

1650 Houses For Sale

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\$86,500

Updated 2-bedroom, walk-out basement, 1-acre. Lisa, Anderson Realty (605)661-0054.

1655 Mobile Homes For Sale

Just in! Contact for deed, older but nice 2-bedroom mobile home. All set up \$1,000 down, easy payments. Call Nationwide Mobile Homes (605)665-0822.

1660 Acreage - Lots For Sale

39 acres for sale located approximately 2 miles NW of Tabor. Pasture and row crop. \$3900. per acre. Call Dennis Breck, Lewis and Clark Realty Inc. (605)661-1588 for more information

Lots for sale in Applewood Area. Call Kirby Hofer (605)660-1422.

**New Lower Price!**

900 Hillcrest Grand Avenue. Large city lot, 100x144 located near Hillcrest golf course. Last lot available on Hillcrest Grand Ave. Call Brad Dykes (605)660-1414 Shore to Shore Realty.

1685 Want To Buy Real Estate

Attention we buy used mobile homes. Cash on the spot. Call now (605)665-0822

Want to buy 3 bedroom Yankton house with garage, in need of repair or renovation, will pay cash (605)665-1995.

1705 Items \$100 or Less

13-inch fruit bowl, new, never used, \$25. (605)260-3810, leave message.

Coffee table with glass top \$75. Call (605)661-8842.

Gas garden cultivator, \$25, vacuum cleaner, \$15, 2 cordless drills, \$20 for both, (605)664-9539.

Large L-shaped oak office desk, \$100. (402)357-2217

Like new hide-a-bed \$75. (605)660-9240.

New in the box never open Blue Ray player and cord \$50. Ladies large leather coat \$20. (605)665-8214.

1775 Home Furnishings

High quality 4-piece bedroom set, headboard, large dresser with mirror, armoire, small night stand. Excellent condition, \$600. (605)665-2286.

1790 Lawn - Garden

Sears Craftsman 46 inch deck, 21 HP Briggs and Stratton turn tight hydrostatic riding lawn mower. 6 Bushel 2 bin soft bagger, extra new blade, used 2 and a half summers. \$1,350 firm.

Craftsman 33 inch, 357cc dual stage snowblower with EZ steer, heated hand grips, electric start, used less than 8 hours. \$1,250 firm.

Both for \$2,400 firm. Call (605)661-0321.

Read & Recycle!**1820 Give Aways**

Giveaway: One 30"x40" mirror and one 22"x28" oak toilet topper cabinet, used. Call (605)760-5971.

1840 Lost and Found

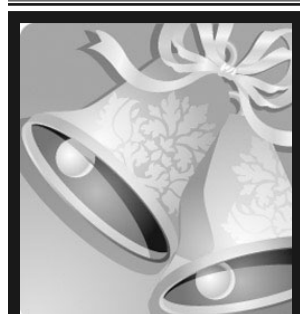
FOUND: At Super Suds Car Wash in front of Kmart February 3, Call (605)665-1828 to identify.

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2000 Notices

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2010 Legal and Public Notices

2+14

NOTICE OF HEARING UPON APPLICATION FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, June 7, 2014, from Historic Downtown Yankton, Inc., d/b/a Rockin Ribfest, (Kathy Church, Sec./Treas.), Memorial Park, 2000 Douglas Avenue, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, February 24, 2014, at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota, this 10th day of February, 2014.

Al Viereck
FINANCE OFFICER

Published once at the approximate cost of \$17.87.

2+14

NOTICE OF HEARING UPON APPLICATION FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, April 4, 2014, from Knights of Columbus, (Richard Leyden, Secretary), 2700 Broadway, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, February 24, 2014 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota, this 10th day February, 2014.

Al Viereck
FINANCE OFFICER

Published once at the approximate cost of \$16.55.

2+14+21

YANKTON SCHOOL DISTRICT 63-3 SALE OF SCHOOL PROPERTY THREE-BEDROOM HOUSE

Pursuant to the provisions of SDCL 6-13-4, Notice is hereby given that the School Board of Yankton School District 63-3, has by resolution dated the **10th day of February, 2014**, declared the student constructed house located at Yankton High School, 1801 Summit Street, Yankton, SD, no longer necessary, useful or suitable for the purpose it was acquired and has ordered the same sold by sealed bid.

Sealed bids for the three-bedroom house, 32' x 50' will be received at the Administration Building lo-

2010 Legal and Public Notices

cated at 2410 West City Limits Road, Yankton South Dakota, by Jason Bietz, Business Manager of Yankton School District 63-3, up to the hour of 1:30 p.m., Tuesday, March 4, 2014, at which time the bids will be opened and read aloud by Jason Bietz and witnessed by Jackie LaCroix, or other designee, at the Yankton School District Administration Building. **Specifications, a virtual tour, pictures and the bid form are available on the school website** at www.y.s.d.k12.sd.us/studenthouse. An Open House will be held on Wednesday, February 26, 2014 from 3:30 p.m. until 5:00 p.m. at the construction site located on the west side of Yankton High School. The house is sold "as is" with no representations or warranties from the school district.

All bids must be made on and according to the forms provided. Bid forms may be obtained at the Yankton School District Business Office at the above address. Each bid submitted must be accompanied by a certified check, cashier's check or bank draft in the amount of \$1,000.00, payable without condition to Yankton School District 63-3 and proof of financial ability to pay full bid price. **The successful bidder will not be permitted to remove the house from school property until final cash payment is made. Failure to remove the house by July 1, 2014 may, at the District's election, result in a \$100.00 per day assessment for each additional day it remains on School District property or the structure may, at the option of the School District, be removed and stored at the successful bidder's expense.**

Yankton School District 63-3 reserves the right to reject any and all bids or parts thereof, and to waive any irregularities of any bid. The Yankton School District 63-3 also reserves the right to award the contract to the highest responsible bidder as may be determined by the School Board.

Jason L. Bietz
Business Manager

Published twice at the approximate cost of \$56.30.

2+14+21

YANKTON SCHOOL DISTRICT 63-3 SALE OF STUDENT BUILT STORAGE SHEDS

Pursuant to the provisions of SDCL 6-13-4, Notice is hereby given that the School Board of Yankton School District 63-3, has by resolution dated the **10th day of February, 2014**, declared the student constructed storage sheds at Yankton High School, 1801 Summit Street, Yankton, SD, no longer necessary, useful or suitable for the purpose they were acquired and has ordered the same sold by sealed bid.

Sealed bids for two (2) storage sheds, 8' x 12' will be received at the Administration Building located at 2410 West City Limits Road, Yankton South Dakota, by Jason Bietz, Business Manager of Yankton School District 63-3, up to the hour of 1:30 p.m., Tuesday, March 4, 2014, at which time the bids will be opened and read aloud by the business manager and witnessed by the secretary to the business manager, or other designee, at the Yankton School District Administration Building. Specifications and the bid form are available at the Administration Building or the school website at ysd.k12.sd.us. The sheds are sold "as is" with no representations or warranties from the school district. All bids must be made on and according to the forms provided.

Yankton School District 63-3 reserves the right to reject any and all bids or parts thereof, and to waive any irregularities of any bid.

Jason L. Bietz
Business Manager

Published twice at the approximate cost of \$33.37.

2+14+21

YANKTON SCHOOL DISTRICT 63-3

Advertisement to Bidders

Sealed bids for the furnishing of one (1) New, All Wheel Drive, Crossover or Sport Utility Vehicle will be received until 1:30 p.m., Tuesday, March 4, 2014 at which time bids will be opened, read aloud and tabulated by the business manager and witnessed by the transportation supervisor or other designee, in the School Board Meeting room at the Administration Building at 2410 West City Limits Rd, Yankton, South Dakota. The School Board reserves the right to reject any and all bids and to waive any irregularities or informalities therein.

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Jason L. Bietz
Business Manager

Published twice at the approximate cost of \$20.72.

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Audit

From Page 1A

Sen. Larry Tidemann, R-Brookings, said. He will be chairman for the hearings that will involve House and Senate members.

Tidemann said the first hearing probably will occur in late February and more will be conducted after the Legislature concludes its regular session March 31.

He said arrangements would need to be made for witnesses.

A court order will be sought to allow state Attorney General Marty Jackley to testify without violating state and federal court rules regarding confidentiality of grand-jury matters.

The Legislature's joint committee on government operations and audit will conduct the hearings. A special resolution that passed both the House and the Senate calls for the committee to deliver its findings and recommendations no later than Dec. 1, 2014.

The resolution instructs the committee to look at four reports commissioned by the governor. They include investigations by the attorney general and the Legislative Audit report as well as two special reviews of GOED by private accountants.

Among the findings released Thursday:

- Many grants didn't receive follow-ups and lacked supporting records;
- The amounts of some grants were increased beyond the approved levels;
- Many thousands of dollars of expense reimbursements didn't have receipts or other proof;
- SDRC didn't submit many of the reports required under its state contract; and
- GOED didn't have a policy on ethics and conflict of interest.

The audit didn't look prior

Texting

From Page 1A

court costs for a total of \$114.

"We didn't want the amount to be onerous, but we also didn't want it treated like a parking ticket," the city manager told the *Press & Dakotan*.

The Vermillion City Council proposed implementing a city ban in January 2013, Prescott said.

"A couple of councilors felt it was something that needed to be addressed. The council was looking at a texting ban as an important thing to have for public safety in the community," he said.

"There had been two or three times that it had been addressed at the statewide level and didn't happen. Now, it was something that cities were adopting."

After discussion, the Vermillion council waited to see if the 2013 Legislature enacted a statewide texting ban, Prescott said.

"The 2013 session came and went, and there was nothing with a texting ban, so we moved forward with it," he said. "We became the fourth community in the state to adopt it, following Sioux Falls, Huron and Watertown. Mitchell came after us, and Pennington County also has a texting ban."

When drafting its ordinance, Vermillion used language similar to Sioux Falls and other communities that had already passed a texting ban, Prescott said. The Vermillion ordinance became law in early May, but the city held off on enforcement until receiving state approval last fall for signs informing the public of Vermillion's texting ban.

Ironically, the approval process ran into a hitch because state officials hadn't needed to deal with their own texting ban, Prescott said.

"We learned from the state that they really don't have language to address a texting ban and what a sign could or couldn't say," the city manager said. "That delayed things a little bit, but at least we had the signs posted before we started ticketing people. It wasn't a requirement, but we wanted the signs up. That way, it was a little bit of a warning."

In the meantime, Vermillion officials embarked on an education program concerning the new texting ban, he said. The

'Selfie' Photo Leads To California Burglary Arrest

CHULA VISTA, Calif. (AP) — Authorities say it was a "selfie" that led detectives to a suspect in the burglary of a Southern California church.

U-T San Diego reports detectives found a phone at the crime scene in Chula Vista, where a laptop, cash, watches and other items were stolen.

On the phone was a photo the suspect had apparently snapped of himself.

Residents recognized the man in the photo and on Tuesday police arrested 26-year-old Adam Howe.

A search of his belongings uncovered property believed to be stolen from the Hilltop Tabernacle Church and an RV parked nearby.

Further investigation led to the arrest of two other people who were also found with stolen property.

to 2009 because older records weren't available. They had been routinely destroyed under state government's standard record-retention process.

Many millions of dollars in loans from hundreds of foreign citizens were channeled to a handful of select projects in South Dakota.

A private contractor managed the secretive financial arrangements for GOED.

The standard loan was \$500,000 apiece, plus tens of thousands of dollars in additional fees each.

The loans qualified aliens for special treatment by the federal visa agency.

A specially created company in Aberdeen known as SDRC Inc. administered the EB-5 program for state government.

The contract was signed in 2009 by SDRC president Joop Bollen of Aberdeen and Benda on behalf of the Rounds administration.

Benda wasn't retained by Daugaard two years later and took a job with SDRC as its monitor for the EB-5 loans to Northern Beef.

The audit report said GOED should have had a policy in place that would have required Benda to disclose his future employment plans and he should have removed himself from matters involving Northern Beef.

"The lack of a formal written policy and related procedures by DTSD (Department of Tourism and State Development) and GOED regarding ethics and conflicts of interest increases the risk that the personal interests of employees may compromise the public interests of the GOED," Legislative Audit's report said.

The Legislative Audit examination found evidence that Benda double-billed and was double-reimbursed for airline tickets on three occasions.

The attorney general identified that same problem in his November report to the governor.

city used newspaper advertisements and other means to inform the public about the change before going into full enforcement mode.

"We have issued six tickets so far, and most of those have come since Dec. 1," he said.

Now, Vermillion officials are wondering if their city ordinance will be overturned and replaced with a weaker statewide ban, Prescott said.

"We have been following it in the Legislature," he said. "Prior to the session, I hadn't heard much about a texting ban. My sense is that it was a carry-over issue from previous sessions, and they are taking it on today."

Prescott also believes local governments were taking the lead with a grass-roots effort on texting bans, prompting the Legislature to act.

"The Legislature might have looked around, when they didn't set up a statewide ban, and saw the cities and other local jurisdictions were taking a different (approach). I think it's what has caused the Legislature to take another look."

The final form of a texting ban remains to be seen, Michels said. One bill has cleared the House and has moved to the Senate where it will be assigned to a committee. However, another bill may come out of the Senate, he said.

The "cross-over" day, when legislation must be passed out of its original house and moved to the other chamber, comes in about two weeks, he said.

Michels predicts a great deal of political wrangling before any bill arrives on the governor's desk. He foresees debates arising over public safety versus civil liberties and the fate of stronger local texting bans already in place.

"I really believe this is a bill that will be around at the end (of the session)," he said. "I think there will be very, very vigorous debate over individual rights and the communities' ability to legislate. But you are also balancing those concerns with the matter of consistency. When you are driving in Sioux Falls versus Worthing, how do you know that it's different (in terms of a texting ban)? This statewide ban would avoid a patchwork of laws."

Why would the Legislature be willing to pass a texting ban this year when previous efforts have failed? Michels believes support for the House bill lies

The attorney general also found that \$550,000 was redirected by Northern Beef to a SDRC escrow account from a \$1 million state Future Fund grant approved by Rounds in December 2010.

That activity wasn't addressed in the findings in the Legislative Audit report but was covered in the transmittal letter. Auditor General Marty Guindon said there wasn't any determination of non-compliance on the part of the state or the company.

A reporter for this newspaper later found that the \$550,000 allegedly was used to pay Benda's \$225,000 SDRC salary for two years. Benda had hand-delivered the \$1 million check to Northern Beef in January 2011.

Benda was found dead Oct. 22, 2013, on a relative's farm near Lake Andes from what authorities determined was a self-inflicted gunshot wound.

The attorney general has refused to release reports from the death investigation without a signed release from an immediate family member. Benda's ex-wife has threatened to seek a court injunction to stop the release.

An appeal of the attorney general's denial of the records is pending before a state administrative hearing officer.

Among other findings in the audit report was \$14,700 of reimbursements by GOED for undocumented "translation services."

A federal investigation also has been under way for at least the past year. Daugaard revealed in November that his office received a federal subpoena in March 2013 seeking eight days of information.

One of the eight was Benda's travel records. The other seven haven't been disclosed. The attorney general turned over his November findings to the U.S. attorney for South Dakota, Brendan Johnson, because EB-5 is a federal program.

in its lesser penalty and method of enforcement.

"I think the big turn (for support of the House bill) was making it a secondary offense, that someone isn't pulled over just for texting," he said. "A really good comparison for why I think this will work, and why the sponsors think it will work, is that (the secondary offense) has been used for seat belts."

However, such an approach by the Legislature worries Vermillion officials, Prescott said.

"The (Vermillion) council supports a statewide texting ban but wants it being a primary offense," he said. "In that regard, the state legislation isn't as strong as our texting ban, and that would be a disappointment. There are pluses and minuses (for the state legislation). The texting ban is good, but the loss of local control is being upstaged as well."

Vermillion Mayor Jack Powell addressed District 17 lawmakers during the legislative forum earlier this month, Prescott said. However, the House bill has undergone changes since then.

"I have a sense that our council would like to have a local option or a statewide ban that is closer to our city ordinance and makes texting while driving a primary offense," the city manager said. "There is another texting ban coming out of the Senate side, and I just heard (Thursday) that it makes a provision for local ordinances to remain in effect."

Any new statewide texting ban would become law July 1, giving Vermillion officials time to remove the city ordinance from the books, Prescott said.

The Vermillion ordinance has not met opposition, he added.

"We have had pretty good support," he said. "I think we have people at the University (of South Dakota) and the rest of the community who have come from other communities and states with texting bans, so they are more open to it."

In the process, Vermillion officials have shown their willingness to take the lead on public safety issues, Prescott said.

"For our council, this is an important matter and something that needs to be addressed," he said.

You can follow Randy Dockendorf on Twitter at twitter.com/RDockendorf. Discuss this story at www.yankton.net.