

2010 Legal and Public Notices

WHEREAS, the Board of Trustees is in agreement and will update the town's sidewalk ordinance of 1902.

NOW, THEREFORE, be it resolved that the Lesterville Town Board will repeal Ordinance #54 – Sidewalks and replace with Ordinance #118 – Sidewalks with subsequent first reading (April 11th) and second reading (May 9th).

Dated this 11th day of April, 2011.

Trustees voting "aye": Bloch, Frank, Pratt
Trustees voting "nay": none
Resolution approved.

Sidewalk Ordinance

Board members conducted the first reading of Ordinance #118 – Sidewalks. Several typos were noted for correction. A second reading of the ordinance will be completed at the May meeting.

Mowing Bids

Two bids were opened for seasonal mowing of vacant lots and railroad right-of-way areas in Lesterville. Bids were read aloud as follows: *J. Finck* - \$26/hr small equipment – vacant lots; \$38/hr (tractor) – Railroad right-of-way. *B. Anderson* - \$25/hr - vacant lots; \$70/hr – Railroad right-of-way. Motion Frank, second Pratt to accept the bid from J. Finck for the 2011 mowing season. Motion carried.

Malt Beverage License

Mayor Bloch requested a special event malt beverage license for the Lesterville Athletic Association at a cost of \$5.00 per home game of the adult amateur baseball team. Motion Pratt, second Frank to approve the special event malt beverage license for the 2011 season of the Lesterville Athletic Association. Motion carried.

OTHER: None**ADJOURNMENT:**

Motion Pratt, second Frank to adjourn the April meeting at 7:55 p.m. Motion carried. The reorganizational meeting of the Town of Lesterville is scheduled for Monday, May 9th at 7:00 p.m. in the fire hall meeting room.

Roxanne Ellinger
Finance Officer

4+7+14+21+28

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON: SS

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE
NAME CHANGE OF:

JAELYN ELLEN KRIBELL,

A MINOR CHILD.

CIV. 11-219

NOTICE OF HEARING

KARI CARUTHERS, natural mother of JAELYN ELLEN KRIBELL, a minor child, has filed a Petition to change the name of JAELYN ELLEN KRIBELL to JAELYN ELLEN CARUTHERS and to alter JAELYN ELLEN KRIBELL'S name on her birth records. Please take notice that a hearing on said Petition will be brought on for hearing before the Honorable Glen W. Eng, Circuit Court Judge, in the Courtroom of Yankton County Courts and Safety Center, Yankton, South Dakota at the hour of 9:30 o'clock a.m. on Monday, the 9th day of May, 2011, or as soon thereafter as counsel may be heard.

Dated this 31st day of M a r c h , 2011 at Yankton, South Dakota.

/s/Heather LaCroix

Heather LaCroix
Attorney for Petitioner
PO Box 632
Yankton, SD 57078
605-665-2535
605-664-2535 (fax)

4+7+14+21+28

STATE OF SOUTH DAKOTA
COUNTY OF YANKTON:SS

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE
NAME CHANGE OF:

ANTONIO JAE JEAN LEWIS,

A MINOR CHILD.

CIV. 11-220

NOTICE OF HEARING

KARI CARUTHERS, natural mother of ANTONIO JAE JEAN LEWIS, a minor child, has filed a

2010 Legal and Public Notices

Petition to change the name of ANTONIO JAE JEAN LEWIS to ANTONIO JAE CARUTHERS and to alter ANTONIO JAE JEAN LEWIS' name on his birth records. Please take notice that a hearing on said Petition will be brought on for hearing before the Honorable Glen W. Eng, Circuit Court Judge, in the Courtroom of Yankton County Courts and Safety Center, Yankton, South Dakota at the hour of 9:30 o'clock a.m. on Monday, the 9th day of May, 2011, or as soon thereafter as counsel may be heard.

Dated this 31st day of M a r c h , 2011 at Yankton, South Dakota.

/s/Heather LaCroix

Heather LaCroix
Attorney for Petitioner
PO Box 632
Yankton, SD 57078
605-665-2535
605-664-2535 (fax)

DATE 4+20+21

AMENDMENT TO FINDING
OF NO SIGNIFICANT
IMPACT

TO ALL INTERESTED
GOVERNMENTAL
AGENCIES AND PUBLIC
GROUPS

As required by guidelines for the preparation of environmental impact statements, an environmental review has been performed on the proposed State Revolving Fund (SRF) action below:

PROJECT: Clay Rural Water System - 2010 Improvements - Phase II

LOCATION: Clay, Union, Lincoln, Turner, and Yankton Counties, SD

PROJECT NUMBER:
C462437-03

TOTAL COST/SRF SHARE:
\$2,208,000/\$2,208,000

This action amends Finding of No Significant Impact published on July 15, 2010, for a project to construct several loops in the distribution system, install a circulation system in the Spink Reservoir and repaint the reservoir, upgrade the interconnect with the city of Beresford, install a booster station in the Beresford structure, and add about 80 new users. The Clay Rural Water System has since made a decision to expand the project scope. The revised project involves improvements to provide service to additional customers, repainting of the Greenfield Ground Storage Reservoir and the Lime Silo at the water treatment plant in the current project.

The Clay Rural Water System received a Drinking Water State Revolving Fund (SRF) loan in the amount of \$2,208,000 at 3.00 percent with a term of 30 years. The loan includes \$500,000 in principal forgiveness. Repayment of the SRF loan will be with water utility fees from Clay Rural Water System customers. The Clay Rural Water System currently has water rates of \$63.70/month for 7000 gallons for domestic, rural farm, and business connections. It is anticipated that rates will increase to \$66.90/month based on 7,000 gallons by January 1, 2011 as a result of this and other water projects being undertaken.

The Clay Rural Water System, 2010 Pipeline Improvements project - Phase II will not affect any historical or archaeological resources as was concluded by level III cultural resources investigation. Pipeline construction can affect historical or archaeological sites if trenches are dug through significant sites. However, rural pipeline placement can be readily adjusted to avoid the relatively small sites which are typically found in rural South Dakota. The project should have no direct or indirect adverse effects on plant life or wildlife.

Pipeline will traverse flood plains and wetlands. The pipeline installation will be below grade, and will not permanently alter waterways of flood plains. Pipeline will not be trenched through standing water. If wetlands with water are encountered, pipeline will be re-routed or directional boring will be used to traverse the wet area. For wetlands without standing water the pipeline may be trenched or plowed through if no alternate route is available. In these cases the water retaining soil layer will not be disrupted, or will be repaired using compaction of the natural sealing material.

The review process did not indicate that significant environmental impacts would result from the proposed action. Consequently a preliminary decision not to prepare an Environmental Impact Statement has been made. This action is taken on the basis of a careful review of the engineering report, environmental information documents, and other supporting

2010 Legal and Public Notices

data which are on file at the Department of Environmental and Natural Resources (DENR), Division of Financial and Technical Assistance, Pierre, South Dakota, and are available for public scrutiny at the Clay Rural Water System office near Wakonda, South Dakota.

Comments supporting or disagreeing with this decision may be submitted for consideration by DENR. After evaluating the comments received, the Department will make a final decision; however, no final administrative action will be taken on the project for a least 30 calendar days after release of the Finding of No Significant Impact.

/s/ James Feeney

James Feeney, Administrator
Water Resources Assistance
Program

Prevent Tick-Borne Illness This Spring

PIERRE — South Dakotans spending time outdoors this spring should be aware of ticks and the diseases they can carry, says a state health official.

In 2010 South Dakota reported one case of Lyme disease, 11 cases of tularemia, and zero cases of Rocky Mountain spotted fever. Tularemia, or rabbit fever, can also be spread by infected rabbit carcasses.

This year for the first time, the department is collaborating with SDSU on a tick surveillance project under the direction of Dr. Michael Hildreth, who is a professor in the departments of Biology and Microbiology and also Veterinary and Biomedical Science. The project will focus on collecting and identifying ticks in several woodland areas in the eastern part of the state that are possible deer tick habitats.

The Department of Health investigates all reported cases of tick-borne disease in the state. Those investigations indicate the majority of Rocky Mountain spotted fever and tularemia cases are acquired outdoors.

Tick-borne illness symptoms include sudden onset of a moderate-to-high fever, stiff neck, deep muscle pain, arthritis, fatigue, severe headache, chills, a rash on the arms and legs or around the site of the bite, and swollen lymph nodes, particularly in the neck. If you develop any of these symptoms after a tick bite, see your doctor. With Rocky Mountain spotted fever the illness does not start immediately after the tick bite, but typically 5 to 10 days after the tick attachment.

A tick bite is usually painless and appears as a small red bump with a bright red halo. If you find a tick attached, be careful not to crush it. Instead, use tweezers or a facial tissue and pull slowly and steadily to remove the tick. Once removed, immediately apply antiseptic to the site to prevent infection. If you used bare hands to remove the tick, wash your hands thoroughly with warm water and soap, being especially careful not to touch your eyes before washing your hands.

Take the following steps to prevent tick exposure:

- Repel ticks by tucking your pants into your socks when outdoors. Spray clothes and any exposed skin with a tick repellent.
- Check frequently for ticks when outdoors, especially the scalp and folds of skin. Ticks need to be attached for several hours to spread infection so you can significantly cut your risk by checking for and removing ticks right away.
- Check small children thoroughly and often for ticks when they've been outside or have had contact with pets or livestock that may have ticks.
- Check with your veterinarian about appropriate insecticides and collars to protect pets from ticks and limit the number they carry into the home. For added protection, apply insecticides and tick repellents to your pet's bedding.
- Check your animals frequently for ticks. To remove ticks from animals, apply constant traction with forceps or tweezers. If you must use your fingers, wear disposable gloves and wash hands thoroughly with soap and water afterward.

GIFTS

From Page 1

Indian County.

This year, the SDCF was looking to fuel a rural legacy by helping smaller communities, Sutton said.

"These two communities (Avon and Tyndall) had a nice feel to them, and we were able to help two towns in the same county," he said.

Avon and Tyndall bring different experiences to the table, Sutton said. "The Tyndall Community Foundation has been going for a while and has found success. This (grant) will boost their efforts and their ability to raise more funds," he said.

"For Avon, the stars aligned with (the late) Don Sattler's donation, which helped start the Avon Community Foundation. This provides another immediate gift. Avon is in a great place to make a difference and meet their goals through this partnership with Citibank."

Citibank and the SDCF were also pleased to pick neighboring towns in Bon Homme County, Sutton said.

"We found communities with the right fit, and it's nice that they're just 10 miles down the road (from each other)," he said. "It will benefit this

part of the state."

Both communities indicated they have several needs that could benefit from the Citibank grants.

The Avon Community Foundation is taking applications for funding. The foundation was recently formed to received a \$25,000 donation from Sattler, an Avon resident who wanted to benefit his hometown.

The Avon Historical Museum has already shown interest in funding, said Jill Grogan, secretary for the Avon Community Foundation and an Avon city councilwoman.

While funding isn't guaranteed for any applicant, the museum does play a key role in honoring Avon's local heritage, Grogan said. The museum includes items from Avon native son George McGovern, a former U.S. senator from South Dakota and the 1972 Democratic presidential nominee.

"I feel the best way for a community to grow is to preserve what we have and to build upon it," Grogan said.

Avon's selection for the \$20,000 grant, and Sattler's initial donation, speak volumes about the community, said Scott Swier, president of the Avon Community Foundation.

"The Avon Community Foundation is proud and humbled to receive this generous gift," he said. "This gift will help support the work of the Avon Community Foundation and enhance the foundation's efforts to make Avon an even better place."

Sattler's donation starts a legacy that will be felt for generations to come, Swier said.

"Our donor's generosity and investment in our community demonstrates what we already know — that Avon is a great place to live, work and raise a family," he added.

Tyndall has received a huge boost with the Citibank donation, said Dr. James Torsney, president of the Tyndall Community Foundation.

"This is a great benefit to our community, and it's wonderful support by Citibank," he said. "This gift will definitely help with reaching our goal of raising \$100,000 for the foundation."

With the Citibank grant, the Tyndall foundation has reached two-thirds of its goal, Torsney said.

"In the past three years, we have raised \$45,000. With this (grant), we are now up to \$65,000. We are over hump," he said. "I would certainly think that this latest gift will help in raising more (local) donations."

Upon reaching the \$100,000 goal, the Tyndall Community Foundation will start distributing money to local projects, Torsney said.

In the meantime, Citibank's donation provides a mental as well as financial boost, Torsney said.

"We are seen as working hard and doing really good things in Tyndall," he said. "I think this is really positive for the whole area and a very positive step in the right direction."

PUBLIC NOTICES

Protect your right to know • www.sdpublicnotices.com

OPEN GOVERNMENT IN SOUTH DAKOTA IS A MONUMENTAL ISSUE

"LET THE PEOPLE know THE FACTS, AND THE COUNTRY WILL BE SAFE." ABRAHAM LINCOLN

TALK TO YOUR ELECTED OFFICIALS

★ LET THEM KNOW YOU WANT TO KNOW ★

sdopengovernment.com

4+21

NOTICE OF PUBLIC HEARING DEPARTMENT OF SOCIAL SERVICES (Proposed: May 11, 2011)

A public hearing will be held in Conference Room #1, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota on May 11, 2011, at 9:00 a.m., to consider the adoption and amendment of Supplemental Nutrition Assistance Program rules.

The effects of these rules will be to: remove inapplicable provisions, remove obsolete references, and update terminology. These rules are being amended to reflect updates made to the supplemental nutrition assistance employment and training program.

Persons interested in presenting comments for or against the proposed rules may do so by appearing in person at the hearing or by sending comments to Laura Ringling, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, SD 57501. Ms. Ringling may be contacted by telephone at (605) 773-3165. Material sent my mail must reach the Department of Social Services by May 23, 2011, to be considered.

For purposes of assisting the department to fully understand the issues being addressed, individuals intending to present oral testimony at the hearing are asked to make a written copy of their testimony available to the department.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the above-mentioned office within 48 hours of the public hearing if you have special needs for which this agency will need to make arrangements. The telephone number for making special arrangements is (605)-773-3165.

Published twice at the total approximate cost of: \$70.00
Estimated publishing cost per published copy: \$0.0081

4+21

NOTICE OF PUBLIC HEARING DEPARTMENT OF SOCIAL SERVICES (Proposed: May 13, 2011)

A public hearing will be held in Conference Room #1, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota on May 13, 2011, at 9:00 a.m., to consider the adoption and amendment of Child Care Services rules.

The effects of these rules will be to: repeal obsolete rules, remove obsolete references, update terminology, add procedures for implementing and maintaining a waiting list, reduce the federal poverty level standard for determining eligibility, indicate that the department shall set reimbursement rates in the 75th percentile subject to the availability of funds, clarify provider eligibility criteria, update the timeframe in which a household may report a change in circumstances, update the circumstances under which the department may withhold payment from a provider, clarify certain individuals ineligible to receive child care assistance, and remove duplicative provisions. These rules are being amended to update and clarify existing provisions relating to child care services.

Persons interested in presenting comments for or against the proposed rules may do so by appearing in person at the hearing or by sending comments to Laura Ringling, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, SD 57501. Ms. Ringling may be contacted by telephone at (605) 773-3165. Material sent my mail must reach the Department of Social Services by May 23, 2011, to be considered.

For purposes of assisting the Department to fully understand the issues being addressed, individuals intending to present oral testimony at the hearing are asked to make a written copy of their testimony available to the Department.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the above-mentioned office within 48 hours of the public hearing if you have special needs for which this agency will need to make arrangements. The telephone number for making special arrangements is (605)-773-3165.

Published twice at the total approximate cost of: \$84.00
Estimated publishing cost per published copy: \$0.0097

4+21

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the City Planning Commission, Yankton, South Dakota at 5:30 P.M. on the 9th day of May, 2011 in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 W. 21st Street. Said hearing is to consider the following Conditional Use Permit:

Daycare facility in a residential district on the W 6' of Lot 17 and all of Lot 18, Block 2, Tramp's Second Addition to the City of Yankton, South Dakota.. Address, 1500 Jacqueline Drive. Carrie Haas, owner.

Dave Mingo, AICP
Community Development Director

4+21

NOTICE OF PUBLIC HEARING DEPARTMENT OF SOCIAL SERVICES (Proposed: May 11, 2011)

A public hearing will be held in Conference Room #1, Kneip Office Building, 700 Governors Drive, Pierre, South Dakota on May 11, 2011, at 9:30 a.m., to consider the adoption and amendment of Sales Tax on Food Refund Program rules.

The effects of these rules will be to: repeal inapplicable provisions, identify the annual enrollment period, clarify eligibility and benefit limits for former supplemental nutrition assistance benefits recipients, and update terminology. These rules are being amended to reflect changes regarding the administration of the sales tax on food refund program.

Persons interested in presenting comments for or against the proposed rules may do so by appearing in person at the hearing or by sending comments to Laura Ringling, Administrative Rules, Department of Social Services, 700 Governors Drive, Pierre, SD 57501. Ms. Ringling may be contacted by telephone at (605) 773-3165. Material sent my mail must reach the Department of Social Services by May 23, 2011, to be considered.

For purposes of assisting the department to fully understand the issues being addressed, individuals intending to present oral testimony at the hearing are asked to make a written copy of their testimony available to the department.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the above-mentioned office within 48 hours of the public hearing if you have special needs for which this agency will need to make arrangements. The telephone number for making special arrangements is (605)-773-3165.

Published twice at the total approximate cost of: \$70.00
Estimated publishing cost per published copy: \$0.0081

4+21+28

STATE OF SOUTH DAKOTA IN CIRCUIT COURT
COUNTY OF YANKTON FIRST JUDICIAL CIRCUIT

CitiMortgage, Inc.,

Plaintiff,

vs,

Sherry M. Maddox; Arrow Financial Services, LLC, assignee of Washington Mutual Bank, assignee of GE Money Bank; Credit Collection Services, Inc.; First Premier Bank; Teachout & Franklin Prof. LLC; Gentry Finance; and any person in possession,

Defendants.

Judgment in the amount of \$75,839.87 having been entered in favor of plaintiff and against defendants, which Judgment was filed with the Clerk of Courts of Yankton County, South Dakota, on March 14, 2011, 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 April 30, 2007, which Sherry M. Maddox, Mortgagee, executed and delivered to Mortgage Electronic Registration Systems, Inc., Mortgagee: Lot Eleven (11) and the West Half (W?) of Lot Twelve (12), Block Five (5), Original Town of Gayville, County of Yankton, South Dakota as per Plat Recorded in Book G, Page 26.

and recorded in the office of the Register of Deeds of Yankton County, South Dakota, on the 4th day of May, 2007, in Book 470, Page 257, in order to realize the amount of \$72,000.00, as of April 30, 2007, plus interest accruing thereafter on said amount at the rate of 8.63% per year together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Yankton County, South Dakota, and easements and restrictions of record, to the highest bidder for cash under the direction of the Sheriff of Yankton County, South Dakota, at the front door of the Yankton County Courts and Safety Center, in Yankton, South Dakota, on May 3, 2011, at 10:00 A.M. (CT).
Dated March 24, 2011.

Sheriff of Yankton County, South Dakota

MACKOFF KELLOGG LAW FIRM

By:

Sandra K. Kuntz, Attorney #03463
38 Second Avenue East
Dickinson, ND 58601
(701) 227-1841
Attorneys for Plaintiff

Published twice at the total approximate cost of: \$201.60
Estimated publishing cost per published copy: \$0.0234