

2010 Legal and Public Notices

fully develop water reserved from their future use permit, 2) the proposed diversion can be developed as a temporary use permit without unlawful impairment of existing rights, 3) the proposed use is a beneficial use 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 January 26, 2015.

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. Information concerning this application is available at <http://denr.sd.gov/public>. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pimer, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of \$30.95.

1+7+14
STATE OF SOUTH DAKOTA)
COUNTY OF YANKTON)

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

FIRST CENTURY FEDERAL
CREDIT UNION,

Plaintiff,
vs.

RICHARD L. GARTNER, an individual; CINDY K. GARTNER, an individual; MID-STATES ACCEPTANCE CORP., a South Dakota corporation; THERMO KING OF SIOUX FALLS, INC., a South Dakota corporation; TIMOTHY L. JAMES, an individual; GARRETT J. HORN, an individual; JAMES AND ASSOCIATES, PC, a South Dakota professional corporation; PACCAR FINANCIAL CORP., a Washington corporation; WALLWORK FINANCIAL CORPORATION, a North Dakota corporation; VOLVO FINANCIAL SERVICES a/k/a VOLVO COMMERCIAL FINANCE a/k/a VFS US LLC, a Delaware limited liability company d/b/a VOLVO FINANCIAL SERVICES; WILLIAM L. PITTS d/b/a C & P ENTERPRISES; CREDIT COLLECTION SERVICES, INC., a South Dakota corporation; BUTCHS PROPANE, INC., a South Dakota corporation; BMSI CREDIT SERVICES, a/k/a BUSINESS MANAGEMENT SYSTEMS, INC., an Iowa corporation d/b/a BMSI CREDIT SERVICES; PORTFOLIO RECOVERY ASSOCIATES, LLC, a Delaware limited liability company; BOB LAW, INC., a South Dakota corporation; YANKTON COUNTY, SOUTH DAKOTA; UNITED STATES OF AMERICA acting by and through the INTERNAL REVENUE SERVICE; XYZ CORP.; ABC PARTNERSHIP; JOHN DOE; and MARY ROE,

Defendants.

Civil No. 14-304

NOTICE OF SHERIFF'S SALE

NOTICE IS HEREBY GIVEN that pursuant to the Judgment and Order for Foreclosure and Establishment of Priority filed with the Yankton County Clerk of Courts on December 16, 2014, the first mortgage of First Century Federal Credit Union (FCFCU) (mortgage dated August 4, 2005, filed on August 10, 2005, and recorded in Book 457 on Page 207), the second mortgage of FCFCU (mortgage dated December 5, 2006, filed on July 30, 2007, and recorded in Book 472 on Page 231), and the third mortgage of FCFCU (mortgage dated July 31, 2007, filed on August 3, 2007, and recorded in Book 472 on Page 310) (collectively, the Mortgages), all of which were recorded in the Office of the Yankton County Register of Deeds, have been foreclosed and the following property, which is subject to the Mortgages will be sold to satisfy the debt:

Nancys Addition in the Northeast Quarter of Section Twenty-Eight (28), Township Ninety-Five (95), Range Fifty-Five (55) West of the 5th P.M., Yankton County, South Dakota, as per plat recorded in Book 17, page 75.

Under the direction of the Yankton County Sheriff, said property will be sold for cash to the highest bidder at a public auction held at **10:00 a.m. on January 27, 2015** at the front door of the Yankton County Courthouse in Yankton,

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South Dakota. The amount adjudged to be due upon the indebtedness secured by the Mortgages is **\$314,178.74** (which includes the amount of \$287,212.95 in principal and interest set forth in the Judgment and Order for Foreclosure, plus interest until the date of judgment of \$4,951.10, plus foreclosure costs and disbursements of \$1,015.03, plus attorneys fees of \$19,811.00 and sales tax of \$1,188.66), plus post-judgment interest of \$3,615.21 (i.e., \$86.07 per day from and after the date of judgment through the date of the Sheriff's Sale) and all sums reasonably expended by FCFCU for the protection and preservation of the above-referenced property, including attorneys fees and collection costs incurred after November 5, 2014.

The interests of the Defendants in said property shall be sold subject to payment of all real property taxes due and owing; and subject to all covenants, restrictions, reservations of record; and subject to the right of redemption as provided by law.

Dated this 29th day of December, 2014.

YANKTON COUNTY SHERIFF

/s/ James C. Vlahakis
By
Yankton County Sheriff's Department
410 Walnut Street, Suite 104
Yankton, SD 57078-4313
Phone - (605) 668-3567

Worm Farm May Turn School Scraps Into Compost

LINCOLN, Neb. (AP) — The Nebraska Farmers Union is seeking a grant for a worm farm that would turn Lincoln school food scraps into useful compost. The group's Jeremiah Picard told the *Lincoln Journal Star* that he's applied for a grant of more than \$169,000 from the Nebraska Environmental Trust to fund the project. A grant decision is expected in April.

The project goals are to reduce the waste that goes to the city landfill, to create a natural product that can be used to improve community and school gardens, and to give students chances to learn the benefits of composting.

The project would be housed in a greenhouse-style structure that would include a 40-foot-long by 5-foot-wide bin that could house about a million worms. Picard said the facility could process between 250 and 375 pounds of food waste per day. He plans to start with about 100,000 worms, which can reproduce rapidly.

Food scraps would be taken to the future worm farm site and be ground up by machinery. Heated air forced through the mixture would increase microbial activity, Picard said. The resulting material would be fed to red wiggler worms, which Picard prefers above other species because they do well in close conditions and don't burrow.

The worms excrete undigested material, soil and bacteria, creating what's called worm castings, a prized natural fertilizer that helps plants use nutrients already in the soil.

The Nebraska Farmers Union plans to give the compost to farmers, schools and community gardens. Eventually the organization would like to sell the product and, possibly, some red wigglers as well.

Technology

From Page 1

technology. It is a very exciting time for 911 in South Dakota, I would say."

NG911 leverages new capabilities in smart phones and other IP-based devices - including geo-locating, text, photo and video reporting. Yankton County Sheriff James Vlahakis said that NG911 will be great for everyone.

"Today, everybody has smart phones. That is how they communicate," he said. "People will be able to take pictures at crime scenes and, when it's implemented, they will be able to send them right to the dispatch centers. It's just another tool that will be beneficial to us."

Vlahakis believes keeping pace with technology is important.

"I remember when it was a big thing when 9-1-1 first started where they could identify the location of where the call was coming from," he said. "This is taking things to a whole new level. Keeping up is needed."

Rechtenbaugh said that

Roads

From Page 1

accommodate the size and volume of traffic we have today," Daugaard said. "Of these, 1,045 bridges are eligible for replacement, at an average cost of \$230,000 each. To replace all of these structures would cost, in total, \$240 million. We don't need to replace all of them at once, so spreading out the work over several years is a viable option. Still, we need a mechanism for local units of government to address these deficient structures over time."

The governor outlined a multi-step approach to raising the needed funds to address the aging roads and bridges in the state, beginning with an increase in the vehicle excise tax from 3 percent to 4 percent which will raise \$26 million a year. He also proposed an increase in the motor fuel tax by two cents this year and by an additional two cents each year going forward. The third prong of the plan is a proposed 10 percent increase in vehicle registration fees to provide an additional \$15 million in road funds at the local level and also help establish a grant program to address local bridge needs. The governor also proposed increasing registration fees for noncommercial trucks to 70 percent of commercial rates this year, and then to 80 percent for future years.

"The estimated revenue from these changes will generate \$39.8 million for the State Highway Fund — a portion of which will be allocated to local roads — and \$10.7 million for counties, townships and municipalities," Daugaard said. "All told, this proposal would provide \$50.5 million more for our roads and bridges. Further, counties and townships have long supported roads with revenue generated from property taxes, and this proposal would allow greater flexibility for counties and townships to generate their own additional funds if proposals win support at the local level."

Local legislators reacted positively to the governor's suggested plan, but they also questioned the feasibility of getting such an aggressive plan through the Legislature.

"I appreciated the attention to our roads-and-bridges crisis," said District 18 Sen. Bernie Hunhoff (D). "As the governor said, we've been balancing our state budget but we haven't kept up with some of our most important responsibilities. Lawmakers have been trying to address those needs in recent years and we faced opposition from the administration, so hopefully with the governor's support we can make some progress."

However, Hunhoff questioned the never-ending tax increase of two cents per gallon on the gas tax every year.

"This would be a 20-cent hike over the next 10 years, for example," he said. "A lot of legislators will not want to commit to annual increases with no end in sight. The bill will require a two-thirds vote, and that's always a tough hurdle."

District 18 Rep. Jean Hunhoff (R), who served on a special committee that looked at the state's roads and developed a road bill last summer, said she appreciated the fact that the governor focused so strongly on the issue, espe-

being able to apply texting, photos and video recording to South Dakota's 911 system would add so much more information to the emergency call.

"I tell folks that a way that this might be used is if a person happens to see a crime in process or witness an accident, and they can take a snapshot of a license plate or a snapshot of a suspect," Rechtenbaugh said. "The dispatcher is relying on you to tell them everything you know and that can be hard to do when we, as the citizen calling in, don't necessarily know what all they need to know. It helps the dispatcher know what resources to send and how many resources, so they are able to get the right people at the right place as quickly as possible."

Rechtenbaugh said she thinks one of the neatest pieces about NG911 is the change to the 9-1-1 infrastructure.

"Currently, in South Dakota, we have 33 911 (emergency service) centers, but those centers aren't connected," she said. "NG911 will do that for the first time."

But in order for the transition to work and not disrupt current 911 systems, the project will have to take time.



Daugaard

cially since it is such a priority in Yankton County.

She noted that Daugaard's willingness to raise taxes to get new revenue is difficult for him to do and helps show how big a priority this is for the state.

"These are priorities for our own district," she said. "The nice part of it is, he took the information that was gleaned (this summer) and he referred to that and identified components that he thought he could support. I call the road bill the omnibus road bill and knew that we weren't going to get everything that was in that bill, but if there were bits and pieces that could be used for starting the discussion on getting new revenue, that was key. I think he took that and now it will be a compromise to see if the Legislature can support (the plan)."

ADDRESSING JUVENILE JUSTICE

According to District 18 Rep. Mike Stevens (R), the governor's proposed juvenile justice plan is much needed and overdue. Stevens stated that in his more than 30 years of legal practice in the state, this is the first time he believes the system has been targeted for review.

"When we began our review of the criminal justice system in 2013, many people believed the work would be incomplete unless we also looked at the state's juvenile justice system," Daugaard said. "In South Dakota, juvenile commitments to the Department of Corrections have been declining. However, the drop has been much smaller than what other states — including our neighbors — have experienced. In fact, the most recent national figures show South Dakota with the second highest juvenile commitment rate in the country."

Gov. Daugaard said that the issues identified raised several questions which led to his joining with the Chief Justice and legislative leaders to form the Juvenile Justice Reinvestment Initiative last May.

Their findings included 12 points, including:

- Calling for the development of an array of effective interventions for youth in the juvenile system across the state, including rural areas;
 - A focus on which juveniles are placed in the custody of the Department of Corrections;
 - Recommending increased use of court diversion for youth committing lower level offenses.
- "Taken together, the work group recommendations are projected to reduce the Department of Corrections population in residential placement by more than 50 percent within five years," Daugaard said. "This would save millions of dollars within that system."

Stevens, who said he expects to deal a lot with the proposed juvenile justice plan in his role as vice chair of the judiciary committee, said that it will be interesting to see where the plan goes and if it has the same far-reaching effects as the prison reforms of two years ago.

District 19 Rep. Kyle Schoenfish (R) said he believes the plan is a good one. "It is more efficient and effective to keep our nonviolent juveniles out of prison and in their communities," he said. "The criminal justice reforms passed two years ago have

been successful and this should build on that success."

Jean Hunhoff said you only need to look locally to see there needs to be reform.

"You can look at our own county for issues that we have for juveniles who are breaking the law and what we do," she said. "The example that you have to transport these kids to Sioux Falls (is very relevant). If we can make some changes and have more involvement in our local community working with those kids and not have to do a lot of transferring, I think that is positive for us."

WHAT WASN'T SAID

"The governor's speech was a good overview of a lot of government programs, ranging from railroads to workforce. I appreciated that," Bernie Hunhoff said. "While I'm encouraged that the administration is willing to work on our roads problem, it's disappointing that the speech didn't even mention the two biggest problems in South Dakota. Unless you're living under a rock, you know that we have a school teacher crisis and a big health care challenge."

Hunhoff said that he has heard from school officials across the state that it is getting tougher to fill the classrooms with qualified teachers, and that the percentage of youth majoring in education is going down.

"Our teachers earn the lowest wages in the country and neighboring states pay up to \$15,000 more for starting positions so we need to figure out a solution," he said. "Even as the Legislature is meeting, there are young parents deciding whether they want to raise their children in South Dakota and there are good companies deciding whether or not they want to locate their business in South Dakota. In both cases, the quality of our schools is probably the top deciding factor. We can't afford to put this problem off because, like potholes in the roads, it's only going to get worse. We must assure parents and the business community that we will deliver a high quality education."

However, Jean Hunhoff said that just because the teacher pay issue wasn't listed as one of the governor's priorities, it does not mean there will not be discussion on the issue.

CROSSWORD

By **THOMAS JOSEPH**

- ACROSS**
- 1 Big party
 - 5 Consider comparable
 - 11 Trade fair
 - 12 Infused with enthusiasm
 - 13 Stepped down
 - 14 Soaked up
 - 15 Director
 - 16 Young ones
 - 17 Andean beast
 - 19 Paint buy
 - 22 Fiery crime
 - 24 Doofus
 - 26 Pound sound
 - 27 Prom-goers' car
 - 28 Touches on
 - 30 Stylist's spot
 - 31 So far
 - 32 Move like a baby
 - 34 Impact sound
 - 35 Mud bath site
 - 38 City opposite El Paso
 - 41 Fly high
 - 42 Punctual
 - 43 Composer Weill
 - 44 Enjoyed the canal
 - 45 Wee
- DOWN**
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 - 2 Wheel connector
 - 3 Is disgraced
 - 4 Blazing
 - 5 Derby town
 - 6 Proportional shares
 - 7 Ballpark figures
 - 8 Smartphone download
 - 9 Kicker's aid
 - 10 Hall-of-Famer Roush
 - 16 Sandy color
 - 17 Big apartment
 - 19 Relaxes
 - 20 Clip contents
 - 21 Lunch hour
 - 22 Not at home
 - 23 Lounge attire
 - 25 Lobster part
 - 29 Plot
 - 30 Sleuth Spade
 - 33 Tore down
 - 34 Legal paper
 - 36 Divide
 - 37 Pretentious
 - 38 Occupation
 - 39 Dos preceder
 - 40 —
 - 41 Standstill
 - 41 Go downhill

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ALGAE	GESTE
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Yesterday's answer

- 18 Big apartment
- 19 Relaxes
- 20 Clip contents
- 21 Lunch hour
- 22 Not at home
- 23 Lounge attire
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- 30 Sleuth Spade
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- 34 Legal paper
- 36 Divide
- 37 Pretentious
- 38 Occupation
- 39 Dos preceder
- 40 —
- 41 Standstill
- 41 Go downhill

THOMAS CROSSWORD BOOKS 1 AND 2! Send \$4.75 (check/m.o.) for each book to P.O. Box 536475, Orlando, FL 32853-6475

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A X Y D L B A A X R
is L O N G F E L L O W

One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

1-14 CRYPTOQUOTE

V K Z M K E K M K Q O K Z M R E R Q
G Q S Q Q G J Q M Q R E K M N . V E Z R
R E K Q R E K M N Z M K E K M K
J Q M , L G Q O Q R D O Q V . — H Q E O

J Q N R K M E Z Y Y

Yesterday's Cryptoquote: ALTHOUGH ALWAYS PREPARED FOR MARTYRDOM, I PREFERRED THAT IT SHOULD BE POSTPONED. — WINSTON CHURCHILL