

## 2010 Legal and Public Notices

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, March 9th, 2015, 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 23rd day of February, 2015.

Al Viereck  
FINANCE OFFICER  
Published once at the approximate cost of \$16.05.

## 2+27 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 Events (on-sale) Liquor License for September 8th, 2015 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, United Way, Avera Pavilion, 409 Summit Street, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, March 9th, 2015, 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.

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## 2+27 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 Events (on-sale) Liquor License for October 13th, 2015 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Broadway Chrysler, 2720 Broadway Street, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, March 9th, 2015, 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.

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## 2+27 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 Events (on-sale) Liquor License for December 8th, 2015 from Chamber of Commerce, (Carmen Schramm, Director) d/b/a Chamber of Commerce, Avera Sacred Heart Hospital, 501 Summit Street, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, March 9th, 2015, 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 23rd day of February, 2015.

Al Viereck  
FINANCE OFFICER  
Published once at the approximate cost of \$16.05.

## 2+27 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 for 1 day, March 20,

## 2010 Legal and Public Notices

2015, 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, March 9, 2015 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 23rd day of February.

Al Viereck  
FINANCE OFFICER  
Published once at the approximate cost of \$15.72.

## 2+27+28 Tabor Lumber Coop Official Notice of Annual Meeting

The Annual Meeting of the Tabor Lumber Cooperative will be held on Tuesday, March 3, 2015, immediately following the lunch at the Beseda Hall in Tabor, SD. Lunch will be served from 5-7pm. You are your family are invited.

Matt Smith, Secretary

STATE OF SOUTH DAKOTA) )SS  
COUNTY OF YANKTON)

IN CIRCUIT COURT  
FIRST JUDICIAL CIRCUIT  
66PRO15-09

IN THE MATTER OF THE ESTATE OF)

DON B. BOYD,

DECEASED.)

## NOTICE TO CREDITORS

NOTICE IS GIVEN that on the 18 day of February, 2015, DANA M. HOXENG, whose address is 44867 - 303rd Street, Volin, South Dakota 57072, was appointed as Personal Representative of the Estate of Don B Boyd.

Creditors of decedent must file their claims within four (4) months after the date of the first publication of this notice or their claims may be barred forever.

Claims may be filed with the Personal Representative or may be filed with the Yankton County Clerk of Courts, 410 Walnut Street Suite 205, Yankton, South Dakota 57078-4390, and a copy of the claim mailed to the Personal Representative or may be filed with the Yankton County Clerk of Courts, 410 Walnut Street Suite 205, Yankton, South Dakota 57078-4390, and a copy of the claim mailed to the Personal Representative.

Dated this 20 day of February, 2015.

DANA M. HOXENG  
/s/ Dana M. Hoxeng  
Personal Representative  
44867 - 303rd Street  
Volin, SD 57072  
(605) 267-2380

Clerk of Courts  
410 Walnut Street Suite 205  
Yankton, SD 57078-4390  
(605)668-3080

Prepared by:  
Todd D. Boyd  
Gunderson, Evenson, Boyd & Knight, LLP  
415 Third Avenue S., P.O. Box 977  
Clear Lake, SD 57226-0977  
(605)874-2111

# Kayser

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number of parishes throughout his ministry. Upon ordination, he served as an associate pastor at St. Mary in Sioux Falls, Sacred Heart in Yankton and Sacred Heart in Parkston.

After his work in Des Moines, he returned to the diocese and served a number of pastorates, including St. Agnes in Sigel and St. Columba in Mayfield.

For a time, he also served as full-time rural life director for the Diocese of Sioux Falls. He also filled chaplaincy assignments at McKennan Hospital in Sioux Falls and the South Dakota Human Services Center in Yankton.

In retirement, Kayser provided weekend substitute ministry across the diocese. In addition, he assisted regularly at Avera Sacred Heart Hospital and its affiliated nursing homes in the Yankton area.

## A STRONG VOICE

Kayser grew up on the family farm, and he remained a staunch advocate for agriculture. During a 2011 interview with the *Press & Dakotan*, he recalled the reaction to his speech at the Pierre rally during the 1980s farm crisis.

"I learned what can happen when people get emotionally out of hand," he said. "A crowd of thousands just stood up and applauded. It was both frightening and energizing that I could touch all those people and influence them. It is a powerful message I never forgot."

Sister Peggy Boehm served as Kayser's successor as rural life director for the Sioux Falls Diocese.

After growing up in Milwaukee, she was stunned when Kayser called to ask if she — a self-described "city girl" — would take over the role of rural life director. However, she fit his criteria of someone with a theology degree, Third World experience (she served as a missionary in the highland jungles of Mexico) and legislative advocacy experience.

Sister Peggy emphasized that she succeeded Kayser but didn't replace him.

"There was no way I could fill his shoes. He was a giant in his field!" she said. "He was a faithful priest, an outspoken advocate for small family farmers, and an untiring prophet who laid a strong network of faithful and faith filled advocates and supporters throughout the region. Father Kayser not only knew about justice; he did justice!"

Kayser's lifetime pursuit of social issues earned him the Lifetime Achievement Award in 2011 from the South Dakota Peace and Justice Center.

In the *Press & Dakotan* interview at the time, Kayser pointed with special satisfaction to his involvement with the Emmaus House in Yankton. The hospitality house, opened in 2004, provides a place to stay for families visiting prison inmates in Springfield and Yankton as

well as patients at the Human Services Center in Yankton.

"It was a dream that we have realized, and we have had a lot of guests from all over the country and state stay in the home," he said.

Ironically, Sprong and his wife moved to Freeman in 1986 to live on her family's land. The move reunited him with Kayser, who by then lived in Yankton. They would eventually work with other local residents, including the Benedictine Sisters, on starting the Emmaus House.

Sprong saw first-hand a need for the facility. An activist, he committed an act

**"He was born to be a public servant who worked tirelessly — with amazing patience and strength that was surely inspired from Heaven — to make this part of the world a kinder and better place."**

## BERNIE HUNHOFF

of civil disobedience in 2001 and was sentenced to the Yankton Federal Prison Camp. While in prison, he saw the needs of families who came to visit inmates, often traveling long distances.

"Families were sleeping in their cars or not coming to visit," he said, adding the family visits were important for the inmates' rehabilitation and reducing their chances for committing future crimes.

Kayser, Sprong and others converted a dilapidated Yankton residence into the hospitality house.

"When we first entered the house, it was a disaster, a total wreck," Sprong said. "When Leonard walked in the first day, he said, 'I've seen Catholic Worker's houses that looked worse. I think you can pull this off.'" After months of work, the home was opened for use, Sprong said. The nine-bed house has operated for more than a decade, serving 1,825 families with 6,000 guest nights of hospitality.

Whatever he undertook, Kayser remained a man of strong faith and determination, Sprong said.

"Leonard loved being a priest. It's what he did best," Sprong said. "I've never met someone who had such a passion. It wasn't just a job for him, it was a vocation."

## SEEKING JUSTICE

Kayser's passion for social justice became controversial at times, particularly his efforts to repeal the South Dakota death penalty. He and other South Dakota Peace and Justice Center members maintained vigils outside the South Dakota penitentiary, most recently during two executions.

Those actions brought Kayser in contact with Denny Davis of Burbank, a Catholic deacon at St. Agnes parish in Vermillion who serves as director for South Dakotans for Alternatives to the Death Penalty. The two men have also served on the South Dakota Peace and Justice Center board.

"Father Leonard Kayser was a man for the poor and

marginalized, both in society and the Church," Davis said. "He was an advocate for the small farmer, the homeless, people of color, the native people, those on death row, and anyone whom society has pushed aside and said didn't matter."

Kayser used his Midwest common sense and respect for others to make the world a better place, Davis said.

"The world will be a poorer place without him. He was a real instrument of God's peace," Davis added.

The priest was a faithful, energetic participant in the annual South Dakota Pax Christi conferences, said

coordinator Sister Kay O'Neil.

"I always called him to ask if he were coming and would offer the noon prayer," she said. "Last year, when I phoned, he said — with what I perceived a twinkle in his eye — 'I wondered when you were going to call! This year, I will be calling heaven for his assistance.'"

Another activist, Leona Weiland, recalled that Kayser was eager to see that justice was followed with actions. "We were to get things done," she said.

## SERVING THE PEOPLE

While Kayser was well known for his activism, some of his most powerful actions were witnessed locally in his everyday work as a priest.

Sacred Heart Church parishioner Mike Healy distributed weekly Holy Communion at Majestic Bluffs nursing home, often running into Kayser who was making rounds.

"Even during the last two or three weeks of his life, Father Kayser still performed two funerals," Healy said. "He stepped up to the plate and did whatever was needed."

Former *South Dakota Magazine* publisher Bernie Hunhoff, also a state legislator, and his wife, Myrna, knew Kayser as their parish priest.

"We became acquainted with Father Kayser when he was assigned to be pastor of our little church, St. Agnes of Sigel," Bernie Hunhoff said. "He was perfect for Sigel because he grew up on a small farm, and then as a priest, he became a great leader who fought for social justice for rural families. He had even served as leader of the National Catholic Rural Life Conference. We couldn't have ordered a better pastor for a farming community."

Kayser challenged his parishioners, Hunhoff said.

"He delivered rousing homilies. He wrote every word himself, and he always ended with a little smile and a suggestion, 'Be good to one another;'" Hunhoff said. "But Leonard Kayser

would have been an amazing South Dakotan if he had never become a priest or spoken a word in a church. He was born to be a public servant who worked tirelessly — with amazing patience and strength that was surely inspired from Heaven — to make this part of the world a kinder and better place."

The Hunhoffs had the opportunity to visit Kayser last Sunday, before his death.

"Even though he was barely able to whisper, we could still feel his peaceful presence," Bernie said. "Ever since we learned early Tuesday that he had died, it feels like the world is a lesser place. But in reality, we know it's a far better place because he was here for all his years."

Kayser's ability to attract people of all walks of life was seen in his place with the Friday lunch group that has gathered for around 30 years.

Mike Rossiter, a lifelong friend, recalled that the group started out of nowhere and just got bigger and bigger.

"Father Leonard and I were having lunch after he arrived (as a priest) in Yankton, and people would come and have lunch with us. We soon started this group," he said. "We were like-minded on a number of things, so it was fun to meet and hear what each had to say. You could probably identify us without being told that many of us were liberal Democrats, but we had a couple of Republicans who would join us."

In the end, the group has become a source of enduring friendship, Rossiter said. "We're just really good friends. We like each other. Father Leonard was really kind of the glue of the group," he said.

The Friday lunch bunch will certainly feel a void, as Kayser was highly respected, Rossiter said. The priest's passion was reflected in his invocation at last year's South Dakota Democratic Party convention in Yankton, he added.

"Father Leonard was just a really great man in every sense," Rossiter said. "He stood on his principles and lived them well. I think he was one of the most wonderful people I have known in my life. He was just who he was. I think he related to everybody in that way."

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A Mass of Christian Burial will be prayed for Father Kayser on Saturday, February 28, 2015 at Saint Mary of Mercy Church in Alexandria, SD beginning at 10 a.m. The Most Reverend Paul J. Swain, Bishop of Sioux Falls, will serve as celebrant of the Mass. Interment will be at Saint Mary Cemetery in Alexandria immediately following the funeral Mass.

Visitation was held Thursday, February 26, at the Bishop Marty Memorial Chapel at Sacred Heart Monastery in Yankton.

Visitation will be held today (Friday) from 6-8 p.m., at Saint Mary of Mercy Church in Alexandria. A liturgical wake and Scripture service will be prayed at 7 p.m.

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

# Trail

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associated with the project. Anytime you are getting more than one-to-one dollars for a project it is great. The other thing to note, is if there are any expenses that are not eligible for payment by the grant, the city will be responsible for 100 percent of those costs."

Larson said this was a great grant to get because it can be applied for again in the future to address phases two and three.

"Phase two will run from where we leave off on Adkins Drive and continue west to West City Limits Road, then turn and go until we hit the corner of St. Benedict Drive, where St. Ben's is located," Larson said. "Phase three will continue from St. Benedict's Drive south towards the dog park and community gardens where it will jog and have one section that joins up with the trail that comes up towards the dog park, the main trail will continue along West City Limits Road until it reaches the Yankton School District Administration building."

Larson said because the largest

property in the area is the Fox Run Golf Course, the city will be able to accommodate the deep ditches along Highway 50 without having to do significant work to address grading issues.

"The ditch is problematic in how it slants, and the light and electric poles along the Highway also were issues," Larson said. "We do have a bit of leeway between the fairway and out of bounds on Fox Run Golf Course, so we will be able to get down onto the golf course property to build this trail. In addition, there will be buffers on the sides so if you step off the path, there is not a drop off."

Plans for the trail call for it to be extra-wide — 10 feet versus the normal eight feet — to meet state requirements.

"It will be oversized, (and) it won't be linear — it will have some curves to it," Larson said. "Originally, we thought we could tie into the trails and golf cart paths, but the state didn't like that idea. So, we won't be tying into any of the golf course trails by the tee boxes. It will be a stand-alone trail just for pedestrians, walkers, bikers, strollers and the like."

Larson added that this will be a concrete path capable of supporting

city trucks driving on it for clearing snow and debris.

While an official start date on the trail's construction has not been set, Larson said there are currently three timelines pending paperwork and bidding approval.

"The most aggressive time line will see work starting in the fall of 2015 with completion that same fall," he said. "Next aggressive would be starting fall of 2015 and finishing in the spring of 2016. Then, depending on how the paperwork and bidding goes, worst-case scenario would be starting and finishing in 2016. The goal is to start in 2015."

Depending on when construction starts, Larson said he foresees the city applying for a second grant this fall for phase two construction to begin in 2016-2017 and then the following year for phase three to be completed in 2017-2018.

"The target dates are all contingent on grant money and the City Commission funding this as a priority," he said. "Phases two and three could get bumped a couple years out if another city project is of higher priority."

No matter when the new trail system is completed, it adds an important connection to the city's existing 11-12 miles of trails.

"With this trail, you have connected the northwest corner of town with the rest of the community," Larson said. "There is enough traffic out there with more developments being built that the traffic is only increasing in this area. Having safe access for people to walk and ride bikes is very important."

Larson also noted, that when phase three is finished, there will only be a very short stretch of West City Limits Road that does not have sidewalks or trail access.

"We will eventually need to figure out how to make one continuous stretch along City Limits Road going south," he said. "But it is something we are looking at in the future as we address updating the road in general. Currently, West City Limits Road is co-owned with the city and the county, so there are discussions regarding that road ... whether it gets wider for paved shoulders, or turning lanes, so it's always three lanes wide. The discussion will happen."

*To follow Shauna Marlette on Twitter go to www.twitter.com/shauna.marlette. To comment on this story go to www.yankton.net.*