

2010 Legal and Public Notices

Creighton Thurman.

Motion Frank, second Pratt to approve the meeting agenda as posted. Motion carried. Motion Pratt, second Frank to approve the published November meeting minutes. Motion carried. Mayor Bloch requested the addition of a billing from Johnson Electric to the list of vouchers. The billing was for siren repair at the ball-park. Motion Pratt, second Frank to approve the following vouchers for payment. Motion carried.

Northwestern Energy	\$736.11
B-Y Water District	1,143.00
Press & Dakotan	55.28
Dakota Pump Inc	438.10
Johnson Electric (sire repair)	214.29
First Dakota National Bank	(loan pymt #3) 2,839.79
Bender's Sewer & Drain	946.00

Hanson & Briggs Advertising (water/sewer/garbage books) 68.00

Lesterville Rural Fire Protection District (Nov phone bill) 60.42
US Post Office (stamp roll) 45.00

Golden West Telecommunications 105.88
Bartunek 684.00

Paul Scherschligt (salary/reader install, FICA, water sample) 250.46

Roxanne Ellinger (salary/FICA) 264.65

US Treasury (941/FICA) 71.89
TOTAL \$8,023.47

REPORTS:

November Water Report

Board members reviewed the November water report revealing four accounts delinquent. Turn-off notices will be posted at the residential homes. Water service will be shut off if no payment is received by Friday, December 14th. Legal counsel will send ordinance language to one landowner regarding minimum, flat rate sewer charges.

Water Superintendent Report

Water Superintendent Scherschligt noted the recirculation devise in the water tower failed. H&H Contracting was contacted for repairs. Currently, the tower is free of ice. A replacement de-icer devise will be ordered if the current one cannot be repaired. Motion Frank, second Pratt to authorize the purchase of a new recirculation device. Motion carried. Bierle Ins LLC will be contacted regarding a possible claim. Lift station is working well.

OLD BUSINESS:

Vacant Lot

Trustee Frank was unable to contact the Yankton County Auditor regarding the status of the property for sale at 311 Jackson Ave. No e-mail or call was returned to her before tonight's meeting time.

Unlicensed Vehicles

Town Attorney Thurman briefed the Board on the procedure of nuisance action to recover fines on landowners who have failed to remove unlicensed vehicles after letters from legal counsel. Warrants will be served by the Yankton County Sheriff's office. Board members were in agreement to authorize Attorney Thurman to send letters of civil action and draw up summons to be delivered by county sheriff personnel. All legal fees would be added to the initial \$500 fines authorized by the town.

Peggy Munkvold and Ruby Guthmiller entered the meeting at 7:20 p.m.

Dogs

Board members and legal counsel agreed to send a final letter to animal owners not purchasing 2013 dog tags. Legal counsel will also amend the current dog ordinance to \$100 flat rate fines for each violation.

Sewer Back-up Claim

Bierle Insurance LLC completed the claim regarding the sewer back-up into a residential home. Continental Western has settled the claim.

Finance Officer Position

The South Dakota Municipal League (SDML) was contacted regarding a finance officer being employed for two communities simultaneously. The SDML noted that several communities are currently engaged in this procedure. Attorney Thurman discussed the situation of communities being located in different counties. Board members were in agreement to place an ad in the *Press & Dakotan*. Board members will e-mail the current applicant after the meeting.

NEW BUSINESS:

Retail Liquor License Renewals
Renewals for 2013 retail on-off sale liquor licenses were reviewed. Motion Pratt, second

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Frank to approve the renewal of a retail on-sale/Sunday license to the Ernie Pecenka Community Center, Inc. Motion carried. Motion Pratt, second Frank to approve retail on-sale/no Sunday and off-sale/no Sunday licenses to Michael Lutz d/b/a *Leather & Lace*. Motion carried.

Retail Liquor License Transfer

Finance Officer Ellinger received a transfer affidavit retail on-sale liquor license from Peggy Munkvold to Trevor Munkvold d/b/a *Trev's Corner*. A public hearing must be held before December 31st as the license expires on that date. Discussion was held on a meeting time and date. A period of seven days must pass after the notice before the meeting date as required by state statute. Board members were in agreement to publish the notice to reflect the date of Thursday, December 20th at 6:00 p.m. in the Lesterville Fire Hall meeting room.

OTHER:

None

ADJOURNMENT:

Motion Pratt, second Frank to adjourn the town board meeting at 7:55 p.m. Motion carried. Next monthly meeting of the Lesterville Town Board is scheduled for *January 14, 2013* in the fire hall meeting room.

Roxanne Ellinger

Finance Officer

Published once at the approximate cost of \$69.67.

12+20

NOTICE OF APPLICATION
NO. 7459-3 to Appropriate Water

Notice is given that David G Sternhagen, 30455 438th Ave, Yankton SD 57078 has filed an application for a water permit to appropriate 1.78 cubic feet of water per second (cfs) from one well to be completed into the Lower James:Missouri Aquifer (240 feet deep) located in NE 1/4 SE 1/4 Section 10 for irrigation of 113 acres located in the SE 1/4 Section 10; all in T94N-R56W. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 7459-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by December 31, 2012.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.
Published once at the total approximate cost of \$28.47.

P&D Hosting Food Drive, Offering Classifieds Discounts

The *Yankton Daily Press & Dakotan* is currently hosting a food drive for the Yankton County Contact Center's Food Pantry. Donations may be dropped off at 319 Walnut St., Yankton before Dec. 31.

Those who donate may place a private-party classified ad and receive a \$3 discount. All ads must run between Dec. 1-31.

For more information, call the Press & Dakotan's Classifieds Department at 665-7811.

Heavy Snowfalls Hits Parts Of Neb., Iowa

DES MOINES, Iowa (AP) — Heavy snow fell Wednesday in parts of Nebraska and Iowa as a powerful storm threatened a swath of the Midwest and weather officials warned of life-threatening conditions.

The National Weather Service issued a blizzard warning for southeast and east central Nebraska as well as most of Iowa. Nebraska could see between 8 and 10 inches of snow and Iowa was expected to get 9 to 12 inches of snow.

Officials in both states warned people to curtail their driving as the storm was expected to create whitout conditions in some areas.

The Iowa Department of Transportation advised people to avoid most roads after 8 p.m. Wednesday and until noon on Thursday.

In Nebraska, Gov. Dave Heineman encouraged people not to travel unless they had to, and to use extra caution on the roads. The Nebraska State Patrol and the state's emergency management agency were preparing for possible road closures, and new state roads director Randy Peters said his agency was ready to deploy 650 snow plows throughout Nebraska and six new tow plows in the Omaha area.

"All this snowfall will cause some nasty driving conditions, especially out in the open areas," said meteorologist Kenny Podrazik. "It's going to be a life-threatening situation."

Signs

From Page 1

yards, according to Mingo. Not only does it not look aesthetically pleasing, but the practice is potentially destructive and dangerous. Mingo said that people are driving fence posts into right-of-way property that could have fiber-optic, electrical and irrigation lines in it.

During the intervening months from when the first changes were proposed, Mingo said he and the Planning Commission have learned much more about issues surrounding sign ordinances.

The original goals will still be met, but the revision will be more involved. At a recent Planning Commission meeting, it was decided

that instead of amending the ordinance, it will have to be mostly re-written.

"There are a lot of communities in the state and region who are in the process of re-doing sign ordinances," Mingo said. "We're trying to learn from the others that are a little bit ahead of us in the process. We're by no means behind the curve. We're kind of in the middle of the pack."

In the past, he explained, sign ordinances across the country were written specific to the content of signs. Legal decisions have made that unacceptable.

Now, the ordinance must focus on the placement of a sign on a property, the time it will be in place and the manner in which it is placed — on a wall or pole, for example.

"You used to be able to define a real estate sign. You can't do that,"

Mingo said. "You used to be able to define a political sign. You can't do that. You used to be able to differentiate between commercial or non-commercial sign content. That's proven not to be acceptable."

Take political signs, for instance. "In the old language, it would have referred to political signage in the ordinance," Mingo stated. "It will no longer refer to them as such. They will be referred to as a temporary sign that can be in place 'x' number of days prior to the purpose for which the sign was erected and must be removed 'x' number of days after the purpose for which the sign was erected. You can list examples of events, such as an election, but you're not basing your regulation on content."

The process of converting an ordinance based on content to one that is content-neutral is easy enough to accomplish, according to

Mingo.

"In the field, things will look pretty much the same," he said. "Coming up with the right language is what we're working through. That's why I think the community has actually benefited from going through the initial push we did earlier in the spring to get people aware of the issue and then taking some time to learn about the details before adoption."

Mingo said he hopes to get a draft of the ordinance to the Planning Commission in February. Opportunities for public input will follow.

"We'll provide more information as it is available," he stated. "We hope the public feels free to give us input."

You can follow Nathan Johnson on Twitter at twitter.com/AnInlandVoyage

Hornstra

From Page 1

"We decided this is where we wanted to raise our kids, so we moved back to Yankton," she said. "Luckily a job opened as soon as we moved back."

Hornstra said she was ecstatic to have the opportunity to teach family and consumer science, which had been her goal since she was a junior in high school.

"Nutrition, foods, parenting — those things were really important to me, as they are to every person, so to be able to teach life skills was amazing to me," she said. "It's what I always wanted to do."

While Hornstra said she thoroughly enjoyed the three decades she spent teaching family and consumer science, she decided to make

a change four years ago. She spent two years at Stewart Elementary School in its computer lab, and is currently a paraprofessional in the special education department at the Yankton Middle School.

"I just decided it was time to get out of the actual classroom and to do something different," she said. "I've been able to have a lot of different experiences within the school district. It's been amazing because now I've seen the whole spectrum of the educational system, and not just my own classroom."

Hornstra said she also enjoyed the 18 years she spent coaching the YHS dance team, especially the three years the team qualified to compete at the national dance team competition at Disney World in Orlando, Fla.

"That was a lot of fun," she said.

Having worked in a variety of educational settings, Hornstra said she appreciated the chance to work

with various age levels, from elementary students to adults.

"Each one has its own advantages and unique challenges," she said. "I'll miss the grade school hugs that you get every day, but I'll also miss the high school kids and helping them with their daily problems."

With her husband set to retire in March, Hornstra said it was the right time to leave the school district.

"It's time for us to be able to travel, go see our kids, visit friends and see places we haven't seen before," she said.

Hornstra joked that she also received a little help with her decision from one of her students.

"One of the boys I now work with tells me every day how fast I am aging," she said. "Today he told me that by Monday I would be 85 and would soon be too weak to come to school. I guess that means it is time to let younger teachers

take over the role of educating our youth."

YSD superintendent Joe Gertsema, who has been with the district for 22 of Hornstra's 34 years, said he was sorry to see the educator leave, and he wishes her the best with her future plans.

"She's been an outstanding employee — while she was a teacher, and also as a paraprofessional," Gertsema said. "She's a true professional who cares deeply about kids."


Hornstra said that while she looks forward to the days ahead, she will miss her students and her co-workers, as her years with the school district wouldn't have been the same without the camaraderie she experienced.

"I've been in a lot of places, and Yankton really does have the best schools around," she said.

You can follow Derek Bartos on Twitter at twitter.com/d_bartos

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Wishing you and yours a happy holiday season filled with good times, good friends and good memories.

We thank you for your support this past year. You've delivered us nothing but kindness, and we hope we've done the same for you.



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AM 1450
MORNING COFFEE
WEEKDAYS MONDAY-FRIDAY

Thursday, December 20
7:40 am Yankton Conv/
Vis Bureau (Lisa Scheve)
8:20 am Yankton Chamber
(Carmen Schramm)

Friday, December 21
7:40 am Yankton City Mgr.
(Al Viereck, Amy Nelson)
8:20 am United Way
(Pam Kettering, Lauren Hanson)

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