

## 2010 Legal and Public Notices

State Collection & Disb Unit-Child Support \$330.00, Pre-paid Legal Services, Inc \$129.50, Office of Child Support \$371.00, Office of Child Support \$697.00, Nevada State Treasurer \$2.00, Nationwide Retirement Solutions \$128.26, First Dakota National Bank \$24,169.36 (Withholding), First Dakota National Bank \$29,168.28 (FICA) First Dakota National Bank \$8,133.32 (Medicare), Blue Cross Blue Shield \$38,472.47, Gross Payroll \$360,821.29, Net Payroll \$217,583.80.

Voting Aye: All Nay: None Motion carried.

**Action 11325C:** A motion was made by Sinclair and seconded by Freng to authorize the Auditor to set a hearing date and further to advertise said hearing for an application by Captain Norm's LLC for an expanded Malt Beverage-SD Wine license.

Voting Aye: All Voting Nay: None Motion carried 5-0.

Commissioner Moore reported on the Joint Powers board meeting he attended recently. He advised tonnage is down and action was taken to increase the tipping fee by 10%. He further reported the household hazardous waste drive will be conducted on October 21, 2011 in Vermillion and October 22, 2011 in Yankton.

**Action 11326C:** A motion was made by Freng and seconded by Johnson to recess the regular session of the Board and convene as a Board of Adjustment.

Voting Aye: All Nay: None Motion carried.

**Action 11327Z:** A motion was made by Sinclair and seconded by Freng to approve a **Minimum Lot Width Permit for Michael & Lisa Mueller** as follows:

**LEGAL DESCRIPTION (Physical Location): Lots 12, 13 & 14, Rolling Hills Addition, SW4, Section 15, Township 93N, Range 57W, Yankton County, SD.**

1. Planning Commission recommends approval 8-0.

2. A variance as follows: variance of 28.09 or 71.91 lot width

3. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege

4. No nonconforming lands, structures or buildings were considered grounds for this recommendation

5. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district

6. Recommendations/conditions: Per Findings of Fact on file in Zoning & Auditor's offices.

7. Variance request approval per Article 19, Section 1907, of the Yankton County Zoning Ordinance

Voting Aye: All Nay: None Motion carried

**Action 11328Z:** A motion was made by Johnson and seconded by Freng to approve **Minimum Lot Size & Width Variance Permits for Matthew Lyngstad to allow for the separation of production land from the farmstead** as follows:

**LEGAL DESCRIPTION (Physical Location): Tract 1, M Lyngstad Addition, NW4 SW4, Section 5, Township 95N, Range 54W, Yankton County, SD.**

1. Planning Commission recommends approval 8-0.

2. A variance as follows: variance of 17.25 acres or proposed lot size of 2.75 acres

3. A variance as follows: variance of 63.9' or 436.10' lot width

4. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege

5. No nonconforming lands, structures or buildings were considered grounds for this recommendation

6. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district

7. Recommendations/conditions: Per Findings of Fact on file in Zoning & Auditor's offices.

8. Variance request approval per Article 19, Section 1907, of the Yankton County Zoning Ordinance

Voting Aye: All Nay: None Motion carried

**Action 11329Z:** A motion was made by Freng and seconded by Sinclair to approve a **three Minimum Lot Size Variance Permits for Randy & Carolyn Golden to allow for the development of buildable lots** as follows:

**LEGAL DESCRIPTION (Physical Location): Replat of Lots 1, 2 and 6 and a Plat of Lot B, Block 3, Marina Dell Two Subdivision, NE4 NW4, Section 17, Township 93N, Range 56W, Yankton County, SD.**

1. Planning Commission recommends approval 8-0.

2. A variance as follows: variance of .18 acres or proposed lot size of .82 acres

3. A variance as follows: variance of .38 acres or proposed lot size of .62 acres

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4. A variance as follows: variance of .98 acres or proposed lot size of .02 acres

5. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege

6. No nonconforming lands, structures or buildings were considered grounds for this recommendation

7. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district

8. Recommendations/conditions: Per Findings of Fact on file in Zoning & Auditor's offices.

9. Variance request approval per Article 19, Section 1907, of the Yankton County Zoning Ordinance

Voting Aye: Freng, Sinclair, Moore, Jensen Abstain: Johnson Nay: None Motion carried

**Action 11330Z:** A motion was made by Sinclair and seconded by Johnson to adjourn as a Board of Adjustment and reconvene in regular session.

Voting Aye: All Nay: None Motion carried.

**Action 11331Z:** A motion was made by Sinclair and seconded by Johnson to adopt the following resolution: Whereas it appears that Matthew F & Laura B Lyngstad, owners of record, have caused a plat to be made of the following real property: Tract 1, M Lyngstad's Addition, NW4, Section 5, Township 95N, Range 54W 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.

**Action 11332Z:** A motion was made by Sinclair and seconded by Freng to adopt the following resolution: Whereas it appears that Randy & Carolyn Golden, owners of record, have caused a plat to be made of the following real property: Replat of Lots 1, 2 and 6, and a Plat of Lot B, block 3, Marina Dell Two subdivision, NE4 NW4, Section 17, Township 93N, Range 56W 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.

**Action 11333Z:** A motion was made by Johnson and seconded by Freng to adopt the following resolution: Whereas it appears that Michael M & Lisa A Mueller, owners of record, have caused a plat to be made of the following real property: Lots 12, 13 and 14, Rolling Hills Addition, SW4, Section 15, 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: Freng, Sinclair, Moore, Jensen Abstain: Johnson Nay: None Motion carried

**Action 11334S:** A motion was made by Sinclair and seconded by Johnson to approve as a proper charge against the county, travel expenses for three employees to attend the Public Liability Pool meeting concerning jail manuals in Mitchell on September 7, 2011.

Voting Aye: All Nay: None Motion carried.

The bid letting for the E911 repeaters was held at 5:15 PM as scheduled. Bids were received from Electronic Engineering of Sioux City, IA in the amount of \$47,864.59 and Sioux Falls Two Way Radio SVC, Inc of Sioux Falls, SD in the amount of \$34,518.90.

**Action 11335E911:** A motion was made by Johnson and seconded by Sinclair to accept the low bid of Sioux Falls Two Way Radio SVC, Inc of Sioux Falls, SD in the amount of \$34,518.90.

Voting Aye: All Nay: None Motion carried.

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**Action 11336E911:** A motion was made by Sinclair and seconded by Freng to authorize the transfer of \$140,000 from E911 cash to the E911 budget and further to authorize expenditures in the amount of \$140,000.00. (The board authorized a transfer of \$140,000 per **Action 10237E911** in 2010. No expenditures were made in 2010 and the cash reverted back to E911 reserves.)

Voting Aye: All Nay: None Motion carried.

A drainage request was made by Chris Nelson on behalf of Don A Johnson to drain the SW4 of Section 35, Township 94N, Range 54W into the county highway right-of-way and ultimately draining into the Yankton-Clay Lateral #2 ditch. Due to the fact the Yankton-Clay Lateral #2 ditch has collapsed area(s) and the ditch board is in the process of obtaining financial assistance to repair the area(s) affected. It was the consensus of the Board that the Yankton-Clay Lateral Ditch #2 board, representatives from Gavvieve Town and Chris Nelson would be invited to attend the next meeting to discuss the issue. Also discussed was the possibility of lowering a culvert.

The second drainage issue was a request by Howard Kathol (property located in the NE4 Section 25, Township 94N, Range 54W) for the replacement of a culvert that drains into the Clay Creek Ditch. The Highway Superintendent will be asked to view the culvert and determine size, approximate cost etc. The Auditor will contact contractors for proposals to install the culvert and report back to the Board.

The Yankton-Clay and Clay Creek Ditch Boards will meet on August 30th, 2011 at Toby's in Meckling, SD at 1:00 PM.

Proposals for doing a center line survey have been received from Eisenbraun Engineering and Johnson Engineering. Both firms will be asked to have representatives at the next meeting and the proposals will be discussed and action taken as appropriate.

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A motion was made by Johnson and seconded by Sinclair to adjourn.

The next regular meeting of the Board will be Tuesday, August 16th, 2011 in the Commission chambers.

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

## Oil

From Page 1

tunity: the largest shovel-ready project in the United States," she said. "You've got to put actions where your priorities are, and our priorities need to be jobs."

The pipeline needs a document known as a presidential permit because it crosses an international boundary, although in practice the State Department has authority over the project.

The State Department is expected to complete an environmental analysis this month, and Secretary of State Hillary Rodham Clinton has said she will make a decision by the end of the year.

TransCanada declined to comment on the opposition to the project by the two transit unions, but says it has agreements with at least six unions to build the pipeline.

Organized labor's support for the project was credited with boosting congressional support for legislation that would force the Obama administration to make a final decision on the pipeline by Nov. 1. That bill passed the House last month with bipartisan support, but it is not likely to advance in the Senate.

## Auction

From Page 1

while the autos sell today (Saturday). Rumors were swirling that "Tonight Show" host Jay Leno held an intense interest in one car and planned to attend today's bidding. Another rumor said that Leno had already viewed the desired classic and was sending a representative to submit a bid.

The attention drawn by the sale stood as a testimony to the loving care given the autos and machinery.

Through the years, VanderPol and his family moved houses and other large structures. During his travels, VanderPol purchased a wide variety of items that grew — and grew and grew — until it packed several buildings around Corsica.

But as the years went along, VanderPol found it more difficult to care for his collection. And his children didn't share his desire for maintaining the massive collection.

When VanderPol entered a nursing home, it raised even more the question of what to do with the cars and machinery.

After following a lifetime passion, VanderPol and his wife, Hattie, agreed it was time to part with the collection.

Todd VanderPol of Virginia said his grand-uncle was comfortable with the decision. "It's the type of thing where the others didn't have the aptitude and interest," he said.

Todd grew up with his grand-uncle's collection. However, he said he still found it overwhelming to see the massive display spread out on the South Dakota Horse Sale grounds.

"Some collectors are interested in one type of thing, but Roland's collection had a lot of diversity," Todd said. "It's just phenomenal."

The family put the items on the auction block for one gigantic sale. For months, the family has cleaned the items in anticipation of the heightened interest in the collection.

Even in the course of her career, auctioneer Yvette VanDerBrink said she hasn't seen anything quite like the VanderPol collection.

"There have been a few (sales) like this in other states, but this is one of the

largest in South Dakota," she said. "They have so many restored (collectibles) and a nice assortment of rare items."

VanDerBrink wasn't just giving a sales pitch. The auction, advertised locally and nationally since March, has literally drawn a worldwide audience. She had received inquiries from Australia and New Zealand.

"We have 10 international bidders on-line, and we have more than 100 on-line bidders from more than 20 states," she said. "We have a gal in the trailer who is working with the on-line bidding."

Not all of the foreign bidders chose the on-line method, Todd VanderPol said.

"I met a guy here (at the auction) from Ireland," he said. "He told me, if he's going to buy one (piece of machinery), he may as well buy four or five. He has a container compartment where they charge him by volume, not weight."

The VanderPols weren't the only ones feeling emotional about the wide variety of items for sale.

VanDerBrink became choked up when she stood in front of the 1910 Advanced-Rumely. The oil pull tractor model drew so much interest that a special time was set aside for its sale.

Roland VanderPol held a special affection for the Rumely because it reminded him of the machinery used by his father to break the prairie soil, the auctioneer said.

For VanDerBrink, the Rumely — and the entire sale — symbolizes the end of an era.

"This is like selling a piece of agriculture history," she said. "You look at how much things have changed (with farming) in the last 100 years, and that's a short amount of time."

She wasn't the only one who felt that way.

"We put this (Rumely) on YouTube when it was running (just prior to the sale), and we heard from a man in Montana," she said. "He said that he started to cry when he saw the Rumely running because it brought back such memories."

Dodak received congratulations after purchasing the Rumely, particularly from a Michigan woman who looked forward to seeing it close to home.

And how would Dodak transport his new possession?

"We have a carry-all where we haul it ourselves," he said. "You take the canopy off and then travel with a 'wide load' sign, because it's 9 feet, 9 inches."

## Art

From Page 1

to make this as busy as we could. Kris wants to use this for senior pictures. We wanted to make it loud because that's the kind of statement (seniors) want to make."

The subject of freedom is close to the hearts of the twins, who describe themselves as "goth" kids in a small rural town. Members of the goth subculture generally dress in dark attire, wear heavy makeup and have elaborate hair styles, though there are many variations.

The girls say they've been called Satan worshippers and asked if they make voodoo dolls, but those kinds of comments now roll off their backs. It took time, but they have realized that they need to be themselves to be happy.

"I had a really tough time in junior high," Brittany said. "It was really bad. I was very, very unhappy with myself. I wanted to make everybody else as miserable as I was, so I was a horrible person. I didn't like who I was, so I didn't want to like who anybody else was. I was jealous of everyone. After fighting myself and everybody else, I just gave up and decided to like what I like. If somebody doesn't like it, who cares? After I decided to not care anymore, that's when everyone

## Flood

From Page 1

"It doesn't mean other things aren't significant. But this is primary," Brownback said.

Iowa Gov. Terry Branstad wants river data collected independently of the corps, "to really evaluate what happened, so we're confident in the data as we move forward and as we look at lessons learned," said Lt. Gov. Kim Reynolds, who represented the gover-

nor at the meeting.

The governors said the flood-prevention measures would likely entail rebuilt levees, advance warning systems and better coordination among states and the corps.

North Dakota Gov. Jack Dalrymple said his interests are aligned with downstream states and supports lowering the water volume at Garrison Dam, even though the Bismarck dam is "one of the biggest beneficiaries of flood control" on the river.

The Missouri River has been overflowing for months because of heavy Rocky Mountain snowpack and a rainy spring. Flood experts have warned that

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The two-day sale is being preserved by family member James Balodima, a professional photographer and videographer from Chicago. He plan to catch some aerial views by the sale's end.

"I always knew about all the vehicles and machinery that Roland kept on the east side of town by the cemetery," he said. "But still, this is the first time I have attended an auction like this."

VanderPol kept his antique autos parked in chronological order; by decades, Balodima said. The family would take rides in the vintage autos and display them in parades as a sign of respect for VanderPol and to share his collection with the public, he said.

Balodima said he was interested to see the distances traveled by the bidders and their particular interests. He was also interested in seeing the amount bid, but he emphasized that money wasn't the motivation for holding the sale.

Rather, it was to ensure that VanderPol's collection ended up in good hands and would be maintained.

"This is an important part of our heritage," Balodima said. "If it wasn't for Roland, (these collectibles) would sit somewhere rusting away. There are a lot of rare pieces here, and it's amazing to see how one man amassed such a collection in one lifetime."

That sentiment was reiterated by Travis Bolt, a 1987 Corsica High School graduate retiring this month after 24 years with the Air Force.

Unlike others in the crowd, Bolt wasn't interested in buying anything. He just wanted to experience the moment.

"I'm originally from Corsica, and history is important to me," he said. "I left Rapid City at 1 a.m. and drove through the night for this sale. It's important because this is our history."

Bolt pointed to two fire engines on the auction that formerly served as Corsica's firetrucks.

"It's neat to see what one man (VanderPol) has achieved and show others what is possible," Bolt said. "Roland has saved all of this from the wrecking ball or the crusher or from being melted down."

Unfortunately, much history has been lost elsewhere over the course of time, Bolt said.

"With the Rumelys, how many just became scrap metal?" he asked. "We have to preserve our history."

Brandy had been commissioned to paint a room before, but this is the first large-scale project that both women have worked on together. It's also the first time they've done actual graffiti.

They said they often work on the wall at separate times but still manage to complement each other's work. Approximately 50 hours have been put into the painting between the two of them, and they are nearing completion.

When the twins are laboring together, "We yell a lot, but that's just us getting along," Brittany joked.

This fall, both will be attending Northeast Community College in Norfolk, Neb. Brandy will be pursuing a degree in business entrepreneurship before going on for a graphic design degree elsewhere. Brittany will get her general education requirements out of the way before pursuing a forensic pathology degree at another institution.

It will mean they both get to live with each other for at least a few more years.

"I don't know what's going to happen when we aren't living together any more," Brittany said. "As stupid and cliché as it sounds, we are pretty much each other's best friend. We understand each other. We're always there for each other."

In the future, Brandy, especially, is eager to take on new art projects.

"Art is my passion," she said. "I like doing freelance work and want to get my name out there."

broader, long-term flood prevention will require economic sacrifices from individual states and a new approach to controlling the river.

Schweitzer said he decided Thursday not to attend the meeting, partly because of ongoing Montana forest fires and because he's frustrated with downriver governors' focus.

The Montana governor said the corps often releases too much water from the Fort Peck Dam in northeastern Montana to "float some boats" in Midwestern states, which threatens the development of the pallid sturgeon fish and other endangered species important to his state.

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