

## 2010 Legal and Public Notices

Mike Hubbard of Johnson Controls discussed various options for upgrading/replacing HVAC components at the Safety Center. The issue will be returned to the table at the July 15th, 2010 meeting.

There were no indigent requests before the Board.

**Action 10544EXT/C:** A motion was made by Johnson and seconded by Tamisia to authorize as a proper charge against the County, travel expenses as presented for the Extension office personnel for the months of July and August, 2010 and travel expenses for County officials to attend the Fall Convention September 19th through 20th, 2010.

Voting Aye: All Nay: None Motion carried.

**A c t i o n 10545H/ROD/PR/Aud/VA:** A motion was made by Johnson and seconded by Sinclair to accept into the record the Secondary Road report for June, 2010, the Register of Deeds Statement of Transfer Fees for June, 2010 in the amount of \$7,644.00 and copy revenue of \$64,400.00 and the Register of Deeds Statement of Fees for June 2010 in the amount of \$13,410.00, the Poor Relief Report for June 2010, the Auditor's Cash Balance Estimation Worksheet through June 2010 indicating estimated 1-1-2011 balances as follows: General fund \$1,083,780.57, Road & Bridge \$86,495.73, Courthouse Building \$147, 339.84, EDS \$45,918.13, Domestic Abuse \$4,729.83, WIC \$106,626.51 and E-911 \$176,133.73 and the Veteran's Service Office report for June, 2010.

Voting Aye: All Nay: None Motion carried.

**Action 10546C:** A motion was made by Johnson and seconded by Sinclair to approve the following claims: **Commissioners:** River Rat Productions (Services) \$250.00, Star Publishing (Legal Notices) \$825.65, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Election:** Election Systems & Software (Supplies) \$1,136.78, Paula Jones (Supplies) \$37.89, McLeod's Printing (Supplies) \$151.00, Star Publishing (Legal Notices) \$18.99, Western Office Plus (Supplies) \$79.95; **Court:** 64 Payees @ \$10.00 (Jury Fees) \$640.00, 12 Payees @ \$250.00 (Jury Fees) \$3,000.00, 10 Payees @ \$50.00 (Grand Jury Fees) \$500.00, 4 Payees @ .74 (Jury Fees/Mileage) \$2.96, 2 Payees @ \$18.50 (Jury Fees/Mileage) \$37.00, 1 Payee (Jury Fees/Mileage) \$7.40, 1 Payee (Jury Fees/Mileage) \$2.22, 1 Payee (Jury Fees/Mileage) \$12.58, 3 Payees @ \$1.48 (Jury Fees/Mileage) \$4.44, 1 Payee (Jury Fees/Mileage) \$4.44, 1 Payee (Jury Fees/Mileage) \$16.28, 7 Payees @ \$3.70 (Jury Fees/Mileage) \$25.90, 1 Payee (Jury Fees/Mileage) \$15.54, 2 Payees @ \$5.18 (Jury Fees/Mileage) \$10.36, 1 Payee (Jury Fees/Mileage) \$17.02, 2 Payees @ \$10.36 (Jury Fees/Mileage) \$20.72, 1 Payee (Jury Fees/Mileage) \$5.92, 1 Payee (Jury Fees/Mileage) \$9.62, 2 Payees @ \$14.80 (Jury Fees/Mileage) \$29.60, 1 Payee (Jury Fees/Mileage) \$74.00, Jeanne Bossman, RPR (Services) \$4.80, Fox, Youngberg & Lewno (Public Defender) \$9,000.00, David Bergendahl (Services) \$364.20, Kennedy Pier & Knoff (Legal Assistance) \$483.80, LaCroix Law Office (Legal Services) \$1,316.42, Cass County Sheriff (Services) \$28.50, Cedar County Sheriff (Services) \$18.50, Great Plains Psychological Services (Services) \$910.00, David Hosmer (Legal Assistance) \$220.86, Jody Johnson (Jury Meals) \$226.78, Pottawattamie County Sheriff (Services) \$65.00, SD Dept of Health (Lab) \$717.00, Woodbury County Sheriff (Services) \$19.01; **Auditor:** Paula Jones (Supplies) \$18.83, Pitney Bowes (Maintenance) \$62.70, SD Assoc. of Counties (Supplies) \$50.00, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Treasurer:** Pitney Bowes (Maintenance & Rental) \$323.70, Western Office Plus (Supplies) \$54.00, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Data Processing:** Miller Consulting (Maintenance) \$543.75; **States Attorney:** A & B Business (Maintenance & Supplies) \$63.37, Erich Johnke (Travel) \$328.88, Pitney Bowes (Maintenance & Supplies) \$396.03, SD Continuing Legal Education (Supplies) \$125.00, Staples (Supplies) \$351.50, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **CLERP:** SDACC (Catastrophic Legal Expense) \$9,592.14; **Government Buildings:** Ace Hardware (Supplies) \$95.67, Buhl's (Maintenance) \$15.01, City of Yankton (Utilities) \$298.89, Crescent Electric (Supplies) \$80.11, Paula Jones (Supplies) \$94.98, Johnson Controls (Maintenance) \$112.25, MidAmerican Energy (Utilities) \$376.15, Northwestern Energy (Utilities) \$2,368.80, Yankton Janitorial (Supplies) \$333.04; **Director of Equalization:** Matt Archer (Travel) \$64.00, AllTel (Utilities) \$29.28, Cedar Shore (Travel) \$367.80, Michelle Goeken (Travel) \$33.00, Roberta Zimmerman (Travel) \$33.00, Miller Consulting (Maintenance) \$402.50, Lori Mackey (Supplies) \$192.91, Lori Mackey (Travel) \$33.00, Pitney Bowes (Maintenance) \$62.70, Star Publishing (Legal Notices) \$136.54,

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Western Office Plus (Supplies) \$29.88, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Register of Deeds:** Miller Consulting (Maintenance) \$148.75, Pitney Bowes (Maintenance) \$62.70, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Veterans Service Office:** Pitney Bowes (Maintenance) \$62.70, Yankton Area Chamber of Commerce (Membership Dues) \$18.52; **Court House & Safety Center:** Ace Hardware (Supplies) \$318.21, City of Yankton (Utilities) \$1,137.38, Fullerton's (Supplies) \$47.78, Fullerton's (Supplies) \$1,850.11, JCL Solutions (Supplies) \$113.44, MidAmerican Energy (Utilities) \$903.31, Northwestern Energy (Utilities) \$5,496.47, Yankton Janitorial (Supplies) \$661.85, Yankton Winnelson (Supplies) \$23.72; **Sheriff:** AllTel (Utilities) \$101.85, Gregg's Automotive (Maintenance) \$819.75, David Hunhoff (Maintenance & Supplies) \$142.08, David Hunhoff (Travel) \$359.85, McLeod's Printing (Supplies) \$744.00, Midwest Special Service (Travel) \$1,219.50, Northtown Automotive (Maintenance) \$37.39, Pennington County Jail (Travel) \$105.95, Pitney Bowes (Supplies) \$333.33, Walmart (Supplies) \$96.82, Verizon Wireless (Utilities) \$110.47, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **County Jail:** CBM Food Service (Meals) \$5,694.15, Cash-WA (Supplies) \$267.85, EcoLab (Supplies) \$1,665.14, Hy-Vee Pharmacy (Medicine) \$44.56, Hy-Vee (Supplies) \$350.53, Benjamin Jensen, DDS (Services) \$219.00, Knology (Utilities) \$28.61, McLeod's Printing (Supplies) \$330.00, Olson's Pest (Maintenance) \$96.00, Overhead Door Company (Maintenance) \$389.50, Pitney Bowes (Supplies) \$333.34, Yankton Medical Clinic (Services) \$483.31, Yankton Janitorial (Supplies) \$921.96; **Coroner:** Melissa Smith (Travel) \$13.63, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Care of Poor:** Ear, Nose & Throat Assoc. (Services) \$112.98, Hy-Vee Pharmacy (Medicine) \$185.85, KCI USA, Inc. (Services) \$117.00, Opsahl-Koster Funeral Home (Funeral Expense) \$1,250.00, Pitney Bowes (Maintenance) \$62.70, SD Assoc. of County Commissioners (Supplies) \$50.00, Wintz & Ray Funeral (Funeral Expense) \$1,774.70; **Public Health Nurse:** Pitney Bowes (Maintenance) \$62.70, SD Dept of Health (3rd Quarter 2010 Budget) \$2,575.00, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Health Services:** Yankton Medical Clinic (Services) \$300.00; **Ambulance:** AllTel (Utilities) \$206.70, Bomgaars (Supplies) \$3.98, BNSF Railway Company (Rental) \$1,326.13, City of Yankton (Utilities) \$225.46, Credit Collection (Services) \$390.95, Culligan (Supplies) \$12.00, Century Business Products (Maintenance) \$37.06, Hy-Vee (Supplies) \$64.83, Janssen's Garbage (Maintenance) \$210.00, Darla Edinger (Services) \$1,500.00, Knology (Utilities) \$182.76, Linwood (Supplies) \$104.18, Mark's Machinery (Supplies) \$4.06, Henry Schein (Supplies) \$244.20, MidAmerican Energy (Utilities) \$63.31, Master-Tech Auto Clinic (Maintenance) \$463.10, Northwestern Energy (Utilities) \$624.24, Olson's Pest Technician (Maintenance) \$65.00, Pitney Bowes (Rental) \$210.00, Purchase Power (Supplies) \$206.99, Sioux Falls Two-Way Radio (Maintenances) \$48.48, Western Office Plus (Supplies) \$131.26, Randy Webert (Travel) \$59.94, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Mental Health Centers:** Ability Building Services (1st Half 2010 Budget) \$10,550.00; **Mental Illness Board:** Donna Dietrich (Hearings) \$1,223.10, Nelva Kooistra (Hearings) \$90.00, Cathy Rehlfuss (Hearings) \$60.00, Lewis & Clark Behavioral (Hearings) \$1,278.00, Kennedy, Pier & Knoff (Hearings) \$49.20, Norma Andersen (Hearings) \$30.00, Gary Mikelson (Hearings) \$360.80; **Historical Sites:** Cramer Kenyon Heritage (2010 Budget Request) \$2,000.00; **County Extension:** Best Western (Travel) \$87.99, City of Yankton (Utilities) \$59.21, Extension Service (Travel) \$474.47, Francotyp-Postalia (Rental) \$100.50, Sharon Guthmiller (Travel) \$146.46, Hodges Badge Co. (Supplies) \$266.31, J&H Cleaning (Maintenance) \$200.00, Knology (Utilities) \$2,104.08, Minnehaha County Extension (Supplies) \$100.00, MidAmerican Energy (Utilities) \$14.88, Northwestern Energy (Utilities) \$276.30, Daniel McFarland (Travel) \$12.58, Dennis Roy (Supplies) \$100.00, Joe Rowe (4-H Horse Judge) \$228.24, Wholesale Supply (Supplies) \$83.10, Aaron Weston (Supplies) \$40.89, Aaron Weston (Travel) \$152.60, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Soil Conservation:** Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Weed:** Bomgaars (Supplies) \$126.48, Cox Auto (Maintenance) \$29.94, Dahlin Drywall (Maintenance) \$234.69, Fred Haar (Supplies) \$98.94, TMA (Maintenance & Supplies) \$441.95, Yankton Daily P&D (Legal Notices) \$249.75, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Planning & Zoning:** AllTel (Utilities) \$27.28, Printing Specialists (Supplies) \$80.49, Pitney Bowes (Mainte-

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nance) \$62.70, Tabor Lumber (Maintenance) \$245.66, Western Office Plus (Supplies) \$11.70, Yankton Daily P&D (Legal Notices) \$472.50, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Road & Bridge:** AllTel (Utilities) \$31.97, Bomgaars (Supplies) \$58.96, B-Y Water (Utilities) \$83.25, Battery Exchange (Supplies) \$29.95, City of Yankton (Utilities) \$90.34, Concrete Materials (Supplies) \$27,631.30, D-P Tools (Supplies) \$70.85, Farm Plan (Supplies) \$372.52, Interstate Batteries (Supplies) \$102.40, Jebro (Supplies) \$132,201.69, Kaiser Appliance (Supplies) \$25.90, Kimball Midwest (Supplies) \$186.50, Michael Todd & Co. (Supplies) \$9,922.00, Midwest Radiator (Supplies) \$85.00, Northwestern Energy (Utilities) \$258.23, Printing Specialists (Supplies) \$207.86, Pitney Bowes (Maintenance) \$62.70, Qwest (Utilities) \$55.14, Ron's Auto Glass (Maintenance) \$72.00, Riverside Hydraulics (Supplies) \$51.60, Stern Oil (Fuel) \$2,510.25, Star Publishing (Legal Notices) \$9.96, SD Dept Environmental Safety (Supplies) \$300.00, Titan Machinery (Supplies) \$213.45, TMA (Supplies) \$706.57, Vanderhul's (Supplies) \$18.00, Wick's (Supplies) \$569.14, Western Office Plus (Supplies) \$52.13, Yankton Area Chamber of Commerce (Membership Dues) \$18.53, Zep Manufacturing (Supplies) \$23.62; **911 Fund:** Knology (Utilities) \$1,100.00, Newman Traffic Signs (Supplies) \$57.68, Planning & Development (Maintenance) \$210.00, Qwest (Utilities) \$1,422.08, **Emergency Management:** AllTel (Utilities) \$146.77, Hughes County Emergency (Travel) \$150.00, Miller Consulting (Maintenance) \$52.50, Racom (Utilities) \$28.30, Yankton Area Chamber of Commerce (Membership Dues) \$18.53; **Debt Service:** First National Bank Omaha (Agent Annual Fee) \$800.00; **Misc:** West Payment Center (Supplies - County Law Library) \$1,225.50. Total General Fund \$94,545.82, Road & Bridge \$176,024.81, 911 Fund \$2,789.76, Emergency Management \$396.10, Debt Service \$800.00, Misc \$1,225.50. Manual check not in totals: SD Department of Revenue \$1,500.00 (Licensing).

Voting Aye: All Voting Nay: None Motion carried 5-0.

**Action 10547C:** A motion was made by Sinclair and seconded by Freng to approve the June, 2010 Payroll following gross payroll: **Commissioners:** \$4,420.75; **Auditor:** \$11,416.64; **Treasurer:** \$12,311.95; **States Attorney:** \$19,763.27; **Custodian:** \$3,978.50; **Director of Equalization:** \$17,200.43; **Register of Deeds:** \$7,420.03; **Veterans Services:** \$1,922.20; **Courthouse & Safety Center:** \$4,099.94; **Sheriff:** \$40,271.94; **County Jail:** \$40,688.46; **Coroner:** \$607.35; **Juvenile Detention:** \$580.00; **Nurse:** \$2,516.86; **Ambulance:** \$32,100.48; **Extension:** \$5,218.28; **Soil Conservation:** \$2,378.09; **Weed:** \$3,745.58; **Planning & Zoning:** \$2,626.50; **Road & Bridge:** \$58,312.05; **OEMHS:** \$4,040.43. **24-7 Program:** \$115.00. South Dakota Retirement System (Buy Back) \$166.63, South Dakota Retirement System \$20,743.68 (Other Employees), South Dakota Retirement System \$12,602.66 (Sheriff/EDS), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$316.76, South Dakota Retirement System (Supplemental) \$530.00, American Family Life Assurance Company \$3,675.30, Prepaid Legal Services, Inc \$129.50, Office of Child Support \$371.00, Office of Child Support \$697.00, Nationwide Retirement Solutions \$128.26, First Dakota National Bank \$19,628.75 (Withholding), First Dakota National Bank \$33,409.66 (FICA) First Dakota National Bank \$7,813.60 (Medicare), Breit Law Offices, PC (Garminship) \$589.74, Blue Cross Blue Shield \$36,198.19 Gross Payroll \$345,754.76, Net Payroll \$208,754.03.

Voting Aye: All Nay: None Motion carried.

**Action 10548C:** A motion was made by Sinclair and seconded by Freng to approve the application of Shipwreck Inc DBA Cottonwood for renewal of a mall beverage license for 2010-2011 as submitted.

Voting Aye: All Nay: None Motion carried.

**Action 10549W:** A motion was made by Freng and seconded by Sinclair to approve the Mosquito Abatement Cooperative Agreement between Yankton County and the City of Lesterville for 2010.

Voting Aye: All Nay: None Motion carried.

The issue of cleaning a portion of the Clay Creek ditch in Turkey Valley Township was discussed. Commissioner Johnson is preparing bid documents.

**Action 10550Z:** A motion was made by Tamisia and seconded by Johnson to recess the regular session of the Board and convene as a Board of Adjustment.

Voting Aye: All Nay: None Motion carried.

**Action 10551Z:** A motion was made by Sinclair and seconded by

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Tamisia to approve a **Conditional Use Permit, to allow for a camping unit on property not designated as a campground** as follows:

**Scott Arnett, 1413 South Saint Aubin, Sioux City, IA 51106**

**LEGAL DESCRIPTION (Physical Location):** Lots 11 & 12, Block 3, Beaver Beach Park, NW4 SE4 Section 27, Township 95N, Range 56W, Yankton County, SD.

1. Planning Commission recommends approval 8-0 (and 1 abstention).
2. Granting of conditional use will bring property into compliance with Yankton County Zoning Ordinance, conditional use will not confer on the applicant any special privilege.
3. No nonconforming lands, structures or buildings were considered grounds for this recommendation.
4. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district.
5. Approval is based on Findings of Fact on file.
6. Approval is per pursuant to Section 1905.1 - 6, of the Yankton County Zoning Ordinance.

Voting Aye: All Nay: None Motion carried.

**Action 10552Z:** A motion was made by Tamisia and seconded by Johnson to approve a **Conditional Use Permit, to allow for the construction of a grain storage structure** as follows:

**Yankton Ag Services, Inc, 114 Mulberry Street, Yankton, SD**

**LEGAL DESCRIPTION (Physical Location):** 37A, lying South of mainline of BNSF SE4, Section 4, Township 93N, Range 55W, Yankton County, SD.

1. Planning Commission recommends approval 9-0.
2. Granting of conditional use will bring property into compliance with Yankton County Zoning Ordinance, conditional use will not confer on the applicant any special privilege.
3. No nonconforming lands, structures or buildings were considered grounds for this recommendation.
4. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district.
5. Approval is based on Findings of Fact on file.
6. Approval is per pursuant to Section 1905.1 - 6, of the Yankton County Zoning Ordinance.

Voting Aye: All Nay: None Motion carried.

**Action 10553Z:** A motion was made by Sinclair and seconded by Freng to adjourn as a Board of Adjustment and reconvene in regular session.

Voting Aye: All Nay: None Motion carried.

Jackie Husman, Community Health Nurse, presented the 2nd Quarter report for the Community Health Office.

**Action 10554N:** A motion was made by Tamisia and seconded by Sinclair to accept into the record the Community Health Nurse office report.

Voting Aye: All Nay: None Motion Carried.

The Auditor reported on a financing option for the proposed Highway maintenance shop project. Larry Neiss of First Dakota National Bank has advised the County could borrow the funds on a lease-buy back arrangement at approximately 1.5% interest and all local banks would be invited to participate. The debt would be serviced by the funds currently reserved for the project, with the available spot county as a guarantee should the county be unable to apply excess reserve funds before the loan is paid off. This would mean no increase in taxes at this time.

Commissioner Jensen asked that the Board consider bidding the electrical and plumbing portions of the maintenance shop project separately. After considerable discussion, it was the consensus that the electrical and plumbing portions of the project should be a part of the general contractor's bid.

Diana Langley appeared before the Board to request a refund on dollars paid for a trailer license. Pam Marchand, Treasurer, explained the existing regulations regarding the payment of motor vehicle licensing fees and explained that all licensing is done per statute. No action was taken.

Marquis Erickson, Architect, presented preliminary drawings for the proposed Highway maintenance shop project. The project timeline was discussed and the issue will be returned to the table at the next meeting.

**Action 10555J:** A motion was made by Tamisia and seconded by Sinclair to approve the hire of Matthew W Reichle as a jailer.

Voting Aye: All Nay: None Motion carried.

The Board discussed the personal property items to be removed from the structure adjacent to the ambulance building. A list of items will be presented to the

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Board to be declared surplus and the items will be sold at public auction.

The issue of financing for the Highway maintenance project was returned to the table and the consensus was the financing method will be addressed after bids for the project are opened.

A motion was made by Sinclair and seconded by Johnson to adjourn.

The next regular meeting of the Board will be Tuesday, July 20th, 2010 in the Commission chambers.

Bruce Jensen, Chairman  
Yankton County Commission  
ATTEST:  
Paula Jones, Auditor

# 5.7 Earthquake Shakes Iran

TEHRAN, Iran (AP) — A 5.7-magnitude earthquake rattled the northeast Iranian city of Torbat-e Heydariyeh on Friday, injuring at least 110 people.

Iran's state TV said the quake also damaged several villages and temporarily disrupted communications. The earthquake occurred at around 06:20 p.m. local time (14:50 GMT) and rocked the city for about 10 seconds, causing cell phone disconnections.

Local Governor Mojtaba Sadeqian said one of the injured was in critical condition.

Torbat-e Heydariyeh is in Razavi Khorasan province, about 445 miles (714 kilometers) east of Tehran.

Iran is located on seismic fault lines and is prone to earthquakes. It experiences at least one slight earthquake every day on average.

Some 26,000 people were killed by a 6.6-magnitude quake that flattened the historic southeastern city of Bam in the same region in 2003.

# Sentence Upheld For Bank Killings

BY NATE JENKINS  
Associated Press Writer

LINCOLN, Neb.— The ringleader of a group that gungled down five people at a Norfolk bank eight years ago in one of the deadliest botched heists in U.S. history will remain on death row. In an opinion released Friday, the Nebraska Supreme Court upheld the death sentence of Jose Sandoval. His attorneys had argued the trial court made 17 errors in Sandoval's case.

The high court said there was one error — instructing a jury to consider victims' mental anguish when deciding whether Sandoval should be sentenced to death. But the high court

said the error was harmless.

"We are convinced beyond a reasonable doubt that the sentencing panel would have imposed sentences of death even in the absence of a finding that the murders were exceptionally heinous, atrocious, cruel or manifested exceptional depravity," Judge John Wright wrote for the majority.

Sandoval's attorney, Ron Temple of Norfolk, did not immediately respond to a message seeking comment.

Prosecutors said Sandoval killed three people, including a bank customer, while his partners fanned out and killed two employees at the U.S. Bank branch in Norfolk. Jorge Galindo and Erick Vela were

found guilty and sentenced to death. The lookout, Gabriel Rodriguez, was given five consecutive life sentences.

The panel that recommended Sandoval for death row was instructed to consider victims' mental anguish when deciding whether the killings were exceptionally heinous or cruel. The panel agreed that they met that definition.

But that finding of heinousness and cruelty was just one of four so-called aggravating factors that made the killings worthy of the death penalty, the jury concluded. Just one aggravating factor is needed to warrant the death penalty under Nebraska law.

# CUTS

From Page 1A

and statistic, so it's working."

Despite the success, the Quiltline did see a cut of \$400,000 out of the \$1.5 million.

Hollingsworth said the Quiltline will still offer free meals and free advice, but the amount that smokers can get nicotine replacement therapies was cut from 12 weeks to eight weeks. Hollingsworth did add that most people don't need more than eight weeks worth of the therapies.

The Quiltline did have it easy compared to the prevention programs, which was cut by \$1 million.

"We aren't dropping pre-

vention, but the way we were doing it before has definitely changed," Hollingsworth said.

"Basically, we ended community based grants. We are still doing technical assistance and buying curriculum for schools, and we will still do competitive grants."

Even though the prevention program received significant cuts, Hollingsworth said that part of the process is still very important.

"We have to keep up the prevention message going," she said. "It's important to not start smoking and also we need to let people know how dangerous second hand smoking, and we are still getting that information out there."

Another factor of having less smokers is the amount of health care that is spent on them.

Last year, the state spent \$58 million in tobacco related health care costs.

"The social and economic costs are very high, so we need to keep doing what we are doing to help people quit, and from starting to use tobacco," Hollingsworth said.

By reducing the adult smoking rate to less than 18 percent, the Department of Health met its goal two years early, and despite the recent budget cuts, it has established a new goal of reducing the amount of smokers to 15 percent or lower by 2020.

"It's very important because tobacco is a very serious public health issue," Hollingsworth said. "We are making a difference with the current program, and I believe we will still make a difference."

# NATIVE

From Page 1A

waited until the end of their lifetimes, without success, for adequate compensation.

"They are now in the Spirit World," he said.

"I lived in the White Swan community with my grandparents and my mother and my stepfather when the Pick-Sloan plan was formed," said Patricia Hopkins Buechler, a 74-year-old member of the Yankton Sioux Tribe who now lives in Pickstown.

She gave input at a public meeting held by Corps of Engineer officials in the Native American Cultural Center on the campus of the University of South Dakota in Vermillion. Buechler is Neiss' mother.

"My grandparents had owned their own land there (at White Swan) for a long time — it wasn't Indian land; it was their own, personal land," she said.

Today, that property is covered by the 107-mile-long Lake Francis Case, the Missouri River reservoir created when Fort Randall Dam was completed in 1956.

Buechler remembers how her grandparents raised huge gardens, canned their produce, and lived off the land.

"And then this Pick-Sloan thing came along (government officials) told us that we had to move, that the property was probably going to be condemned. I think that's how they got the property, but I don't know for sure. I was a child," she told Corps representatives at Friday's meeting. "I didn't really understand what was going on."

The building of the dam and the creation of Lake

Francis Case had long-lasting repercussions on Buechler's family.

"Families were just scattered," she said. "We eventually all got back together before my grandpa and grandma died. My grandparents were not paid for their land until years after the fact. So, they just lived, which they didn't like, with one of their kids for a time before moving in with another child."

"It's really ironic to be forced from a place that was an ideal existence for you," Neiss said. "It was perfect as life could be for those times. I'm here to speak for my elder uncles, my mom's brothers ... since I was a child, I've heard about the White Swan community from my relatives. How they were driven out. How they were forcibly relocated. They felt like they were lost. They were separated, and they did not want to leave."

Neiss personally asked the representatives of the Corps of Engineers to travel to the Yankton Sioux Reservation, and meet with the small, but grass-roots group of people who have ties to White Swan.

"Coming this far (to Vermillion), when it is as hot as it is today, is a hardship for them," he said.

Before the creation of Lake Francis Case, Indians and non-Indians peacefully lived and farmed along the Missouri, he said. "There was no racism; there were no ill feelings."

"We all went to school together," Buechler said, "and there were Irish, there were Bohemians, there were Indians — and everybody got along. People would get together at night, kids would play together, and I didn't even know that I was an Indian, that I was different from those people. There was none of that."

Corps of Engineer officials are in the midst of