

2010 Legal and Public Notices

NOTICE OF SALE OF SURPLUS PERSONAL PROPERTY

Notice is hereby given that the Finance Officer of the City of Vermillion, South Dakota, will receive sealed bids for the sale of the following surplus personal property, pursuant to the provisions of SDCL 6-13-4, at City Hall in Vermillion, South Dakota on the **25th day of February, 2014, at 2:00 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 located at 25 Center Street on the 3rd day of March, 2014, at 7:00 p.m. Sale will be to the highest bidder for cash (but not less than 90% of the appraised value of said property).

- 2005 Toro Workman 3200 utility vehicle which has been appraised at \$6,000.
- 2003 Toro Greensmaster 3150 greens mower which has been appraised at \$7,500.
- 2000 Goosen Versa Vac 2000 turf sweeper which has been appraised at \$6,000.

Copies of the bid documents may be obtained from the City of Vermillion Engineering Department, 25 Center Street, Vermillion, South Dakota, 57069. All sealed bids must be accompanied by a certified check or cashier's check made payable to the City of Vermillion, South Dakota, in the amount of ten percent (10%) of the bid. All bids shall be on forms provided by the City and may not be withdrawn for a period of thirty (30) days after the opening of bids.

Dated at Vermillion, South Dakota this 3rd day of February 2014.

City of Vermillion

By _____
Jason Anderson,
Asst. City Engineer

Publish once at the approximate cost of \$42.89.

Publish: February 7 and 14, 2014.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

Civil No. 14-16

NOTICE OF HEARING FOR ADULT NAME CHANGE

In the Matter of the Petition of Nancy Rhoades For a Change of Name to Nancy Rumney

NOTICE IS HEREBY GIVEN a Verified Petition for Adult Name Change has been filed by Nancy Rhoades the object and prayer of which is to change Petitioner's name from Nancy Rhoades to Nancy Kay Rumney. On the 19th day of March, 2014, at the hour of 9:00 a.m. 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 this 29 day of January, 2014 at Vermillion, South Dakota.

Jessica Bosse, Clerk of Court

ATTEST:

Clerk of Court
By:
Nadyne Zimmerman
Deputy

Published: February 7, 14, 21, and 28, 2014.

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January 28, 2014

The Board of County Commissioners met in regular session Tuesday January 28, 2014 at 9:00 a.m. Members present: Mockler, Packard, Powell, Kephart, and Passick.

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

Minutes of the January 14, 2014 meeting were approved with a motion by Mockler, seconded by Powell and carried.

Rod Polley, Highway Superintendent, met with the Board to discuss potential equipment purchases this year, including a mower tractor and a used steel faced roller.

Payroll transitions reported by Polley and Carri Crum, Auditor, are as follows. Diane Johnson and Paul Johnson retired 11/8/13. Greg Bogenpohl resigned as Deputy Auditor on 12/27/13. Polley hired Kevin McGuire to fill the open position as Highway Maintenance Worker. McGuire will start at 12/1 on the pay scale (\$12.35/hour) on February 3rd. Joshua Laden has been hired to fill the position as Deputy Treasurer, half-time starting at 11/1 on the pay scale (\$12.05/hour) on February 3rd. Jessica Beringer has been hired to fill the position as Deputy Auditor, starting at 11/1 on the pay scale (\$12.05/hour) on February 3rd.

Cynthia Aden, Zoning Administrator, met with the Board to present the following plat. Plat of M.P.A. Brown Conservation Easement Tract 2 in Parcel D in the S1/2 of the S1/2; the N1/2 of the SE1/4; and that portion of the NE1/4 of the SW1/4 lying East of the Vermillion River Valley Ditch, all in Section 6, T93N, R51W of the 5th P.M., Clay County, South Dakota; such plat vacates Parcel D in the S1/2 of the S1/2 of Section 6, T93N, R51W of the 5th P.M., Clay County, South Dakota, as recorded December 3, 1996, at 2:10 p.m., in Book 7 of Plats, Page 25; Michael P.A. Brown and Onatia S. Brown, owners.

RESOLUTION OF COUNTY COMMISSIONERS

WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property:

Plat of M.P.A. Brown Conservation Easement Tract 2 in Parcel D in the S1/2 of the S1/2; the N1/2 of the SE1/4; and that portion of the NE1/4 of the SW1/4 lying East of the Vermillion River Valley Ditch, all in Section 6, T93N, R51W of the 5th P.M., Clay County, South Dakota; such plat vacates Parcel D in the S1/2 of the S1/2 of Section 6, T93N, R51W of the 5th P.M., Clay County, South Dakota, as recorded December 3, 1996, at 2:10 p.m., in Book 7 of Plats, Page 25; Michael P.A. Brown and Onatia S. Brown, owners.

Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and section lines of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically accessible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such plat and the survey thereof have been executed according to law, and the same is hereby accordingly approved.

SN/_____
Raymond Passick, Chairman
Board of County Commissioners

I, Carri R. Crum, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on January 28, 2014.

Carri R. Crum
County Auditor, Clay County, SD

At 9:15 a.m., bid opening commenced for 2014 Jail Meals. Bids were opened and read aloud by Chairman Passick. Cherry Street Grille submitted a bid of \$3.48 for lunch and supper meals. Hy-Vee submitted a bid of \$3.60 for lunch and supper meals with an addi-

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tional \$1.00 per meal for any special dietary menu requests. Powell moved, seconded by Kephart and carried to accept the low bid from Cherry Street Grille.

Dennis Ganschow, Weed Supervisor, met with the Board to discuss the replacement of a 2004 Polaris Ranger. Powell moved, seconded by Kephart and carried to authorize the purchase of a Kubota 1120, with the 2004 Polaris Ranger and tank to be sold by Girard Auction at a later date. Powell moved, seconded by Mockler and carried to declare surplus the 2004 Polaris Ranger and tank.

The Board discussed with Ganschow the contract in place with other counties for Salt Cedar control.

Powell moved, seconded by Mockler and carried to authorize the Chairman to sign the Combined Election Agreement with the City of Vermillion and the Vermillion School District.

The Board reviewed the bid manual for the Courthouse Chiller Project, and it was a consensus to table the approval until the February 4th meeting, giving the Board more time to thoroughly read the manual.

Powell moved, seconded by Mockler and carried to approve payroll and the following claims for payment. January Payroll: All salaries are monthly unless otherwise noted. Cynthia Aden \$3666.66, Jeff Anders \$3564.83, Aaron Armstrong \$3075.75, Bryan Beringer \$12.35/hour, Steve Bierle \$16.23/hour, Jay Bottolfson \$20.00/meeting, Cindy Carrington \$13.52/hour, Laura Christensen \$2088.67, Carri Crum \$4068.50, John Davidson \$20.00/meeting, Joan Downey \$2425.83, Robert Eckman \$2306.42, Dennis Ganschow \$19.46/hour, Teddi Gilbertsa \$5961.17, Marty Gilbertson \$20.00/meeting, Brent Hays \$13.64/hour, Kathy Heles \$2994.33, Ray Hofman \$4068.50, Jennifer Holman \$50.00/call, Andy Howe \$4978.33, Rhonda Howe \$2193.00, Joseph Hubert \$20.00/meeting, Tiffany Husby \$3372.92, Caryn Jerke \$2038.50, Leslie Kephart \$978.50, Dave Kyte \$3075.75, Colleen Lande-Speakman \$2750.00, Tim Larson \$18.14/hour, Gene Lunn \$4068.50, Linda Manning \$2715.08, Frank (Rick) Martz \$19.06/hour, Janice McGuire \$50.00/call, Larry McPherson \$21.04/hour, Micah Mesman \$13.31/hour, Sarah Miller \$2415.92, Travis Mockler \$978.50, Kevin Noble \$2057.06, Jane Olson \$2856.67, Phyllis Packard \$978.50, Raymond Passick \$1081.50, Paul Pederson \$3477.00, Ina Peterson \$2994.33, Rod Polley \$4343.17, Catherine Powell \$4068.50, Leo Powell \$978.50, Gretchen Richardson \$10.50/hour, Derek Ronning \$12.35/hour, Dominick Santa Maria \$13.97/hour, John Sheff \$15.00/hour, Michael Smith \$2801.58, Layne Stewart \$3666.67, Dave Styles \$2666.58, Laura Sundet \$1987.67, Dan Swensen \$20.57/hour, Mary Taggart \$2994.33, Philip Terwilliger \$4067.83, Luke Trowbridge \$11.76, Maria Trowbridge \$11.76, Noah Umscheid \$13.31/hour, Tim Vanderkooi \$19.06/hour, Patty Waage \$50.00/call, Linda Weber \$3078.67, Jerami West \$3737.08, Staci Wuestewald \$50.00/call, Staci Wuestewald \$11.76/hour. (Payroll Deductions) AFLAC \$682.05, Clay Co. Treasurer \$35766.40, Colonial Life \$409.47, Washington National \$398.60, Dearborn National \$174.72, Nationwide Retirement \$58.82, New York Life Insurance \$440.23, SD Retirement System \$18031.40, SD Supplemental Retirement \$1050.00, SDRS Roth 457b \$225.00, TASC (Flex System) \$2368.56, United Way of Vermillion \$130.00, Vermillion Federal Credit Union \$1141.00, Wellmark Blue Cross/Blue Shield \$32404.38, January Bills: (Law Library) Thomson Reuters-West \$82.34; (Prof. Serv./Fees) Norma Andersen \$15.00, John Billings \$1997.50, Jeanne Bossman \$418.00, City of Vermillion \$69057.33, Denise Cody \$15.00,

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Marv Ekeren \$15.00, LaCroix Law Office \$268.14, Lucille Lewno \$300.92, Netsys Plus \$123.75, Peterson, Stuart, Rumpca & Rasmussen \$5035.84, PharmChem \$399.00, Professional Security \$107.00, SD Dept. of Health Lab \$280.00, Security Shredding \$35.00, Shepherd Reporting \$45.00, Karen Swanda \$15.00, University Cleaners \$40.00, Valiant Vineyards \$1798.50, Yankton Co. Sheriff \$50.00, Yankton Co. Treasurer \$212.50, Yankton Medical Clinic \$111.01; (Repairs/Maint.) John Aden \$105.00, Advanced Water Co. \$1226.25, Dakota Lock & Key \$20.00, Johnson Controls \$592.62, MARCO \$468.50, Microfilm Imaging Systems \$240.00, Netsys Plus \$62.50, Presto-X \$65.08; (Data Processing) Bureau of Administration \$19.00, Netsys Plus \$217.50, Software Services \$1910.00; (Materials/Supplies) A&B Business Solutions \$30.99, Café Brulé \$102.00, Campbell Supply \$162.83, Chemco \$87.96, Dakota PC Warehouse \$1200.90, Ray Hofman \$37.90, Jack's Uniforms \$206.70, JCL Solutions \$584.03, Lawson Products \$300.08, Mills & Miller, Inc. Distributing-\$1466.61, Netsys Plus \$85.00, Office Elements \$146.36, Quill Corp. \$874.10, Rasmussen Motors \$272.75, Riverside Hydraulics \$23.52, SD Dept. of Transportation \$5953.27, SDAE4-HE \$105.00, Sioux City Foundry \$716.98, Sturdevant's Auto Parts \$70.12, 3-D Specialties \$171.91, Truck-Trailer Sales & Svc. \$92.95, Verizon Wireless \$11.85, Wal-Mart Community \$6.47, Western Office Tech. \$109.43; (Travel/Conference) Dennis Ganschow \$91.02, Kathy Heles \$82.14, Gene Lunn \$46.00, Ina Peterson \$46.00, SD Emg. Mgmt. Assn. \$60.00, Layne Stewart \$94.72; (Utilities) City of Vermillion \$1930.88, Clay Rural Water \$37.10, Midcontinent Comm. \$270.00, Verizon Wireless \$354.06, Vermillion/Clay Co. Landfill \$515.00, Vermillion Garbage Svc. \$156.00; (Allocations) Wakonda Ministerial Assn. \$200.00; (Machinery/Auto) Brunick Service \$49.95; (Jury/Witness) Nicole Allen \$10.00, Carol Bak \$34.42, Jarrett Bies \$18.88, Dawn Bohn-Brown \$17.40, Albert Fish \$10.00, Deana Fuller \$10.00, John Grayson \$10.00, Esther Houts \$10.00, Barbara Iacino \$10.00, Sheila Jacobson \$10.00, Stacy Kopriva \$10.00, Florene Larson \$10.00, Timothy Lindmier \$10.00, Kathleen McElhinney \$10.00, Michelle Mines \$10.00, Benjamin Mollman \$10.00, Josephine Pickett \$10.00, Micky Rasmussen \$10.00, Mariah Rogers \$10.00, Michelle Ruhaak-Mohr \$10.00, Scott Schempp \$10.00, Evelyn Schlenker \$10.00, William Settles \$10.00, Riva Sharples \$27.02, Donna Sommervold \$12.96, Charles Stewart \$10.00, Sharon Wieman \$18.88, Judith Zwolak \$10.00; (Furn./Minor Equip.) MARCO \$6700.00, Quill Corp. \$460.88.

At 10:25 a.m. Powell moved, seconded by Kephart and carried to adjourn and reconvene Tuesday, February 4, 2014 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 \$113.64.
Publish: February 7, 2014.

Unapproved Minutes Council Special Session
Policy and Procedures Committee
January 28, 2014
Tuesday 9:00 a.m.

The City of Vermillion Policy and Procedures Committee was called to order on Tuesday, January 28, 2014 at 9:00 a.m. by Chairman Osborne at the City Hall large conference room. As there was a quorum of the City Council members present it is reported as a special meeting.

1. Roll Call

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Committee Present Davies, Meins, Osborne, Zimmerman
Council members also Present: Mayor Powell

Also Present: Dennis Martens, Dan Christopherson, Dave Howard, Tessa Clark, Dave Hertz, Tom Powell, Mick Odens, Jay Bottolfson, John Prescott, Jose Dominguez, Mike Carlson

2. New Business

A. Harold Davidson Field Airport - Minimum Standards for Operators of Commercial Activities.

Chairman Osborne stated the meeting was to review the Minimum Standards for Operators of Commercial Activities for the airport and asked John Prescott for an update.

John Prescott, City Manager, stated the City Council requested the Policy and Procedures Committee to review and report on the minimum standards. John stated that Jose has handed out the updated minimum standards that include changes as recommended by the FAA Office in Bismarck and the Regional FAA Office. Jose Dominguez, City Engineer, reviewed the changes that were listed in red in the minimum standards document noting that these were based upon the recommendations of the FAA offices that have reviewed the standards.

Dave Howard stated that the FAA Circular is an advisory document thus these items are not required.

Dave Howard stated he was concerned about the amount of insurance coverage that is required by this document. Dave stated that he does not have a problem with having insurance as he has insurance, but not at the coverage amounts. Dave stated that he had a quote of \$8,000 for the insurance coverage required by the minimum standards document. Discussion followed on the insurance amounts with Dave reporting on the cost of his current coverage noting that he does not currently have product liability coverage. Jose stated that the FAA suggested increasing the coverage amounts.

Jim McCulloch, City Attorney, reported on the state statutes that apply to publicly owned airports. Jim reviewed the statute that set the maximum liability of the municipality for accidents or occurrence at five million dollars and the minimum standards are only requesting one million dollars.

Dave Howard stated that he had a concern about the hours of operations suggesting that the requirement be that hours are to be posted and maintained that are convenient to the customers being served. Discussion followed on the hours of operation noting that the minimum standards require 20 hours per month between the hours of 8 to 5.

Dave Howard was concerned that the minimum standards prohibit the selling of fuel. Dave stated that his current hangar lease allows him to sell fuel noting that he doesn't sell very much fuel and that it is mostly a service to his customers. Dave proposed that commercial users be allowed to sell fuel and pay a five cent flowage fee to the city.

Tom Powell questioned how aerial applicators that haul their own fuel would comply with this requirement. Jose stated that self fueling is allowed just not the sale of fuel.

Dave Howard noted that not all the current leases are the same as to allowing fuel sales. Jose noted that the Kinney lease provides for fuel sales and has two fifteen year renewal options and that the lease Mr. Howard assumed for Amond

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Hanson will expire in February 2015.

Jim McCulloch stated that he would need to review the leases but he felt that if the City adopted new standards that the leases would need to come into compliance with the new standards. Jim stated that this would remove any proposed discrimination in the leases. Jim stated that he would need to review the leases.

Dan Christopherson questioned how the USD plane is fueled at the airport. Dennis Martens stated that USD purchases fuel from the City fuel system at the airport.

Dave Hertz questioned if the policies are required by the FAA to operate an airport. Jose stated that to apply for grant funds from the FAA the City must make assurances as to the operations of the airport and that the minimum standards will meet some of the assurance requirements that the city currently has by accepting FAA grants for the airport.

Discussion followed on the minimum standards and current lease agreements.

Chairman Osborne stated that from what he has heard there are a few issues to be addressed in the minimum standards. That being hours of operation, insurance requirements, fuel sales and from a letter he received there is also an issue with septic tanks access for the hangers that has not been brought up.

Tom Davies stated that he knows the City Staff and Dave Howard and other airport users have had discussions on the minimum standards and wanted both parties to get together and see if they can resolve the outstanding issues. If these issues cannot then the committee can meet to determine address the issues.

It was noted that Dave Howard made an application to be recognized as a FBO at the airport. An FAA requirement of an FBO is to have bathroom facilities for the business location unless the airport has its own minimum standards that do not have this requirement. Jose stated that this started the development of minimum standards for the airport as required by the FAA that do not require bathroom facilities. But as Dave Howard is still requesting permission for a septic tank and drain field Jose stated that he has contacted the FAA and the city would need to have a plan that would make available a septic system to as many users of the airport as possible. Jose reviewed the options to make sewer service available to each property that would be expensive and that as the property is outside the city limits the ability to special assess the costs is not allowed.

Zimmerman moved the authorize City staff to continue to work with the airport users to see if there is something that can be resolved on the minimum standards that is acceptable to all and report back to the Policy and Procedures Committee. Clarene Meins seconded the motion. Motion carried 4 to 0. Chairman Osborne declared the motion adopted.

Discussion followed on the septic tank and drain field locations at the airport.

Chairman Osborne asked when the committee wanted to meet to review the report. The consensus of the committee was to meet at 9:30 on Tuesday, February 3rd.

3. Adjourn

Dennis Zimmerman moved to adjourn the committee meeting at 10:25 p.m. Clarene Meins seconded the motion. Motion carried 4 to 0. Chairman Osborne de-

Senior Building Maintenance Worker-HVAC Specialist:

The University of South Dakota is seeking an HVAC Specialist. Successful applicant will have significant experience in industrial level HVAC systems and equipment. The candidate must have a Freon certificate or be able to obtain one within 6 months of hire. Applicant must also have a valid driver's license or be able to obtain one. Working hours are Monday-Friday 7:30 a.m. to 4:00 p.m.

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