

### NDOR Improvement Plan Revision Announced

LINCOLN, Neb. — The Nebraska Department of Roads (NDOR) announces that a proposed revision to the 2012-2015 State Transportation Improvement Program (STIP) is available for public comment. The revision, referred to as Revision 2, is available for public comment on the NDOR website [www.roads.nebraska.gov/STIP/index-public-comment.html](http://www.roads.nebraska.gov/STIP/index-public-comment.html) through Dec. 27.

The Federal Highway Administration (FHWA) and the Federal Transportation Administration (FTA) will not approve the revision until the public comment period has ended and comments have been evaluated and incorporated in the revision as appropriate.

Copies of the Public Involvement Plan for the Nebraska Department of Roads' STIP are available from each of the eight district offices. (See the attached map of the district offices and contact information.) A copy of the proposed STIP Public Involvement Plan may be obtained upon request to the Communication Office, 1500 Highway 2, P.O. Box 94759, Lincoln, NE 68509-4759, or by calling (402) 479-4512 or by e-mail at [maryjo.oie@nebraska.gov](mailto:maryjo.oie@nebraska.gov).

Under the 2005 federal legislation, "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" (SAFETEA-LU), the Nebraska Department of Roads is required to have a public involvement plan for the STIP in place. This plan can be viewed at [www.roads.nebraska.gov/STIP/](http://www.roads.nebraska.gov/STIP/).

### OBITUARIES

#### Ronald Schmidt

CROFTON, Neb. — Ronald V. Schmidt, age 89 of Crofton, Nebraska died on Sunday, December 18, 2011 at the Avera Sister James Care Center in Yankton, SD.

Funeral Services will be on Thursday, December 22, 2011 at 10:30 a.m. at the United Church of Christ in Crofton with Rev. Les Parmenter officiating. Burial will be in the Crofton City Cemetery in Crofton with military honors provided by the Crofton American Legion Post 128.

Visitation will be from 4:00 to 8:00 p.m. on Wednesday with a Prayer Service at 7:00 p.m. at the Wintz Funeral Home in Crofton. Visitation will begin one hour prior to services at the church.

To view the video tribute or to send online condolences, please visit [www.wintzfuneralhome.com](http://www.wintzfuneralhome.com).

Pallbearers will be Larry Jackson, Dwayne Jackson, Arlyn Schmidt, Rodney Schmidt, Brian Wiebelhaus and Leon Kathol.

Ronald was born on March 28, 1922 in rural Crofton to Martin and Ida (Yonke) Schmidt. He grew up in the Crofton area and attended Frankfort School northwest of Crofton. He served on the U.S.S. Stanley in the U.S. Navy during WWII from 1944 to 1946. After the service he farmed with his dad east of Crofton. Ronald married Myrtle D. Sherman on November 14, 1947 at Yankton and they made

their home in Crofton. He worked as a truck driver for his brother in law, Don Jackson, and they helped haul concrete when Gavins Point Dam was built. He then went to work for Harry Nohr as a mechanic, truck driver and farmer. After that he did auto body repair for Schroeder Auto Body in Crofton and then for Slowey's Auto Body in Yankton. He retired in 1995. He moved to the Avera Sister James Care Center in August of 2010. Ronald was a member of the Crofton American Legion Post 128.

Ronald is survived by a son Richard Schmidt of Yankton, 2 granddaughters, Kasi and Josh Haberer of Omaha, Nebraska; Jamie and Brian Bauch of Crofton, 2 great grandsons, Lane and Ian Haberman, 2 great granddaughters, Cali and Kay-brie Bauch.

He was preceded in death by his parents, wife, Myrtle, on October 8, 2005 at the age of 82, a son Vern Schmidt, a brother Raymond Schmidt and a sister, Ruby Jackson.

Yankton Press & Dakotan  
December 21, 2011



Hartington \* Coleridge \* Crofton  
203 W. Franklin, P.O. Box 505  
Hartington, Nebraska 68739

#### Velma Mettler

MENNO — Velma Mettler, age 89, of Menno, SD passed away early Monday, December 19, 2011 at the Freeman Community Hospital, Freeman, SD.

Funeral services will be 10:30 a.m. Thursday, December 22, 2011 at Zion Reformed Church, Menno, with Rev. Herman Van Stedum officiating. Burial will be in the Menno Cemetery.

Visitations will be 5 to 8 p.m. Wednesday, at the Aisenbrey-Op-sahl-Kostel Memorial Chapel, Menno, with the family present from 6 to 7:30 p.m. Visitations will resume one hour prior to the service at the church.

Velma Sarah (Haisch) Mettler was born October 7, 1922 to Emanuel and Sarah (Eckert) Haisch. She was baptized and confirmed at Grace Lutheran Church in Menno, SD. Her confirmation text was I John 2:15. She married Raymond F. Mettler on September 19, 1943. To this union was born three children, Ronald, Earl and June. They farmed north of Menno for 40 years until their semi-retirement in 1983. After they moved to Menno, Velma remained active with music, sewing, knitting, crocheting, quilting and chess. She was an active member of Zion Reformed Church fulfilling her love for music by participating in the church choir for many years, playing as an organist, as well as many other church activities.



Mettler

Aisenbrey of Baltic, SD; six grandchildren, Kevin Mettler, Brian (Teresa) Mettler, both of Menno, SD; Danielle Mettler of Chicago, IL; Emily Mettler of Berkeley, CA; Cameron (Chelsey) Aisenbrey of Nevada, IA and Marc Aisenbrey of Vermillion, SD; and three great-grandchildren, Brooklyn and Jaxen Mettler and Emerson Aisenbrey. She is also survived by her sister, Dolores McKissock of Sioux Falls, SD and many nieces and nephews.

She was preceded in death by her parents, brother and sister-in-law, Harlan and Thelma Haisch, and an infant sister, Irene.

She will be cherished forever for her endless love and devotion to family and friends.

Yankton Press & Dakotan  
December 21, 2011



Online condolences at:  
[www.opsahl-kostelfuneralhome.com](http://www.opsahl-kostelfuneralhome.com)

#### Edward Novak

SCOTLAND — Edward Novak, 78, of Scotland died Tuesday, Dec. 20, 2011, at Landmann-Jungman Memorial Hospital Avera, Scotland.

Funeral services are at 10:30 a.m. Friday at United Methodist Church, Scotland, with the Rev. Tom Petersen officiating. Burial will be in the Rosehill Cemetery, Scotland.

Visitations is 5-8 p.m. Thursday at Aisenbrey-Op-sahl-Kostel Memorial Chapel, Menno, with the family present at 7 p.m. Visi-

tations will resume one hour prior to the service at the church.

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## County Highway Shop Set For January Completion

BY NATHAN JOHNSON

[nathan.johnson@yankton.net](mailto:nathan.johnson@yankton.net)

The Yankton County Commission was told Tuesday that it will likely be next month before its new highway department shop is complete.

"The siding has been replaced. The ceiling liner has been replaced," said Kevin Bender of Welf Construction. "The office areas are framed in. They are roughing in the mechanical and electrical."

The construction firm had originally assured the commission that the project would be finished by Oct. 1, 2011. However, the August hail storm that hit Yankton foiled those plans.

Exterior panels on the north side of the building, as well as ceiling liner panels, had to be replaced because of the hail damage. Bender told commissioners in September that he believed the time needed to get new supplies and repair the shop would delay completion until approximately Jan. 1, 2012.

While giving the commission an update on the project Tuesday, he estimated work would continue until the end of January.

Commission Chairman Bruce Jensen said after the meeting that the county would not seek to assess any damages against Welf because of the delay.

"We knew that, because of the hail, it would take longer," he said. "We've still got the old shop, so we're not out anything."

Commissioners commented on the size of the building Tuesday, noting the interior looks much larger than anticipated when only looking at the exterior.

"If you walk from one end to the other, you better take a lunch," advised Commissioner Garry Moore.

The commission also expressed some consternation Tuesday upon hearing news that the City of Yankton wants to pave Bill Baggs Road from Highway 50 to Alumax Road in 2012. The city estimates the project will cost \$1.02 million, of which the county share would be \$357,800, or 35 percent.

County Highway Superintendent Alan Sorensen said he was notified recently that the city would like to bid the project out in February — much to his surprise.

"The only time this has ever come up is during (a Yankton Area Progressive Growth meeting) or the (transportation committee for the Yankton Area Chamber of Commerce)," Commissioner Mark Johnson said. "... They've been bringing it up, and I tell them that we need numbers."

The commission said that it could accept a February 2013 bid letting, but not this com-

ing year.

"You can tell (the city) it's not in our budget (for 2012)," Jensen said.

The commission told Sorensen to invite city officials to a future meeting to discuss the project.

In other business, the county was asked to contribute \$10,000 for installing a generator at The Center on Whiting Drive. The City of Yankton is being asked to supply the same amount.

In addition to making sure The Center could operate without interruption in the case of a power outage, the generator would also assist in the facility's role as a Red Cross shelter during emergencies. Tammy Matuska, executive director for The Center, pointed out that the building is positioned to serve the southeast portion of the community.

"I think it's great for the community, and we're definitely going to do it," Jensen said.

The estimated cost of the installation is anywhere between \$29,000-\$42,000, Matuska said. The cost of the generator itself was covered by an emergency management grant.

A matching grant of \$12,500 has been secured to assist with installation should the initial \$20,000 be raised, Matuska added.

The commission unanimously approved the \$10,000 contribution for the project.

## Elections

From Page 1

- Avon 590;
- Running Water 36;
- Scotland 841;
- Springfield 1,989;
- Tabor 423;
- Tyndall 1,067.

At Tuesday's meeting, Bon Homme County State's Attorney Lisa Rothschild advised the county could play it safe with at-large commissioners.

"The law is the law, although there is room for argument," she said. "The (state redistricting) statute talks about the number of 'residents.' Do you count 1,200 prison inmates as residents of Bon Homme County? There is no hard and fast answer."

"To totally avoid any litigation, you could go to an at-large board," she added.

For the Bon Homme County commissioners, the situation marks new territory.

The prisoners were included as part of the county population — but not as Springfield residents — in the 2000 census, according to Brunken. At the time, the prison had a count of about 1,000 inmates, with another 700 residents in the surrounding Springfield community.

That situation changed in 2010, when the U.S. Census included inmates in the city as well as county population, she said.

"We already saw the impact during legislative redistricting," the auditor said. "It was the big reason that Bon Homme County was split into two (districts)."

The U.S. Census Bureau's counting of the Springfield inmates has created the current redistricting dilemma, Rothschild said.

"We have never had the problem with whether to count inmates as residents," she said. "The feds have created this monster."

Bon Homme County also has no current precedent to follow in South Dakota, Brunken said.

"Any place there is a penitentiary, they have at-large county commission seats," she said. "Minnehaha, Hughes, Yankton counties — they have at-large commission elections, so they aren't affected (by prison numbers)."

As part of their research, Bon Homme County officials consulted with Rapid City attorney Sara Frankenstein, who specializes in voting rights cases.

"According to Sara, there would be at least a reasonable argument for staying with the status quo," Rothschild said.

The law cuts both ways when



Bon Homme County State's Attorney Lisa Rothschild (right) provides legal advice on redistricting to County Auditor Tammy Brunken (left) and the county commissioners during Tuesday's regular meeting.

RANDY DOCKENDORF/P&D

it comes to redistricting, Frankenstein told the Press & Dakotan in a phone interview.

"Under South Dakota statute, it merely says 'residents.' The county commissioners must draw their district lines to get it as equal as possible for the number of residents in each district," she said.

"But under case law, ... they also determine equal protection rights when redistricting. You see the whole intention behind (case law) is that people have equal voting power (at the ballot box) regardless of the district they sit in."

Less than a handful of MDSP inmates are eligible to vote, and none are registered in Bon Homme County, Frankenstein said. A Springfield district consisting primarily of prisoners would deprive other county residents of their right to equal voting power, she said.

The Bon Homme County situation breaks new ground that may need a legal remedy, she said. "It would seem the Legislature would define what the term 'resident' means," she said.

Bon Homme County would need to make major changes if it kept the five districts and included the inmate numbers, Rothschild said.

"It would be very disproportionate if they keep the districts the way they are," she said. "Dis-

trict 5 (the Springfield area) would have 2,300 residents, or a deviation of 959 from the target population for each district. The 1,100 to 1,200 inmates create the large difference."

Bon Homme County Commissioner John Pesek said he spoke with a U.S. Census Bureau representative about the local situation.

"I'm not looking to go to court over this. But I have no problem with districts and no problems with at-large," Pesek said. "I don't think (at-large elections) would make as much of a difference for us as what you would see in Yankton County, where you have one community with a large population."

Jelsma and District 2 Commissioner John Fathke of Avon said they wanted "to press the issue."

Fathke objected to including the inmate population as part of the redistricting numbers. "(Prisoners) aren't paying taxes, and they have nothing to do with Bon Homme County," he said.

District 4 Commissioner John Hauck of Tabor remained open to the idea of at-large elections.

"If you're a commissioner, you should have the whole county in mind and not just your district," he said. "Sometimes, it's better to let the whole county make the decision (on electing a commissioner)."

The fifth board member, Dis-

trict 1 Commissioner Mike Soukup of Scotland, didn't express strong feelings on the issue.

As discussion continued, the commissioners talked about county residents' possible reaction to at-large voting.

The commissioners noted that residents may prefer electing a local candidate familiar with their needs. Some residents may fear that one or two communities could hold most of the seats under an at-large system and "stack the deck," the commissioners added.

Even excluding the inmate numbers, the Bon Homme County commission districts will change boundaries because of a shifting population, Brunken said.

"We will have natural changes with the general population," she said. "The Scotland district will give up some of its boundary to Tabor, and Avon will give up some of its boundary to Scotland."

The redistricting will begin with the 2012 cycle, when two commissioners come up for election, Brunken said.

Regardless of the county's decisions, the legislative redistricting — which split Bon Homme in two — will create more election headaches, the auditor said.

"I could possibly have five ballots for the next election, depending on the commission districts and races," she said.

Because of new methods used by the U.S. Census Bureau, more redistricting changes may lie ahead for much of the nation, Frankenstein said.

"We are seeing changes with how people are counted and who does the counting," she said.

**IN REMEMBRANCE**  
Ronald V. Schmidt  
10:30 AM, Thursday  
United Church of Christ  
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