

## 2010 Legal and Public Notices

12+12+19  
ADVERTISEMENT FOR BIDS  
YANKTON SCHOOL  
DISTRICT 63-3  
YANKTON, SOUTH DAKOTA  
57078

Yankton School District 63-3 will accept sealed bids for partial reroofing projects at Stewart Elementary School and Yankton Middle School. Specifications and other documents may be obtained at the Yankton School District Administration Building, 2410 West City Limits Road, Yankton, South Dakota 57078. Inquiries may be directed to Chuck Turner, Supervisor of Buildings and Grounds.

A mandatory pre-bid meeting to discuss the specifications and view the proposed project will be held January 20, 2015, at 1:30 p.m. at Stewart Elementary School, 208 West 21st Street. Bids will be received at the Yankton School District Administration Building, 2410 West City Limits Road, Yankton, South Dakota 57078, until 1:30 p.m. on February 3, 2015, at which time they will be opened and read aloud by the business manager and witnessed by the Supervisor of Buildings and Grounds. Bids will be presented to the school board for their consideration at the regular meeting on February 9, 2015.

Bids must be accompanied by a Cashiers Check payable to Yankton School District in an amount equal to five percent (5%) of the total amount of the bid, or a bid bond for ten percent (10%) of the total amount of the bid. Bids shall be marked Bid for Roof Replacement.

Yankton School District 63-3 reserves the right to reject any or all bids and to waive any informality in the bidding.

Jason Bietz  
Business Manager  
Yankton School District 63-3  
Yankton, South Dakota 57078

Published twice at the approximate cost of \$39.51.

## 12+5+12 Request for Proposals for Student Photography Services

Yankton School District 63-3 invites qualified photographers to submit proposals and samples of work for individual student photography services for the 2015-16 school year with up to four (4) one-year service renewal options. Team, activities and special event photography is not included in the scope of services being sought. Specifications may be obtained by contacting the business office at 665-3980 or in person at 2410 West City Limits Rd, Yankton, SD Monday through Friday between the hours of 7:30 am to 4:30 pm. Proposals must be received by 4:00 p.m. Wednesday, December 17, 2014 to be considered.

Jason L. Bietz  
Business Manager  
Published twice at the total approximate cost of \$18.28.

12+5+12  
STATE OF SOUTH DAKOTA)  
COUNTY OF YANKTON)  
IN CIRCUIT COURT  
FIRST JUDICIAL CIRCUIT

SOUTH DAKOTA HOUSING DEVELOPMENT AUTHORITY,  
Plaintiff,

vs.

STEVEN J. KOTALIK, BRIANA N. WARREN, NKA BRIANA N. KOTALIK, CREDIT COLLECTION SERVICES, CREDIT COLLECTION SERVICES, INC., CENTER FOR ORTHOPAEDICS, AND YANKTON COUNTY, SOUTH DAKOTA,  
Defendants.

CIV. NO. 14-313  
NOTICE OF MORTGAGE FORECLOSURE SALE  
NOTICE IS HEREBY GIVEN in accordance with South Dakota Codified Laws 21-49-25, and pursuant to a Judgment dated the 4<sup>th</sup> day of November, 2014, that a sale of certain mortgaged premises described as follows:  
North One Hundred Feet (N100') of Lots Six (6) and Seven (7), Block Five (5), Original Town of Gayville, County of Yankton, South Dakota, as per plat as recorded in Book G, Page 26

Also known as 501 McCook, Gayville, South Dakota,

shall be made by public sale to the highest bidder on the 16<sup>th</sup> day of December, 2014, at 10:00 a.m., at the front door the Yankton County Courthouse, Yankton, South Dakota.

The names of the mortgagors are Steven J. Kotalik and Briana N. Warren, nka Briana N. Kotalik and the mortgage was given to CorTrust Mortgage Inc. and assigned to the South Dakota Housing Development Authority of Pierre, South Dakota. The amount due, pursuant to the Judgment, is \$91,656.46. The date of the mortgage is 13<sup>th</sup> day of June, 2008, and the mortgage was recorded in the Office of the Yankton County Register of Deeds on the 18<sup>th</sup> day of June, 2008, at 3:15 p.m., in Book 478, page 535. The sale is subject to the 2013 real property taxes due and payable in 2014, and any special assessments due and owing.

Dated at Yankton, South Dakota, this 21<sup>st</sup> day of November, 2014.  
JAMES C. VLAHAKIS  
SHERIFF OF YANKTON COUNTY

## 2010 Legal and Public Notices

Robert E. Hayes  
Attorney for Plaintiff  
Davenport, Evans, Hurwitz & Smith, L.L.P.  
c/o South Dakota Housing Development Authority  
3060 E. Elizabeth Street, P.O. Box 1237  
Pierre, South Dakota 57501-1237

## Deputies No Longer Allowed To Take Cruisers Home

BEATRICE, Neb. (AP) — Deputies in a southeastern Nebraska county will soon have to drive their own cars to work after the Gage County sheriff decided they can't take patrol vehicles home after their shifts.

Sheriff Millard "Gus" Gustafson told the Beatrice *Daily Sun* that the department has six police cruisers. He said he can no longer justify letting deputies take the vehicles home when there have been minimal after-hours emergency calls.

As a result of the change, Gustafson says around 40,000 miles are expected to stay off the odometers each year, increasing how long the vehicles can still be in use. The change will become effective next week.

The Fraternal Order of Police sent a letter to the County Board asking them to allow deputies to continue driving the cruisers home.

But the board declined the police union's request, saying the use of the vehicles while off-duty wasn't currently in its contract. The board said it was a management decision up to Gustafson.

"This letter isn't appropriate for us, because we didn't do anything," Board Chairman Matt Bauman said. "It's the management of Gus's office. It's his equipment, it's his responsibility and they need to work that out with their boss."

# SD Lottery Commission Plans For 2016

BY JAMES NORD  
Associated Press

PIERRE — The South Dakota Lottery Commission wants to position itself to avoid the disappointments of last year's legislative session, members of the panel said Thursday.

The commission won't put forward any measures this legislative session to expand the lottery's operations. Instead, it will work with the industry on a strategy to highlight the benefits of gambling — hopefully preventing future losses such as two video lottery expansion plans that failed in 2014 — to come back for the 2016 session on strong footing.

Lottery Commission Chairman Chuck Turbiville said Thursday that January's legislative session is "an opportunity this year to become more acquainted with new legislators and to sell positive aspects of video lottery."

Commissioners at the meeting also voted not to move forward with a study of problem gambling in the state, citing its expense. They had originally proposed the study to help persuade lawmakers to expand gambling after the Legislature rejected lottery-backed initiatives to increase the number of video lottery machines allowed in a licensed establishment and to increase bet limits on the machines in 2014.

Opponents said gambling expansions provoke addictions and cause social and financial problems for families in the state. During the legislative session, they frequently used their own data to argue that gambling addiction was an issue among South Dakotans.

Instead of getting their own study, lottery officials will now try to build a similar view from state Department of Social Services data.

Republican Rep. Steve Hickey, a staunch gambling opponent, said he's surprised the commission isn't moving forward with its own study.

"I view the Lottery Commission like the tobacco lobby. They can do their own studies and try to sell us on the fact that they're good for us," Hickey said, questioning why the group would back off. "They're making a lot of money. They can afford a study."

Turbiville said he hopes lawmakers appreciate the commission's fiscal conservatism in not spending between \$518,500 and \$600,000 on the study, which is what its request for bids turned up. He also highlighted the money that gambling directs to the state's coffers.

South Dakota anticipates about \$110 million in revenue from video, instant and online lottery games for the current budget year — a slight rise over fiscal year 2014.

The video lottery is expected to drive state gambling revenues for the 2015 budget year, with \$97.32 million coming from video games. That's compared with a combined \$12.56 million in revenue from instant and online games.

Machine income for video lottery terminals after payouts is expected to be \$196.6 million for the same period. Half of the lottery dollars go to the owners of the machines. The other half goes to the state, with a small share that goes to fund the Lottery.

# Nebraska Students Buy Lunches Using Finger Scanner

BY JULIE ANDERSON  
Omaha World-Herald

OMAHA, Neb. — One by one, students in the early lunch crowd at Westside High School stepped up to the cashier's table, set down their trays and placed an index finger atop a small scanner.

Once their purchases were entered into their accounts, they strolled off to join their friends at the big round lunch tables, with no more remembering or fumbling for student ID cards.

Westside went live with its new biometric fingerprinting system this month on lunch lines at both its high school and middle school, the *Omaha World-Herald* reported.

The district needed new software to support the lunch program because the old system was no longer supported by its maker, said Diane Zipay, the district's nutrition services director.

So Westside decided to add the biometric system. Students' fingers were scanned last month as part of a registration process. The computer software creates a template from the lines and swirls on the fingertip but does not retain an image of the fingerprint. The template is converted to a binary number, which is encrypted and stored. It can't be used by law enforcement agencies.

"That's extremely important to us, that we protect children's identities," Zipay said.

Westside appears to be the only public district in the metropolitan area to use the system, although at least one other district in the state — Norris Public Schools south of Lincoln — has installed it. Omaha's Creighton Prep, a private boys' school, is in its

third year with the system. Similar systems are used in banks and medical offices.

Zipay said the aim is to improve security for student accounts, eliminate clerical errors and give students an easier way to access their account.

Previously, students had to show a student ID for each purchase. Students who lost their ID had to go to the office to get a new one, leaving them little time to eat. The new system also prevents one student from using another's account and provides greater anonymity for students who qualify for free or reduced-price meals.

At the high school, the new system, along with changes in federal snack rules, means students now can have just one account for the main cafeteria and the convenience store rather than two separate ones. She said that change has been popular with parents, who also can see what students are purchasing through the online accounts.

The district sent letters to parents before registration began notifying them of the change and explaining the system. About 20 families, and a few individual high school students, chose to opt out, Zipay said. About 3,000 students attend the two schools.

Several students said the system was slowing lunch lines a bit. Zipay said they're expected to speed up once a few glitches are worked out, particularly because students will no longer have to fish out ID cards.

John Skretta, superintendent of the Norris School District in Firth, Nebraska, said the technology is reliable and has gotten more so over the several years the district has used it.

Noel Erskine, the district's technology coordin-

tor, said a few students just don't scan properly. But most are fine. The district has been very pleased with it.

"A parent feels pretty confident that what's charged to them was truly eaten by their child," he said.

Olivia Wing, a Westside freshman, said her mom likes the combined accounts. She's glad she doesn't have to produce her ID every day. She's had to get two replacements so far this year.

"You don't have to worry about forgetting," she said.

The new software system, Zipay said, cost about \$46,000. Adding the biometric piece cost an additional \$9,000.

At the elementary level, cashiers pull up a class photo as each group lines up and touch each child's picture as they go through the line to note that he or she is eating that day.

At two schools with grab-and-go breakfast programs, the cashiers use tablet computers to log those eating the morning meal. The new system will allow the district to expand grab-and-go options in the future or even set up a grill outside on a nice day.

## UPS Worker Charged With Grand Theft

SIOUX FALLS (AP) — Authorities are accusing a UPS worker in southeast South Dakota of stealing a package.

Police in Sioux Falls say officers found 31-year-old Derek Eugene Gross with a package in his pants. The package contained nearly \$5,000 worth of precious metals.

Police spokesman Sam Clemens says Gross on Monday was sorting packages at a UPS facility when a company security investigator noticed an empty package near Gross's work station. Clemens says officers on Wednesday found Gross trying to hide the package in his pants.

Clemens adds Gross also had a loose pill in his pocket.

The Parker man has been charged with grand theft and possession of a controlled substance. It's unclear whether he has an attorney.

## Bellevue City Council Rejects Proposal

BELLEVUE, Neb. (AP) — The Bellevue City Council has defeated a proposal that would have changed public comments by setting up new filtering procedures.

Under the proposal, residents would have to submit a form online or in person with a description of what they wanted to say before addressing the council.

The state's open meetings law aims to keep government meetings open to the public with ample notice of what's being discussed. Bellevue interprets that law as meaning city officials can't respond to matters not on an agenda, which keeps council members from addressing residents during a public comment period.

Former Council President Kathy Saniuk said the public comment period breeds negativity and inaccuracies. But two councilmen said they were concerned the proposal would hinder people from addressing the council, the *Omaha World-Herald* reported. The City Council rejected the measure 4-2 Monday.

Many Bellevue residents spoke in opposition of the form proposal at last month's public hearing, saying it would discourage people from speaking at council meetings. The League of Nebraska Municipalities recommends the form system, but noted there's different ways to implement it. Omaha requires residents to make an official request to speak to the council, which can then put the request on the agenda, ignore it or send it to a committee. Grand Island and Norfolk require a form to speak to the council.

## Mining Firm Collects Rare Samples

ELK CREEK, Neb. (AP) — The latest samples collected from a deposit of a rare, heat-resistant mineral in southeast Nebraska will likely strengthen a Canadian mining firm's case for building a mine.

NioCorp Developments said Thursday it has completed most of the drilling planned this year near Elk Creek. The rest of the drilling will wrap up over the next few weeks.

The data from these latest samples will be combined with earlier results to produce a detailed report on the feasibility of raising more than \$300 million to build a niobium mine.

The U.S. currently imports nearly all the niobium that's used in this country to harden steel and make it more heat-resistant for industrial uses.

NioCorp previously estimated that more than 100 million tons of niobium rests several hundred feet below the ground.

## Paroled Killer Charged With Sex Assault

NEBRASKA CITY, Neb. (AP) — A man paroled after serving 41 years for murder has been charged with sexually assaulting a 10-year-old girl in southeast Nebraska.

Laddie Dittrich was arrested on Nov. 23, accused of groping the girl at a rural home in Otoe County, according to the *Lincoln Journal Star*. County Attorney David Partsch told the newspaper that the 69-year-old Dittrich is charged with felony sexual assault of a child.

Jail records said Dittrich remained in custody Thursday, pending \$250,000 bail. His attorney didn't immediately return a call from The Associated Press.

Dittrich was one of three men convicted in 1973 of the slaying of Omaha trucking company official John Wisotzkey. Police said the men chased down Wisotzkey after he got into an argument with a prostitute over money, beat him and then stabbed him with a bayonet.

In their April 2013 decision to commute Dittrich's sentence of life without parole, the Pardons Board members noted that the other two men had been released from prison years earlier. Testimony at the hearing indicated that Dittrich participated in the beating but was not involved in the stabbing.

The commutation provided Dittrich with a new sentence of 80 years to life, which allowed him to seek parole because he'd already served more than half of the 80-year minimum.

Prosecutor Partsch said the Pardons Board has a good track record, but "this is one of those situations where it's backfired on the state."

## Former TierOne CEO Pleads Not Guilty

LINCOLN, Neb. (AP) — The former chairman and CEO of TierOne Bank has pleaded not guilty to conspiracy and fraud allegations connected to the Lincoln-based bank's collapse.

The *Lincoln Journal Star* says 73-year-old Gilbert Lundstrom entered the pleas to 15 counts on Wednesday in U.S. District Court in Lincoln. Authorities say Lundstrom conspired with other bank officers to hide the bank's troubled finances from regulators and shareholders.

Former TierOne President James Laphen on Monday pleaded guilty to mail and wire fraud. In September TierOne's former chief credit officer, Don Langford, pleaded guilty to similar charges.

Regulators took over TierOne in 2010, saying the bank had too many bad loans on its books and lacked sufficient capital to cushion losses. The bank's assets were sold to South Dakota-based Great Western Bank.

# To Our Readers

The *Press and Dakotan* is updating the Community Calendar, which runs on the Monday and Thursday Life Pages. **ALL EVENTS** that are currently listed in the Community Calendar will be deleted as of Monday, January 13. If you wish to have your event listed after Monday, January 13, you must send an updated listing that includes: Name of your group, day of meeting, time of meeting, location of meeting and contact phone number. Updated listings should be emailed to [news@yankton.net](mailto:news@yankton.net) or mailed to: Press and Dakotan, C/O Jordynne Hart, 319 Walnut Street, Yankton SD 57078. Questions may be directed to Shauna or Jordynne at 605-665-7811.

News Around  
The Clock



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