

2010	Legal and Public Notices
PLIES	1,122.78
STURDEVANTS AUTO PARTS SUPPLIES	132.11
SUPLAY PRODUCTS SUPPLIES	504.99
TAYLOR MUSIC INC SUPPLIES	1,522.00
TECHNOLOGY & INNOVATION IN EDUCATION DUES	5,862.50
TIME FOR KIDS SUPPLIES	44.20
TURNER PLUMBING, INC. SERVICES	2,781.39
TWO TEN TWENTY PIZZA, INC SUPPLIES	14.48
VERIZON WIRELESS SERVICES LLC SERVICES	182.18
VERMILLION GARBAGE SERVICE SERVICES	2,835.00
VERMILLION ROTARY CLUB INC FEES	140.75
VERMILLION-CLAY CNTY E.M.S SERVICES	100.00
WAL-MART COMMUNITY SUPPLIES	284.65
WELLS FARGO REMITTANCE CENTER FEES	51.98
WEX BANK SUPPLIES/SERVICES	820.53
WILLSON FLORIST SUPPLIES	25.95
XEROX CORPORATION COPIERS	2,150.69

Published once at the total approximate cost of \$128.36
Published: November 22, 2013

NOTICE OF APPLICATION FOR AIR QUALITY CONSTRUCTION PERMIT

The South Dakota Department of Environment and Natural Resources (DENR) received and reviewed the application for an air quality construction permit for the following applicant:

APPLICANT NAME:
University of South Dakota

FACILITY LOCATION:
Vermillion, South Dakota

The air quality construction permit will allow the construction and operation of the following processes and units:

- 2013 Kohler 259 horsepower emergency generator that is fired with natural gas

A review of the application indicates the University of South Dakota can construct and operate the 2013 Kohler emergency generator in compliance with South Dakota's Air Pollution Control rules and the federal Clean Air Act. DENR, therefore, recommends the Board of Minerals and Environment issue an air quality construction permit to the University of South Dakota with conditions to ensure compliance with South Dakota Codified Laws (SDCL) 34A 1 and the federal Clean Air Act.

In accordance with the Administrative Rules of South Dakota (ARSD) 74:36:20:11, any person desiring to comment on DENR's draft permit conditions must submit written comments to the address below by close of business on the thirtieth day of this public notice. Comments may be directed to the following mailing address: Keith Gestring; PMB 2020; Department of Environment and Natural Resources; 523 East Capitol; Pierre, South Dakota 57501. DENR will consider and address all comments submitted and issue a final permit decision pursuant to ARSD 74:36:20:13. DENR will notify the applicant and each person that requested notice or submitted written comments of DENR's final permit decision, including notification of any changes to the permit based on the comments.

Any person desiring to contest the issuance of this permit and have a contested case hearing must file a petition, which complies with ARSD 74:09:01:01. This petition must be filed either by close of business on the thirtieth day of

2010	Legal and Public Notices
this public notice or, if that person submits comments on DENR's draft permit pursuant to the paragraph above, within thirty days of receiving notice of DENR's final permit decision. Upon receipt of a petition, DENR will schedule this matter for a contested case hearing before the Board of Minerals and Environment.	
If no comments or objections are received by close of business on the thirtieth day of this public notice, the draft permit becomes the final permit decision and the permit will be issued.	
Copies of DENR's draft permit conditions and other information may be obtained from Keith Gestring, Engineer, at the above address or telephone at (605) 677-6165 or from DENR's website at: http://denr.sd.gov/public/	
Steven M. Pimer, Secretary Department of Environment and Natural Resources	
Published once at the total approximate cost of \$38.39 Published: November 22, 2013	

NOTICE TO BIDDERS

For the school year 2014-2015, the Vermillion School District is seeking to enter into a contract for the operation of a food service program between our District, the Local Education Agency (LEA) and a Food Service management Company (FSMC) to manage school food service operations for the purpose of providing nutritious meals to carry out the provisions of the United States Department of Agriculture (USDA) Child Nutrition Programs.

Effective dates of the contract are from June 1, 2014 to May 31, 2015, but no sooner than the date the contract is signed by both parties, and may be renewed annually for up to four additional extensions from the initial year, upon written agreement by both parties on or prior to the expiration date of the current contract. Contract does not exceed one year.

Interested FSMC's should contact Sheila R. Beermann, Business Manager, with their intent to submit a proposal by writing to the above address or by e-mail at Sheila.beermann@k12.sd.us. Written questions regarding the Request for Proposal (RFP) or requests for additional information must be submitted to Sheila R. Beermann, Business Manager, by 2:00 p.m. central time on Thursday, December 12, 2013. Responses shall be retained and shall be provided to all other prospective bidders.

Interested FSMC bidders must meet to review the specifications, to clarify any questions, to tour the facilities, and to examine current food service equipment, with school officials on Thursday, December 12, 2013 at 2:00 p.m. central time at Vermillion Middle School, 422 Princeton Street, Food Service Facility, Vermillion, SD 57069. Attendance is required.

Sealed proposals will be received from FSMC's at the Vermillion School District Business Office, 17 Prospect, Vermillion, SD 57069. Attention: Sheila R. Beermann, Business Manager, until 10:00 a.m. central time on Tuesday, January 21, 2014, at which time proposals will be opened. Proposals received after that time will be returned to the sender unopened.

Published twice at the total approximate cost of \$44.97
Published: November 22 and 29, 2013

NOTICE OF PUBLIC HEARING OF APPLICATIONS FOR SALE OF ALCOHOLIC BEVERAGES

2010	Legal and Public Notices
NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 2nd day of December 2013 at the hour of 7:00 P.M. at the City Hall Council Chambers, 25 Center Street will meet in regular session to consider the following applications for an alcoholic beverage license to operate within the municipality for the January 1, 2014 through December 31, 2014 licensing period, which have been presented to the City Council and filed in the Finance Officer's Office:	
<u>Re-issuance of On-Sale-Retailer Liquor:</u> Beebe Street II, LLC. Careys Bar at 18 West Main Charcoal Lounge, Inc. Charcoal Lounge at 6 & 8 East Main Leo's Sports Bar & Grill, LLC Leo's Lounge at 11 South Market Fraternal Order of Eagles Eagles Club 2421 at 114 West Main Bunyans, LLC Bunyans at 1201 West Main Main Street Pub, Inc. Main Street Pub at 11 West Main City of Vermillion The Bluff's Golf Course at 2021 East Main Maya Jane's, Inc. Maya Jane's at 9 W Main J.N.J. Management, Inc. The Road House at 911 East Cherry Red Steakhouse, Inc. Red Steakhouse at 1 East Main Street Old Lumber Company, Inc. Old Lumber Company Bar & Grill at 15 Court St Augustus Management, LLC Howler's Bar & Grill at 912 North Dakota	
<u>Re-issuance of Retail On-Off Sale Wine:</u> Spanrex, Inc. Chae's at 8 West Main Mexico Viejo, Inc Mexico Viejo Mexican Restaurant 432 E Cherry Blue Inc Little Italy's at 831 East Cherry Bonnie K. Rowland Razel's at 13 West Main Street HyVee Food Stores Inc HyVee at 525 West Cherry Street Silk Road Café, Inc Silk Road Café at 12 West Main Street Wal-Mart Stores, Inc. Wal-Mart #3734 at 1207 Princeton Street Café Brule, Inc Café Brule at 24 West Main Red Steakhouse, Inc Red Steakhouse at 1 East Main Street Sunset Oil, Inc Pump N Pak Casino at 629 Stanford St Suite C	
<u>Re-issuance of Package Wine (Farm Winery):</u> Valiant Vineyards, Inc Valiant Vineyards at 1500 West Main	
<u>Re-issuance of Municipal Off-Sale Package Liquor:</u> City of Vermillion Municipal Liquor Store at 826 Cottage	

Published once at the total approximate cost of \$35.41
Published: November 22, 2013
November 5, 2013
 Commissioner Meeting

The Board of County Commissioners met in regular session Tuesday, November 5, 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 29th meeting were approved with a motion by Mockler seconded by Packard and carried.

Jill Munger, Community Health Nurse, met with the Board during Visitors to be Heard to report that she hired Caryn Jerke to fill the Secretary position, with a start date of December 4, 2013 and at \$11.42 per hour, step 10/1 on the pay scale.

Larry McPherson, Highway Foreman, met with the Board to discuss Highway matters. William O'Connor also appeared before the Board. They discussed the outcome of the culvert discovery attempt on Greenfield Rd. The ground penetrating radar equipment did not find a culvert in the proposed location.

Packard moved, seconded by Mockler and carried to accept low bid of \$3.025 per gallon from Jerry's Service for 7234+/- gallons of #2 Diesel fuel.

Powell moved, seconded by Kephart and carried to accept low bid of \$2.97 per gallon from Brunick Service for 1500+/- gallons of 10% Ethanol fuel.

An Application for Occupancy on the Right of Way of County Highways was presented for Mid-American Energy for pipe in Section 24, Vermillion Twp. on South Dakota St. Powell moved, seconded by Packard and carried to authorize the Chairman to sign approval of said application as recommended by the Highway Foreman.

Cynthia Aden, Zoning Administrator, appeared before the Board at 9:30 a.m., the time set for Public Hearing for the Second 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. Packard reported that she had received phone calls regarding the proposed tower. Neighboring landowners would like to make sure future companies desiring to put a tower in that location would use the same tower instead of building more. Powell moved, seconded by Mockler and carried to approve the re-zoning request, contingent upon other potentially interested companies using the same tower in the future.

At 9:20 a.m. Powell moved, seconded by Mockler and carried to adjourn and convene as Ditch Board.

Powell moved, seconded by Packard and carried to contract with Johnson Engineering for bid documents on the next 3 miles of the Clay Creek Ditch Project with an additional mile as an add alternate option.

At 9:29 a.m. Powell moved, seconded by Packard and carried to adjourn and reconvene as Board of County Commissioners.

2010	Legal and Public Notices
Mockler and carried to approve the agenda as presented.	
Minutes of the October 29th meeting were approved with a motion by Mockler seconded by Packard and carried.	
Jill Munger, Community Health Nurse, met with the Board during Visitors to be Heard to report that she hired Caryn Jerke to fill the Secretary position, with a start date of December 4, 2013 and at \$11.42 per hour, step 10/1 on the pay scale.	
Larry McPherson, Highway Foreman, met with the Board to discuss Highway matters. William O'Connor also appeared before the Board. They discussed the outcome of the culvert discovery attempt on Greenfield Rd. The ground penetrating radar equipment did not find a culvert in the proposed location.	
Packard moved, seconded by Mockler and carried to accept low bid of \$3.025 per gallon from Jerry's Service for 7234+/- gallons of #2 Diesel fuel.	
Powell moved, seconded by Kephart and carried to accept low bid of \$2.97 per gallon from Brunick Service for 1500+/- gallons of 10% Ethanol fuel.	
An Application for Occupancy on the Right of Way of County Highways was presented for Mid-American Energy for pipe in Section 24, Vermillion Twp. on South Dakota St. Powell moved, seconded by Packard and carried to authorize the Chairman to sign approval of said application as recommended by the Highway Foreman.	
Cynthia Aden, Zoning Administrator, appeared before the Board at 9:30 a.m., the time set for Public Hearing for the Second 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. Packard reported that she had received phone calls regarding the proposed tower. Neighboring landowners would like to make sure future companies desiring to put a tower in that location would use the same tower instead of building more. Powell moved, seconded by Mockler and carried to approve the re-zoning request, contingent upon other potentially interested companies using the same tower in the future.	
At 9:20 a.m. Powell moved, seconded by Mockler and carried to adjourn and convene as Ditch Board.	
Powell moved, seconded by Packard and carried to contract with Johnson Engineering for bid documents on the next 3 miles of the Clay Creek Ditch Project with an additional mile as an add alternate option.	
At 9:29 a.m. Powell moved, seconded by Packard and carried to adjourn and reconvene as Board of County Commissioners.	
Mockler moved, seconded by Powell and carried to approve travel for Greg Bogenpohl, Deputy Auditor, to attend a Wellmark seminar about the Affordable Care Act in Sioux Falls on November 5 at 1:00 p.m.	
Powell moved, seconded by Packard and carried to pass and adopt the following Resolution #2013-17 for Auditor/Treasurer Outstanding Checks Cancellation.	

RESOLUTION #2013-17 Auditor/Treasurer Outstanding Checks Cancellation

WHEREAS, the Board of Clay County Commissioners may by resolution cancel warrants or checks that have not been presented for payment at any time within one (1) year of the date on which the warrant or check was issued,

NOW THEREFORE BE IT RESOLVED, that the Board of Clay County Commissioners hereby authorize the cancellation of checks and warrants of record, in the Clay County Auditor and Treasurer's Office that have not been presented for payment within the one (1) year of the date of the said checks or warrants, for \$175.54 in Auditor's Warrants & \$267.50 in Treasurer's Checks and that the Auditor and Treasurer Office's shall make note of such cancellation in the Warrant and Check Register, respectfully. (List on File in the Auditor's Office)

Dated this 5th day of November, 2013, at Vermillion, South Dakota.

Commissioner Powell moved for the adoption of the foregoing resolution, motion seconded by Commissioner Packard.

Vote of Commission: Aye 5; Nay 0.

Upon which voting the foregoing resolution was declared, passed, and adopted.

Board of County Commissioners
Clay County, South Dakota

Raymond Passick, Chairman

Attest:

Carri R. Crum, County Auditor

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 October 31, 2013.

I hereby submit the following report of my examination of the cash:

Total amount of deposits in banks	7,218,349.00
Amount of actual cash	1,374.76
Total amount of checks and drafts in Treasurer's Possession not exceeding three days	636,336.92
Itemized list of all items, checks and drafts which have been in the Treasurer's possession over three days:	1,747.54
Checks returned and not deposited	
Cash Items	
Investments	1,000.00
Cash Variation	0.00
Total	7,858,808.22

Dated this 1st Day of November 2013.

Carri R. Crum, County Auditor

At 9:42 a.m. Powell moved, seconded by Kephart and carried to adjourn and reconvene Tuesday,

November 12, 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 \$79.14
Published: November 22, 2013

ORDINANCE #2013-05 AN ORDINANCE AMENDING ORDINANCE #2013-04 BY REZONING CERTAIN PROPERTY

BE IT ORDAINED BY CLAY COUNTY, SOUTH DAKOTA:

That Ordinance #2013-04 is hereby amended as follows:

Zoning change from A-1 Agriculture District to C-Commercial District, for property described as Tract 1, Tower Addition in the NE1/4 of Section 35, Bethel Township, Clay County, South Dakota, (5.89 acres +/-) as shown on attached plat.

And the official zoning map referred to in Article 4, Section 4.03 is amended to include the property in the Commercial District.

Planning Commission Public Hearing: **October 28, 2013**
 First Reading: **October 29, 2013**
 Second Reading County: **November 5, 2013**
 Adoption: **November 5, 2013**
 Publication: **November 22, 2013**
 Effective Date: **November 25, 2013**

CLAY COUNTY BOARD OF COMMISSIONERS

Raymond Passick, Chairman

Leo F. Powell

Phyllis Packard

Travis Mockler

Leslie K. Kephart

ATTEST:

Carri R. Crum, Clay County Auditor

Published once at the total approximate cost of \$20.68
Published: November 22, 2013

Re-Advertisement for 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 2:00 PM CT, December 12, 2013 for Churchill Haines Laboratory, Animal Infrastructure Upgrade, University of South Dakota, Vermillion, SD, OSE# R0612-16X.

Combined Bids will be received for renovation, remodel, and infrastructure upgrade of a portion of the Churchill Haines Laboratory, including all necessary Demolition, General, Mechanical, and Electrical work.

Contractors Note: A pre-bid walkthrough of the project will be conducted on December 4 starting at 10:00 AM CT. This will be your only opportunity to view the work prior to the bid date. Campus contact is Lorin Wilcox at 605.677.6831. The tour will commence from the NE entrance to Churchill Haines.

Copies of the Plans and Specifications may be obtained by bidders at the office of Baldrige & Nelson Architects & Engineers, 408 West Lotta Street, Suite 2,

2010	Legal and Public Notices
November 12, 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 \$79.14 Published: November 22, 2013	

ORDINANCE #2013-05 AN ORDINANCE AMENDING ORDINANCE #2013-04 BY REZONING CERTAIN PROPERTY

BE IT ORDAINED BY CLAY COUNTY, SOUTH DAKOTA:

That Ordinance #2013-04 is hereby amended as follows:

Zoning change from A-1 Agriculture District to C-Commercial District, for property described as Tract 1, Tower Addition in the NE1/4 of Section 35, Bethel Township, Clay County, South Dakota, (5.89 acres +/-) as shown on attached plat.

And the official zoning map referred to in Article 4, Section 4.03 is amended to include the property in the Commercial District.

Planning Commission Public Hearing: **October 28, 2013**
 First Reading: **October 29, 2013**
 Second Reading County: **November 5, 2013**
 Adoption: **November 5, 2013**
 Publication: **November 22, 2013**
 Effective Date: **November 25, 2013**

CLAY COUNTY BOARD OF COMMISSIONERS

Raymond Passick, Chairman

Leo F. Powell

Phyllis Packard

Travis Mockler

Leslie K. Kephart

ATTEST:

Carri R. Crum, Clay County Auditor

Published once at the total approximate cost of \$20.68
Published: November 22, 2013

Re-Advertisement for 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 2:00 PM CT, December 12, 2013 for Churchill Haines Laboratory, Animal Infrastructure Upgrade, University of South Dakota, Vermillion, SD, OSE# R0612-16X.

Combined Bids will be received for renovation, remodel, and infrastructure upgrade of a portion of the Churchill Haines Laboratory, including all necessary Demolition, General, Mechanical, and Electrical work.

Contractors Note: A pre-bid walkthrough of the project will be conducted on December 4 starting at 10:00 AM CT. This will be your only opportunity to view the work prior to the bid date. Campus contact is Lorin Wilcox at 605.677.6831. The tour will commence from the NE entrance to Churchill Haines.

Copies of the Plans and Specifications may be obtained by bidders at the office of Baldrige & Nelson Architects & Engineers, 408 West Lotta Street, Suite 2,

Financial Report to the School Board from the Business Manager - Vermillion School District #13-1

Reporting Month: OCTOBER 2013	General Fund	Capital Outlay Fund	Special Ed Fund	Pension Fund	Bond Red. Fund	Enterprise Funds	Food Service Fund	Internal Service Fund	T & A Fund
Beginning Cash Balance	2,012,456.97	1,268,268.90	377,125.73	736,022.56	306,776.93	54,316.54	287,592.24	425,824.28	31,349.07
Local Sources:	83,329.29	40,723.36	20,043.71	4,072.29	7,386.29	13,721.92	42,910.07	18,356.42	6,371.16
County Sources	10,091.77								
State Sources	254,100.00		37,722.00			889.50			
Federal Sources	46,459.36		71,712.00				29,871.86		
Miscellaneous									
NSF Checks Reversed									
TOTAL RECEIPTS	393,980.42	40,723.36	129,477.71	4,072.29	7,386.29	14,611.42	72,781.93	18,356.42	6,371.16
TOTAL DISBURSEMENTS Transfers/Voided Check	684,155.87	76,343.72	143,154.46			9,760.42	99,856.49 (1.05)	4,762.22	6,460.62 1.05
Other Financing Sources									
Ending Cash Balance	1,722,281.52	1,232,648.54	363,448.98	740,094.85	314,163.22	59,167.54	260,516.63	439,418.48	31,260.66