

2010 Legal and Public Notices

Roll Call: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

Issues relating to parking in the downtown area during special event activities were considered. (Memorandum 10-103) Mark Mooney and Dan Somsen were present and requested that the City pursue introducing an ordinance or amending the current ordinance to allow for parking restrictions at future events. It was the consensus of the Commission to direct City staff to research this issue and present an ordinance at a future meeting.

Action 10-155

Moved by Commissioner Gross, seconded by Commissioner Aklund, to adjourn into Executive Session at 7:55 p.m., to discuss personnel matters.

Roll Call: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Knoff.

Roll Call: Present: Commissioners Aklund, Carda, Ellingson, Gross, Lowrie, VanDerhule, Wenande, and Woerner. City Attorney Hosmer and City Manager Russell were also present. Absent: None. Quorum present.

Action 10-156

Moved by Commissioner Carda, seconded by Commissioner Aklund, to adjourn at 8:15 p.m.

Roll Call: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

David D. Knoff
Mayor

ATTEST:

Al Virecek
Finance Officer

West Virginia, Political Elite Say Goodbye To Sen. Byrd

BY TIM HUBER
Associated Press Writer

CHARLESTON, W.Va. — Craning their necks and clapping to Appalachian music, West Virginians bid farewell Friday to Robert C. Byrd, their beloved senator who rose from childhood poverty in a coal mining town to become the nation's longest-serving member of Congress.

President Barack Obama, Vice President Joe Biden, former President Bill Clinton and other dignitaries watched as Byrd's casket was carried down the red-carpeted steps of the state Capitol where he began his political career in 1947. Byrd, who died Monday at 92, never lost an election.

"I'll remember him as he was when I came to know him," Obama said, "his white hair flowing like a mane, his gait steady with a cane, determined to make the most of every last breath. The distinguished gentleman from West Virginia could be found at his desk to the very end and doing the people's business."

Obama recalled an early discussion with Byrd, who as a young man joined the Ku Klux Klan.

"He said there are some things I regretted in my youth," Obama said. "I said, 'None of us are absent of some regrets. ... That's why we enjoy and seek the grace of God.'"

"As I reflect on the full sweep of 92 years, it seems to me that his life bent toward justice," Obama said. "Robert Byrd possessed that quintessential American quality. That is a capacity to change, a capacity to learn, a capacity to listen, to be made more perfect."

Former President Bill Clinton sought to humanize Byrd, a fellow Democrat, after other speakers canonized him.

Recalling Byrd's ability to bring billions of dollars to West Virginia, Clinton said he told the senator: "If you pave every single inch of West Virginia, it's going to be much harder to mine coal." Byrd responded that "the Constitution does not prohibit humble servants from delivering whatever they can to their constituents."

Victoria Kennedy, widow of Sen. Ted Kennedy, recalled watching Byrd vote in favor of Obama's health care reform bill on Christmas Eve.

"I was in the gallery, and tears flowed down my cheeks when he said, 'Mr. President, this is for my friend Ted Kennedy. Aye.'"

Kennedy and Byrd became close friends after a brief rivalry for power in the Senate. When Kennedy, who was diagnosed with brain cancer in 2008, became ill during Obama's inauguration, Byrd was overcome with emotion and had to leave.

Biden reminded the crowd how much Byrd cared about improving the condition of those he represented.

"This is a guy who continued to taste, smell and feel the suffering of the people of his state," Biden said. "Because of that service, you have gained greatly."

People in the crowd strained to get a view of Byrd's casket, which was draped with a West Virginia flag and a bouquet of red roses. Mourners clapped along with music that celebrated the region's heritage and Byrd's own talent as an accomplished fiddler. The West Virginia National Guard's 249th Army Band played John Denver's "Country Roads."

Howard Swint, who brought his two daughters to the funeral, recalled meeting Byrd. "I found him to be a man of tremendous grace

despite his years of powerful positions," he said.

Graduate student Matt Noerpel attended a visitation as the senator lay in repose overnight at the Capitol.

"It's Robert Byrd. He's as much a political legend as there is," he said.

Byrd's body was to be flown back to Virginia, where he will be buried Tuesday next to his wife, Erma, who died in 2006.

Byrd was the nation's longest-serving senator, spending more than a half-century there. He began his political career in the West Virginia House of Delegates and went on to serve in the state Senate before being elected to Congress in 1953.

He served first in the House and then for 51 years in the Senate, where he developed a reputation as a master of the chamber's rules and an oft-feared advocate for West Virginia.

In his home state, Byrd directed billions of dollars to projects ranging from government buildings to the FBI's national repository for computerized fingerprint records. Many facilities bear his name, including the federal courthouse in Charleston and a huge radio telescope in the Allegheny Mountain town of Green Bank.

Byrd evolved over the decades, from a segregationist opposed to civil rights legislation, to a liberal hero for his opposition to the Iraq war and a supporter of the rights of gays to serve in the military. And he proudly became a free-spender as chairman of the Appropriations Committee. It took him just two years to reach his goal of bringing more than \$1 billion in federal funds back to West Virginia for highways, bridges, buildings and other projects.

Market Not Growing Fast Enough For Big Rebound

BY JEANNINE AVERSA AND CHRISTOPHER S. RUGABER

AP Economics Writers

WASHINGTON — A second straight month of lackluster hiring by American businesses is sapping strength from the economic rebound.

The jobless rate fell to 9.5 percent in June, still far too high to signal a healthy economy. It came in slightly lower than the month before only because more than a half-million people gave up looking for work and were no longer counted as unemployed.

The private sector added just 83,000 jobs for the month. Looked at from that angle or almost any other, from a teetering housing market to falling factory orders, the recovery is limping along as it enters the year's second half. And that is when the benefits of most of the government's stimulus spending will begin to wear off.

The fate of the economy will hinge on whether it can stand on its own. President Barack Obama acknowledged the slow pace of the recovery and used the new jobs figures to argue for more stimulus spending and extended unemployment benefits.

"We're not headed there fast enough for a lot of Americans," the president said. "We're not headed there fast enough for me, either."

Overall, the nation's total payroll actually shrank last month by 125,000, the first decline in six months, the Labor Department

said Friday. The loss reflected the end of 225,000 temporary jobs helping the U.S. Census Bureau complete its 10-year head count.

The 83,000 jobs added by the private sector was a better performance than in May, when private job creation nearly stalled. But it fell far short of what the economy needs — at least 200,000 jobs a month — to bring down the unemployment rate.

Nobody, from Obama to Federal Reserve Chairman Ben Bernanke to private economists, expects that anytime soon. And the government has mostly exhausted its realistic options for nudging the economy along faster.

Benchmark interest rates, which at low levels can encourage borrowing to spur economic growth, are already near zero. Republicans in Congress object to additional stimulus spending.

Unemployment is expected to stay above 9 percent through the midterm elections in November. And the Fed predicts joblessness could still be as high as 7.5 percent two years from now. Normal is considered closer to 6 percent, and economists say it will probably take until the middle of this decade to achieve that.

The jobless rate did come down in June from 9.7 percent the month before. But that was mainly because 652,000 people abandoned their job searches.

Even among Americans with secure jobs, confidence is fading.

One gauge of consumer confidence fell in June to about 53, down nearly 10 points in a single month. And it's well below the reading of 90 typically seen in a healthy economy.

Add to that jitters over Europe's debts, an edgy stock market and cautious consumer spending, and the result is an economy essentially moving sideways. It's no surprise that businesses are reviewing their orders and seeing no reason to add to payrolls.

Few big companies say they plan to step up hiring in the second half of the year. Most auto, airline and railroad companies, for example, say they expect little or no job growth, blaming weak demand.

One that does plan to hire, Chrysler Group LLC, expects to add engineers and other workers as it updates its aging line of cars and trucks. The company has announced 1,000 factory jobs in Detroit to meet demand for the new Jeep Grand Cherokee SUV.

But other companies, like American Airlines, have no plans to significantly boost hiring this year. And major railroads, which have furloughed thousands since the recession, say they have no plans to add employees in the coming months.

In June, manufacturers, the leisure and hospitality industries, temporary staffing agencies, and education and health services providers all added jobs.

Retailers, construction firms and financial service providers cut payrolls. So did state and local governments, which are wrestling with budget shortfalls.

On Wall Street, stocks sagged yet again on the news. The Dow Jones industrial average finished down 46 points, its seventh consecutive losing session. The Dow lost more than 10 percent of its value in the second quarter.

Trying to put a positive outlook on the report, Obama said it showed that "we are headed in the right direction." At the same time, he acknowledged there is a "great deal of work to do to repair the economy and get the American people back to work."

His options are limited. Senate Republicans concerned about record budget deficits this week blocked his efforts to extend unemployment benefits for millions of out-of-work Americans.

"The two things that are growing fastest in this Democrat economy are the size of the federal government and the crushing burden of the national debt," said Senate Republican leader Mitch McConnell of Kentucky, who led opposition to the extension.

All told, 14.6 million people were unemployed in June. An additional 11.2 million have given up their job searches or are working part-time but would prefer full-time work. That adds up to nearly 26 million Americans, and an "underemployment" rate of 16.5 percent.

NATION/WORLD DIGEST

BP Picks Up Tab For Durango Fireworks

DURANGO, Colo. (AP) — The fireworks display in the city of Durango will go on thanks to embattled oil giant BP.

The company stepped forward to pay for the annual July Fourth display back in December, five months before the start of its oil spill in the Gulf of Mexico.

The display typically costs \$15,000, and city officials were poised to cancel it because of a budget crunch. But representatives of BP's office in southwestern Colorado surprised the council by announcing the company would pick up the tab.

Company spokesman Curtis Thomas said the company knows how important the celebration is to the community and didn't want it to be lost. He said BP hasn't asked for any advertising in exchange for its donation.

BP America drills for natural gas in Colorado. It was fined \$5.2 million this week for allegedly submitting false reports about energy production on the Southern Ute Indian Reservation near Durango.

The U.S. Department of Interior said the company at times reported erroneous royalty rates, or listed gas coming from the wrong wells. BP said the mistakes led it to underpay the Southern Utes about \$200,000, money it says it has repaid the tribe.

Court Sides With Governor On Minimum Wage

SACRAMENTO, Calif. (AP) — A state appellate court sided Friday with the Schwarzenegger administration in its attempt to impose the federal minimum wage on tens of thousands of state workers.

It was not immediately clear how the ruling would affect Gov. Arnold Schwarzenegger's order a day earlier to pay 200,000 state workers the federal minimum of \$7.25 an hour.

The state controller has refused to comply with the order. Friday's ruling affirms a lower-court decision in favor of the administration in a lawsuit filed two years ago after the governor's first attempt to impose the minimum wage.

The controller's office declined to comment because it is still reviewing the ruling.

The Republican governor issued the order on the first day of the new fiscal year because the state remains without a budget.

Three Spy Suspects To Remain Jailed

ALEXANDRIA, Va. (AP) — The three Virginia suspects in an alleged Russian spy ring will remain in jail after waiving their right to a detention hearing.

The defendants known as Michael Zottoli, Patricia Mills and Mikhail Semenko appeared briefly Friday in federal court in Alexandria. Magistrate Judge Theresa Buchanan set a preliminary hearing for Wednesday for all three defendants.

In a court filing ahead of Friday's hearing, prosecutors said Zottoli and Mills have admitted they are Russian citizens living in the U.S. under false identities. They said their real names are Mikhail Kutzik and Natalia Pereverzeva.

The three are among 11 suspects arrested this week.

Chicago Approves Handgun Restrictions

CHICAGO (AP) — Members of the Chicago City Council have approved what city officials say is the strictest handgun ordinance in the United States.

Friday's 45-0 vote comes four days after a U.S. Supreme Court ruling made it almost certain that Chicago's handgun ban would be overturned. The high court ruled Americans have a right to own a gun for self-defense anywhere they live.

The new city ordinance bans gun shops in Chicago and prohibits gun owners from stepping outside their homes, even onto their porches or garages, with a handgun.

Toyota To Recall 138,000 Lexus Vehicles

WASHINGTON (AP) — Toyota Motor Corp. says it intends to recall 138,000 Lexus vehicles in the United States to fix faulty engines in the latest quality problem at the world's No. 1 automaker.

The company says flaws in valve springs, a crucial engine component, could make the vehicle stall while in motion. Toyota said in a statement Friday it plans to file paperwork on the recall with the government next week.

The recall affects certain GS, IS and LS vehicles from the 2006-2008 model years.

Toyota had announced it would recall 270,000 Lexus vehicles around the world to address the engine problem.

Two Senators Say They'll Vote Against Kagan

WASHINGTON (AP) — GOP Sens. Orrin Hatch of Utah and Lisa Murkowski of Alaska said Friday they'll oppose Elena Kagan's nomination to the Supreme Court.

Hatch supported Kagan's installation as U.S. solicitor general. Murkowski did not.

The Senate Judiciary Committee also announced Friday that it will take up Kagan's nomination on July 13, although it is likely Republicans will seek a delay before a final vote. Hatch is a member of the committee.

Hatch said a Supreme Court nominee needs "both legal experience and, more importantly, the appropriate judicial philosophy." And he said that "General Kagan regrettably does not meet this standard."

Murkowski said Kagan also did not give Americans any idea how she will approach "difficult cases" as a justice at her confirmation hearing.

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We're Moving

ASHH Business Office & Medical Records Move July 6



Pictured above are people with whom you may be used to working. From left: Marilyn Kathol, Credit Manager; Heidi Berry, PrestigePLUS; Julie Cornay, Medical Records; Lisa Schulz, Business Office Clerk.

Effective July 6, 2010, the Avera Sacred Heart Hospital Business Office and Health Information Management (formerly Medical Records) will be moving to the 5th floor of the Benedictine Center on the southern edge of the Avera Sacred Heart Hospital campus.

For Business Office Questions call:
605-668-8109

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Secure payment dropoff boxes are located in front of the main hospital lobby and the Benedictine Center lobby.

Surgical Services Expanding

To meet growing volumes and demand for surgical services at Avera Sacred Heart Hospital, we are proactively renovating and upgrading our inpatient surgical services area.

Avera **Sacred Heart Hospital**