2, and also received a positive response, Madigan said.

“The results of that survey have really laid the groundwork for Vermillion Now! 2,” he said. “The response back on Vermillion Now! 2 – while it was very, very positive – gave us some ideas to do some refinements.”

On Monday, Howe said he and Convergent are in the process of compiling the results and refinements to come up with the official plan for Vermillion Now! 2 that they can present to prospective investors.

The city council approved the request unanimously, with several members citing the success of the first campaign.

“Five years ago when we started this, we were in the midst of a severe recession,” said Steve Ward. “This council chipped in a good portion of the funding for that, and it has worked. ... “The important thing ... about this endeavor is that there is a strategic plan to the use of the funds,” he said. “There is an idea of where we should go, so I think the public has a direct interest in supporting this endeavor again.”

2010 Legal and Public Notices

Dakota 57069, on the 26th day of November, 2013, at 1:30 p.m. Such bids will be publicly opened and read at that time. The bids will be acted upon by the City Council at City Hall on the 2nd day of December, 2013 at 7:00 p.m. The equipment required is as follows:

There are two (2) separate bids consisting of the following:

Description	
Bid No. 1 - Furnish 115 kV Circuit Breakers	
Bid No. 2 - Furnish 115 kV CVTs	

Material suppliers desiring a copy of the bid forms and specifications for individual use may obtain them from the office of the Engineer, DGR Engineering, 1302 South Union, P.O. Box 511, Rock Rapids, Iowa 51246, telephone 712-472-2531, Fax 712-472-2710, e-mail: [dgr@dgr.com](mailto:dgr@dgr.com), no deposit required.

Each bid must be accompanied by a certified check, cashier's check or draft made payable to the City of Vermillion, South Dakota, in an amount equal to five percent (5%) of the total amount of the bid, such check to be certified or issued by either a State or National Bank; or in lieu thereof a bid bond made payable to the City of Vermillion, South Dakota, in an amount equal to ten percent (10%) of the total amount of the bid, such bond to be issued by a surety authorized to do business in the State of South Dakota. This deposit is a guarantee that if the bid is accepted, a contract will be entered into and its performance secured. The bid security must not contain any conditions either in the body or as an endorsement thereon. Such bid security shall be forfeited to the City as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within ten (10) days after the award of contract.

Payment for the equipment herein provided for will be made from cash.

The City of Vermillion reserves the right to reject any or all bids and to waive any irregularities herein.

Dated this 4th day of November, 2013.

CITY OF VERMILLION, SD

By /s/ Jason Anderson  
Assistant City Engineer

Published twice at the total approximate cost of \$54.51  
**Published: November 8 & 15, 2013**

State of South Dakota  
County of Clay  
SS.

In Circuit Court  
First Judicial Circuit  
Civ. 13-120

STATE OF SOUTH DAKOTA,  
Plaintiff,  
v.

\$8,083 IN AMERICAN CURRENCY  
Defendants.

SUMMONS  
GREETINGS FROM THE STATE OF SOUTH DAKOTA TO THE ABOVE-NAMED DEFENDANT AND STEPHEN JEREMY BRIGGS, 539 MILTON AVENUE, WYOMING 82601:

You are hereby summoned and required to serve upon the Attorney General, Plaintiff's attorney, whose address is the Office of the Attorney General, 1302 East Highway 14, Suite 1, Pierre, South Dakota 57501-8501, a verified Answer to the Complaint, which is herewith served upon you (and will be filed with the Clerk of the Circuit Court of the First Judicial Circuit at Vermillion, County of Clay, State of South Dakota), within thirty (30) days after the service of this Summons and Complaint upon you, exclusive to the date of service. If you fail to file an Answer within thirty days of the date of service upon you, judgment by default will be taken against you for the relief as prayed for in the Complaint. The object of the above action is forfeiture of the above described property to the State of South Dakota.

Dated this 29th day of August, 2013.

M. Bridget Mayer  
Assistant Attorney General  
Office of the Attorney General  
1302 East Highway 14, Suite 1  
Pierre, South Dakota 57501-8501  
Telephone: (605) 773-3215

Published Four times at the total approximate cost of \$80.14  
Published: October 18, 25, November 1, and 8 2013.

2010 Legal and Public Notices

**October 29, 2013**  
Commissioner Meeting

The Board of County Commissioners met in regular session Tuesday, October 29, 2013 at 9:00 a.m. Members present: Kephart, Mockler, Packard, Passick, and Powell.

Kephart moved, seconded by Mockler and carried to approve the agenda as presented.

Minutes of the October 8th meeting were approved with a motion by Powell seconded by Packard and carried.

Jill Munger, Community Health/WIC Nurse, met with the Board to present the Clay County Community Health Nursing Quarterly Report. The WIC caseload has remained steady over the quarter, but nutrition counseling numbers have doubled. The number of pregnant women seeking services is up slightly for the quarter. Immunizations were up 60%, and the flu season has begun.

Rod Polley, Highway Superintendent, met with the Board to discuss Highway matters.

Powell moved, seconded by Mockler and carried to authorize the Chairman to sign Bid Letting, Right of Way, and Utility Documents for replacement of bridge structure #14-020-096 in 2014.

Kevin Goff and Adam Polley, both of Clark Engineering, met with the Board to discuss a change order request by Runge Enterprises on the Baptist Creek Project. Riprap materials are exceeding the bid plans. Powell moved, seconded by Packard and carried to authorize the Chairman to sign approval of an additional \$5,000 for riprap and no liquidated damages to be charged to Runge Enterprises, providing the project is completed by November 15, 2013.

Powell moved, seconded by Mockler and carried to authorize Polley to contract with Terracon Consultants, Inc. to attempt geophysical culvert discovery on Greenfield Road approximately ½ mile north of 312 St. as discussed at the October 8, 2013 meeting.

The Board was presented with the following Resolution #13-02 Speed Limit Resolution, passed and adopted by Seiler's Second Road District, hereinafter referred to as Exhibit A.

**RESOLUTION #13-02**  
**SPEED LIMIT RESOLUTION**  
**Seiler's Second Road District**

WHEREAS, members of the Seiler's Second Road District Board of Trustees have determined a 15 MPH and 20 MPH (mile per hour) speed limit is in the best interest of public safety and for signs installed. A 15 MPH speed limit on DePaul Ave from Purdue Street to Unimproved Coyote St and 20 MPH speed limit on Purdue Street from Princeton St to DePaul Ave in the Seiler's Second Road District and,

WHEREAS, South Dakota Codified Law 31-12A allows for Road Districts to Establish and post speed zones on road districts, and

WHEREAS, the Seiler's Second Road District desires the enforcement of speed limits on Clay County roads as set forth and posted by the Seiler's Second Road District Board of Trustees,

NOW THEREFORE BE IT RESOLVED that the speed limit on DePaul Ave be set at 15MPH and speed limit on Creighton Ave and Purdue be set at 20 MPH in Seiler's Second Road District Roads, in Clay County.

BE IT FURTHER RESOLVED that upon voting the above resolution be passed and adopted.

Vote of the Seiler's Second Road District Trustees:

AYE 3 NAY 0

Dated this 15 day of October at Vermillion, SD.

ATTEST:

Jeffrey D. Zolnowsky  
Trustee of Seiler's Second Road District

Greg Bogenpohl  
Clay County Deputy Auditor

Powell moved, seconded by Mockler and carried to pass and adopt the following Resolution #2013-16 for establishment of Seiler's Second Road District Speed Limits.

**RESOLUTION #2013-16**

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**Speed Limit Resolution for Seiler's Second Road District**

WHEREAS, South Dakota Codified Law 31-12A-21 allows for road districts to establish speed limits and other restrictions on roads under the road district's jurisdiction and,

WHEREAS, South Dakota Codified Law 32-25-9.1 states that any board of county commissioners may determine and establish speed zones upon streets and highways on the request of and after any road district having charge of the maintenance of the highway has declared its intention to post speed zones and,

WHEREAS, the Seiler's Second Road District Board of Trustees has passed and adopted a resolution establishing speed limit zones within Seiler's Second Road District;

NOW THEREFORE BE IT RESOLVED by the Clay County Board of Commissioners that the speed limit zones within Seiler's Second Road District be established as provided by resolution of the Seiler's Second Road District Board of Trustees, passed and adopted on October 15, 2013, placed on file in the office of the Clay County Auditor, and attached to this resolution as Exhibit A and,

NOW THEREFORE BE IT RESOLVED by the Clay County Board of Commissioners that the speed zones shall be posted by the Seiler's Second Road District in accordance with South Dakota Codified Law 32-25-9.1.

Motion by Commissioner Powell seconded by Commissioner Mockler.  
Vote of the Board:

Packard Aye, Kephart Aye, Passick Aye  
Powell Aye, Mockler Aye; Motion carried.

Dated this 29th day of October, 2013.

Board of County Commissioners  
Clay County, South Dakota

Raymond Passick, Chairman

ATTEST:

Carri R. Crum, County Auditor

Cynthia Aden, Zoning Administrator, appeared before the Board at 9:30 a.m., the time set for Public Hearing for the First Reading on a request to re-zone land from Agriculture to Commercial for a broadcast tower by 5-Star Communications for property located near Volin, South Dakota, which is Tract 1, Tower Addition in the NE1/4 of Section 35, Bethel Township, Clay County, South Dakota. No one appeared in opposition and no written correspondence was received. Aden reported that neighboring landowners did appear at the Planning Commission Meeting. The Planning Commission was able to answer their questions, and they were not opposed to the re-zoning proposal. The Planning Commission voted to recommend the re-zoning, contingent upon FCC permits. Public hearing for the Second Reading will take place at 9:30 a.m. during the November 5, 2013 County Commissioner Meeting.

The Board discussed the Courthouse Chiller Project. The City of Vermillion City Council supported proceeding with its Safety Center cooling unit and the optional add-ons of additional cooling for the Server Room and the Emergency Operations Center (911 Dispatch Room). Packard moved, seconded by Mockler and carried to proceed work with Associated Consulting Engineering on replacement of the Courthouse chiller unit and the Public Safety Center condensing units, with add-on options for the Server Room and Emergency Operations Center.

At 9:57 a.m., Packard moved, seconded by Kephart and carried to adjourn and convene as Ditch Board.

Powell moved, seconded by Packard and carried to approve payment of \$1,300 to Johnson Engineering for engineering services performed on Clay Creek Ditch as presented.

Packard moved, seconded by



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Kephart and carried to authorize the Chairman to sign Notice to Proceed and Agreement for the Clay Creek Ditch Cleanout Project Phase 1.

At 10:06 a.m., Packard moved, seconded by Powell and carried to adjourn and reconvene as Board of County Commissioners.

Dennis Ganschow, Weed Superintendent, met with the Board to discuss the Salt Cedar Grant. Packard moved, seconded by Powell and carried to authorize the grant application.

Powell moved, seconded by Mockler and carried to approve travel for Ganschow to attend the Bon Homme County Commissioner Meeting on November 5, 2013, along with a Clay County Commissioner if necessary, for discussion on the Salt Cedar Grant.

Powell moved, seconded by Kephart and carried to authorize travel for Carri Crum, Kathy Heles, and Greg Bogenpohl to Sioux Falls November 13-15 for the Secretary of State Election Workshop. The motion also authorized Ruth Bremer to work in the Auditor's Office on those dates, with the County paying the cost of a flu vaccine for her as compensation for her volunteer efforts.

Philip Terwilliger, Deputy State's Attorney, was not present for the meeting but did pass on a message to the Commissioners that the Lake Thompson water issue was resolved in the manner that the Commissioners supported.

The Vermillion Public Library Board reports, the Veterans Service Officer's Monthly Activity Report, the monthly Building Permit Report, and the monthly Welfare Report were accepted and placed on file.

Kephart moved, seconded by Mockler and carried to approve the 2014 County Wage Scale, with a 3% increase from 2013 and step raises for those who qualify, as proposed in the 2014 County Budget.

Motion by Packard, seconded by Mockler and carried to approve the following claims for payment: October Payroll: Commissioners-\$4850.00, Auditor's Office-\$8800.00, Treasurer's Office-\$12462.03, States Attorney's Office -\$12569.26, Courthouse-\$2283.33, DOE's Office-\$9870.76, ROD's Office-\$6723.33, Veteran's Office-\$1533.33, Sheriff's Office-\$29,392.29, County Jail-\$14963.45, 24/7 Sobriety Project-\$2296.77, LEPC-\$273.92, Emerg. Mgmt. Office-\$2493.00, Highway Department-\$36588.52, CHN Office-\$1877.66, WIC Office-\$764.01, Extension Office-\$2686.67, Weed Department-\$3655.66, and Zoning Office-\$1968.07; (Payroll Withholding) AFLAC-\$682.05, Clay County Treasurer-\$36586.45, Colonial Life-\$455.62, Conseco/Washington National Ins.-\$423.70, Dearborn National-\$199.92, Nationwide Retirement Solutions-\$58.82, New York Life Ins.-\$440.23, SD Retirement System-\$18409.83, SD Supplement Retirement-\$1050.00, SD Roth 457(b)-\$250.00, TASC (Flex)-\$2487.63, United Way Of Vermillion-\$71.00, Vermillion Federal Credit Union-\$1081.00, Wellmark Blue Cross/Blue Shield-\$32493.24, Paul Johnson-\$1500.00, Frank Martz-\$1500.00; October Bills: (Prof. Serv./Fees) Argus Leader-\$44.17, Brevick Law Office-\$228.33, City of Vermillion-\$108967.16, Clark Engineering Corp.-\$8327.60, Denise Cody-\$30.00, Dept of Revenue-\$5538.74, Fox & Youngberg-\$175.24, Harmelink, Fox, Ravensborg-\$113.00, David Hosmer Law Office-\$117.93, Kennedy, Pier, & Knoff-\$132.00, Linda Kogel-\$1990.17, Lewis & Clark Behavior-\$800.00, Lucille Lewno-\$299.17, Scot Mannschreck-\$1219.38, James McCulloch-\$1249.90, Micwebs-\$420.00, Minnehaha County Auditor-\$4,840.34, Netsys Plus-\$102.50, Peterson, Stuart, & Rumpeca-\$4061.16, Professional Security-\$301.00, Reed Law Office-\$252.00, Sanford Health-\$2073.40, SDACC Office-\$2104.64, SD Dept. of Health Lab-\$665.00, Karen Swanda-\$30.00, Creighton Thurman-\$982.56, US Postal Service-\$5700.00, Village Family Service Center-\$318.75, Yankton Co. Sheriff-\$25.00, Yankton

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Medical Clinic-\$88.33; (Repairs/Maint.) Butler Machinery-\$816.20, Hartington Tree Service-\$550.00, Bruce Mastel-\$235.00, Microfilm Imaging System-\$180.00, NetSys Plus-\$1,409.99, Office Elements-\$153.12, Olson's Pest Technicians-\$45.00, Paul's Plumbing-\$344.73, Pedersen Machine-\$400.00, Persing Backhoe Service-\$8000.00, Triview Communication-\$490.81, Turner Plumbing-\$194.39, Vermillion Ace Hardware-\$36.00, Brad Waage-\$117.30; (Clay Creek Ditch Expense) Johnson Engineering - \$1300.00; (Materials/Supplies) Brunick Service-\$6,358.90, Butler Machinery-\$90.77, Campbell Supply Co.-\$307.41, Century Business Products-\$36.00, Chemco, Inc.-\$187.41, Hy-Vee-\$25.16, JCL Solutions-\$275.25, Richard Jepsen-\$321.11, John Deere Financial-\$1053.53, Lawson Products-\$115.71, Lyle Signs-\$309.23, MARCO-\$211.11, Office Elements-\$42.78, Pedersen Machine-\$1032.71, Pressing Backhoe Service-\$478.62, Pressing Matters-\$63.00, Quality Motors-\$40.43, Sanitation Product-\$123.50, Sign-Up Ltd.-\$45.22, Stockman's Trailer Sales-\$180.98, Sturdevants Auto Parts-\$52.48, Truonorth Steel-\$8080.50, Verizon Wireless-\$11.87, Vermillion Ace Hardware - \$29.96, Wal-Mart-\$47.84, Western Office Tech.-\$7.78, Wheelco Brake and Supply-\$706.38, Yankton Computer-\$200.94; (Travel/Conference) Cynthia Aden-\$45.05, Andy Howe-\$396.18, Tiffany Husby-\$396.18, Beverly Orr-\$10.00, Rodney Polley-\$52.00, Laura Sundet-\$46.00; (Utilities) Bureau of Administration-\$125.04, CenturyLink-\$494.21, City of Vermillion-\$1941.16, Clay Rural Water System-\$67.70, Clay Union Electric-\$463.41, MidContinent Comm.-\$260.00, Verizon Wireless-\$354.06, Vermillion Garbage Service-\$156.00; (Jury/Witness) Leslie Aust-\$50.00, Mary Christopherson-\$50.00, Natasha Gault-\$50.74, Patricia Cody Hall-\$50.00, Ruth Hessman-\$68.50, Joseph Johnson-\$52.96, Virginia Mullinix-\$68.50, Monty Munkvold-\$50.00, Harlan Wentzel-\$52.96 (Books) SD Continuing Legal-\$75.00, Thomson Reuters-\$400.56.

At 10:28 a.m. Kephart moved, seconded by Packard and carried to adjourn and reconvene Tuesday, November 5, 2013 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 \$155.65  
**Published: November , 2013**

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EEO/AA