

2010 Legal and Public Notices

Action 10557C: A motion was made by Sinclair and seconded by Johnson to approve the minutes of the July 7th, 2010 meeting of the Board changing the dates for the County convention to September 21st through 23rd, 2010.
Voting Aye: All Nay: None Motion carried.

Joanne Haase, SD Cooperative Extension, extended appreciation to Yankton County and especially to Sharon Guthmiller for 13 years of service to the County. Guthmiller is leaving Yankton to take an educator position in Rapid City. The Board also expressed its appreciation to Guthmiller for her service to Yankton County. Also discussed was the focus of the next educator for the County.

Action 10558VA: A motion was made by Tamisica and seconded by Johnson to approved as a proper charge against the county, travel expenses for Charles Hafner to attend the annual training conference for Veteran Service Officers in Pierre, SD August 30 through September 1, 2010.
Voting Aye: All Nay: None Motion carried.

Action 10559S-JINT: A motion was made by Sinclair and seconded by Johnson to accept into the record the Sheriff's Monthly Fee Report for June, 2010 and the Interest Allocation report for June 2010 indicating the following: General fund \$1,668.60, Road & Bridge \$128.57, E911 \$100.61, County Buildings \$61.21, Special Highway \$20.15, 24-7 \$3.53, Safety Center Capital Project \$6.76 and Courthouse Debt Service \$81.79.
Voting Aye: All Nay: None Motion carried.

Action 10560C: A motion was made by Johnson and seconded by Tamisica to approve the following claims: **Commissioners:** AT&T (Utilities) \$5.42, Yankton County Observer (Legal Notices) \$700.66, Yankton Daily P&D (Legal Notices) \$626.92; **Elections:** Yankton County Observer (Legal Notices) \$68.00, Yankton Daily P&D (Legal Notices) \$637.00; **Court:** 9 Payees @ \$50.00 (Grand Juror Fees) \$450.00, 2 Payees @.74 (Grand Juror Mileage) \$1.48, 1 Payee (Grand Juror Mileage) \$10.36; **Auditor:** Security Shredding (Maintenance) \$70.00, Western Office Plus (Maintenance) \$350.13; **Treasurer:** Harland Technology (Maintenance) \$66.25, Security Shredding (Maintenance) \$35.00; **States Attorney:** Avera Sacred Heart Hospital (Lab) \$512.99, Great Western Bank (Rental) \$158.46, West Payment Center (Books) \$513.04; **Government Buildings:** Newman Traffic Signs (Supplies) \$43.38; **Director of Equalization:** Ramada (Travel) \$954.00, Security Shredding (Maintenance) \$35.00, Western Office Plus (Maintenance) \$55.75; **Register of Deeds:** Microfilm Imaging Systems (Rental) \$609.00; **Veterans Service Office:** SDVSOA (Association Dues) \$50.00, Western Office Plus (Maintenance) \$5.74; **Court House & Safety Center:** City of Yankton (Maintenance) \$128.00, Kone, Inc. (Maintenance) \$150.00, Yankton Medical Clinic (Maintenance) \$37.76, Yankton Irrigation (Maintenance) \$66.82; **Sheriff:** City of Yankton (Supplies) \$883.80, Knology (Utilities) \$41.95, Northtown Automotive (Maintenance) \$178.56, Verizon Wireless (Utilities) \$108.90, Western Office Plus (Supplies) \$73.04, Yankton Office Equipment (Supplies) \$90.00; **County Jail:** CBM Food Service (Meals) \$3,935.54, Noble Ink and Toner (Supplies) \$199.99, Cash-WA (Supplies) \$337.60, Crawford Supply (Supplies) \$171.96, Benjamin Jensen, DDS (Services) \$79.00, Keeffe Supply (Supplies) \$127.90, Printing Specialists (Supplies) \$714.78, Wohl's Plumbing (Maintenance) \$170.15, Yankton Rexall (Medicine & Supplies) \$880.61; **Juvenile Detention:** Minnehaha Co. Regional (Child Care) \$5,600.00, Volunteers of America (Shelter Care) \$1,000.00; **Care of Poor:** SDACC (Travel) \$160.00, Yankton Rexall (Supplies) \$341.71, Yankton County EMS (Services) \$253.18; **Ambulance:** Ace Hardware (Supplies) \$87.59, Avera Education & Staff (Supplies) \$45.00, Avera Sacred Heart Hospital (Supplies) \$911.68, Card Service Center (Supplies) \$142.07, Hedahl's (Supplies) \$45.29, Janssen's Garbage (Maintenance) \$81.00, K-Mart (Supplies) \$70.22, Linveld (Rental & Supplies) \$51.15, Henry Schein (Supplies) \$281.60, Arica Nickles (Supplies) \$53.05, Olson's Pest (Maintenance) \$65.00, Sioux Falls Two-Way Radio (Maintenance) \$74.99, Vogt's Cleaners (Supplies) \$2.50, Western Office Plus (Supplies) \$39.29; **Mentally Handicapped:** SD Achieve (Services) \$180.00; **Mental Illness Board:** Donna Dietrich (Hearings) \$110.04, Lewis & Clark Behavioral (Hearings) \$852.00; **County Extension:** Ag Bio Communications (Supplies) \$50.00, Appera (Supplies) \$60.30, Clay County Extension (Supplies) \$20.00, Sharon Guthmiller (Travel) \$39.22, Hy-Vee (Supplies) \$44.19, Yankton Fire & Safety (Maintenance) \$25.00, Independent Business (Supplies) \$81.00, Aaron Weston (Travel) \$36.63, Aaron Weston

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(Supplies) \$9.98, Super 8 Motel (Travel) \$100.90, Western Office Plus (Supplies) \$620.03; **Weed:** TMA (Supplies) \$24.68; **Planning & Zoning:** Western Office Plus (Maintenance & Supplies) \$19.81, Yankton Daily P&D (Legal Notices) \$36.08; **Road & Bridge:** Ace Hardware (Supplies) \$153.44, Appera (Supplies) \$78.43, B-Y Electric (Utilities) \$28.98, Butler Machinery (Supplies) \$382.08, City of Yankton (Utilities) \$225.52, Cox Auto Supply (Supplies) \$515.55, Concrete Materials (Supplies) \$82.92, Fejfar Plumbing (Supplies) \$539.05, Fullerton's (Supplies) \$47.78, Fastenal Company (Supplies) \$22.00, Hedahl's (Supplies) \$303.93, Jebro (Supplies) \$161,974.74, Michael Todd & Co. (Supplies) \$99.22, MidAmerican Energy (Utilities) \$66.52, Yankton County Observer (Legal Notices) \$71.49, Lewis & Clark Ford (Maintenance) \$1,063.23, Stern Oil (Fuel) \$21,030.10, Southeastern Electric (Utilities) \$17.45, TMA (Supplies) \$134.19, Tools & Machinery (Supplies) \$102.32, Yankton Daily P&D (Legal Notices) \$142.09, Western Office Plus (Maintenance) \$5.74; **911 Fund:** Golden West (Utilities) \$145.00; **Emergency Management:** Ace Hardware (Supplies) \$308.17, Auto Electric Sales (Supplies) \$71.45, Bomgaars (Supplies) \$299.32, B-Y Electric (Utilities) \$26.00, Cox Auto (Supplies) \$223.94, Classic Carts (Maintenance) \$803.40, Jeremy Dangel (Supplies) \$66.00, Knology (Utilities) \$173.08, Modern Marketing (Supplies) \$274.75, MidAmerican Energy (Utilities) \$23.20; **MISC.:** Jurgens Printing (Extension) \$23.00, Total General Fund \$25,956.32, Road & Bridge \$187,086.77, 911 Fund \$145.00, Emergency Management \$2,269.31, Misc. \$23.00, Manual checks not in totals: SDAAO \$1,000.00 (Director of Equalization), SD State Treasurer \$8,265.46 (Mentally Handicapped), SD Department of Revenue & Regulation (Excise Tax) \$51.46, SD Department of Revenue \$150.00 (Commissioners)
Voting Aye: All Voting Nay: None Motion carried.

Action 10561A: A motion was made by Sinclair and seconded by Tamisica to authorize the transfer of \$2,500.00 from General Fund revenue to the Ambulance budget and further to authorize expenditures in the amount of \$2,500.00.
Voting Aye: All Voting Nay: None Motion carried.

Action 10562C: A motion was made by Sinclair and seconded by Freng to accept into the record the application of David J Bender for a fireworks display to be held 9/4/2010 (9/5/2010 rain date) at 43304 Stone church Road, Menno, SD.
Voting Aye: All Voting Nay: None Motion carried.

Action 10563N: A motion was made by Johnson and seconded by Freng to authorize the chairman to sign the grant agreement with the Department of Health in the amount of \$7,250.00 for POD expenditures.
Voting Aye: All Voting Nay: None Motion carried.

A motion was made by Johnson and seconded by Sinclair to recess the regular session and convene in Executive Session to discuss indigent requests.
Voting Aye: All Nay: None Motion carried.

The Board reconvened in regular session.

Chairman Jensen announced no action would be taken as a result of the Executive Session.

The ambulance report for the month of June 2010 was presented by Steve Hawkins. The department responded to 124 calls in June with 100 1st calls, 17 2nd/3rd calls, 2 standby and 7 transfers and 5 Command/supervisor responses. \$72,260 was billed out in June and \$57,057 was received in for June. \$367,411 was expended to date and \$299,060 was received in. The year-to-date cost per Yankton County resident is \$3.19.

Action 10564A: A motion was made by Johnson and seconded by Tamisica to adjust the following bills: Medicare adjustments \$23,077.91, Medicaid adjustment \$2,352.77, miscellaneous uncollectible/adjusted bills totaling \$3,577.25 and the liens moved to inactive status.
Voting Aye: All Nay: None Motion carried

Action 10565A: A motion was made by Johnson and seconded by Tamisica to write off uncollectible bills totaling \$5,399.54 and cancel the liens on the same.
Voting Aye: All Nay: None Motion carried

Action 10566A: A motion was made by Freng and seconded by Johnson to accept into the record the report of the Ambulance Department for June, 2010.
Voting Aye: All Nay: None Motion carried.

Action 10567A: A motion was made by Johnson and seconded by Sinclair to accept into the record the Quarterly Aging Report of the

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Ambulance Department.
Voting Aye: All Nay: None Motion carried.

Paty Davies, Highway Department, advised that the bridge on old Highway 50 is now open.

Paul Helgerson, Maintenance Supervisor, advised he will have alternate bids for maintenance/equipment for the Courthouse and Safety Center heating and cooling system available by the August 3, 2010 meeting.

Action 10568Z: A motion was made by Sinclair and seconded by Johnson to adopt the following resolution: Whereas it appears that Glen A Rabenberg, owner of record, has caused a plat to be made of the following real property: Replat of Lot 1 Kabeseiman Tract 8, SE4 SW4, Section 11 and NE4 NW4, Section 14 Township 93N, Range 57W of the 5th PM and a portion of the Nottingham Drive Road right-of-way which hereinafter be known as Tract 1, Rabenburg Addition, SE4 SW4 Section 11 and in the NE4 NW4 Section 14, all in Township 93N, Range 57W of the 5th PM, Yankton County, South Dakota and has submitted such plat to the Yankton County Planning Commission and the County Commission, of Yankton County, South Dakota for approval. Now therefore be it resolved that such plat has been executed according to the law and conforms to all existing applicable zoning, subdivision and erosion and sediment control and the same is hereby approved. The county Auditor is hereby authorized and directed to endorse on such plat the proper resolution and certify the same.
Voting Aye: All Nay: None Motion carried.

The Chairman presented a scholarship in the amount of \$500.00 on behalf of the SDACC To Emily Van Zee (daughter of Register of Deeds Brian Hunhoff).

The next regular meeting of the Board will be Wednesday, August 3, 2010 in the Commission chambers.

Bruce Jensen, Chairman
Yankton County Commission
ATTEST:
Paula Jones, Auditor

8+20+25

Invitation To Bid

Sealed bids will be received by the State Engineer on behalf of the Department of Human Services at the Office of the State Engineer, Joe Foss Building, 523 East Capitol, Pierre, South Dakota 57501-3182 until 3:00 PM CT, Tuesday, August 31st, 2010 for labor and materials for Energy Conservation Measures, Human Services Center, Yankton, South Dakota, OSE # H1310-02X.
Combined Bids will be received for replacement of lighting with energy efficient light sources in selected buildings, provide occupancy sensors in selected areas, temperature control on heating systems, ventilation control with CO2 sensors to reduce outside air, and insulation of heating and hot water piping, including all necessary General and Electrical work.
Contractors Please Note: There will be an on-site prebid meeting on Thursday, August 26th, 2010 at 1:00 PM CT. Contractors shall meet at the Mickelson Building front entrance. Each contractor shall be held to have examined the premises at the prebid meeting and satisfied as to the existing site conditions before submitting a sealed Bid.

Copies of the Plans and Specifications may be obtained by bidders at the office of Roby, Quintal and Everson, 2000 N Kimball, Mitchell, SD 57301, telephone number 605. 996.7543. Copies are on file for viewing purposes at the Office of the State Engineer, 523 East Capitol Avenue, Pierre, South Dakota 57501-3182. Anyone requesting, reviewing, or copying Plans and Specifications for this project (such individual is hereinafter referred to as "bidder") agrees that they are doing so for the sole purpose of submitting a bid on the project. In consideration of the State of South Dakota providing such Plans and Specifications for the purpose of preparing a bid, bidder further agrees:

A. The Plans and Specifications are the sole property of the State;
B. Any copies of the Plans and Specifications obtained directly from the State will be returned to the office of Roby, Quintal and Everson immediately after the State provides notice that bidder will not be awarded a contract, or thirty (30) days after the bid opening for the project, which ever occurs first;
C. Any copies of the Plans and Specifications made by the bidder will be destroyed immediately after the State provides notice that bidder will not be awarded a contract, or thirty (30) days after the bid opening for the project, which ever occurs first;
D. If bidder does not submit a bid, bidder will fulfill the requirements of B and C above on or before the date of the bid opening;
E. The Plans and Specifications are to be used only with respect

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to this project and are not to be used for any other project or purposes other than preparing a bid for this project;

F. The Plans and Specifications will not be disseminated to any person or entity for purposes other than obtaining pricing information without the express written approval of the state;

G. All information contained in the Plans and Specifications is confidential; and

H. Should the bidder disseminate the Plans and Specifications to an individual or entity for purposes of obtaining pricing information, the bidder will require that individual or entity to adhere to the terms set forth herein. The bidder, however, assumes no liability for the misuse of the Plans and Specifications by such third party or such third party's failure to comply with the provisions contained herein.

Should bidder be awarded a contract for construction of the project, bidder does not need to return or destroy Plans and Specifications until after completion of the project.

Each bid in excess of \$50,000.00 must be accompanied by a certified check, cashier's check or draft in the amount of 5% of the base bid and all add alternates and drawn on a State or National Bank or a 10% bid bond issued by a surety authorized to do business in the State of South Dakota and made payable to the Department of Human Services of the State of South Dakota.

The Department of Human Services reserves the right to reject any or all bids and to waive any irregularities therein.

KRISTI HONEYWELL, P.E.
State Engineer
Office of the State Engineer

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Primary Losses Blunt Palin's 'Mama Grizzly' Claws

BY PHILIP ELLIOTT
Associated Press Writer

WASHINGTON (AP) — It's been a summer of setbacks for Sarah Palin. Candidate "cubs" endorsed by the Mama Grizzly in Chief have been suffering a recent string of primary election losses.

The Republicans' 2008 vice presidential nominee promised a pack of "mama grizzly" candidates would rise up and defeat Democrats in this November's elections. But office-seekers she supported in Kansas, Wyoming and Washington state lost their primaries despite her high-profile endorsements. And Karen Handel lost her runoff contest for Georgia governor a day after sharing an Atlanta stage with Palin.

Now, Alaska's Senate primary on Tuesday is shaping up as an embarrassing defeat in her own backyard. Sen. Lisa Murkowski is expected to dispatch the challenger Palin has endorsed in the Republican contest.

Palin says it isn't about picking winners. "Regardless of whether the many candidates I've had the honor of endorsing win or lose this time around, I support them because they boldly shake things up in their primary races," she said in a Facebook message.

Her choices have included a mix of tea party favorites and other antiestablishment figures.

— She backed former Super Bowl champion Clint Didier over establishment-recruited Dino Rossi in Washington state's GOP Senate primary. Didier lost on Tuesday.

— She supported staunchly conservative Rep. Todd Tiahrt in the Kansas GOP Senate primary. He was defeated by Rep. Jerry Moran on Aug. 3.

— In Wyoming, Palin-endorsed candidate Rita Meyer — whom Palin described as "a unique blend of steel magnolia and mama grizzly" — lost a squeaker of a gubernatorial primary to Matt Mead.

— And she's going with former New Hampshire Attorney General Kelly Ayotte over wealthy businessmen Bill Binnie and

Jim Bender in the state's Sept. 14 Senate primary — a move that drew a page one rebuke in the state's largest newspaper.

"The race will be won by the candidate who impresses New Hampshire voters, and New Hampshire voters are rarely impressed by what outsiders have to say," wrote New Hampshire Union Leader publisher Joseph McQuaid.

Indeed, frustration with Palin has seemed to be growing, as she has waded into state races and challenged the national party's preferred candidates. She has defied Republican campaign committees' picks in favor of longshots, such as investor Brian Murphy in Maryland. Murphy is running against former Gov. Bob Ehrlich in the Sept. 14 primary.

Ehrlich publicly brushed off that surprise endorsement, saying it was "not terribly relevant to anything that we've planned to do or are going to do."

Palin remains a unifying figure — for Democrats.

She is a favorite target of mockery for her messages on Twitter using colorful language such as "cackle of rads" and "retudiate."

EMILY's List, a political organization that aims to elect women who back abortion rights, this week launched a "Sarah Doesn't Speak for Me" campaign in the hopes of building its membership as well as painting Palin's candidates as extremists.

"We didn't want Sarah Palin's voice to go unchallenged," said Stephanie Schriock, the organization's president.

The group recorded a Web video of women dressed as bears who repeated similar themes.

Palin responded — by Facebook, of course — with the folksy sarcasm that her supporters find refreshing and her detractors find grating.

"First, ladies, it's hard to take a critic seriously when they lecture you wearing a bear suit," Palin said, following that with a putdown invoking two of her five children.

"I'd love to know where you got those get-ups. Halloween is just around the corner, and Piper and Trig would look adorable as little grizzly bears."

Former Mayor Giuliani Supports Move Of Mosque Near WTC Site

BY MICHAEL GORMLEY AND
VERENA DOBNIK
Associated Press Writers

NEW YORK — Former Mayor Rudy Giuliani on Thursday joined a growing number of politicians supporting a move of a proposed Islamic center and mosque near ground zero to state-owned land farther from the Sept. 11 attack site.

Giuliani, who led New Yorkers through Sept. 11 and its aftermath and whose opinion on the mosque could carry considerable clout, made his comments as the imam leading tours for the community center toured the Middle East promoting religious tolerance.

"If you are a healer, you do not go forward with this project," Giuliani said on NBC's "Today" show, referring to the center's leader, Imam Feisal Abdul Rauf. "If you are a warrior, you do."

Developers want to build the \$100 million community center, including a mosque, at a building two blocks north of where Islamic extremists brought down the World Trade Center in 2001. Muslims have been holding prayer services at the building since last year.

Support is growing for a possible land swap to provide an alternate site for what's called the Park51 project, Gov. David Paterson said.

"One of the problems the cultural center is going to have is just a constant point of antagonism, which I don't think is what they want," Paterson told WOR Radio on Thursday.

Paterson said he had the support of Islamic clergy, New York Archbishop Timothy Dolan and Giuliani. The governor and state officials refused to say what site would be suitable for the proposed cultural center or where the state owns nearby land.

Paterson said he expects to meet with the developers in a couple of days to persuade them that a move could best assuage the "national hysteria" that has followed the project.

Sharif el-Gamal, Park51's developer, and The Cordoba Initiative, an organization that hopes to operate the community center, didn't return

telephone and e-mail messages Thursday.

Buthayna Abdul Rauf, the imam's mother, said Thursday she was mystified by the controversy surrounding the project, which she only recently heard about from news reports and a friend.

"This is the first time I've heard people in America being against a mosque," she told The Associated Press in a telephone interview from her home in Bethesda, Md. "The Americans are very generous. ... Mosques have been erected everywhere in America."

She called her son, whom she hasn't seen for three months, a "very peaceful man."

Feisal Abdul Rauf, who heads Cordoba, arrived in Bahrain on Thursday for a U.S.-funded outreach trip for two weeks in the Middle East.

Rauf was expected to discuss Muslim life in America and promote religious tolerance. He will be visiting mosques, Department of State spokesman P.J. Crowley said Thursday.

"He will be involved in direct discussions to help people in the countries he'll visit understand the role of religion in our society, how American Muslims celebrate Ramadan, how we emphasize religious tolerance in our society," Crowley said.

Rauf won't be allowed to raise funds for the mosque on the trip, Crowley said.

The project has caused a political uproar, pitting national Republicans against President Barack Obama and dividing Sept. 11 families and New Yorkers.

Foes argue that the proposed mosque is offensive because it's too close to the place where the terrorists killed more than 2,700 people. Opponents led by Mayor Michael Bloomberg say the center's constitutional rights to religious freedom should be protected.

Bloomberg reiterated his support Thursday.

"I haven't changed my views. This is about the First Amendment," he said. "It's about people being able to pray to whomever they want, whenever they want, wherever they want. That's one of the fundamental tenets

of our society. It's one of the things that differentiates us from other countries. ... In terms of this particular mosque, I've said I think it would add to the diversity of the city and be fine."

Both sides were on display Thursday at the site, where on the sidewalk passers-by had scribbled messages in multicolored chalk.

"Mosque Yes Hate No" read one.

Heated words were exchanged between visitor Matt Harris, of Yorba Linda, Calif., standing face to face with Matt Sky, a New Yorker who hoisted a placard that read: "Support Freedom of Religion."

"Dude! You have other mosques in New York — why here? This is lack of respect!" Harris yelled.

"We believe there is freedom of religion in this country," replied Sky, a 26-year-old resident of Manhattan's East Village neighborhood.

He added: "Islam is not terror. The guys who blew up the towers called themselves Muslims. But other Muslims did not blow up the towers."

Giuliani noted that the right to religious freedom has nothing to do with the sensitivity of locating a large community center so close to the attack site.

"They have every right to build it. The question is, should they build it?" Giuliani said, noting the group claims to be about sensitivity and healing between cultures. "All this is doing is creating more division, more anger, more hatred."

"I think Governor Paterson had the best approach," the Republican said of the Democratic governor. "Nice compromise, find another place, have a beautiful mosque there."

An expert noted that government resources have often been used to help religious organizations and their buildings.

"But the government can't simply buy property and turn it over to a religious entity where the benefits are exclusively for the members of that church," said Robert B. Ward, of the Nelson A. Rockefeller Institute of Government.

Said the governor: "Not-for-profits that are run by churches receive state resources all the time."

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