

2010 Legal and Public Notices

Dakota. (Memorandum 10-116) No one was present to speak for or against approval of the license. Moved by Commissioner Lowrie, seconded by Commissioner VanDerhule, to approve the license application. Roll Call: All members present voting "Aye;" voting "Nay:" None. Motion adopted.

Action 10-164 This was the time and place for the public hearing on the request for a Special Events Retail (on-sale) Malt Beverage and a Special Retail (on-sale) Wine Dealers License for October 12, 2010, from Chamber of Commerce (Carmen Schramm, Director) d/b/a Chamber of Commerce, The Freeman Company, 719 Walnut Street, Yankton South Dakota. (Memorandum 10-118) No one was present to speak for or against approval of the license. Moved by Commissioner VanDerhule, seconded by Commissioner Wenande, to approve the license application. Roll Call: All members present voting "Aye;" voting "Nay:" None. Motion adopted.

Action 10-165 This was the time and place for the public hearing on the request for a Special Events Retail (on-sale) Malt Beverage and a Special Retail (on-sale) Wine Dealers License for December 14, 2010, with alternative dates of December 12 and 16, 2010, from Chamber of Commerce (Carmen Schramm, Director) d/b/a Chamber of Commerce, Ability Building Services, 909 West 23rd Street, Yankton South Dakota. (Memorandum 10-119) No one was present to speak for or against approval of the license. Moved by Commissioner Carda, seconded by Commissioner Aklund, to approve the license application. Roll Call: Members present voting "Aye;" Commissioners Aklund, Carda, Lowrie, VanDerhule, Woerner, and Acting Mayor Gross; voting "Nay:" None; Abstaining: Commissioner Wenande. Motion adopted.

Action 10-166 Moved by Commissioner Lowrie, seconded by Commissioner Wenande, to approve the Developer's Agreement for the Robert Byrkeland Property at 803 Ferdig described as Moderegger Outlots 19A, 20 and 20A, City and County of Yankton, South Dakota; to authorize the Mayor to sign the agreement; and to authorize City Staff to process the necessary documents and file them with the Register of Deeds. (Memorandum 10-120) Roll Call: All members present voting "Aye;" voting "Nay:" None. Motion adopted.

Action 10-167 Commissioner Wenande introduced and Acting Mayor Gross read the title of Ordinance No. 933 AN ORDINANCE ENACTING SECTION 14-159 OF THE CODE OF ORDINANCES OF THE CITY OF YANKTON and set July 26, 2010, as the date for the second reading and public hearing. (Memorandum 10-123)

Action 10-168 Moved by Commissioner Wenande, seconded by Commissioner VanDerhule, to adopt Resolution 10-24. (Memorandum 10-121)

RESOLUTION 10-24 ACCEPTING SOLID WASTE MANAGEMENT PROGRAM REGIONAL LANDFILL ASSISTANCE GRANT AND DESIGNATING CERTIFYING OFFICER

WHEREAS, the City of Yankton applied for a Solid Waste Management Program Grant through the South Dakota Board of Water and Natural Resources and administered through the South Dakota Department of Environment and natural Resources for yard waste composting equipment and site improvements; and,

WHEREAS, the City of Yankton was notified of the approval of \$187,500 Solid Waste Management Program Grant (#2010G-REC-210) for the Yard Waste Composting Program; and,

WHEREAS, the Governing Body of the City of Yankton is required to accept the grant by resolution; and,

WHEREAS, the City of Yankton is required to designate, by resolution, a certifying officer for the purpose of signing required documents for the Grant.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Yankton accepts the \$187,500 Grant and that the City Manager is hereby designated as the City's Certifying Officer for the purpose of signing correspondence, pay requests, and other required documents and forms.

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

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Motion adopted. Action 10-169 Moved by Commissioner VanDerhule, seconded by Commissioner Aklund, to adjourn into Executive Session at 7:21 p.m., to consult with legal counsel regarding labor negotiations. 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 Acting Mayor Gross. Roll Call: Present: Commissioners Aklund, Carda, Lowrie, VanDerhule, Wenande, and Woerner. City Manager Russell was also present. Absent: Commissioner Ellingson, Mayor Knoff, and City Attorney Hosmer. Quorum present.

Action 10-170 Moved by Commissioner Lowrie, seconded by Commissioner Carda, to adjourn at 8:33 p.m. Roll Call: All members present voting "Aye;" voting "Nay:" None. Motion adopted.

C.N. Gross Mayor ATTEST: Al Viereck Finance Officer

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DOT

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counties and northwest Turner County. "Despite the issues, (the DOT) got it done and did it well," Kloucek said. District 19 Rep. Jim Putnam (R-Armour) encouraged the Avon delegation of Gill, Kenny Powers and Dave Brandt to put forth information about their proposal to legislators and the DOT.

However, Putnam warned the Legislature scrutinizes the budget for new projects. Lawmakers often receive an anti-tax message from their constituents, Putnam said. He noted that he has been unsuccessful trying to generate more transportation funds through higher gas taxes and increased license plate fees. "Legislators listen if you tell them that taxes are bad and you don't support it," he said. "You (city officials) may say something is a crisis, but if the folks back home say 'nope' (to higher taxes), that's the way (legislators) are going to vote."

Despite the possible uphill battle, the Avon request for turning lanes received support Thursday night from two men who have been down the same road — the mayors of Lake Andes and Menno.

Lake Andes mayor Dan Park expressed appreciation for improvements to Highways 281 and 18 that have benefited his Charles Mix County community. He sees the time for Avon to get its turn at roadwork.

"I have driven down that road (past Avon) and wonder why turning lanes are not there. They are really needed," Park said.

Menno mayor Darrell Mehlfah also expressed appreciation for work on Highway 18 benefiting his Hutchinson County community. The project was about seven years in the making, and Mehlfah

encouraged Avon to continue pushing for its needs. "My message to the mayor of Avon: patience and persistence," Mehlfah said. "You will get what you need. Just never give up."

However, Thursday's meeting carried little promising news for taking on more projects.

The DOT five-year plan, that will be adopted next month, is always a work in progress, said Transportation Secretary Darin Bergquist. However, the South Dakota Transportation Commission faces an unprecedented number of question marks in trying to finalize the plan, he said.

"More than at any time in the last five years, this plan truly is tentative," the secretary said. "The biggest unknown is federal funding." South Dakota relies heavily on federal funding, and those funds could become slashed with proposed changes in the funding formula, Bergquist said.

Currently, South Dakota is known as a "donee" state, receiving \$2 in federal highway funding for every \$1 sent to Washington, he said.

"But that relationship and ratio is clearly in jeopardy," Bergquist said, referring to pressure on Congress to shift funds to states that currently receive less than they send to the federal government.

Even if the formula doesn't change, the level of funding — particularly for the long-term future — remains highly uncertain, the secretary said.

The current federal revenues are not sufficient to continue transportation funding at its current level, he said. Since September 2008, Congress had made three transfers totaling \$35 billion to keep the highway trust fund solvent, he said.

Congress may opt to continue operating with extensions rather than adopt a new highway bill, Bergquist said. "There is a lot of uncertainty," he admitted.

ANNIV.

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city could possibly put forth some money for bands.

Plans are already in place to hold a recreation of a Dakota Territory government ceremony at the Territorial Capitol replica in Riverside Park.

The group hoped that by putting some specific ideas together, more public interest and involvement will result.

"Whenever you start off a planning process like this, everything is vague, and it's somewhat difficult to get a vague concept out to the public and get them excited about it," said City Manager Doug Russell, who facilitated the meeting. "It's the summer, and I'm not too concerned about having only a handful of people here. That was good, because an overall theme came out of the meeting. That's what you're looking for. That will be refined, I'm sure, in the

upcoming meeting."

The next meeting is tentatively scheduled for 7 p.m. Aug. 12 in Yankton Fire Station No. 2 along 23rd Street.

"We'll specifically invite some of the parties we think may have an interest and who may redefine what that vision (for the celebration) may be," Russell said.

"I'm excited that we have a vision we're looking toward. A celebration of 150 years is a great thing," he continued. "What emerged (tonight) was the potential of celebrating Yankton through music and having different events at music venues throughout the weekend. We'll try to hit all different age groups and cultures. It gives the opportunity for everyone in the community to be involved in some aspect."

Also Thursday, Jacobs reminded the group that sesquicentennial calendars are on sale for \$10 at Yankton College, the Yankton Area Arts Association, the Dakota Territorial Museum, the Yankton Area Chamber of Commerce and other locations. A portion of the proceeds goes toward sesquicentennial events.

IMMEDIATE OPENING! DAY SERVICES COORDINATOR. SEDDAC, Inc. has developed a new position within our organization and is looking for a creative and energetic self starter. As an day services coordinator you will be responsible for developing, implementing and coordinating daytime services, which also includes Special Olympics and our volunteer programs. SEDDAC, Inc. serves over 70 adults with developmental disabilities and job duties would entail providing opportunities to each of them to enhance their creativity, encourage socialization and promote community involvement. In addition, you would work with community volunteers and existing staff to enhance our day time support services through established goals and priorities that have been developed. Qualifications include superior verbal and written skills, a degree in a related field is preferred, and experience with developmentally disabilities is highly recommended. This full time position includes our complete benefits package which consists of health, life, and dental insurance, 401 k plan, generous vacation and sick leave and a great family oriented organization. Please submit application to the Human Resources Director at 1314 E. Cherry St. in Vermillion, SD 57069 or online at Sessdac.org.

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