

## 2010 Legal and Public Notices

voting Aye; voting Nay: None.  
Motion adopted.

Action 15-109  
Moved by Commissioner Gross, seconded by Commissioner Blaaid, to approve the purchase of a new 105 MXR920 Mobile Data Collector to improve meter reading efficiency, for the Department of Environmental Services Water Department, from Ferguson Waterworks Supply, Chicago, Illinois, in the amount of \$7,000.00. (Memorandum 15-80)  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-110  
Moved by Commissioner Blaaid, seconded by Commissioner Woerner, to adopt Resolution 15-09. (Memorandum 15-77)

RESOLUTION 15-09  
A RESOLUTION  
TRANSFERING A HANGAR  
LAND LEASE AGREEMENT  
FROM  
BOB LAW TO KEITH E.  
TOCZEK AND JULIUS C.  
LARSON

WHEREAS, The City of Yankton has been given the authority to approve the airport hangar ground lease agreement transfer for the airport hangar #11 owned by Bob Law; and,

WHEREAS, Keith E. Toczek and Julius C. Larson wishes to assume ownership of the hangar from Bob Law; and,

WHEREAS, Keith E. Toczek and Julius C. Larson has signed an agreement assuming the responsibilities and obligations of the current lease agreement; and,

WHEREAS, it is in the best interest of the City of Yankton and the operations of Chan Gurney Municipal Airport to approve the transfer of the ownership of this airport hangar and to approve the assignment of the land lease agreement to Keith E. Toczek and Julius C. Larson,

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that the transfer of the ownership of the airport hangar and the assignment of the land lease agreement from Bob Law to Keith E. Toczek and Julius C. Larson is hereby approved.

Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-111  
Moved by Commissioner Blaaid, seconded by Commissioner Sommer, to approve the Letter of Understanding between the City of Yankton and Avera Sacred Heart/Heart Health Services for the proposed West 11th Street Paving Improvement Project. (Memorandum 15-78)  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-112  
Moved by Commissioner Sommer, seconded by Commissioner Blaaid, to adopt Resolution 15-08. (Memorandum 15-76)

### RESOLUTION NO. 15-08

WHEREAS, Bob Law, Inc. and Yankton Area Progressive Growth have petitioned the City of Yankton, pursuant to SDCL 9-4-1, to annex certain real property into the corporate limits of the City of Yankton.

NOW, THEREFORE, BE IT RESOLVED by The Board of City Commissioners of the City of Yankton, South Dakota, that the following described real property is hereby annexed into the corporate limits of the City of Yankton, South Dakota:

DESCRIPTION OF TRACT TO BE ANNEXED  
The East 700 feet of the East Half of the Southeast Quarter (E 700, E 1/2, SE 1/4) except the South 560 feet; annexation includes Highway Lots R-4 and R-5 and adjacent West City Limits Road right-of-way thereof, Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota containing 31.06 acres more or less.

As shown on the associated Surveyors Certificate.

Roll Call: Members present voting Aye: Commissioners Akland, Blaaid, Gross, Hoffner, Sommer, and Acting Mayor Knoff; voting Nay: None; Abstaining: Commissioner Woerner.  
Motion adopted.

Action 15-113  
Moved by Commissioner Blaaid, seconded by Commissioner Akland, to approve Memorandum 15-79, initiating the process of rezoning property described as the East 700 feet of the East Half of the Southeast Quarter (E 700, E 1/2, SE 1/4) except the South 560 feet including Highway Lots R-4 and R-5 and adjacent West City Limits Road right-of-way thereof, Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota containing 31.06 acres more or less.

Roll Call: Members present voting Aye: Commissioners Akland, Blaaid, Gross, Hoffner, Sommer, and Acting Mayor Knoff; voting Nay: None; Abstaining: Commissioner Woerner.  
Motion adopted.

Action 15-114  
Moved by Commissioner Blaaid, seconded by Commissioner Gross, to approve Change Order No. 1 for Phase I of the Meridian Bridge Plaza Project, from Welf

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Construction, Yankton, South Dakota, an increase in project cost of \$633.97 plus adding one day for completion, for a change in the decorative screen design, for a new contract total of \$524,433.97.  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-115  
Moved by Commissioner Blaaid, seconded by Commissioner Akland, to adjourn into Executive Session at 7:32 p.m., to discuss contractual matters under SDCL 1-25-2.  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Acting Mayor Knoff.  
Roll Call: Present: Commissioners Akland, Blaaid, Gross, Hoffner, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Ferdig and Mayor Carda. Quorum present.

Action 15-116  
Moved by Commissioner Woerner, seconded by Commissioner Sommer, to adjourn at 8:27 p.m.  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

David Knoff  
Acting Mayor

### ATTEST:

Al Viereck  
Finance Officer  
Published once at the total approximate cost of \$

## Lancers

FROM PAGE 6A

game one 4-1, but the Lancers rebounded to win game two 15-5 in seven innings.

Having played double-headers Monday and Tuesday at Hastings and Nebraska Wesleyan, respectively, the Lancers (30-18, 11-7) were in a position where they couldn't use their top four pitchers on Thursday.

Instead, Mount Marty started Josh Teichroew in game one and Derek Miller in game two, as well as three other relievers.

"We were in a unique position because of the rain, that sometimes your best options aren't so defined," said head coach Andy Bernatow, whose team remains two games back of first place with two games left.

"We competed on the mound; the effort was definitely there."

Following a loss in the opener, the Lancers were put in a position where they needed a victory in game two to stay in contention for second place — which would mean hosting a 4-team tournament to start the GPAC tournament.

"After the first one, we had to dig in," Carlson said. "It was kind of a do or die moment."

And yes, there were some pride involved as well.

The game-one victory ensured the Chargers of at least a tie for the regular season title, and a win in game two would have sealed it.

"We knew we couldn't let them get the GPAC title on our field," said Mount Marty senior Derrik Nelson, who



JAMES D. CIMBUREK/P&D

**Mount Marty's Ryan Buck puts the ball into play during the opening game of the Lancers' doubleheader with Briar Cliff on Thursday.**

reached base six times.

The Chargers didn't exactly overpower the Lancers in game one, but four run-scoring singles — two by Alex Colegrove — was all the offense starter Dylan Romo needed. He allowed six hits in a complete game effort.

Conversely, Lancer pitchers hit four batters and walked three more.

Mount Marty twice loaded the bases against Romo, but both times didn't score. In all, the Lancers stranded 10 runners on base.

GPAC BASEBALL				
	W	L	Per	GB
Briar Cliff	13	5	.765	—
<b>LANCERS</b>	<b>11</b>	<b>7</b>	<b>.588</b>	<b>2</b>
Doane	10	7	.588	2.5
Morningside	10	7	.588	3
Northwestern	8	9	.471	5
Hastings	8	9	.471	5
Dak. Wesleyan	8	10	.444	5.5
Midland	7	9	.438	5.5
Concordia	7	10	.412	6
Dordt	7	11	.389	6.5
Neb. Wesleyan	6	11	.353	7
<b>Thursday's Games</b>				
Briar Cliff 4-5, LANCERS 1-15				
DWU 4-0, Dordt 3-7 (31-8 mn)				
Hastings 3, Neb. Wesleyan 0 (G2-Late)				
Doane 6, Concordia 4 (G2-Late)				
Morningside 13, N-western 7 (G2-Late)				
<b>Friday's Games</b>				
Concordia at Midland, DH, 5 p.m.				
<b>Saturday's Games</b>				
Dordt at Northwestern, DH, 1 p.m.				
Neb. Wesleyan at Doane, DH, 1 p.m.				
Morningside at Briar Cliff, DH, 1 p.m.				
Hastings at Midland, DH, 4 p.m.				
LANCERS at DWU, DH, 4 p.m.				
<b>Overall Records</b>				
<b>LANCERS 30-18</b> , Briar Cliff 27-19-1,				
Concordia 25-16, Dakota Wesleyan				
18-23, Doane 31-12, Dordt 14-23, Hast-				
ings 20-20, Midland 23-28, Morningside				
32-14, Northwestern 20-25, Nebraska				
Wesleyan 10-23				

wind.

Two batters later, Derek Blumenstock hit an RBI triple that ended the game via the mercy rule, 15-5.

The game changed once the Lancers got into the Briar Cliff bullpen, which was something they couldn't do in game one.

"It became a battle of attrition with the pitching," Bernatow said. "That was a huge difference maker."

Mount Marty closes the regular season with a double-header Saturday at Dakota Wesleyan in Mitchell. Given the other GPAC action from Thursday night, the Lancers remain in a fight for second place.

"This gives us a lot of momentum, I think," Nelson said. "Hopefully something good happens for us."

*Follow @jhoeck on Twitter*

## Balco & Biogenesis May Be Over, But Steroids Cloud Remains

BY RONALD BLUM  
AP Baseball Writer

NEW YORK (AP) — Barry Bonds and Roger Clemens have moved on, their names cleared. The cloud of steroids remains over baseball and all sports.

Dugouts no longer are filled with bulked-up players with swollen skulls and Popeye-like arms. Bodies deflated after testing for performance-enhancing drugs started in 2003 — and not coincidentally, offense has receded, too, transforming the game back to late 1960s and early 1970s-style pitching and defense.

If the early 1960s were defined by the M&M Boys — Mickey Mantle and Rogers Maris — the 1990s and 2000s have been marked by the B&B Boys: BALCO and Biogenesis.

"I think performance-enhancing drugs, not only for baseball but all athletics, is not an issue that you can check off as solved," new baseball Commissioner Rob Manfred said Thursday. "The temptation to use drugs is large, and I don't think it's realistic to expect in any sport that you're to get to a situation where you never, ever have another violation."

Five big leaguers have been suspended for positive tests in the past month, evidence some athletes always will seek an edge and some chemists will be nearby to enable them. Since 2005, there have been 68 announced suspensions under the major league drug program and 760 as part of the minor league plan, including performance-enhancing drugs, amphetamines and drugs of abuse.

"You can't pick up the paper without baseball suspending two or three minor leaguers," former baseball Commissioner Fay Vincent said. "The NFL has got some problems. You know what's going on in cycling, what happened in the Olympics. The overall issue of performance-enhancing drugs is a really serious one for all of sports."

The decision by the 9th U.S. Circuit Court of Appeals on Wednesday to overturn Bonds' obstruction of justice conviction by a 10-1 vote likely ends the Bay Area Laboratory Co-Operative case, which began in 2002. Olympic track gold medalist Marion Jones, elite sprint cyclist Tammy Thomas, former NFL defensive lineman Dana Stubblefield were convicted along with coaches, distributors, a trainer, a chemist and a lawyer.

Bonds will escape conviction, barring a successful appeal by prosecutors. Clemens was acquitted of all charges in 2012 after prosecutors accused him on lying to Congress.

## Track

FROM PAGE 6A

### Lennox Booster Club Inv.

LENNOX — Ethan-Parkston senior standout Wes Dvorak had another dominant day, as he captured three individual titles at Thursday's Lennox Booster Club Invite.

Dvorak took first place in the 100-meter dash (11.5), the 110 hurdles (15.2) and lon jump (22-7.5).

He was joined by teammates David Voorhees who won the 200 (24.9), Camden Meyers who won the high jump (6-2), and Jake DeLange who was first in the triple jump (37-11).

Vermillion's Jon Rosales won the 400 (53.6), while the Tanagers were also first in the 1600 and medley relays.

In the girls' division, Dakota Valley's Sara Bohan won titles in the 400-meter dash (1:01.6) and 100 hurdles (16.7), while teammates Marisa Schulz won the 3200 (11:47.0), Meredith Lammers won the discus (94-9) and Olivia Ohm was first in the triple jump (33-8.25).

For Ethan-Parkston, Sydney Wichersham won the 1600 (5:53.5) and Darbi Gustafson won the shot put (38-0).

Vermillion's Maddie Lavin was first across the line in the 800 (2:27.1).

JAMES D. CIMBUREK/P&D  
**Centerville's Rebecca Hybertson takes off during the girls' pole vault. She won the event.**

## NBA

FROM PAGE 6A

10-point lead.

Milwaukee went scoreless for more than 6 minutes between the first and second overtimes.

Game 4 is Saturday at Milwaukee.

**CAVALIERS 103, CELTICS 95:** BOSTON (AP) — LeBron James scored 31 points and the Cleveland Cavaliers moved one win away from a sweep in their first playoff series in five years with a 103-95 victory over the Boston Celtics on Thursday night.

The scrappy Celtics kept it close, just as they did in the previous two games, and trailed 95-92 after Evan Turner hit a 3-pointer with 2:45 left. But Kevin Love hit two 3-pointers for a 101-93 lead with 26 seconds to go.

Cleveland can complete the sweep of the best-of-seven, first-round series Sunday in Boston. No NBA team has won a series after trailing 3-0.

Turner had 19 points and Avery Bradley added 18 while Isaiah Thomas managed just five points after scoring 22 in the first two games.

Love had 23 points and J.R. Smith added 15 for the Cavaliers.

## S.D. State High School Activities Association Audit Raises Issues

PIERRE, S.D. (AP) — The leader of South Dakota's High School Activities Association says the group is working to address issues uncovered during a recent audit.

Issues in the Department of Legislative Audit report included missing money from a corporate sponsor, unreported financial account transfers and inadequate receipts for credit card expenses, KELO-TV reported.

The audit also identified some expenses that were not properly reimbursed by staff members. The association paid for 24 tickets to a Boston Red Sox game during a national meeting in Boston last year, and some staff members did not immediately reimburse the association as expected, the report said.

"In the hubbub of everything that got going on, that did not get done," Association Executive Director Wayne Carney said. "Obviously, it was an error on our part."

That money has since been repaid, and the association is working to address all of the issues, Carney said.

"We take it very seriously. This isn't something we take as a joke," he said.

The association oversees high school activities across the state, from sports to fine arts. The audit findings will encourage the group to be more diligent about its finances in the future, Carney said.

"I'm not trying to excuse things away. I'm just saying, there was an oversight. It was caught. It was corrected, and now we're moving on," he said.

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