

**2010 Legal and Public Notices**

meeting is not mandatory but recommended. Bidders are responsible to know site conditions prior to submitting bids.

Bids will be received for Bid Packages 1.1 Building Concrete(2:00PM), 1.2 Aluminum Entrances, Storefronts, and Glazing Systems(2:00PM), 1.3 Dry-wall Systems(2:00PM), 1.4 Doors, Frames, and Hardware Materials(2:30PM), 1.5 Mobilflex Partitions(2:30PM), 1.6 Acoustical Ceiling Systems(2:30PM), 1.7 Resilient Flooring Systems(3:00PM), 1.8 Painting Systems(3:00PM), 1.9 Plumbing Systems(3:00PM), 1.10 Heating and Air Conditioning Systems(3:30PM), 1.11 Electrical Systems(3:30PM), and 1.12 Ceramic Tile Systems(3:30PM).

Copies of the Plans and Specifications may be obtained by bidders at the office of RSArchitects, 405 S. 3rd Ave., Sioux Falls, SD 57101, telephone 605-336-6891. PDF Files of plans and specifications can also be reviewed and downloaded at www.rsarchitects-sd.com by following these simple steps:

- Step 1: go to www.rsarchitects-sd.com
- Step 2: Click on "FTP" Login
- Step 3: Enter User Name: MUC
- Step 4: Enter Password: RS211-45 (no spaces, case sensitive)

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 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 RSArchitects 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, which ever 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, which ever 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 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.

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

Published twice at the total approximate cost of \$ 102.78.

MINUTES OF THE VERMILLION SCHOOL BOARD, October 31, 2014, Special Meeting 12:00 p.m., Unapproved Minutes, VERMILLION PUBLIC SCHOOLS.

Board members present: Esping, Peterson, Schwasinger, Stammer. Board members absent and excused: Fairholm. Presiding officer

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present: Esping-president. Item #1-615; The Board met for a board retreat discussing various topics.

Item #2-615; Motion by Schwasinger, seconded by Peterson, to go into executive session at 4:15 p.m. for employee matter pursuant to SDCL 1-25-2(1). Aye: Unanimous.

Item #3-615; Esping declared the board out of executive session at 4:52 p.m.

Item #4-615; Motion by Schwasinger, seconded by Stammer, to adjourn the meeting at 5:10 p.m. Aye: Unanimous.

Chris Esping, President; Sheila R. Beermann, Business Manager.

Published once at the approximate cost of \$9.93.

**NOTICE OF HEARING**

Notice is hereby given that the Clay County Board of Commissioners will hold a public hearing on the First Reading of ORDINANCE #2014-03, an ordinance amending Ordinance #2013-04, at 9:05 A.M. on Tuesday, November 18, 2014 in the Commissioner's Meeting Room of the Clay County Courthouse, Vermillion, SD, for:

A request to re-zone land (two parcels) from Agriculture to L1: Light Industrial to build industrial structures. The legal descriptions of the properties are: the South 175 feet of the East 422.27 feet of the West 1,625.62 feet of Heikes Tract 4, a subdivision of the SE1/4 SE1/4, SW1/4 SE1/4, the S1/2 SW1/4 NE1/4 SE1/4, the E1/2 SE1/4 SE1/4 NW1/4 SE1/4, and the East 23.5 acres of the S1/2 of Lot 1 of the SW1/4, Section 7, T92N, R52W of the 5th P.M. and the South 175 feet of the East 633.49 feet of the West 1,203.35 feet of Heikes Tract 4, a subdivision of the SE1/4 SE1/4, SW1/4 SE1/4, the S1/2 SW1/4 NE1/4 SE1/4, the E1/2 SE1/4 SE1/4 NW1/4 SE1/4, and the East 23.5 acres of the S1/2 of Lot 1 of the SW1/4, Section 7, T92N, R52W of the 5th P.M.

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 17, 2014 to Clay County Auditor, 211 West Main, Ste 200, Vermillion, SD 57069.

Carri R. Crum  
Clay County Auditor  
Published once at the approximate cost of \$19.03

The University of South Dakota is accepting sealed bids for USD Tuckpoint Beede/Mickelson Halls until 2:00 P.M., November 20th, 2014. 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 may be obtained by bidders at the office of Falls Architecture Studio, LLC, 408 W Lotta St, Ste 3, Sioux Falls, SD, phone: 605-334-0402. The University reserves the right to reject any and all bids.

Published twice at the approximate cost of \$11.92.

Published: Oct. 31 & Nov. 7, 2014.

STATE OF SOUTH DAKOTA

COUNTY OF CLAY

IN CIRCUIT COURT

FIRST JUDICIAL CIRCUIT

Wells Fargo Bank, N.A.,

Plaintiff,

vs,

Kathleen P. Varilek, nka Kathleen P. Haines, and any person in possession,

Defendants.

Civil No. 13-168

**NOTICE OF REAL ESTATE SALE**

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Judgment in the amount of \$67,801.72 having been entered in favor of plaintiff and against defendants, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on September 18, 2014, for the foreclosure of a real estate mortgage.

Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated August 12, 2005, which Frank J. Varilek and Kathleen P. Varilek, Mortgagees, executed and delivered to Mortgage Electronic Registration Systems, Inc., Mortgagee:

Wiken Tract 1 in the Southeast Quarter (SE 1/4) of Section Twenty (20) and Wiken Tract 2 in the Southwest Quarter (SW 1/4) of Section Twenty-one (21), All in Township Ninety Four (94) North, Range Fifty-three (53) West of the 5th P.M., Clay

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County, South Dakota. and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 17th day of August, 2005, in Book 123, Page 102; assigned to Wells Fargo Bank, N.A. by Assignment of Mortgage recorded September 9, 2013, in Book 135 Mortgages, Page 610, in order to realize the amount of \$67,500.00, as of August 12, 2005, plus interest accruing thereafter on said amount at the rate of 5.75% per year together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of and at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, and easements and restrictions of record to the highest bidder for cash under the direction of the Sheriff of Clay County, South Dakota, at the front door of the Clay County Courthouse, in Vermillion, South Dakota, on November 19, 2014, at 10:00 A.M. (CT).

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

Dated October 3, 2014.

/s/ \_\_\_\_\_  
Sheriff of Clay County, South Dakota

MACKOFF KELLOGG LAW FIRM

By: \_\_\_\_\_  
David C. Piper, Attorney #4128  
38 Second Avenue East  
Dickinson, ND 58601  
(701)227-1841

Attorneys for Plaintiff  
Published twice at the total approximate cost of \$68.53.

Published: Oct. 31 & Nov. 7, 2014

**Nobel Peace Prize nominee to discuss Israeli policy at USD**

The co-founder and director of a notable anti-Palestinian destruction group is bringing his message to the University of South Dakota campus at noon on Wednesday, Nov. 5 at I.D. Weeks Library room 205.

Dr. Jeff Halper of the Israeli Committee Against House Demolitions (ICAHN) is presenting a forum entitled, "Destruction and Demolition: Israeli Policies Toward Palestinian Housing." The program is sponsored by USD's International Studies Program and International Studies Club. Halper will be speaking on behalf of the ICAHD, a human rights and peace organization focused on ending Israel's occupation over Palestinians. ICAHD cites "Israel's policy of demolishing Palestinian homes" as its main focus. The organization was awarded U.N. Economic and Social Council Special Consultative Status in 2010.

Halper has been internationally-recognized for his work in the field, receiving a nomination for the Nobel Peace Prize in 2006 for his efforts in championing the liberation of both the Israeli and Palestinian people. He has been a peace and human rights activist for more than three decades.

Born in Minnesota, he participated in the civil rights and anti-Vietnam War movements of the 1960s. Halper immigrated to Israel in 1973 after attending rabbinical school and resisting military service in the Vietnam War. During his mandatory Israeli military service, he refused to bear arms or serve in the occupied Palestinian territories. In 1997, Halper co-founded the ICAHD.

The forum is free and open to the public. For more information, please contact Timothy Schorn, director of International Studies and an associate professor of political science, at (605) 677-5707 or email Timothy.Schorn@usd.edu.

**Halloween food drive showcase**

By Thomas Hatzenbuehler  
For the Plain Talk

The Vermillion High School was a cavalcade of interesting characters, some familiar and others more unique, this Halloween.

It was, however, more than just an opportunity for students to showcase their creativity with dress, makeup and props on this flamboyant holiday.

As usual, the Vermillion High School students have done this Halloween, much as they approach every notable event, with class by hosting a nonperishable food drive for the local food pantry.

"The food drive was created by our student council," said VHS principal Curt Cameron. "The overall objective and goal was to provide food for the food pantry, and the students did a great job with all the food we have here."

With ever tightening school policies regarding the celebration of the Halloween holiday by donning costumes, and as our awareness of what is and is not appropriate for a Halloween costume is continually awakened by social and cultural discourse.

It is refreshing to see the focus of the event shifted



Lenni Billberg donates nonperishable food items to student council members, left to right, Kyliegh Moran, Jessica Brady and Kyliegh Melstad.

**THOMAS HATZENBUHLER / FOR THE PLAIN TALK**

from the actual costumes themselves – almost all of which, it must be noted, were school, socially and culturally appropriate – to instead an appreciation of and participation in the holiday's traditional dress code for a better and higher cause.

"We will have fun throughout the day and the food drive gives the students an opportunity to be creative and help out a good cause," Cameron said.

Among the students, there seemed to be a real sense of community responsibility by dressing up for the holiday in order to help others. The heaping mountains of canned goods, along with the number of people who actually wore a costume

and brought a nonperishable food item for the privilege thereof, served as evidence enough of this fact.

The theme of community responsibility this Halloween has also spread further than within the walls of the Vermillion High School. The many student councils within the region have collectively decided to hold similar food drives.

"We decided to collect food for our student council region and we've paired up with the middle school, so they are doing the same thing there," said student council president Jessica Brady. "Next week we are going to pick up the food and all donate it together, so we should have a good pile."

**USD Opera finishes off a successful run of classic children's performances**

By Sarah Wetzel  
For the Plain Talk

Students in the USD opera program finished off a touring production of the children's opera, "The Three Little Pigs" by presenting two performances on their own stage last weekend. The casts had previously traveled to various elementary schools in the area to perform for the students and teachers there.

"It was wonderful (performing for the kids)," said Dr. Brandon Hendrickson, Assistant Professor of Music/Opera. "We were at a school on Wednesday. Those youngsters were just chatting about the show and laughing and having a good time. That was the overall experience of all the elementary school kids."

The show featured entertainment with an educational focus.

"They just had a great time and laughed and learned a wonderful lesson about spending time at the library and reading for good knowledge," Hendrickson said. "That's sort of the moral of this specific deal."

The production comes from a New York-based composer, John Davies. According to Hendrickson, Davies effectively marries classic opera with the classic three little pigs and big bad wolf tale.

"It's very close to the story," Hendrickson said. "John Davies has done a wonderful job of using the fairy tale and setting it on top of highlights from four of Mozart's great operas: Cosi Fan Tutte, Don Giovanni, Marriage of Figaro and the Magic Flute. It's really interesting to see the differences or similarities between the actual highlights and the way he has set the fairy tale and the way he's using the characters as well."

According to Hendrickson, in order to make the show more appealing to children, the blocking reflected the energy of children themselves.

"It's very childish and very playful and a lot of movement," Hendrickson said. "My students are absolutely drenched with sweat by the end of this 35 minute production. They're running around and playing on stage and having the time of their lives."

Hendrickson said it was well worth the effort.

"The growth that I've seen in my students has just been wonderful," he said. "They see the hard work pay off once they see the elementary school children so responsive to it."

The response of the children was the highlight of the production for Nathaniel

Knoblock who played the wolf in one of the casts.

"My favorite part is hearing the kids when the wolf comes out," Knoblock said. "There's this part where I pretend to be a statue and they all like to yell out 'There's the wolf! Watch out!' They get so entertained watching the pigs and they want to warn them about the wolf and they fully engage in it."

Hendrickson agrees.

"Seeing the elementary students and their eyes light up and seeing the magic of opera and seeing the fairy tale come to life through these different characters, that's probably the best part of it for me," he said. "Also seeing my own students making wonderful discoveries as they continue their process throughout the course of the show and finding those dramatic beats and the funny moments and hearing their voices improve over the course of a five-week production, it's so great."

The show was designed to be engaging to not only children, but adults as well.

"To keep it entertaining for me I also have to put some adult humor in there so some of the humor is a little bit over the heads of the children," Hendrickson said. "I don't make anything inappropriate in a children's opera but there are moments when the children were laughing hysterically and the teachers in the elementary schools were having a great time as well. It's important for me to keep the balance there."

Knoblock also noticed adults engaging in the show along with the children.

"It is a children's opera so it's more geared towards children but if adults like to get into that children's aspect they get just as involved as they do," he said.

To create a production appealing towards children, Hendrickson said he told his students to walk a mile in the shoes of their audience.

"The morals are geared towards the children," he said. "I tried to challenge my students to think how a nine or ten year old might think in terms of portraying these roles. That's the beauty of it, getting them to take a couple steps back and not being so high-brow which is what most people associate with opera. That doesn't have to be the case."

According to Hendrickson, this is one of the refreshing aspects of a show like this.

"I know people think that opera is just stuffy but it's an art form for everybody and this is a great way to introduce it to young children as well as adults," he said.

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why the rent at Princeton was not paid, were not returned as of press time.

According to VCDC Executive Director Nate Welch, the Eagle Creek project of building the Princeton edifice and all other expenses cost \$4.2M with 90 percent or more connected to the VCDC from bank financed monies and investment dollars from Vermillion NOW! and Dakota Resources.

During Election Tuesday a handful of Vermillion citizens wondered if any of their tax dollars would be affected by Eagle Creek's alleged non-payment of the rent and Welch confirmed that little to no monies from that revenue base were involved in the project.

The VCDC can't comment on the lawsuit due to policy, but he did say that the organization is not a governmental body but an agent for financial development and commercial growth within Vermillion. "The VCDC is not a

government entity and that is a misperception," Welch said. "The Chamber of Commerce is to help build current businesses and help improve the current climate and the quality of life.

"It looks at both chamber development and tourism and says 'what is that greater good, what provides us that opportunity (to grow?)"

Welch said that the VCDC can't invest monies toward projects, but it helps businesses come to town, through projects such as housing that can be home to future new employees in Vermillion.