

1830 Rummage Sales

706 Green
Friday, 7/8, 3pm-8pm
Saturday, 7/9, 9am-2pm
Backyard-Mega Rummage
 TV, phones, scanner, speakers, dryer. Swimming pool, chair, lamps, desk, aquarium. Saxophone, music stands, name brand clothes. Shoes, toys, movies, kitchenware, knick-knacks.

SAVE THE DATE!
2011 Yankton Annual Summer Citywide Rummage Sales August 11-14 Watch your Yankton Daily Press & Dakotan for details!

1840 Lost and Found

LOST- BOAT DOCK, carried away by flood, from Choteau Creak area. Heavy Bridge Plank Deck on 2 pontoons (10'x20'). Reward for info leading to recovery. Bob Monfore, (605)286-3644.

Lost: Nissan car key remote and other keys. On 7/5, in downtown Yankton by Wells Fargo. Reward. Call (605)940-1768.

1880 Produce

Yankton Fruit Program: Cherries! Cherries! Cherries! Blueberries and apricots. Call Evie (605)665-4496 to order by July 11th.

2010 Legal and Public Notices

7-7+9

Notice of Sale

In accordance with SDSL 44-14-3, a public rummage sale will be held at 1505 West City Limits Rd, Yankton, SD on Thursday July 14th at 4pm until dark. **NO PRESALES PLEASE.** Sale will continue on Friday July 15th beginning @ 8:00 am

The sale of personal property located in a storage facility at 1501 West City Limits, Yankton, SD will be sold at this sale.

Holding Unit occupied by J Rampone. General description of items: Karaoke machine, purses, hats, jewelry, clothes, Harley Davidson boots, household decorations, rollerblades, dressers and more items..

Holding Unit #74 occupied by M. Johnson. General description of items: Christmas decorations, household items, & much more miscellaneous items.

7+9

CHAMBER OF THE BOARD OF CITY COMMISSIONERS YANKTON, SOUTH DAKOTA JUNE 27, 2011

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Knoff.

Roll Call: Present: Commissioners Akland, Carda, Gross, Lowrie, Sommer, Wenande, and Woerner. City Attorney Hosmer and City Manager Russell were also present. Absent: Commissioner Hoffner. Quorum present.

Action 11-149

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve the Minutes of the regular meeting of June 13, 2011.

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

City Manager Russell submitted a written report giving an update on community projects and items of interest.

Action 11-150

Moved by Commissioner Gross, seconded by Commissioner Wenande, that the following items on the consent agenda be approved.

1. Street Vendor of Food

Consideration of Memorandum 11-107 regarding Street Vendor of Food License.

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

Action 11-151

This was the time and place for the public hearing on the application for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2011, to June 30, 2012, from Yuexian Wu dba China Town to China Town, Inc., dba Chinatown (Desheng Ye, Owner), 2007 Broadway Avenue, Yankton, South Dakota. (Memorandum 11-100) No one was present to speak for or against approval of the license application. Moved by Commissioner Carda, seconded by Commissioner Sommer, to approve the license.

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

2010 Legal and Public Notices**Action 11-152**

This was the time and place for the public hearing on the application for the transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2011, to June 30, 2012, from Jin Hui Huang dba King Buffet to Yu Jin Guo dba King Buffet, 3013 N Broadway, Suite 5, Yankton, South Dakota. (Memorandum 11-101) No one was present to speak for or against approval of the license application. Moved by Commissioner Woerner, seconded by Commissioner Lowrie, to approve the license.

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

Action 11-153

This was the time and place for the public hearing on the application for the transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2011, to June 30, 2012, from Cheers Bar & Grill, LLC, dba Cheers Bar & Grill (Beth Cuneo, President), 1208 Broadway Avenue, Parking Lot and Pool Area, Yankton, South Dakota. Paul Cuneo, owner, was present to speak in favor of the request and to answer any questions. (Memorandum 11-102) Moved by Commissioner Gross, seconded by Commissioner Akland, to approve the license.

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

Action 11-154

Moved by Commissioner Woerner, seconded by Commissioner Carda, to adopt Resolution 11-26. (Memorandum 11-103)

RESOLUTION 11-26

WHEREAS, it appears from an examination of the plat of Jim Lane Tract 1, Being a Subdivision of the Northeast of the Northwest of Section 32, Township 94 North, Range 55 West of the 5th P.M., Yankton County, South Dakota prepared by Travis J. Kroppenske of Johnson Engineering, a registered land surveyor in the State of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

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

Action 11-155

Moved by Commissioner Woerner, seconded by Commissioner Akland, to adopt Resolution 11-27. (Memorandum 11-104)

RESOLUTION 11-27

WHEREAS, it appears from an examination of the plat of Jackman Tract A, in the S. of the N.W. of Section 16, T93N, R56W of the 5th P.M., Yankton County, South Dakota prepared by Thomas Lynn Week, a registered land surveyor in the State of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

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

Action 11-156

Moved by Commissioner Lowrie, seconded by Commissioner Woerner, to adopt Resolution 11-28. (Memorandum 11-105)

RESOLUTION 11-28

WHEREAS, it appears from an examination of the Replat of the North Half of Lot 22A and all of Lot 22, all in the NE of the SE of Section 4, T93N, R56W of the 5th P.M., Yankton County, South Dakota, to be hereafter known as: Lot 27 in the NE of the SE of Section 4, T93N, R56W of the 5th P.M., Yankton County, South Dakota prepared by John L. Brandt, a registered land surveyor in the State of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

2010 Legal and Public Notices

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

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

Action 11-157

This was the time and place to award the bids for the 2011-12 Annual Supply of Petroleum and Transport Tankwagon Petroleum Products. The following bids were received and opened on June 15, 2011 (bid prices are added to the OPIS daily published price on the date the product is ordered):

GERSTNER OIL COMPANY, YANKTON, SOUTH DAKOTA:
 Gasoline: Lead Free (Transport) - \$0.008 gal.; Lead Free (Tankwagon) - \$0.098 gal.

Diesel Fuel: (Dyed) No. 1 (Transport) - \$.0099 gal.; No. 1 (Tankwagon) - \$.1099 gal.; No. 2 (Transport) - \$.0099 gal.; No. 2 (Tankwagon) - \$.1099 gal.; No. 1 & No. 2 50/50 Mix (Transport) - \$.0099 gal.; No. 1 & No. 2 50/50 Mix (Tankwagon) - \$.1099 gal.

Diesel Fuel: (Clear or Hwy) No. 1 (Transport) - \$.0099 gal.; No. 2 (Transport) - \$.0099 gal.; No. 1 & No. 2 50/50 Mix (Transport) - \$.0099 gal.

Petroleum Products: Motor Oil SAE 15W-40-EO-L (Drum) \$8.86 gal.; Motor Oil SAE 5W-20 (Drum) \$8.43 gal.; Motor Oil SAE 5W-30 (Drum) \$8.43 gal.; Motor Oil SAE 10W-30 (Drum) \$8.43 gal.; Hydraulic Oil (55 gal. Drum) \$6.90 gal.; Dextron VI Oil (30 gal. Drum) \$14.50 gal.; Mobile Fluid 424 (30 gal. Drum) \$9.60 gal.

STERN OIL - FREEMAN, SOUTH DAKOTA:

Gasoline: Lead Free (Transport) - \$.0225 gal.; Lead Free (Tankwagon) - \$.0965 gal.

Diesel Fuel: (Dyed) No. 1 (Transport) - \$.0800 gal.; No. 1 (Tankwagon) - \$.1700 gal.; No. 2 (Transport) - \$.0225 gal.; No. 2 (Tankwagon) - \$.1200 gal.; No. 1 & No. 2 50/50 Mix (Transport) - \$.0800 gal.; No. 1 & No. 2 50/50 Mix (Tankwagon) - \$.1700 gal.

Diesel Fuel: (Clear or Hwy) No. 1 (Transport) - \$.0800 gal.; No. 2 (Transport) - \$.0225 gal.; No. 1 & No. 2 50/50 Mix (Transport) - \$.0800 gal.

Petroleum Products: Motor Oil SAE 15W-40-EO-L (Drum) \$8.91 gal.; Motor Oil SAE 5W-20 (Drum) \$8.23 gal.; Motor Oil SAE 5W-30 (Drum) \$8.23 gal.; Motor Oil SAE 10W-30 (Drum) \$8.23 gal.; Hydraulic Oil (55 gal. Drum) \$9.63 gal.; Dextron VI Oil (30 gal. Drum) \$14.22 gal.; Mobile Fluid 424 (30 gal. Drum) \$8.13 gal.

PETROLEUM TRADERS CORPORATION, FORT WAYNE, INDIANA:

Gasoline: Lead Free (Transport) - \$.0121 gal.

Diesel Fuel: (Dyed) No. 1 (Transport) - \$.0950 gal.; No. 2 (Transport) - \$.0135 gal.; No. 1 & No. 2 50/50 Mix (Transport) - \$.0750 gal.

Diesel Fuel: (Clear or Hwy) No. 1 (Transport) - \$.0950 gal.; No. 2 (Transport) - \$.0135 gal.; No. 1 & No. 2 50/50 Mix (Transport) - \$.0750 gal.

Moved by Commissioner Woerner, seconded by Commissioner Carda, to award the bids to the low bidders as follows: (Memorandum 11-106)

GERSTNER OIL COMPANY, YANKTON, SOUTH DAKOTA:
 Gasoline: Lead Free (Transport) - \$0.008 gal.; Lead Free (Tankwagon) - \$0.098 gal.

Diesel Fuel: (Dyed) No. 1 (Transport) - \$.0099 gal.; No. 1 (Tankwagon) - \$.1099 gal.; No. 2 (Transport) - \$.0099 gal.; No. 2 (Tankwagon) - \$.1099 gal.; No. 1 & No. 2 50/50 Mix (Transport) - \$.0099 gal.; No. 1 & No. 2 50/50 Mix (Tankwagon) - \$.1099 gal.

Diesel Fuel: (Clear or Hwy) No. 1 (Transport) - \$.0099 gal.; No. 2 (Transport) - \$.0099 gal.; No. 1 & No. 2 50/50 Mix (Transport) - \$.0099 gal.

Petroleum Products: Motor Oil SAE 15W-40-EO-L (Drum) \$8.86 gal.; Hydraulic Oil (55 gal. Drum) \$6.90 gal.

STERN OIL - FREEMAN, SOUTH DAKOTA:

Petroleum Products: Motor Oil SAE 5W-20 (Drum) \$8.23 gal.; Motor Oil SAE 5W-30 (Drum) \$8.23 gal.; Motor Oil SAE 10W-30 (Drum) \$8.23 gal.; Dextron VI Oil (30 gal. Drum) \$14.22 gal.; Mobile Fluid 424 (30 gal. Drum) \$8.13 gal.

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

Action 11-158

This was the time and place to award the bid for the 8th Street

2010 Legal and Public Notices

Trail Replacement Project. The following bids were received and opened on June 21, 2011: (Memorandum 11-109) Masonry Components, Yankton, South Dakota - \$84,144.00; Feimer Construction, Yankton, South Dakota - \$88,976.85; Carl V. Carlson, Tea, South Dakota - \$95,945.35; Smith & Smith Construction, Tea, South Dakota - \$97,804.00; Big Al's Contracting, Sioux Falls, South Dakota - \$114,527.08; Buskerud, Dell Rapids, South Dakota - \$115,957.50. Moved by Commissioner Gross, seconded by Commissioner Sommer, to award the bid to the low bidder, Masonry Components, Yankton, South Dakota, in the amount of \$84,144.00.

Roll Call: Members present voting "Aye;" Commissioners Akland, Carda, Gross, Lowrie, Sommer, Woerner, and Mayor Knoff; voting "Nay:" None; Abstaining: Commissioner Wenande. Motion adopted.

Action 11-159

Moved by Commissioner Woerner, seconded by Commissioner Gross, to adopt Resolution 11-29. (Memorandum 11-108)

RESOLUTION 11-29 A RESOLUTION APPROVING AN AIRPORT HANGAR LEASE AGREEMENT WITH DR. ROBERT NEUMAYR

WHEREAS, The Board of City Commissioners of the City of Yankton has been given the authority to approve airport hangar lease agreements at Chan Gurney Airport; and,

WHEREAS, Dr. Robert Neumayr desires to lease a 32' deep by 48' wide lot at Chan Gurney Airport on which he intends to build an airplane hangar; and,

WHEREAS, it is in the best interest of the City of Yankton and Chan Gurney Airport for the Board of City Commissioners to approve the lease agreement with Dr. Robert Neumayr.

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that the airport hangar lease agreement with Dr. Robert Neumayr for building location number 22 is hereby approved at a rate of \$0.10 per square foot of building space.

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

Action 11-160

Moved by Commissioner Woerner, seconded by Commissioner Sommer, to adjourn at 7:21 p.m.

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

David D. Knoff

Mayor

ATTEST:

Al Viereck

Finance

Officer

Corps**From Page 1**

of a new group of downstream states.

Vilsack noted the Corps said in a March 3 report in the Omaha World-Herald that there was no need for early releases from the Gavins Point Dam and there would be little flooding unless the region received a lot of rain.

"Agriculture producers point to this report and others in justifying their concerns, and they need answers as to why releases were not made to allow for more storage in the dam system," Vilsack wrote in the letter dated June 28. "They point to forecasts related to snowpack and snowmelt and ask why there wasn't more planning or more public conversations about the implications of operating the river under such conditions."

DeJong declined to comment on the letter.

Casino**From Page 1**

Fort Randall Casino officials are also watching the Flandreau compact with interest.

Samantha Wade, the casino's marketing director, said more slots would add to attractions already provided by the expansion project. Besides the 250 slot machines, Fort Randall offers about 100 other machines, bingo with 250 seats, and 10 game tables for poker and for blackjack with a \$100 bet limit. "We are interested in adding more slots," she said. "Flandreau has opened up the door to other tribes in South Dakota."

In a press release, Daugaard alluded to the opening of the Grand Falls Casino in northwest Iowa as a major reason for allowing more slot machines at Royal River Casino.

"This is good for South Dakota and for the Flandreau Santee Sioux Tribe," the governor said. "The gaming landscape in the Sioux Falls area is changing, and this compact allows the Tribe to respond to that market. We want to bring more visitors to Flandreau, and I am proud to partner with President Reider and tribal leadership to make that happen."

The agreement will allow the 2007 litigation between the State and the Tribe to be dismissed.

So far, the state has not received formal requests from other tribes for more slot machines, according to Larry Eliason, the executive secretary of the South Dakota Commission on Gaming.

"Some tribes have made preliminary inquiries about increasing the number of slot machines at their casinos," he said, "but the only tribe with which the state is engaged in formal gaming compact negotiations at this time is the Flandreau Santee Sioux Tribe."

The Yankton Sioux are limited to 250 slot machines under the current compact with the state, Eliason said. The compact places no limits on the number of blackjack and poker tables that may be operated.

Under Section 12 of the current agreement, "the terms of this compact shall be subject to review at four-year intervals, dating from the effective date of this compact. One hundred eighty days prior to the expiration of the four-year period, either party may give notice to the other party of provisions they believe require review or amendment."

The last review period ended May 4, 2009, so the current compact remains in effect until May 4, 2013, Eliason said.

"If the Yankton Sioux Tribe wants additional slot machines at the Fort Randall Casino, tribal officials would have to give notice to the state required by Section 12," he added.

The agreement reached between the State of South Dakota and the Flandreau Santee Sioux Tribe would not automatically extend to other tribes, Eliason said.

"The state negotiates separately with each

Yankton**From Page 1**

underserved given its circumstances.

"We've pretty much got what we wanted (from the state)," he said. "I don't think we were slighted. There are things that could have gone better. The chain of command sometimes dragged, but if we needed help, I believe the state would have been here."

Michels, who still maintains a residence in Yankton, said the sentiment is understandable. "It's a legitimate question," he said. "It's confusing. It's as confusing as, 'Will the Federal Emergency Management Agency (FEMA) be paying anything for this event?'"

Daugaard has requested the Individual Assistance program from FEMA to help South Dakotans whose homes and businesses have been damaged by flooding. If the declaration is granted by President Barack Obama, FEMA can offer a range of programs designed to help state residents.

Scherschligt said FEMA officials were in the Yankton area last week to assess flood damage. Ultimately, Michels said there has not been a discrepancy in the amount of assistance provided in one place over another. It's just a matter of understanding how help can be provided, he stated.

"The question that comes up the most is whether the National Guard can come and help with certain things (regarding private property)," Michels said. "They can, they just need to bring the assistance from a general perspective to the property by having a central site. They can't just protect individual personal properties."

Lee Rettig, the public information officer for the Yankton County Office of Emergency Management, agreed that the way assistance is provided can be confusing to those not familiar with how the process works.

"The three different areas in question — Pierre, Yankton and Dakota Dunes — are three very different areas governmentally, publicly and privately," he said. "The federal, state and county governments are assessing things based on a standard process (for disaster response). Some people are not going to be happy with the way things wash out. They're going to expect things to go one way or another and people will jump to conclusions. Those conclusions can turn into bad information."

One bone of contention is that the Corps was involved in building levees in Dakota Dunes and Pierre, but not in the Yankton area. In Dakota Dunes, the home owner's association built one levee with its own funds, although that cost may eventually be covered by the FEMA.

A second levee was contracted for by the Corps after it was determined that it qualified for funding under existing guidelines.

"The Corps has awarded contracts and is

tribe, and the negotiations are based on that tribe's unique circumstances," he said. "Most of the compacts automatically renew. Not all compacts have four-year terms (like the Flandreau Santee Sioux). Some are longer, some are shorter. Each compact stands on its own."

Regardless of whether more slot machines are granted, the Fort Randall Casino expansion represents a success story, LaPlante said. "It just shows how the Yankton Sioux Tribe has done a great job with their casino operation, to be able to turn around and invest in some improvements," he said.

"It just goes to show how seriously they take their economic development effort. They are very committed to creating jobs and (building) the economy in that area surrounding them."

Fort Randall Casino's multi-phase project is designed to take advantage of the nearby Missouri River. When completed, the project intends to make the Fort Randall Casino one of South Dakota's premium destination resorts, casino officials say.

The casino expansion will benefit more than just the Yankton Sioux, Wade said.

"We are the largest employer in Charles Mix County," she said. "We have more than 300 employees, and more than 100 are non-Native."

About 10 percent of the employees have worked at the casino during its entire existence, according to casino manager Mike Redlightning.

The casino improvements have already provided a good payout, Wade said. The casino shut down for two days in mid-June to reboot the machines and hook them up to the new gaming area, she said.

But the casino bounced back with strong business for the Father's Day and Fourth of July weekends, Wade said. The casino has also benefited from the influx of visitors to see the record releases at nearby Fort Randall Dam, she said.

Phase I consists of an expanded gaming area and a new gift shop, cashiers' windows, Players Club site and customer service area. The remodeling includes buffalo mural artwork created by Dakota Sioux artist Joanne Bird. The mural can be viewed upon entering the new casino area.

Phases II and III will be built together, Wade said. Plans call for a convention center, enlarged hotel and new restaurant, lounge and bingo.

"We will be able to house more and larger conventions, trade shows, concerts, wedding receptions and a lot of other events," she said. "We are already getting a lot of interest in booking Christmas parties and meetings."

The public has shown a strong interest in the casino expansion, Wade said.

Wade said she remains amazed at the improvement and believes the best is yet to come.

"When you walk through the old casino to get to the new, it's like walking into the future, it's so beautiful," she said.

paying for construction of the temporary emergency levees under Public Law 84-99," Carlos J. Lazo, a public affairs specialist with the Corps, told the *Press & Dakotan* in an email. "Under PL 84-99, the discretionary authority given to the Corps by Congress to act and react to emergencies caused by floods, the Corps works with state agencies, as well as local communities, to manage the flooding and mitigate damage to critical public infrastructure."

"Corps policy precludes the use of PL 84-99 flood fight authority for protection of private residences and/or private developments unless such protection is afforded to critical public facilities and/or public infrastructure within the area to be protected," he continued. "The Corps provides this assistance, both direct and technical, when requested by state or tribe officials. This request must come after all local, county, and state resources have been expended."

The same guidelines used in Dakota Dunes were used when the Corps let contracts for levees on both the Pierre and Ft. Pierre sides of the Missouri River.

In a July 1 letter to a Yankton citizen who asked the *Press & Dakotan* not to be identified as the recipient, Daugaard noted that, "It is my understanding that lack of public infrastructure in the Larson's Landing area of Yankton prohibited (Corps) involvement. ... Please understand the state did provide support to Yankton County and its citizens through the dispatch of inmates and National Guard members to fill sandbags for use by residents, including those in Larson's Landing."

Inmates at the Yankton Federal Prison Camp also filled sandbags as the floodwaters rose and can be mobilized within two hours to fill more, if needed, according to Scherschligt.

In addition, the state has agreed to provide \$5 million loans to both Fort Pierre and Dakota Dunes to help them battle flooding. The loans are interest-free for 18 months and will have a 4.5 percent interest rate after that period. The loans come from the state's emergency and disaster fund.

Scherschligt said he believes that if Yankton County had a need for such a loan, the state would provide it. However, the county is still able to pay for the flood fight, though it hopes FEMA will eventually provide some reimbursement.

In addition to the National Guard assistance in the Yankton area,