

2010 Legal and Public Notices

34A 1 and the federal Clean Air Act.

In accordance with the Administrative Rules of South Dakota (ARSD) 74:36:05:17, any person desiring to comment on DENR's draft permit must submit written comments to the address below within thirty days of this public notice.

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 within thirty days of 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.

If no comments or objections are received within thirty days of this public notice, the draft permit becomes the final permit decision and the proposed permit will be submitted to EPA for review.

Copies of DENR's draft permit and other information may be obtained from Lisa Robinson, Natural Resources Engineer, at the above address or telephone (605) 677-6165.

Steven M. Pimer, Secretary Department of Environment and Natural Resources

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STATE OF SOUTH DAKOTA COUNTY OF YANKTON: SS

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

PRO. 10-10

IN THE MATTER OF THE ESTATE OF KEVIN SMIDT, Deceased.

NOTICE TO CREDITORS OF INFORMAL PROBATE AND APPOINTMENT OF PERSONAL REPRESENTATIVE

Notice is given by Jan Guthmiller, whose address is 2314 Walnut, Yankton, SD 57078, that she was appointed as personal representative of the estate of Kevin Smidt.

Creditors of decedent must file their claims within four months (4) after the date of the first publication of this notice of their claims may be barred.

Claims may be filed with the personal representative of may be filed with the clerk, and a copy of the claim may be mailed to the personal representative.

Dated at Yankton, South Dakota this the 6th day of April, 2010.

Jan Guthmiller Personal Representative

Jody L. Johnson Clerk of Courts PO Box 155 Yankton, SD 57078 (605)668-3080

David M. Hosmer Attorney for PR PO Box 7051 Yankton, SD 57078 (605)665-0494 (605)260-2222 (Fax) (605)661-2947 (Cell) davidhosmer@hotmail.com

4+16

NOTICE OF HEARING UPON APPLICATION FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for the transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2009, to June 30, 2010, from Boomer's Inc., d/b/a Boomer's Lounge (Gary

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Boom, President), 100 East 3rd Street, to 5 O'Clock Somewhere, LLC d/b/a 5 O'Clock Somewhere Parrot Room (Gary Boom and John Murray, partners), 1522 Broadway, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, April 26th, 2010, at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota this 12th day of April, 2010.

Al Viereck FINANCE OFFICER

4+16

NOTICE OF HEARING UPON APPLICATION FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Events RETAIL (on-sale) Malt Beverage and a Special RETAIL (on-sale) Wine Dealers License for May 11, 2010 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Lewis & Clark Specialty Hospital, 2601 Fox Run Parkway, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, April 26th, 2010, at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota this 12 day of April, 2010.

Al Viereck FINANCE OFFICER

Obama Signs Bill Extending Jobless Benefits

WASHINGTON (AP) — President Barack Obama has signed a bill extending unemployment benefits through June 2 and restoring full Medicaid payments to doctors.

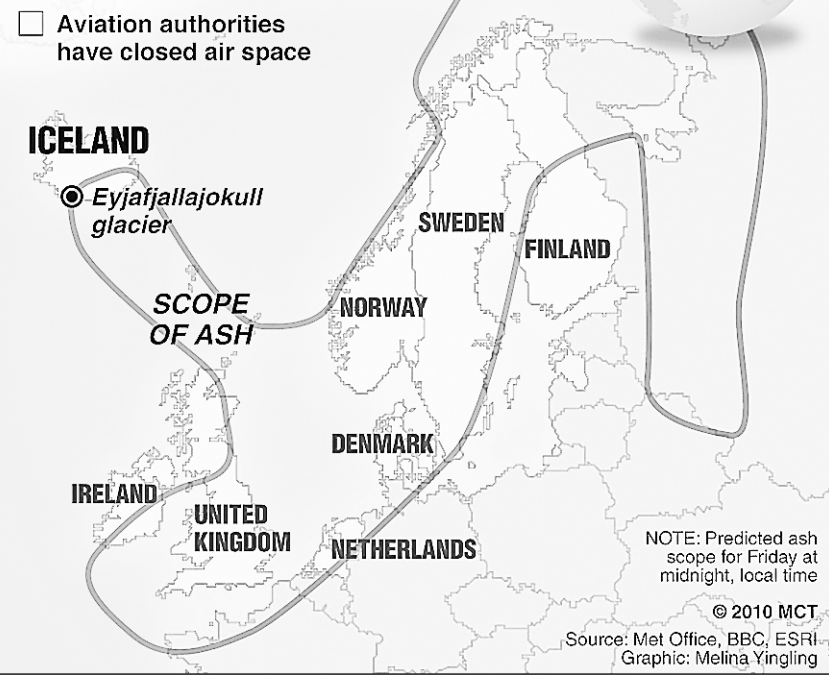
The bill cleared both houses of Congress on Thursday night. The House passed the bill 289-112 just two hours after it emerged from the Senate on a 59-38 vote that capped an unusually partisan debate.

Republicans largely chose to take a stand against the legislation for adding to the \$12.8 trillion national debt despite backing it by wide margins in December and again recently.

People who lost out on the additional weeks of benefits after exhausting their state-paid benefits will now be able to reapply and receive those checks retroactively.

Iceland volcano

The ash cloud from a volcano erupting under the Eyjafjallajokull glacier is disrupting flights across northern Europe.



Iceland's Volcanic Ash Halts Flights Across Europe

LONDON (AP) — An enormous ash cloud from a remote Icelandic volcano caused the biggest flight disruption since the 2001 terrorist attacks as it drifted over northern Europe and stranded travelers on six continents.

The cloud, floating miles (kilometers) above Earth and capable of knocking out jet engines, wrecked travel plans for tens of thousands of people Thursday, from tourists and business travelers to politicians and royals.

Non-emergency flights in Britain were canceled, and most will stay grounded until at least midday Friday. Authorities in Ireland, Denmark, Norway, Sweden, Finland and Belgium also closed their air space.

At London's Heathrow airport, normally one of the world's busiest with more than 1,200 flights and 180,000 travelers a day, passengers stared forlornly at departure boards on which every flight was listed as canceled.

A volcano beneath Iceland's Eyjafjallajokull glacier began erupting Wednesday for the second time in less than a month, triggering floods and shooting smoke and steam miles into the air.

About 700 people from rural areas near the volcano were evacuated Thursday because of flash flooding, as water carrying icebergs the size of small houses rushed down the mountain.

Rognvaldur Olafsson of the Civil Protection Department.

The ash cloud became a menace to air travel as it drifted south and east toward northern Europe — including Britain, about 1,200 miles (2,000 kilometers) away.

The ash plume drifted at between 20,000 feet and 36,000 feet (6,000 meters and 11,000 meters), where it could get sucked into airplane engines and cause them to shut down.

Britain's air traffic service said early Friday it was extending a ban on most air traffic until 7 p.m. local time Friday, but flights to Scotland and Northern Ireland, and North Atlantic flights to and from Glasgow, Prestwick and Belfast airports may be allowed until 1 p.m. local time.

The agency said Britain had not halted all flights in its space in living memory, although many were grounded after the Sept. 11, 2001, terrorist attacks in the United States.

Eurocontrol spokeswoman Evans said the ash had led to the cancellation of about 4,000 flights within Europe Thursday, and that could rise to 6,000 Friday.

Several U.S. flights bound for Heathrow, including those from Chicago, San Francisco, Denver, Las Vegas and New York, had to return to their departure cities or land elsewhere when London airports were closed.

In Washington, the Federal Aviation Administration said it was working with airlines to try to reroute some flights around the huge ash cloud, which is hundreds of miles wide.

It was unclear whether the ash cloud would affect the arrival of President Barack Obama and other world leaders planning to attend the state funeral Sunday of Polish President Lech Kaczynski, who died in a plane crash.

Tea Party Rally Upbraids 'Gangster Government'

WASHINGTON (AP) — Tea party protesters marked tax day Thursday with exhortations against "gangster government" and appeals from Republicans seeking their grass-roots clout in November elections.

Several thousand rallied in Washington's Freedom Plaza in the shadow of the Ronald Reagan office building, capping a national protest tour launched in the dust of Nevada and finishing in the capital that inspires tea party discontent like no other place.

The Washington rally in brilliant sunshine was spirited but modest in size, lacking the star power of tea party favorite Sarah Palin,

who roused the masses at earlier stops of the Tea Party Express in its cross-country bus tour. Republican Rep. Michele Bachmann of Minnesota won roars of affirmation as she accused President Barack Obama and congressional Democrats of trying to take over health care, energy, financial services and other broad swaths of the economy.

"We're not to this gangster government," she declared. "I say it's time for these little pigs to go home."

She appealed directly for tea partiers to swing behind "constitutional conservatives" in congressional campaigns, just as they contributed to Scott Brown's upset in the Massachusetts Senate race in an early test of their potency.

"We need to have your help for candidates like me. We need you to take out some of these bad guys."

Obama, speaking Thursday night at a Democratic fundraiser in Miami, told supporters he is amused by the protesters' complaints about taxes because, contrary to their claims, he's cut taxes.

Although Republicans are ideological allies of many tea partiers — and GOP operatives are involved in some of the organizations — they are also part of the establishment that many in the movement want to upend.

But plenty of Republican hopefuls came forward at rallies around the country, hoping to tap the energy and anger for political ends. In Louisville, Ky., Rand Paul, an outsider who has become a leading contender for the Republican Senate nomination, declared, "I'm clinging to my guns, my religion and my ammunition" and added: "We were intended

to be a constitutional Republic. Yet, we have devolved into some kind of mad democracy."

Worried about liberal infiltrators, Kevin Terrell, a self-described colonel in the Ohio Valley Freedom Fighters militia based in Louisville, led about two dozen camouflaged followers on a patrol around the park. "I'm a little apprehensive because of the left-wing nut jobs out there," Terrell said.

Comedian Mark Klein told the crowd that the difference between Obama and terrorist Osama bin Laden is that "one is an anti-capitalist trying to destroy America. The other is hiding in Afghanistan."

Police estimate 1,200 showed up in Hartford, Conn., where one sign plainly took sides: "Dump All Democrats." At least 1,000 paraded through downtown Boise, Idaho; about 500 rallied in Oklahoma City. In Montpelier, Vt., where 60 people mocked the government in song and word,

STEP

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opportunity be scheduled.

"We give one sub-test per day," said Webster Elementary third grade teacher Robin Brooks. "That allows us to fit it into the day. For example, if a test requires 50 minutes, we will have it just after lunch. However, if it is only 40 minutes, we might try to schedule it before the morning recess."

That flexibility allows to the teachers to keep the day as normal as possible, yet, Mitzel said the district tries to make testing days fun, too.

"We have snacks, free breakfasts and no homework on testing days," he said. "We want the kids to be as relaxed and ready to go as possible. ... By spreading the tests out over several days, that also allows us to reduce the possibility that a student will be having a bad day and have it reflected in their scores."

Brooks said that in her class, the students will be taking seven

sub-tests — four reading tests and three math tests. Fifth- and eighth-graders will also be taking science component tests.

She added that the tests will be comprehensive. Unlike in the past, one section does not focus on comprehension, the next vocabulary, etc. Rather each test will have sections of all the areas being tested.

"We don't see the tests before we give them to the students," Brooks said. "We have to make sure our rooms have any aids removed, such as the multiplication tables. We also need to be

sure that we have the desks set up in a situational seating arrangement."

"There are three levels of achievement with the STEP test," Mitzel said. "We need to have 72 percent of our students at either advanced or proficient levels. In reading, that level is 69 percent." The results of the tests taken this spring will not be returned to the districts until this summer. Parents will receive a letter later in the summer with their child's results.

Brooks said that teachers will look at the results of the previous

year's tests to use as guides in whatever areas an incoming class might need additional work.

"The tests really don't affect us this year," she said. "We will see how the students do, but in most cases it is the teachers who have the student the next year that will benefit the most."

For parents who may have questions about the tests and how they are used, the South Dakota Department of Education has several documents for use, for information visit http://doe.sd.gov/octa/assessment/dakSTEP/index.asp.

NATION/WORLD DIGEST

Pope Breaks Silence On Abuse Scandal

VATICAN CITY (AP) — Pope Benedict XVI broke his recent silence on the clerical abuse scandal Thursday, complaining that the church was under attack but saying that "we Christians" must repent for sins and recognize mistakes.

The main U.S. victims group immediately dismissed his comments, saying they are meaningless unless Benedict takes concrete steps to safeguard children from pedophile priests.

Benedict made the remarks during an off-the-cuff homily at a Mass inside the Vatican for members of the Pontifical Biblical Commission.

"I must say, we Christians, even in recent times, have often avoided the word 'repent', which seemed too tough. But now under attack from the world, which has been telling us about our sins ... we realize that it's necessary to repent, in other words, recognize what is wrong in our lives," Benedict said.

"Open ourselves to forgiveness ... and let ourselves be transformed. The pain of repentance, which is a purification and transformation, is a grace because it is renewal and the work of divine mercy," he said.

Judge Rules Day Of Prayer Unconstitutional

MADISON, Wis. (AP) — A federal judge in Wisconsin ruled the National Day of Prayer unconstitutional Thursday, saying the day amounts to a call for religious action.

U.S. District Judge Barbara Crabb wrote that the government can no more enact laws supporting a day of prayer than it can encourage citizens to fast during Ramadan, attend a synagogue or practice magic.

"In fact, it is because the nature of prayer is so personal and can have such a powerful effect on a community that the government may not use its authority to try to influence an individual's decision whether and when to pray," Crabb wrote.

Congress established the day in 1952 and in 1988 set the first Thursday in May as the day for presidents to issue proclamations asking Americans to pray. The Freedom From Religion Foundation, a Madison-based group of atheists and agnostics, filed a lawsuit against the federal government in 2008 arguing the day violated the separation of church and state.

President Barack Obama's administration has countered that the statute simply acknowledges the role of religion in the United States. Obama issued a proclamation last year but did not hold public events with religious leaders as former President George W. Bush had done.

Crabb wrote that her ruling shouldn't be considered a bar to any prayer days until all appeals are exhausted. U.S. Justice Department attorneys who represented the federal government in the case were reviewing the ruling Thursday afternoon, agency spokesman Charles Miller said. He declined further comment.

Obama spokesman Matt Lehrich said in an e-mail to The Associated Press the president still plans to issue a proclamation for the next prayer day.

The American Center for Law and Justice, which filed a friend of the court brief supporting the government on behalf of 31 members of Congress, called Crabb's ruling flawed and promised to back an appeal if one is filed.

"It is unfortunate that this court failed to understand that a day set aside for prayer for the country represents a time-honored tradition that embraces the First Amendment, not violates it," ACLJ Chief Counsel Jay Sekulow said in a statement.

Agents Raid Accused Immigration Smugglers

PHOENIX (AP) — Federal agents on Thursday targeted more than 50 shuttle operators and smugglers accused of using the vans to transport thousands of illegal immigrants from spots near the Mexican border to Phoenix.

Investigators, who billed the bust as the largest human smuggling case in U.S. Immigration and Customs Enforcement's seven-year history, said the operators of four shuttle services in Tucson and a fifth in Phoenix created their businesses solely to help immigrant smugglers move their customers to Phoenix under a veil of legitimacy. The shuttle operators are accused of giving illegal immigrants fraudulent receipts and coaching them on what to say if the vans were pulled over by police.

Arrests were made in Phoenix, Tucson and two other Arizona towns along the border, Nogales and Rio Rico. Investigators also made arrests in Tennessee, and Mexican authorities detained people south of the border. More than 800 agents from nine law enforcement agencies were involved, authorities said. The number of arrests hasn't yet been released.

Obama Pledges Renewed Support For NASA

CAPE CANAVERAL, Fla. (AP) — President Barack Obama predicted Thursday his new space exploration plans would lead American astronauts to Mars and back in his lifetime, a bold forecast relying on rockets and propulsion still to be imagined and built.

"I expect to be around to see it," he said of pioneering U.S. trips, first to an asteroid and then on to Mars. He spoke near the historic Kennedy Space Center launch pads that sent the first men to the moon, a blunt rejoinder to critics, including several former astronauts, who contend his planned changes will instead deal a staggering blow to the nation's manned space program.

"We want to leap into the future," not continue on the same path as before, Obama said as he sought to reassure NASA workers that America's space adventures would soar on despite the impending termination of space shuttle flights.

His prediction was reminiscent of President John F. Kennedy's declaration in 1961, "I believe that this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the Moon and returning him safely to Earth." That goal was fulfilled in 1969.

Obama did not predict a Mars landing soon. But he said that by 2025, the nation would have a new spacecraft "designed for long journeys to allow us to begin the first-ever crewed missions beyond the moon into deep space."

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