

2010 Legal and Public Notices

domestic hot water system for YHS/SAC; (5) increased capacities for the cooling tower heat exchanger at YHS/SAC; and (6) system wide energy conservation measures; and WHEREAS should the District determine to proceed with any proposals, the Board finds that it is in the best interest of the public to enter into a design-build contract for the above energy improvements because the complexity of the project requires close coordination of design and construction expertise and an extreme amount of coordination; and WHEREAS SDCL 5-18B-25 requires performance criteria for each design build project to be developed by a performance criteria developer; and WHEREAS upon consideration of SDCL 5-18B-25 and 36-18A-8(8)(b) and the factors articulated in Section 3(b) of the Design Build Procedures the Board has determined that Charles Turner has sufficient qualifications and experience with projects of similar scope to be appointed as the performance criteria developer for these contemplated projects; and WHEREAS the Board has reviewed the proposed Notice of Requests for Qualifications and Request for Qualifications and has been advised that they meet the requirements of SDCL 5-18B-30 and the District's Design Build Procedures; IT IS HEREBY RESOLVED that the Design Build Procedures are hereby adopted and approved; and IT IS HEREBY FURTHER RESOLVED that the business manager is hereby directed to publish the Design Build Procedures as required by SDCL 5-18B-20; and IT IS HEREBY FURTHER RESOLVED that the design-build process shall be utilized to solicit proposals for the improvements listed above; and IT IS HEREBY FURTHER RESOLVED that Charles Turner shall be appointed as the performance criteria developer for the projects; and IT IS HEREBY FURTHER RESOLVED the business manager is hereby authorized to publish the Notice of Requests for Qualifications and accept Statements of Qualifications in accordance with South Dakota law.

G. RESOLVED THAT WHEREAS, the student constructed house and storage shed (hereinafter referred to as "the property") located at the Yankton High School at 1801 Summit, Yankton, South Dakota, is owned by School District 63-3; and WHEREAS the property is longer necessary, useful or suitable for the purpose for which it was acquired; IT IS HEREBY RESOLVED that the property is declared surplus property. BE IT FURTHER RESOLVED that the property shall be sold by sealed bid pursuant to the procedure outlined in SDCL Chap. 6-13. BE IT FURTHER RESOLVED that all bids shall be opened and read aloud on Tuesday, April 5, 2013 at 1:30 p.m. in the conference room at the Yankton School District Administration Building, by the business manager, and witnessed by the supervisor of buildings and grounds, or other designee.

H. Authorize the business manager to draw specifications and advertise for bids to be opened and read aloud by the business manager and witnessed by the supervisor of buildings & grounds,, or other designee, in the conference room of the Administration Building at 1:30 pm on Tuesday, February 5, 2013, for painting at Beadle Elementary School during the summer of 2013.

I. Authorize the business manager to draw specifications and advertise for bids to be opened and read aloud by the business manager and witnessed by the supervisor of buildings & grounds,, or other designee, in the conference room of the Administration Building at 1:30 pm on Tuesday, February 5, 2013, for sanding, painting and refinishing the gym floors and YHS/SAC and Yankton Middle School during the summer of 2013.

J. Authorize the business manager to draw specifications and advertise for bids to be opened and read aloud by the business manager and witnessed by the supervisor of buildings & grounds,, or other designee, in the conference room of the Administration Building at 1:30 pm on Tuesday, February 5, 2013, for carpet repair/replacement at Beadle Elementary School during the summer of 2013.

K. Authorize the business manager to draw specifications and advertise for bids to be opened and read aloud by the business manager and witnessed by the supervisor of buildings & grounds,, or other designee, in the conference room of the Administration Building at 1:30 pm on Tuesday, February 5, 2013, for roof repair/resealing at Lincoln and Webster Elementary School during the summer of 2013.

L. Approve work agreement of Sam Matzke at special needs bus driver for \$20.70/hr. drive time and \$13.10/hr. for idle time.

M. Approve supplementary Staff work agreement for Jason Bierle, paraprofessional at Middle School for \$12.50/hr.

N. Accept the resignation of Elizabeth Hunhoff, paraprofessional at YMS effective January 11, 2013.

O. Accept the resignation of Paul Sangster, grounds/ maintenance worker effective the January 12, 2013, with the following voting Aye: All. Motion carried.

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Action No. 2013-168 Discussed responses to Requests for Proposal from Superintendent Search Firms. No action taken.

Action No. 2013-169 Member Williams moved for adoption of the following resolution: RESOLUTION FOR OPT OUT.

THE GOVERNING BOARD OF YANKTON SCHOOL DISTRICT 63-3 do state that the above said board is unable to operate under the tax limitation measure currently in statute. We therefore OPT OUT of such tax limitation in the amount of \$1,800,000 starting with calendar year 2013 taxes payable in calendar year 2014. This opt out will be for 1 year, which will be through taxes payable in the calendar year 2014.

Motion died for lack of second.

Action No. 2013-170 Discussed potential polling locations for school board election. No action taken.

Action No. 2013-171 Heard a report from Kathy Wagner, director of student services, Todd Dvoracek, middle school principal, and Warren Brenner, IT supervisor, on pilot testing of a new on-line student testing program called Smarter Balanced Assessment. No action taken.

Action No. 2013-172 Moved by Greenway and seconded by Williams to set a special school board meeting for February 9, 2013 at 8:00 am at the Yankton Chamber of Commerce Building for YEA contract negotiations with the following voting Aye: All. Motion carried.

Action No. 2013-173 Moved by Fitzgerald and seconded by Greenway to move into executive session at 6:36 p.m., to discuss negotiations with the following voting Aye: All. Motion carried.

Action No. 2013-174 Moved by Greenway and seconded by Pietz to reconvene in open session at 7:16 p.m., with the following voting Aye: All. Motion carried.

Action No. 2013-175 Moved by Greenway and seconded by Pietz to adjourn the meeting at 7:16 p.m., with the following voting Aye: All. Motion carried.

Chris Specht, President
School Board
Attest: Jason L. Bietz
Business Manager
Published once at the approximate cost of \$275.06.

Algerian Army Takes Hard Line In Militant Battle

BY AOMAR OUALI AND PAUL SCHEMM
Associated Press

ALGIERS, Algeria — The militants had filled five jeeps with hostages and begun to move when Algerian government attack helicopters opened up on them, leaving four in smoking ruins. The fifth vehicle crashed, allowing an Irish hostage inside to clamber out to safety with an explosive belt still strapped around his neck.

Three days into the crisis at a natural gas plant deep in the Sahara, it remained unclear how many had perished in the faceoff between Africa's most uncompromising militant group and the region's most ruthless military.

By Friday, around 100 of the 135 foreign workers on the site had been freed and 18 of an estimated 30 kidnappers had been slain, according to the Algerian government, still leaving a major hostage situation centered on the plant's main refinery.

The government said 12 workers, both foreign and Algerian, were confirmed dead. But the extremists have put the number at 35. And the government attack Thursday on the convoy — as pieced together from official, witness and news media accounts — suggested the death toll could go higher.

In Washington, U.S. officials said one American — a Texan — was known to have died.

Meanwhile, the al-Qaida-linked Masked Brigade behind the operation offered to trade two American hostages for two terrorists behind bars in the U.S., including the mastermind of the 1993 World Trade Center bombing. The U.S. rejected the deal out of hand.

"The United States does not negotiate with terrorists," declared State Department spokeswoman Victoria Nuland.

The Algerian government released few details about the continuing siege at the Ain Amenas plant, which is jointly run by BP, Norway's Statoil and Algeria's state-owned oil company. By Friday, however, the outlines of the takeover by Islamic militants were coming into focus.

The attack had been in the works for two months, a member of the Masked Brigade told an online Mauritanian news outlet that often carries al-Qaida-related announcements. The band of attackers included militants from Algeria, Mali, Egypt, Niger, Mauritania and Canada, he said.

He said militants targeted Algeria because they expected the country to support the international effort to root out extremists in neighboring Mali.

Instead of passing through Algeria's relatively well-patrolled deserts, the attackers came in from southern Libya, where there is little central government and smugglers have long reigned supreme, according to Algeria's Interior Minister Daho Ould Kabila.

He said the attackers consisted of about 30 men armed with rocket launchers and machine guns and under the direct supervision of the Masked Brigade's founder himself, Moktar Belmoktar, a hardened, one-eyed Algerian militant who has battled the Algerian government for years and has built a Saharan smuggling and kidnapping empire linked to al-Qaida.

Early Wednesday morning, they crept across the border, 60 miles (100 kilometers) from the natural gas plant, and fell on a pair of buses taking foreign workers to the airport. The buses' military escort drove off the attackers in a blaze of gunfire that sent bullets zinging over the heads of the crouching workers. A Briton and an Algerian, probably a security guard, were killed.

Frustrated, the militants turned to the vast gas complex, divided between the workers' living quarters and the refinery itself, and seized hostages, the Algerian government said.

Several of the former hostages, who arrived haggard-looking on a late-night flight into Algiers on Friday, said that the gunfire began around 5 a.m. and that the militants who stormed the living quarters almost immediately separated out the foreigners. (None of those interviewed would allow their last names to be used, fearing trouble for themselves or their families.)

Transcripts Indicate Fed Underestimated Crisis In '07

BY MARTIN CRUTSINGER AND CHRISTOPHER S. RUGABER
AP Economics Writers

WASHINGTON — Federal Reserve officials in 2007 badly underestimated the scope of the approaching financial crisis and how it would tip the U.S. economy into the deepest recession since the Great Depression, transcripts of the Fed's policy meetings that year show.

The meetings occurred as the country was on the brink of its worst financial crisis since the 1930s. As the year went on, Fed officials shifted their focus away from the risk of inflation as they slowly began to recognize the severity of the crisis.

Beginning in September 2007, the Fed cut interest rates and took extraordinary steps to try to ease credit and shore up confidence in the banking system. Throughout the year, the housing crisis deepened. Home prices weakened. Subprime mortgages soured.

As foreclosures rose, banks and hedge funds that had invested big in subprime mortgages were weighed down by worthless assets. Many had trouble getting credit to meet their expenses. The damage reached the top echelons of Wall Street. Fears rose that the U.S. banking system could topple.

At the Fed's Oct. 30 policy meeting, Janet Yellen, then president of the Federal Reserve Bank of San Francisco, noted that the economy faced increased risks. But she didn't foresee anything dire.

"I think the most likely outcome is that the economy will move forward toward a soft landing," Yellen said then.

Yellen was hardly alone in feeling hopeful about the economy in October. At the same meeting, Chairman Ben Bernanke noted that housing was "very weak" and manufacturing was slowing but sounded an optimistic note.

"Except for those sectors, there is a good bit of momentum in the economy," Bernanke said.

Earlier that October, the Dow Jones industrial average closed at an all-time high of 14,164 — nearly 4 percent above where the Dow stands now.

At the October meeting, Timothy Geithner, then president of the Federal Reserve Bank of New York and now Treasury secretary, said: "Developments of financial markets on balance since the last meeting have been reassuring. The panic has receded."

By December, the economy had plunged into the recession, which would officially last until June 2009. Five years later, the economy has yet



Bernanke

to fully recover.

The Fed declined Friday to comment on the discussions revealed by the transcripts.

In many places, the transcripts illustrate what has long been known: That the Fed, like most other regulators and economists, was slow to grasp the magnitude of the housing meltdown, the financial crisis and the depth of the economy's weaknesses.

Many analysts, including the rating agencies that gave the mortgage debt high ratings, also badly miscalculated

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the impact of the mortgage crisis.

Economic growth had slowed sharply in the first quarter of 2007 to below a 1 percent annual rate. And in July and August, employers cut jobs for the first time in four years.

The Fed declined to cut interest rate cuts at its Aug. 7 policy meeting. After that meeting, the Fed issued a statement declaring that the threats to growth had only "increased somewhat." The transcript from that meeting shows that several Fed officials felt that the biggest threat facing the economy was not economic weakness but inflation, which remained mild throughout 2007 and has so since.

A few days after that meeting, BNP Paribas, France's largest bank, announced that it was freezing three funds that had invested in the troubled U.S. mortgage market. That move escalated fears in global markets.

On Aug. 10, the Fed held the first of three emergency conference calls to discuss the emerging crisis. That day, its policy committee took the aggressive step that day of announcing it would pump \$19 billion into financial markets. The money was intended to calm turmoil on Wall Street and loosen credit.

A week later, the Fed held an emergency meeting to cut its "discount rate" — the rate it charges on emergency loans to banks. Then in September, the Fed cut its key short-term interest rate for the first time since 2003 by one-half percentage point from 5.25 percent to 4.75 percent. The goal was to help ease loan rates throughout the economy. The Fed would cut the rate two more times in 2007 as the financial crisis worsened, leaving its target for short-term interest at 4.25 percent at the end of the year.

By the October meeting, Fed members expressed some relief that the crisis appeared to be contained, at least for the time being. Fed officials cited more stability in financial markets and solid growth in the July-September quarter for this belief.

Bernanke did acknowledge that there was "an unusual amount of uncertainty" surrounding the Fed's economic forecasts. But in summing up the views of the committee, Bernanke said that in the overall economy, "there is yet no clear sign of a spillover from housing."

At the December meeting, the Fed staff presented its economic forecasts for 2008 and 2009. Growth would slow in 2008, the staff predicted, but the economy would avoid a recession. And growth would rebound in 2009, it forecast.

Even while Bernanke voiced concerns about the lending market and the quality of real estate loans, he predicted at the December meeting that no major bank would fail.

"The result of this is that, although I do not expect insolvency or near insolvency among major financial institutions, they are certainly going to become more cautious."

During the same meeting, Fed economist Dave Stockton, speaking for the staff, said the forecasts sketched a "pretty benign picture" of the economy. He joked that the Fed staff had come up with the projections "unimpaired and on nothing stronger than many late nights of diet Pepsi and vending-machine Twinkies."

As it turned out, Stockton and company were wrong, by a longshot.

Economic growth shrank for five of the next six quarters. The economy lost 8.7 million jobs in 2008 and 2009. The unemployment rate, which was 5 percent in December 2007, spiked during the next two years and hit a post-recession peak of 10 percent in October 2009.

Since then, Bernanke has frequently acknowledged that the recovery proved frustratingly slow. Unemployment remains a high 7.8 percent. Economic growth has been subpar at a roughly 2 percent annual rate for the past three years.

Stockton's forecasts weren't out of line with most private economists at the time.

In March 2008, investment banking giant Bear Stearns needed to be rescued with the help of Fed support. In the fall, mortgage giants Fannie Mae and Freddie Mac were taken over by the government.

In September 2008, the collapse of Lehman Brothers set off a full-blown financial panic.

Obama Seeks To Turn The Page In 2nd Term



Obama

WASHINGTON (AP) — President Barack Obama has been looking to historians for guidance on how to shape his second inaugural's words into a speech for the ages, eager to make good use of his twice-in-a-lifetime opportunity to command the world's attention.

He will take the oath of office Sunday in an intimate White House ceremony witnessed by family, and then again Monday at the Capitol before a crowd of hundreds of thousands on the National Mall. Washington will also play host to the traditional inaugural parade and formal balls Monday, as well as a day of service Saturday that kicks off the festivities.

But it's Obama's inaugural address that will be the centerpiece of the three-day affair. The president will seek to turn the page on a first term consumed by economic turmoil and set an optimistic tone for four more years that will help define his legacy.

The president has spent weeks writing out draft after draft of the speech on yellow legal pads, aides say. Last week, he invited a small group of historians to the White House to discuss the potential — and the pitfalls — of second term inaugurations.

Obama is expected to weave the history of the nation into his remarks. Standing against the backdrop of the Capitol dome, he is likely to make reference to two of the great American leaders he most deeply admires, Abraham Lincoln and Martin Luther King Jr. The start of Obama's second term coincides with the 150th anniversary of Lincoln's Emancipation Proclamation and the 50th anniversary of King's March on Washington, and he has chosen to take the public oath with his hand on both their bibles stacked together.

House To Vote On Three-month Debt Limit



Boehner

WASHINGTON (AP) — The Republican-controlled House will vote next week to permit the government to borrow more money to meet its obligations, a move aimed at heading off a market-rattling confrontation with President Barack Obama over the so-called debt limit.

Full details aren't settled yet, but the measure would give the government about three more months of borrowing authority beyond a deadline expected to hit as early as mid-February, No. 2 House Republican Eric Cantor of Virginia said Friday.

The legislation wouldn't require immediate spending cuts as earlier promised by GOP leaders like Speaker John Boehner of Ohio. Instead, it's aimed at forcing the Democratic-controlled Senate to join the House in debating the federal budget. It would try to do so by conditioning pay for members of Congress on passing budget measures through the House and Senate.

"We are going to pursue strategies that will obligate the Senate to finally join the House in confronting the government's spending problem," Boehner told GOP lawmakers at a retreat in Williamsburg, Va. "The principle is simple: 'no budget, no pay.'"

But the idea ran into opposition from House Democratic leader Nancy Pelosi of California and other Democrats who called it a gimmick because it would set up another potential confrontation in just a few months. Votes from Democrats may be needed to help pass the measure if GOP conservatives opposed to any increase in the debt limit withhold their support.

President's Backers Work To Outflank NRA

WASHINGTON (AP) — Supporters of President Barack Obama's gun-control proposals are planning a methodical, state-by-state campaign to try to persuade key lawmakers that it's in their political interest to back his sweeping effort to crack down on firearms and ammunition sales and expand criminal background checks.

To succeed will require overturning two decades of conventional wisdom that gun control is bad politics.

The National Rifle Association is confident that argument won't sell. But with polls showing majorities supporting new gun laws a month after the Connecticut shooting deaths of 20 schoolchildren and six adults, gun-control activists say the political calculus has changed. Their goal in coming weeks is to convince lawmakers of that, too, and to counter the NRA's proven ability to mobilize voters against any proposals limiting access to guns.

The gun-control advocates are focused first on the Senate, which is expected to act before the House on Obama's gun proposals. How Senate Majority Leader Harry Reid, D-Nev., proceeds will depend in part on what he hears from a handful of Democrats in more conservative states where voters favor gun rights. These include some who are eyeing re-election fights in 2014, such as Mark Pryor of Arkansas, Mark Begich of Alaska and Max Baucus of Montana.

Overcharged Batteries Plague Boeing 787s

WASHINGTON (AP) — It's likely that fires on two Boeing 787 Dreamliners were caused by overcharged lithium ion batteries, aviation safety and battery experts said Friday, pointing to developments in the investigation of the Boeing incidents as well as a battery fire in a business jet more than a year ago.

An investigator in Japan, where a 787 made an emergency landing earlier this week, said the charred insides of the plane's lithium ion battery show the battery received voltage in excess of its design limits.

The similarity of the burned battery from the All Nippon Airways flight to the burned battery in a Japan Airlines 787 that caught fire Jan. 7 while the jet was parked at Boston's Logan International Airport suggests a common cause, Japan transport ministry investigator Hideyo Kosugi said.

"If we compare data from the latest case here and that in the U.S., we can pretty much figure out what happened," Kosugi said.

In the case of the 787 in Boston, the battery in the plane's auxiliary power unit had recently received a large demand on its power and was in the process of charging when the fire ignited, a source familiar with the investigation of the 787 fire in Boston told The Associated Press. The plane had landed a short time earlier and was empty of passengers, although crews were working in the plane.

Blast In Aleppo Caps Bloody Week In Syria

BEIRUT (AP) — A rocket slammed into a building in Syria's northern city of Aleppo and two suicide bombers struck near a mosque in the south Friday, capping a particularly bloody week in the country's civil war with more than 800 civilians killed, including an unusually large proportion in government-held areas.

The residential building struck in Aleppo was in a part of the city controlled by regime forces, as was a university hit earlier in the week in an attack that killed 87 people, mostly students. The government accused rebels in both attacks, saying the hit the locations with rockets, a claim the opposition denies.

But if confirmed it would signal that the rebels have acquired more sophisticated weaponry from captured regime bases and are now using them to take the fight more into government-held areas in an attempt to break a months-long stalemate in the war.

Rebels have in the past posted videos showing them capturing heavy rockets — apparently of the style fired from truck-mounted launchers — at regime military bases that they have overrun. But it is not clear whether the fighters have — or are able to — use any of the ballistics. The rebels' main weaponry are automatic rifles and rocket-propelled grenades.

Ex-Mayor Nagin Charged With Taking Bribes

NEW ORLEANS (AP) — Former New Orleans Mayor Ray Nagin was indicted Friday on charges that he used his office for personal gain, accepting payoffs, free trips and gratuities from contractors while the city was struggling to recover from the devastation of Hurricane Katrina.

The charges against Nagin are the outgrowth of a City Hall corruption investigation that already has resulted in guilty pleas by two former city officials and two businessmen and a prison sentence for a former city vendor.

The federal indictment accuses Nagin of accepting more than \$160,000 in bribes and truckloads of free granite for his family business in exchange for promoting the interests of a local businessman who secured millions of dollars in city contract work after the 2005 hurricane. The businessman, Frank Fradella, pleaded guilty in June to conspiracy to commit bribery and has been cooperating with federal authorities.

Nagin, 56, also is charged with accepting at least \$60,000 in payoffs from another businessman, Rodney Williams, for his help in securing city contracts for architectural, engineering and management services work. Williams, who was president of Three Fold Consultants LLC, pleaded guilty Dec. 5 to a conspiracy charge.

The indictment also accuses Nagin — who now lives in Frisco, Texas — of getting free private jet and limousine services to New York from an unidentified businessman who owns a New Orleans movie theater. Nagin is accused of agreeing to waive tax penalties that the businessman owed to the city on a delinquent tax bill in 2006.