

2010 Legal and Public Notices

The special session was called to discuss the proposed County Road & Bridge Levy from Senate Bill 1, which was passed by the Legislature March 13, 2015. Senate Bill 1 allows county commissioners to levy an annual tax as a reserve fund to be accumulated and used for the purpose of maintaining, repairing, constructing and reconstructing roads and bridges.

Action 15273C: A motion was made by Kettering and seconded by Epp to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, July 21, 2015.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor
Published once at the total approximate cost of \$17.21.

7+18+25 NOTICE OF PUBLIC HEARING

Vacation Of Right of Way

Notice is hereby given that a Petition to Vacate Right of Way is presented to the Board of County Commissioners, Yankton County requesting that the following Right of Way be vacated: Thirty-three foot (33) in width Right of Way that goes into Lot 1, Block 2, Kingsley Knolls and t the East of Parcel 1, SE1/4, NW1/4, Section 18-T93N-R56W, listed as the Right Of Way of N002517E33.00 feet and N010250E 75.00 feet in Utica South Township, Yankton County, South Dakota, Notice is further given that Tuesday, August 4, 2015 at 4:55 PM, at the Yankton County Government Center, Commission Chambers has been set by the Board of County Commissioners as the time and place for hearing said Petition. Notice is further given that any person, persons, or their attorney may appear and be heard at said scheduled public hearing. Information, opinions or arguments may be presented by any person or persons unable to attend the hearing by submitting such information, opinions or arguments in writing to the Yankton County Commission Attention: Yankton County Auditor, 321 West 3rd Street, Yankton, SD 57078. Any such information, opinions or arguments submitted in writing must be received in the Yankton County Auditors office by 5:00 PM, five (5) days prior to the scheduled hearing.

Patty Hojem,
Yankton County Auditor
Published twice at the total approximate cost of \$33.49.

7+4+11+18
STATE OF SOUTH DAKOTA) : ss
COUNTY OF YANKTON)

IN CIRCUIT COURT

FIRST JUDICIAL CIRCUIT

In The Matter Of The Estate Of

GLENNYS L. PEDERSON,

Deceased.

Pro. No. 15-25
NOTICE TO CREDITORS AND
NOTICE OF INFORMAL
PROBATE AND
APPOINTMENT OF
PERSONAL
REPRESENTATIVE

Notice is given that on the 30th day of June, 2015, Lennis Pederson, whose address is 5011 Hawthorne Dr., Apt. B, West Des Moines, IA 50265, was appointed as Personal Representative of the Estate of Glennys L. Pederson.

Creditors of Decedent must file their claims within four months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the Personal Representative or may be filed with the Clerk, and a copy of the claim mailed to the Personal Representative.

Lennis Pederson
5011 Hawthorne Dr., Apt. B
West Des Moines, IA 50265

Yankton County Clerk of Courts
410 Walnut, Suite 205
Yankton, SD 57078

John P. Blackburn
Blackburn & Stevens, Prof.
L.L.C.
100 West Fourth Street
Yankton, SD 57078
(605) 665-5550

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Endangered Dragonflies, Raised In Captivity, Being Released

BY REGINA GARCIA CANO

Associated Press

SIoux FALLS — Federally endangered dragonflies that have been raised in a laboratory over the past several years are being released at a forest preserve this week in Illinois, where scientists believe they'll be a good match with the small population still there.

The Hine's emerald dragonflies, which for decades were believed to be extinct, were carefully raised at the University of South Dakota over the past four to five years after eggs were collected from a dragonfly in southwestern Wisconsin. Three out of the 20 dragonflies that could be released have already been freed so far this week at a forest preserve near Chicago. No more than 320 of the insects remain in Illinois.

"We are trying to maximize their survivorship in captivity," said Daniel Soluk, a professor at the University of South Dakota and the project leader. In the wild, he said, not very many dragonfly eggs survive to become adults — perhaps 10 of 1,000. Bringing them into the lab can dramatically increase their chances, so that of the same group maybe 100 or even 200 survive "all the way to where they'd be

ready to emerge into adulthood."

The Hine's emerald dragonfly was discovered in Ohio, but by the mid-1900s, scientists believed the insect was extinct. That changed when one adult specimen was collected in the Des Plaines River Valley, southwest of Chicago, in 1988 that was identified as this species. The Hine's emerald was listed as a federally endangered species in 1995, and it can now be found in Illinois, Michigan, Missouri and Wisconsin.

Female dragonflies lay eggs by dropping the tip of their body into shallow water. Immature dragonflies — known as nymphs — typically hatch from the eggs in the spring. Nymphs live in the water for about four years, until they crawl out, shed their skin one last time and emerge as flying adults. The adults live only four to five weeks between June and August.

The eggs for this project were collected from a dragonfly captured in southwestern Wisconsin, Soluk said, because the Hine's emerald dragonflies in that area have the same diverse genetic composition as the ones found in Illinois.

"You may have lots of numbers, but if they're genetically almost identical, that means there's not as much ability to resist something like a disease that comes along or that they just won't have as much

flexibility in terms of quick responses to things like change in conditions," Soluk said.

Between 80 and 320 Hine's emerald larvae emerge as flying adults in Illinois every year, said Kristopher Lah, an endangered species coordinator at the U.S. Fish and Wildlife Service's Chicago Ecological Services Field Office.

For years the environmental group Nature Conservancy has worked to preserve the species in Door County, Wisconsin, where coastal springs and wetlands create a rich habitat for the dragonflies, which catch and eat small flying insects, including mosquitoes, gnats and biting flies.

The effort, says the group's ecologist Mike Grimm, goes beyond the dragonfly's role in nature.

"We never hardly ask 'Why is the Mona Lisa important?' We could tear it down, burn it, and would civilization collapse? No," Grimm said. "But it's something that we value because it's beautiful or it has some intrinsic value that we just want to protect. Some species, what is their value? A small butterfly doesn't really have any economic value and probably could go extinct and we'd never even know it. But I think there's an obligation to our future generations of people that we try to preserve the Earth in at least as good a condition as we found it."

DHHS Leader Promises Improved Benefits

BY GRANT SCHULTE

Associated Press

LINCOLN, Neb. — The new CEO of Nebraska's Department of Health and Human Services promised Friday to improve the state's troubled public benefits service, while a leading critic called for more oversight.

Department CEO Courtney Phillips told a legislative oversight committee that she is working to improve employee training, staffing levels and customer service within ACCESS Nebraska, the telephone and online service that residents use to apply for and renew public benefits.

The system was intended to streamline the process of applying for public benefits, including the Supplemental Nutrition Assistance Program, Medicaid and home-heating assistance, but has faced criticism for years because of long call-wait times and errors. Many recipients also have complained that the system forces them to repeatedly resubmit their paperwork.

"You have my commit-

ment and my team's commitment that we will spend the right amount of time and effort to make this work," Phillips said to the Legislature's ACCESS Nebraska special investigative committee.

Phillips said the service is still trying to recruit new employees and to spread out current ones so that staffing levels match call volumes.

Gov. Pete Ricketts has also promised improvements, announcing in April that the department will issue monthly reports showing how quickly it responds to calls, the accuracy of payments and the time required to process paperwork. Ricketts appointed Phillips, who previously worked in a Louisiana state health agency, in February.

A staff attorney for Nebraska Appleseed, an advocacy group that is suing over the delays, said she's hopeful the department can improve standards and staff training, but warned that the system faces many of the same problems that it has since its creation in 2009.

"We feel continued legislative oversight is crucial,"

staff attorney Molly McCleary said.

The group's lawsuit alleges that more than 30 percent of SNAP applications the state received in the 2013 federal fiscal year weren't processed in the time required by federal law — 30 days. In April, a federal judge granted the case class-action status so that it applies to all recipients who were affected.

The lawsuit doesn't seek monetary damages but asks a judge to order the department to process applications with the mandated 30-day window.

Mike Marvin, executive director of the Nebraska Association of Public Employees, said Phillips has succeeded in boosting employee morale with face-to-face meetings and that working conditions at the state call centers have improved, which could reduce burnout and turnover.

But, he noted, "employee retention is still an issue. It is still a problem because they feel a lot of pressure on the job."

Police Chief Sentenced To 30 Days In Jail

SIDNEY, Neb. (AP) — A western Nebraska police chief was sentenced on Friday to 30 days in jail after pleading no contest to a misdemeanor charge of obstructing government operations.

Sidney Police Chief B.J. Wilkinson Jr. was sentenced by Judge Paul Wess, who was specially appointed to hear the case, Scottsbluff radio station KNEB reported.

The charge stems from what state prosecutors say was Wilkinson's failure to pursue a criminal case against city Public Works Director John Hehnke, after Hehnke's ex-girlfriend filed a criminal complaint in January 2014 against Hehnke.

Instead, city officials have said, Wilkinson decided to handle the matter administratively. Neither Wilkinson nor other city officials have

explained what that entailed.

Concerns about Wilkinson's decision not to seek charges against Hehnke eventually were brought to the attention of the Nebraska Attorney General's Office. And earlier this year, a special prosecutor charged Hehnke, 43, with two misdemeanors.

Special prosecutor Doug Warner, an assistant attorney general, said the case against Hehnke involved "window peeping" at his ex-girlfriend's house when she was partially disrobed. Hehnke pleaded no contest in April, was convicted of disturbing the peace and fined \$300.

Wilkinson was not immediately jailed after his sentencing. He was ordered to report to the Cheyenne County Jail on Aug. 3, Sheriff John Jenson told The Associ-

ated Press on Friday.

Asked whether Wilkinson will be held apart from other prisoners — many of whom he presumably helped convict — Jenson said, "That's something we're considering."

Wilkinson did not return a phone message left at his office Friday seeking comment.

It's unclear how the conviction will affect Wilkinson's position as police chief. Nebraska law enforcement certification standards state that officers must "possess good character" and not be convicted of a crime punishable by imprisonment for a year or more, "including convictions of Class 1 misdemeanors."

The Nebraska criminal code lists obstruction of government operations as a Class 1 misdemeanor.

Woman Charged With Shooting At Man

LINCOLN, Neb. (AP) — A 22-year-old Lincoln woman has been charged with attempted assault and weapons use, accused of shooting at her friend's husband with an AK-47 rifle.

Police tell the Lincoln Journal Star reports that Elyssia Ochoa drove to her friend's apartment early July 10 after her friend reported she and her husband had been arguing. Police say Ochoa found the husband outside smoking, and witnesses say she confronted him with the rifle in her hands.

Witnesses say the two argued, and that Ochoa fired a single shot at the man, missing him, but blowing a large chunk of cement out of a sidewalk.

Police say Ochoa was arrested Wednesday and charged by prosecutors Thursday. Her bond was set at \$15,000 cash.

A phone listing for Elyssia Ochoa rang unanswered Friday.

Omaha Police Make Arrest In Shooting

OMAHA, Neb. (AP) — Police have made an arrest in the November shooting deaths of two Omaha people.

Omaha police say 24-year-old Akeem Jones was arrested this week on suspicion of two counts of first-degree murder in the Nov. 4 shootings of 23-year-old Johnnesha Brown and 28-year-old Stephen Arps. Brown died at the scene of the shooting; Arps died several days later from his injuries.

Jones was already in jail when he was arrested for the November shootings. He has been charged in a different January homicide as an accessory, accused of being the getaway driver.

Jones remained in jail Friday and could not be reached for comment.

Sioux Falls Man Shot; Woman Charged

SIoux FALLS (AP) — Police say a 39-year-old woman is facing an aggravated assault charge for allegedly shooting her boyfriend.

Kellie Bingen, of Sioux Falls, was taken into custody Thursday night and arrested early Friday on one count of domestic aggravated assault.

Police say Bingen's 39-year-old boyfriend is being treated at a Sioux Falls hospital. The man's condition is not known, though police spokesman Sam Clemens said he was shot in the back with a .22-caliber handgun.

Authorities say the shooting occurred about 9:30 p.m. Thursday.

Bingen is being held in the Minnehaha County jail. Her bond is set at \$5,000.

Driver Gets Prison For Killing Bicyclist

LINCOLN, Neb. (AP) — A Hickman man accused of driving drunk when his car struck and killed a bicyclist south of Lincoln has been sentenced to 12 to 16 years in prison.

The *Lincoln Journal Star* reports 27-year-old Everett Hoelsing was sentenced Thursday for the death of 57-year-old Douglas Dalke of Lincoln. He had pleaded guilty in June.

According to authorities, Hoelsing's vehicle struck Dalke on Sept. 2. Authorities say Hoelsing's blood-alcohol content tested at more than twice the legal limit to drive.

Grand Juries To Probe Deaths This Week

LINCOLN, Neb. (AP) — Grand juries will be convened to investigate two inmate deaths this week at the Nebraska State Penitentiary in Lincoln.

The *Lincoln Journal Star* reports that 49-year-old Douglas Wright died Thursday afternoon. Authorities say Wright was being treated for a long-term medical condition when he died. He was serving a four- to five-year prison sentence for dealing methamphetamine and had been set to be released in February.

On Monday, 56-year-old Charles Burriell was found unresponsive in his cell. He was taken to a hospital, where he was pronounced dead. He had been serving a 20- to 30-year sentence for first-degree sexual assault of a child. Prison officials have not released the cause of Burriell's death.

State law requires a grand jury investigation anytime someone dies in custody.

Firefighters Battle Hastings Blaze

HASTINGS, Neb. (AP) — Firefighters are battling a blaze in a downtown Hastings business.

The *Hastings Tribune* reports that the fire began Friday morning at the Asia Market, across the street from Murphy's Wagon Wheel.

The Hastings Fire Department has requested mutual aid from neighboring fire departments.

Some traffic in the area has been rerouted and lanes restricted on nearby streets.

Officials Ask Veterans What They Want

OMAHA, Neb. (AP) — Federal officials will meet with Omaha veterans Friday to discuss what they want in an eventual replacement for the aging Department of Veterans Affairs hospital.

The Chief of Staff of Veterans Affairs Robert Nabors will meet with veterans at two events along with Rep. Brad Ashford.

A 2007 study found the hospital was plagued by problems in its electrical system, heating and cooling systems. It is on a list of VA facilities to be replaced, but it is behind a number of other projects. A new VA hospital in Omaha is likely still years away.

On Friday morning, Nabors will meet with veterans at the Veterans Affairs Dental Clinic. A second event will be held in the afternoon at the Great Plains Chapter of the Paralyzed Veterans of America.

Moose On The Loose In Dewey County

TIMBER LAKE (AP) — A moose on the loose is drawing attention in north central South Dakota's Dewey County.

Sheriff Les Mayer tells KELO-TV that it's been a couple of years since once of the animals has wandered into the county. He shot a photo of the moose near Timber Lake and put it on the department's Facebook page, where it's drawn the attention of hundreds of people.

Nathan Baker with the state Game, Fish and Parks Department tells the *Capital Journal* that moose spotted in South Dakota likely come from surrounding states with established populations.