

2010 Legal and Public Notices

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STATE OF SOUTH DAKOTA
COUNTY OF YANKTON JSS

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

\*\*\*\*\*
IN THE MATTER
THE ESTATE OF
KEITH M. LANE,
Deceased.
\*\*\*\*\*
Pro. #10-25

NOTICE TO CREDITORS

Notice is given that on August 12, 2010, James T. Goetz, whose current address is P.O. Box 708, Yankton, SD 57078, was appointed as Personal Representative of the Estate of Keith M. Lane, Deceased.

Creditors of Decedent must file their claims within four (4) months after the date of the first publication of this Notice, or their claims may be barred.

Claims may be filed with the Personal Representative or may be filed with the Clerk and a copy of the claim mailed to the Personal Representative.

James T. Goetz
PO Box 708
Yankton, SD 57078
605-665-9495

Jody Johnson
Clerk of Courts
PO Box 155
Yankton, SD 57078

James T. Goetz, Attorney
GOETZ & KLIMISCH
311 West Third St.
PO Box 708
Yankton, SD 57078
605-665-9495

FILED: August 13, 2010
Jody L. Johnson
Yankton County Clerk of Courts
1st Judicial Circuit Court of South Dakota

8+17

CHAMBER OF THE BOARD OF CITY COMMISSIONERS YANKTON, SOUTH DAKOTA AUGUST 9, 2010

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Knoff.

Roll Call: Present: Commissioners Aklund, Carda, Gross, Lowrie, VanDerhule, and Wenande. City Attorney Hosmer and City Manager Russell were also present. Absent: Commissioners Ellingson and Woerner. Quorum present.

Action 10 - 184

Moved by Commissioner Gross, seconded by Commissioner Aklund, to approve the Minutes of the regular meeting of July 26, 2010.

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

Commissioners Ellingson and Woerner entered the meeting at this time.

Action 10 - 185

Moved by Commissioner Ellingson, seconded by Commissioner Carda, that the Schedule of Bills be approved and warrants be issued.

A & B BUSINESS EQUIPMENT INC - MAINTENANCE CONTRACT \$176.61; A - OX WELDING SUPPLY CO INC - SAFETY EQUIPMENT - \$33.33; ACADEMY OF DANCE INC - SUMMER REC PROGRAMS - \$471.20; ACE GROUP LLC - AUGERS - \$1,216.46; ACE HARDWARE - PICNIC TABLES/UMBRELLAS - \$2,148.00; ACS GOVERNMENT INF SERVICE - MAINT PROGRAM SUPPORT - \$1,580.72; ACTION ELECTRIC - ELECTRIC CABLE/CONTROLS - \$6,082.41; ADAMS GOLF - GOLF CLUBS - \$302.86; ALL TEL - WIRELESS SERVICE - \$806.42; AMERICAN FAMILY LIFE CORP - FLEX SERVICE FEE - AUG - \$105.00; AMERICAN PUBLIC WORKS ASSN - CONFERENCE REGISTRATION - \$625.00; ANDERSON REALTY LLC - LAND SALE COMMISSION - \$2,100.00; ANDERSON/TODD - MERCHANDISE - \$247.70; ANDRE/RICHARD - SAFETY TOWN TRANSPORT - \$240.00; APPEARA - TOWEL SERVICE - \$332.86; ASSOCIATED SUPPLY CO - DIVING BOARD - \$6,592.97; AUDUBON - SUBSCRIPTION - \$15.00; AVERA HEALTHWORKS - DRUG TESTING - \$162.00; AVERA SACRED HEART HOSPITAL - DRUG TESTING - \$200.00; BAKER & TAYLOR BOOKS - BOOKS - \$2,107.79; BATTERY EXCHANGE - BATTERY - \$220.00; BAUER BUILT INC - TIRES - \$575.74; BECK/HARVEY - SUMMER BAND - \$150.00; BEST PROCESS EQUIPMENT LLC - REPAIRS - \$1,059.97; BERSCHBACH EQUIP & SUPPLY - REPAIRS - \$157.63; BOBS CANDY INC - SUPPLIES - \$89.16; BOLLER PRINTING INC - PRINTING WORK TICKETS - \$364.00;

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BOMGAARS INC - GRASS SEED - \$1,020.65; BORDER STATES ELECTRIC SUPPLY - PHOTO CONTROLS - \$124.47; BOW CREEK METAL INC - CO2 - \$78.50; CALLAWAY - GOLF MERCHANDISE - \$1,222.80; CARLSON AVIATION - AIRPORT MGMT CONTRACT - \$876.80; CARLSON COMPANY/CARL - PINE ST CONST - \$54,551.33; CARR/TODD - SUMMER BAND - \$250.00; CARROLL DISTRIBUTING - LOCATE OF COMMERCE - 1/4 SP APPROP - \$96,332.50; CHESTERMAN COMPANY - SOFT DRINKS - \$1,896.38; CITY OF VERMILLION - JT POWER CASH TRANS - \$35,039.91; CITY OF YANKTON - CENTRAL GARAGE - CORP - BISH - \$60.00; CITY OF YANKTON - PARKS - LANDFILL CHARGES - \$158.52; CITY OF YANKTON - SOLID WASTE COMPACTED - GARBAGE - \$9,702.36; CITY UTILITIES - WATER - WW CHARGES - \$13,293.78; CLARITUS - POSTAGE SUPPLIES - \$140.76; CLEVELAND GOLF - GOLF CLUBS - \$317.01; COAST TO COAST SOLUTIONS - SAFETY TOWN SUPPLIES - \$413.08; CODINGTON COUNTY SEARCH & RESC - MUTUAL AID ASSISTANCE - \$228.21; CONCRETE MATERIAL - BITUMIOUS MIX - \$26,290.74; CONKLING DIST - MALT BEVERAGES - \$3,033.00; CONTINENTAL RESEARCH CORP - DIE - GREASER - \$485.92; COX AUTO INC - FILTER - \$43.06; CREATIVE PRODUCT SOURCE INC - RBD ITEMS - \$131.86; CREDIT COLLECTION SERVICE INC - UTIL COLLECT - JUNE 2010 - \$223.30; CRESCENT ELECTRIC - ELECTRONIC PART - \$3,254.29; CSI SOFTWARE - PRINTER RIBBONS - \$395.00; DAKOTA BEVERAGE CO INC - MALT BEVERAGES - \$3,119.05; DAKTRONICS INC - SERVICE AGREEMENT - \$1,750.00; DANKO EMERGENCY EQUIPMENT - HELMETS INSERTS - \$338.00; DAVIDSON TITLES INC - BOOKS - \$27.24; DEMCO - SUPPLIES - \$209.71; DEPT OF CORRECTIONS - DOC WORK PROGRAM - \$1,929.35; DEPT OF REVENUE - TESTING - \$1,663.00; DESKTOP PUBLISHING SUPPLIES - SUPPLIES - \$183.73; DEX MEDIA EAST - PHONE BOOK - \$27.23; EARTHGRAINS COMPANY - ENTREES - \$484.07; ECHO - ENCLOSURE - \$309.63; ECOWATER SYSTEMS OF YANKTON - SOLAR SALT - \$1,396.50; EHRESMANN ENGINEERING INC - PARTS - \$22.58; ELSTER AMCO WATER INC - WATER METERS - \$3,408.00; EMBROIDERY WORKS - LEAGUE SHIRTS - \$603.75; ETHANOL PRODUCTS LLC - BULK CO2 - \$737.63; FAIRFIELD INN - BROOKINGS - LODGING - FIRE - SCHOOL - \$1,814.05; FALKENBERG - CONSTRUCTION - MOWING SERVICE - \$220.00; FARM & HOME PUBLISHERS - BOOKS - \$56.20; FASTENAL COMPANY - TOOLS - \$538.11; FEIMER CONSTRUCTION - CONSTRUCTION - \$128,664.82; FEJFAR PLUMBING INC - PARTS - \$15.74; FELD EQUIPMENT CO INC - SERVICE COMPRESSOR - \$500.00; FINANCE, DEPT OF - PETTY CASH - \$31.43; FIRE ENGINEERING - SUBSCRIPTION - \$29.00; FLANNERY/KIRT - OFFICER STIPEND - JULY - \$50.00; FLEXIBLE PIPE TOOL COMPANY - REPAIRS - \$381.28; FOOTJOY - GOLF GLOVES - \$949.51; FRICK/BRIAN - OFFICER STIPEND - JULY - \$100.00; FRIENDS OF THE YANKTON - VIDEO ROCKER - \$86.50; FRITO - LAY INC - SNACK FOODS - \$351.00; FULLERTON LUMBER - SILICA SAND - \$702.28; GALE - BOOKS - \$56.42; GENERAL/TRAFFIC SIGNAL - \$261.00; GFS CHEMICALS INC - TEST KITS - \$452.18; GLOBAL TOUR GOLF - GOLF GRIPS - \$402.24; GODFATHERS PIZZA - DOC WORK PROGRAM - \$181.91; GRAINGER - FILTERS - \$1,689.06; GRAMPS - FUEL - \$3,614.45; GRAYMONT CAPITAL INC - LIME - \$21,993.85; GREAT PLAINS INTERNATIONAL - PARTS/FILTERS - \$1,410.50; HARCO INC - OIL - \$141.67; HACHI COMPANY - LAB SUPPLIES - \$47.95; HANSON BRIGGS ADVERTISING INC - SESQUICENTENNIAL CALENDARS - \$8,993.25; HAWKINS INC - CHEMICALS - \$16,393.17; HD SUPPLY WATERWORKS LTD - PART - \$1,062.69; HEDDAHL'S PARTS PLUS - FILTERS - \$959.04; HEIMAN FIRE EQUIPMENT INC - BOOTS - \$239.40; HERITAGE HOMES INC - 1/2 SP APPROP - \$1,250.00; HERMANSON/STEVE - OFFICER STIPEND - JULY - \$100.00; HEWLETT - PACKARD COMPANY - EQUIPMENT - \$4,213.00; HORNUNG'S PRO GOLF SALE INC - MERCHANDISE - \$442.68; HYVEE - ENTREES - \$1,395.80; INDEPENDENCE WASTE - RENTALS - \$1,683.14; INFO-PRINT SOLUTIONS CO - PRINTER - \$357.00; INTERSTATE BATTERIES - BATTERIES - \$626.27; INTL ASSN FIRE CHIEFS - MEMBERSHIP DUES - \$229.00; J&H CARE & CLEANING COMPANY - JANITORIAL SERVICE - JULY - \$2,600.00; JACK'S UNIFORMS -

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PROTECTIVE VEST - \$1,009.52; JCL SOLUTIONS/JANITORS CLOSET - SUPPLIES - \$751.34; JEBRO INC - ASPHALT - \$119,294.56; JOEJANS - DOC WORK PROGRAM - \$112.50; JOHNSON CONTROLS INC - MAINTENANCE AGREEMENT - \$5,643.66; JOHNSON ELECTRIC - INSTALL BREAKER/ALARM - \$2,189.25; JOHNSON ROOFING & CONSTRUCTION - REPAIR HANGING ROOF - \$7,730.26; JUDIS DANCE STUDIO - SUMMER REC PROGRAMS - \$668.80; K MART STORE #4813 - LAB SUPPLIES - \$336.56; KADRMAS LEE & JACKSON INC - AIRPORT IMPROVEMENTS - \$7,021.63; KAISER REFRIGERATION INC - TRIMMER - \$1,109.04; KARLS INC - AMPLIFIER - \$800.00; KELLEN & STREET INC - SAND - \$22.74; KNOLOGY - PHONE BILLS - \$2,064.15; KNOLOGY - INTERNET SERVICES - \$704.40; KOLETZKY/IMPLEMENT INC - REPAIRS - \$250.39; KUHLM/KEVIN - TRAVEL REIMBURSEMENT - \$335.80; KULM/DAVE - SUMMER BAND - \$150.00; LANDMARK AUDIOBOOKS - CD SLEEVES - \$125.00; LANDWEHR/T.J. - SUMMER BAND - \$150.00; LANGE/COLTON - SUMMER BAND - \$450.00; LARRY'S HOME CENTER - AC SERVICE - \$124.00; LARRY'S PLUMBING SERVICE - INSTALL WATER HEATER - \$495.77; LEWIS & CLARK FORD - PARTS - \$41.43; LIBRARY STORE - BOOK STICKERS - \$21.20; LOCATORS & SUPPLIES INC - MARKING PAINT - \$438.24; LONG'S PROPANE INC - PROPANE - \$81.40; LYLE SIGNS INC - SIGN LETTERS - \$1,919.32; MAGUIRE IRON INC - WATER-TOWER REHAB - \$23,638.95; MAILFINANCE - POSTAGE - \$507.00; MARKS MACHINERY - MOWER PARTS - \$185.51; MAYER SIGNS - SIGNS - \$375.64; MEREDITH'S JEWELRY - RETIREMENT GIFT - \$115.00; MIDAMERICAN ENERGY - FUEL - JULY - \$2,591.28; MIDAMERICAN ENERGY - WATER/WW FUEL - \$1,228.31; MODERN MARKETING INC - SAFETY TOWN SUPPLIES - \$705.71; MORROW/JOSEPH - TRAVEL REIMBURSEMENT - \$70.99; NATIONAL FIELD ARCHERY ASSN - SUMMER REC PROGRAMS - \$1,513.60; NATIONAL GOLF GRAPHICS LLC - FLAGS - \$129.25; NB GOLF CARS INC - GOLF CAR LEASE - AUG - \$6,094.00; NEW SIOUX CITY IRON CO - REPAIR DRILL - \$77.39; NORTHERN TRUCK EQUIPMENT CORP - PARTS - \$211.96; NORTHTOWN AUTO - MOTIVE - PARTS - \$29.03; NORTHWESTERN ENERGY - ELECTRIC - JULY - \$53,311.71; NOVAK/JOAN - REFUND - SHELTER RENTAL - \$43.40; OBSERVER - ADVERTISING - \$45.00; ONE CALL SYSTEMS INC - LOCATES - \$242.95; ONE TEN FINE ART STUDIO - SUMMER REC PROGRAMS - \$849.60; OVERHEAD DOOR CO - REPAIR DOOR - \$21.90; PATZLAFF/JEFF - SUMMER BAND - \$166.00; PETERSON PLUMBING - REPAIR PUMP - \$437.81; PIED PIPER FLOWERS - MEMORIAL PLANT - \$81.95; PILGER SAND AND GRAVEL INC - COURSE SAND - \$591.72; PING - GOLF CLUBS - \$737.44; PIONEER BANK & TRUST - RICOH COPIER LEASE - \$198.83; PITNEY BOWES INC - MAIL STATION RENTAL - \$50.85; PIZZA RANCH - REC PROGRAM SUPPLIES - \$185.98; POPULAR PHOTOGRAHY SUBSCRIPTION - \$18.00; PORTABLE COMPUTERS SYSTEMS - IN - CAR - SUMMER INSTALL - \$15,177.20; POSPHIL/CARRIE - SUMMER BAND - \$150.00; PRESS DAKOTA MSTAR SOLUTIONS - CLASSIFIED ADS - \$2,078.63; PRINTING SPECIALISTS - TIMECARDS - \$269.55; PRO AUTO - TOWING - \$100.00; PRO - BUILD - CONCRETE - \$99.58; PROVANTAGE - PRINTER TONER - \$99.56; PUMP 'N' STUFF - CAR WASH - \$4.00; PUSH PEDAL PULL - EQUIPMENT MAINTENANCE - \$751.50; QWEST ASSET MANAGEMENT SERVICE - SERVICE AGREEMENT - \$389.00; QUILL CORPORATION - SUPPLIES - \$392.49; QWEST COMMUNICATIONS - PRINTER - \$1,410.50; R&R PROD - UCTS INC - SUPPLIES - \$947.32; RACOM CORPORATION - RADIO ACCESS - \$2,347.25; RADIO SHACK CORPORATION - FUSES - \$1.99; RANDOM HOUSE INC - BOOKS - \$118.40; RAY O'HERN CO - INC - BATTERY PACKS - \$108.99; RADI SPECIALTIES INC - SAFETY TOWN SUPPLIES - \$238.64; REGIONAL TECHNICAL EDUCATION - LEASE - JULY - \$1,710.67; REGISTER OF DEEDS - RECORDING FEES - \$46.00; REINHART FOODS INC - ENTREES - \$2,748.66; RETEDAL/DEAN - SUMMER BAND - \$150.00; RIVER CITY SANDBLASTING - PAINT TRAILER - \$400.00; RITTER - BOAT DAYS COMMITTEE - PARADE ENTRY - \$20.00; ROYAL SPORTS SHOP - LIFE-GUARD SWEATSHIRTS - \$205.68; RURAL DEVELOPMENT - SR CITIZEN LOAN - \$3,075.00; SANITATION PRODUCTS INC - BELTS/PARTS - \$3,251.25; SCHAEFFER MANUFACTURING - TIRE SEALANT - \$427.50; SCHRAMM ARCHITECT LLC - SAC COMFORT

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STATION - \$2,406.47; SDLA CONFERENCE FEES - \$580.00; SHEEHAN MACK SALES & EQ INC - EQUIPMENT RENTAL - \$3,243.86; SHERWIN WILLIAMS CO - PAINT - \$84.95; SHOTWELL/JOEL - SUMMER BAND - \$166.00; SKYHAWKE TECHNOLOGIES LLC - MERCHANDISE - \$1,620.60; SL - SERCO - WATER QUALITY REPORT - \$5,062.94; SORENSON/CHANCE - SUMMER BAND - \$125.00; SOUTH DAKOTA HUMANITIES - READING PROGRAM - \$35.00; SOUTH DAKOTA LIBRARY NETWORK - CIRC NETWORK - \$17,618.00; SOUTH DAKOTA STATE ARCHIVES - MICROFILM - \$32.00; SOUTHWEST 66 - PARTS - \$20.00; STERLING CUT GLASS - MERCHANDISE - \$1,011.27; STERN CO INC - FUEL - \$35,478.28; STEVENS CONSTRUCTION/DOYLE CONSTRUCTION SVS - \$59,385.53; STUDIO ART CENTER - SUMMER REC PROGRAMS - \$658.40; STURDEVANT'S AUTO PARTS INC - PARTS - \$52.25; SUPERIOR TECH PRODUCTS - FERTILIZER/CHEMICALS - \$6,999.50; TAYLOR MADE - MERCHANDISE - \$4,030.24; TERRY'S WELDING SERVICE - WELDING DIVING BOARD - \$224.40; TITLEIST AND FOOT - JAY - GOLF BALLS - \$3,209.11; TMA - TIRES - \$629.64; TOM'S ELECTRIC - REPAIR FIELD LIGHTS - \$1,018.98; TOUR EDGE GOLF GROUP INC - GOLF CLUBS - \$150.15; TRAFFIC CONTROL CORP - PARTS - \$645.00; TRI TECH SALES - REPAIR PUMP - \$116.25; TRI - STATE TURF - REPAIR SPRINKLER SYSTEM - \$623.50; TRUCK TRAILER SALES INC - TRUCK REPAIRS - \$4,837.79; TURFWERKS - FIELD CONDITIONER - \$780.75; US POST OFFICE - UTIL - UTIL POST JULY - \$1,300.00; UNITED PARCEL SERVICE INC - DELIVERY SERVICE - JULY - \$819.47; UNITED STATES PLASTIC CORP - LAB SUPPLIES - \$83.25; UNITED STATES POSTAL SERVICE - POSTAGE METER - JULY - \$1,012.00; USA BLUE BOOK - SUPPLIES - \$151.59; VANDERHULE MOVING INC - OXYGEN - \$18.00; VANLEKE/FRANK - GRAVEL - \$689.50; VOGT'S - UNIFORM PATCHES - \$58.50; WALSH/JAY - OFFICER STIPEND - JULY - \$50.00; WATER & ENV ENG RESEARCH CTR - TOC SAMPLE - \$134.00; WELF CONSTRUCTION CORP - WELL-FIELD CONST - \$431,718.00; WESTERN OFFICE PRODUCTS - FURNITURE - \$1,163.77; WHOLESAL SUPPLY INC - SOFT DRINKS - \$2,276.40; WILSON SPORTING GOODS - GOLF GOLF BAG - \$174.00; WORTMANN/CAROL - TAXES - \$140.69; XEROX CORPORATION - COPIER LEASE - \$1,164.79; YAGGIE'S INC - FERTILIZER - \$336.00; YANKTON CHILDREN'S THEATRE CO - SUMMER REC PROGRAMS - \$272.00; YANKTON COUNTY TREASURER - VEHICLE REGISTRATION - \$72.40; YANKTON FIRE DEPARTMENT - JUNE/JULY FIRE CALLS - \$6,290.00; YANKTON JANITOR SUPPLY INC - SUPPLIES - \$795.04; YANKTON MEDICAL CLINIC - FIREFIGHTER PHYSICALS - \$1,977.00; YANKTON MOTOR COMPANY - PART - \$119.90; YANKTON NURSERIES LLC - TREES - \$270.00; YANKTON PAINT & DECORATING - PAINT - \$28.99; YANKTON SCHOOL DISTRICT 63 - 3 - 2ND QTR - SHARED EXPENSES - \$42,288.42; YANKTON WINNELLSON CO INC - WATER HEATER - \$372.37; ZEP MANUFACTURING CO - PARTS - \$132.96; ZIEGLER/BILL - REIMBURSE TRAVEL EXPENSE - \$189.00; ZIMCO SUPPLY COMPANY - CHEMICALS - \$1,781.48; ACE HARDWARE - SUMMER READING - \$13.98; AFSCME COUNCIL 59 - EMPLOYEE DEDUCTIONS - \$1,050.00; AMERICAN FAMILY LIFE CORP - CANCER & ICU PREMIUMS - \$5,552.02; AVERA HEALTH PLANS - HEALTH INS - AUGUST - \$77,907.30; AW DIRECT INC - TRAFFIC SAFETY - \$236.88; BOMGAARS INC - POUND SUPPLIES - \$68.27; CASEY'S GENERAL STORE - SUPPLIES - \$6.99; CORTRUST BANK - TRANSFER FUNDS - \$270,000.00; DELTA DENTAL - DENTAL INS - AUGUST - \$5,909.10; DEPT OF SOCIAL SERVICES - EMPLOYEE DEDUCTION - \$1,072.00; FIRST NATL BANK SOUTH DAKOTA - EMPLOYEE DEDUCTION - \$1,439.00; FREEDOM VALU CENTER - SUPPLIES - \$211.13; GALL'S INC - UNIFORM BOOTS - \$94.99; GOLFSMITH INTERNATIONAL - GOLF CLUBS - \$45.97; HYVEE - SUMMER PROGRAM SUPPLIES - \$387.42; ICMA RETIREMENT TRUST #457 - EMPLOYEE DEDUCTION - \$4,473.18; K MART STORE #4813 - SWIM LESSONS - \$160.64; KNOLOGY REPLICE CHECK - \$704.40; MEDTOX LABORATORIES INC - TEST KITS - \$272.59; NASCO - SUMMER READING - \$47.96; NEBRASKA CHILD SUPPORT PAYMENT - EMPLOYEE DEDUCTION - \$303.00; NEWEGG.COM - USB THUMB DRIVES - \$55.80; OFFICE ELEMENTS - OFFICE SUPPLIES - \$286.64; PITNEY BOWES - POSTAGE - \$100.00; RETIREMENT SD - SD RETIREMENT - JULY - \$58,334.93; RETIREMENT SD

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SYSTEM 401 - SPECIAL PAY - \$4,499.88; SDSRP - EMPLOYEE DEDUCTION - \$125.00; SEARS - REFRIGERATOR - \$1,129.98; SHOBERG/GREG - CONFERENCE - \$80.00; SMITH & WESLON - WEAPON PARTS - \$74.80; SUMMIT ACTIVITY CENTER - EMPLOYEE DEDUCTION - \$904.70; TRK HOSTING LLC - WEBSITE HOSTING - \$68.85; UNITED WAY - EMPLOYEE DEDUCTION - \$2.00; VISA - SAFETY TOWN - \$118.45; VISA - REGISTRATION - \$470.95; VISA - TRAINING - \$759.42; VISA - MEMBERSHIP - \$250.52; VISA - MEETING - \$27.05; VISA - BUDGET WORKSHOP - \$183.41; VISA - LIFEGUARD STATION - \$1,441.00; VISA - SUPPLIES - \$112.92; VISA - TRAVEL - \$22.48; WAL - MART STORES INC - CAMERA EQUIPMENT - \$2,274.47; WEST SIDE TRANSPORT - TRAILER ROLLAGE - \$27.00. Roll Call: Members present voting "Aye;" Commissioners Aklund, Carda, Ellingson, Gross, Lowrie, Wenande, Woerner, and Mayor Knoff; voting "Nay;" None; Abstaining: Commissioners VanDerhule and Woerner. Motion adopted.

SALARIES - JULY 2010:

ADMINISTRATION - \$23,892.10; FINANCE - \$26,141.08; COMMUNITY DEVELOPMENT - \$14,414.48; POLICE - \$134,116.94; FIRE - \$9,360.49; ENGINEERING - \$35,137.51; STREET - \$40,903.42; TRAFFIC CONTROL - \$1,575.97; LIBRARY - \$24,360.67; PARKS/SAC - \$68,377.62; MEMORIAL POOL - \$19,679.83; MARNE CREEK - \$4,055.95; WATER - \$33,526.84; WASTE - WATER - \$31,583.63; CEMENTERY - \$3,861.14; SOLID WASTE - \$17,021.26; LANDFILL - \$15,297.79; GOLF COURSE - \$27,741.79; CENTRAL GARAGE - \$6,730.39. PERSONNEL CHANGES & NEW HIRES: New Hires: Tyler Eskins - \$7.25 hr. - Parks Div.; Nicholas Huston - \$7.25 hr. - Rec. Div.; Trevor Kinley - \$20.00 gm. - Rec. Div.; Kimberly Velk - \$20.00 gm. - Rec. Div. Wage Increase: Maggie Healy - \$8.00 hr. - Rec. Div.; Daniel Miller - \$20.00 gm. - Rec. Div.; Status Change: Chastity McHenry - \$720.42 bi - wk. from part-time Receptionist to full-time Receptionist. Longevity Increase: John Gleich - \$1256.04 bi - wk. - Parks & Rec.; Kevin Kuhl - \$3289.38 bi - wk. - Engineering; Glenda Lanning - \$14,334.32 hr. - Library; Joe Morrow - \$1931.74 bi - wk. - Community Development.

City Manager Russell submitted a written report giving an update on community projects and items of interest.

Linda Hipsher of 1806 Summit Street appeared to express concerns about water in her basement that she alleges is due to a drainage ditch near her residence. The Commission agreed to have City staff look at it and file a report.

Action 10 - 186

Moved by Commissioner Carda, seconded by Commissioner Gross, that the following items on the consent agenda be approved.

1. Permission for Alcoholic Beverages

Consideration of a request from Lori Lincoln to carry in and serve alcoholic beverages at the Dakota Territorial Capitol Building for wedding preparations on October 16, 2010.

2. Establish public hearing for transfer of ownership

Establish August 23, 2010, as the date for the public hearing on the request for the transfer of ownership of a Retail (on-sale) Liquor License for January 1, 2010, to December 31, 2010, from G. Cwach & Sons, Inc. (George J. Cwach, President) d/b/a O'Malley's Bar to Dayhuff Enterprises, Inc. (Jeff Dayhuff, President) d/b/a O'Malley's Bar, 204 West 3rd Street, Yankton, South Dakota. Roll Call: All members present voting "Aye;" voting "Nay;" None. Motion adopted.

Action 10 - 187

This was the time and place for the public hearing on the application for a New Retail (on-off sale) Wine License for January 1, 2010, to December 31, 2010, from Jay Deb Enterprises, Inc. (Jay Deitloff, owner) d/b/a Waterfront, 201 Capital Street Lot Lines, Yankton, South Dakota. (Memorandum 10-140) No one was present to speak for or against approval of the license application. Moved by Commissioner VanDerhule, seconded by Commissioner Lowrie, to approve the license. Roll Call: Members present voting "Aye;" Commissioners Aklund, Carda, Gross, Lowrie, VanDerhule, Wenande, Woerner, and Mayor Knoff; voting "Nay;" Commissioner Ellingson. Motion adopted.

Action 10 - 188

This was the time and place for the second reading and public hearing for Ordinance No. 934, AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF

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YANKTON BY AMENDING VARIOUS SECTIONS THEREIN. (Memorandum 10 - 133A) Moved by Commissioner Carda, seconded by Commissioner Wenande, to adopt Ordinance No. 934. Prior to a vote being taken, moved by Commissioner VanDerhule, seconded by Commissioner Ellingson, to amend Ordinance No. 934, to limit hours of sale of off-sale liquor to midnight daily. Roll Call: Members present voting "Aye;" Commissioners Aklund, Ellingson, and VanDerhule; voting "Nay;" Commissioners Carda, Gross, Lowrie, Wenande, Woerner, and Mayor Knoff. Motion to amend failed. Roll call was then taken on the original motion to adopt Ordinance No. 934. Roll Call: Members present voting "Aye;" Commissioners Carda, Gross, Lowrie, Wenande, Woerner, and Mayor Knoff; voting "Nay;" Commissioners Aklund, Ellingson, and VanDerhule. Motion adopted.

Graham Forbes, auditor with Williams & Co. P. C., presented the 2009 City of Yankton Comprehensive Annual Financial Report (CAFR) and answered Commission questions.

Action 10 - 189

Moved by Commissioner Gross, seconded by Commissioner Ellingson, to accept the Summit Activities Center Comfort Station project as complete and authorize the City Finance Officer to issue a manual check in the amount of \$4,000.00 to Wellf Construction Corporation, Yankton, South Dakota, as final payment for the project. (Memorandum 10 - 136) Roll Call: Members present voting "Aye;" Commissioners Aklund, Carda, Ellingson, Gross, Lowrie, VanDerhule, Wenande, Woerner, and Mayor Knoff; voting "Nay;" Commissioner Lowrie. Motion adopted.

Action 10 - 190

This was the time and place to award the bid for a towable 185 hp Yard Waste Compost Turner to the Department of Public Services Solid Waste Collection Division. (Memorandum 10 - 137) The following bid was received and opened on July 29, 2010: Diesel Machinery, Inc., Sioux Falls, South Dakota - \$115,500.00. Moved by Commissioner Aklund, seconded by Commissioner Wenande, to award the bid to Diesel Machinery, Inc., in the amount of \$115,500.00, contingent upon concurrence by the South Dakota Department of Natural Resources. Roll Call: All members present voting "Aye;" voting "Nay;" None. Motion adopted.

Action 10 - 191

This was the time and place to award the bid for a 100 CY Yard Waste Trommel Screen for the Department of Public Services Solid Waste Collection Division. (Memorandum 10 - 138) The following bid was received and opened on July 29, 2010: Diesel Machinery, Inc., Sioux Falls, South Dakota - \$110,000.00. Moved by Commissioner Gross, seconded by Commissioner Lowrie, to award the bid to Diesel Machinery, Inc., in the amount of \$110,000.00, contingent upon concurrence by the South Dakota Department of Natural Resources. Roll Call: All members present voting "Aye;" voting "Nay;" None. Motion adopted.

Action 10 - 192

Moved by Commissioner Carda, seconded by Commissioner Wenande, to accept the water and sewer main improvements project on Bill Baggs Road south of Highway 50 as complete. (Memorandum 10 - 139) Roll Call: All members present voting "Aye;" voting "Nay;" None. Motion adopted.

Action 10 - 193

Moved by Commissioner Wenande, seconded by Commissioner Lowrie, to adopt Resolution 10 - 29 and Resolution 10 - 30. (Memorandum 10 - 142)

RESOLUTION 10 - 29

\*\*AUTHORIZING RESOLUTION\*\* AUTHORIZING SUBMISSION OF CDBG APPLICATION

BE IT RESOLVED that the City of Yankton hereby authorizes the Yankton City Manager to sign an application to the State of South Dakota for a Community Development Block Grant in the amount of \$142,200, and if said application is successful, further authorizes the City Manager to sign the grant agreement and associated documents. This grant will be used to extend Gehl Drive and the associated water and sewer mains in conjunction with the location of Dakota Trailer in the East Yankton Industrial Park.

Yankton Mayor; and Yankton City Manager Are hereby authorized to sign requests for payments from the Community Development Block

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Grant program. RESOLUTION 10 - 30 \*\*AUTHORIZING RESOLUTION\*\* DESIGNATING CDBG PROJECT CERTIFYING OFFICER AND ENVIRONMENTAL CERTIFYING OFFICER WHEREAS, the City of Yankton is a recipient of a Community Development Block Grant from the U.S. Department of Housing and Urban Development as administered by the State of South Dakota, and; WHEREAS, the City of Yankton is required to designate a certifying officer for the purpose of signing required documents pertaining to this grant, and; NOW THEREFORE, BE IT RESOLVED, that the City Manager be hereby designated as the City's certifying officer for the purpose of signing correspondence, pay requests, and other required documents. AND BE IF FURTHER RESOLVED, that the City Manager be hereby designated as the City's environmental certifying officer for all environmental review procedures associated with this CDBG project. Roll Call: Members present voting "Aye;" Commissioners Aklund, Carda, Ellingson, Gross, Lowrie, VanDerhule, Wenande, Woerner, and Mayor Knoff; voting "Nay;" None; Abstaining: Commissioner Woerner. Motion adopted. Commissioner Lowrie excused himself and exited the Commission Chambers at this time. Action 10 - 194 Mike Dellinger, on behalf of Yankton Area Progressive Growth, addressed the Commission recommending approval of Resolution 10 - 28. Moved by Commissioner Ellingson, seconded by Commissioner Carda, to adopt Resolution 10 - 28. (Memorandum 10 - 141) RESOLUTION 10 - 28 Permissive Use of Right - of - Way WHEREAS, the Gurney Redevelopment Group, LLC owns property adjacent to Second Street Right - of - Way (ROW) at 110 Capital Street, and WHEREAS, Mr. Paul Lowrie, Managing Member of Gurney Redevelopment Group, LLC has requested permission to occupy the public ROW for the purpose of constructing and occupying a raised walkway with access points as described by the attached drawing and example photographs, and WHEREAS, the applicant understands that the described walkway would occupy the ROW at the applicant's risk and the City or other approved occupants of the ROW are not responsible for maintenance, adjustments or repairs to the walkway resulting from use of the ROW for public purposes, and WHEREAS, the owner, their heirs, assigns or successors shall not modify said raised walkway in any manner without first having the written approval of the Yankton City Commission. NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the permissive use of ROW at the described location in the manner shown on the attachments to this resolution. Roll Call: All members present voting "Aye;" voting "Nay;" None. Motion adopted. Action 10 - 195 Moved by Commissioner Wenande, seconded by Commissioner Carda, to adjourn at 7:36 p.m. Roll Call: All members present voting "Aye;" voting "Nay;" None. Motion adopted. David D. Knoff Mayor ATTEST: Al Viereck Finance Officer

