

**2010 Legal and Public Notices**

tel. Business Owner) dba JRs Oasis, 2404 E. Highway 50, Yankton, South Dakota.  
10. Establish public hearing for a New Retail Malt Beverage License  
Establish July 27, 2015, as the date for the public hearing on the request for a New Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Shree, LLC, (Dipan Patel, Business Owner) dba Yankton Kwik Stop, 401 Picotte Street, Yankton, South Dakota.  
11. Establish public hearing for a New Retail Malt Beverage License  
Establish July 27, 2015, as the date for the public hearing on the request for a New Retail (on-off sale) Wine License for January 1, 2015, to December 31, 2015, from Shree, LLC, (Dipan Patel, Business Owner) dba Yankton Kwik Stop, 401 Picotte Street, Yankton, South Dakota.  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-213  
This was the time and place for the public hearing on the application for a Special Malt Beverage (on-sale) Retailers License for one day, July 25, 2015, from Historic Downtown Yankton, Inc., dba Crazy Days (Kathy Church, Sec./Treas.), between 2nd and 3rd Street on Douglas Avenue, Yankton, South Dakota. (Memorandum 15-167) No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Blaaidid, to approve the license.  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-214  
Commissioner Gross introduced and Mayor Carda read the title of Ordinance No. 979, AN ORDINANCE REMOVING THE WORD HANDICAPPED FROM ALL CITY ORDINANCES, and set July 27, 2015, as the date for the second reading and public hearing.

Action 15-215  
Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the contract with Johnson Engineering Company, Inc., Yankton, South Dakota, for a cost of \$113,600.00, to provide professional services for the 15th Street Assessment Project, West City Limits Road (WCLR) to Dakota Street, and to authorize the City Manager to sign and administer the contract as outlined in Memorandum 15-172.  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-216  
Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 15-28. (Memorandum 15-166)

**RESOLUTION 15-28 Special Events Parking Request**

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined area or areas and times specified for said Special Events; and

WHEREAS, Historic Downtown Yankton, Inc. has made a request to enact this no parking zone for their Crazy Days event on July 25, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request on Douglas Avenue from 2nd Street to 3rd Street for July 25, 2015 from 7:00 A.M. to 11:59 P.M.

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

Action 15-217  
This was the time and place to award the Bid for Sidewalk Installation along Highway 81 from 31st Street to Wilson Road. (Memorandum 15-174) The following bids were received and opened on July 7, 2015: Ankeny Construction, Yankton, South Dakota-\$34,644.00 (base bid), \$11,316.00 (alternate bid); Masonry Components, Yankton, South Dakota-\$58,930.80 (base bid), \$19,273.20 (alternate bid); C&C Hauling and Construction, Yankton, South Dakota-\$66,586.08 (base bid), \$21,796.32 (alternate bid). Moved by Commissioner Knoff, seconded by Commissioner Sommer, to award the bid to the low bidder, Ankeny Construction, Yankton, South Dakota, for the base bid amount of \$34,644.00 plus the alternate bid amount of \$11,316.00, for a total of \$45,960.00 with the alternate bid portion of the sidewalk to be funded from the 506 account.  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-218  
Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve Addendum #1 to the Professional Services Contract with McLaury Engineering, Inc., Elk Point, South Dakota, for 4th Street (Hwy 50) Utility Reconstruction for an estimated cost of \$18,000.00 and to authorize Director of Environmental Services, Kyle Goodmanson, to sign the contract on behalf of the City. (Memorandum 15-158)  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-219

**2010 Legal and Public Notices**

Moved by Commissioner Sommer, seconded by Commissioner Knoff, to authorize the City Manager to submit a Letter of Intent for Transportation Alternative Program Grant funds that might be available to help fund the Fox Run Trail System. (Memorandum 15-161)  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-220  
Moved by Commissioner Blaaidid, seconded by Commissioner Knoff, to adopt Resolution 15-30. (Memorandum 15-171)

**RESOLUTION 15-30 ESTABLISH 15 MINUTE PARKING; TWO SPACES AT 216 CAPITAL STREET**

WHEREAS, it is in the City's best interest to make convenient parking available to customers doing business at 216 Capital Street, and

WHEREAS, it is evident that a mix of longer term parking and restricted short term parking are best able to address these customer needs, and

WHEREAS, the 15 minute parking designation has worked well to ensure the availability of parking for customers in similar situations in downtown locations;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that two Capital Street parking spaces located at 216 Capital Street be designated as 15 Minute Parking Mon-Fri as long as the existing business remains at this location or until further changes are needed.

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

Action 15-221  
Resolution 15-29 restricting parking on 9th Street between Redmond and Jackson Streets was considered. Darla Gullickson, Director of Avera Cancer Center, appeared in support of adoption of the resolution. Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 15-29. (Memorandum 15-170)

**RESOLUTION 15-29 NO PARKING ON BOTH SIDES OF 9TH STREET BETWEEN REDMOND STREET AND JACKSON STREET**

WHEREAS, 9th Street is a collector street that carries a large number of vehicles each day; and

WHEREAS, and adjacent property owners have indicated that there is sufficient off-street parking spaces for their facilities, and

WHEREAS, concerns have been expressed relating to the restricted view conditions created with on-street parking for those using driveways, and

WHEREAS, there is significant pedestrian traffic utilizing the parking areas on the north side of the roadway, and

WHEREAS, no businesses will be adversely affected by the elimination of the on-street parking described below, and

WHEREAS, The Board of City Commissioners of the City of Yankton has the authority to establish and revoke parking restrictions within the City of Yankton;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, SD, that parking is prohibited on both sides of 9th Street, between Redmond Street and Jackson Street.

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

Action 15-222  
Moved by Commissioner Knoff, seconded by Commissioner Blaaidid, to approve the Joint Agreement of Separation of Operations between the Boys & Girls Club of Yankton, the Yankton School District, and the City of Yankton. (Memorandum 15-176)  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-223  
Moved by Commissioner Knoff, seconded by Commissioner Blaaidid, to approve the Professional Services Proposal from G.J. Therkelsen and Associates, Inc., Chaska, Minnesota, for completion of a Needs Assessment for a Land Mobile Radio system, for a cost of \$25,452.50 to be funded from the Police Department budget, and to authorize the City Manager to execute the contract documents. (Memorandum 15-175)  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

Action 15-224  
Moved by Commissioner Blaaidid, seconded by Commissioner Knoff, to adopt Resolution 15-31. (Memorandum 15-173)

**RESOLUTION OF NECESSITY 15-31 (Yankton Road Tax)**

WHEREAS, the Board of City Commissioners of the City of Yankton has deemed that the City streets, alleys and roadways must be properly reconstructed and repaired, and;

WHEREAS, the City of Yankton's streets are repaired by grading, crack filling, spall repair, patching and chip sealing, and;

**2010 Legal and Public Notices**

WHEREAS, a yearly inventory of City streets is conducted in order to determine the streets in need of repair,

NOW, THEREFORE, BE IT RESOLVED, that for the purpose of maintaining and repairing the streets, and surfacing thereof, that an assessment of forty cents per front foot be levied upon all parcels or portions of parcels fronted or abutting streets and forty cents per front foot be levied upon parcels or portions of parcels fronted or abutting alleys within the City of Yankton.

The City Finance Officer is hereby directed to certify such assessments together with the regular assessments for 2015 collectable in 2016 to the County Auditor to be collected as municipal taxes for general purposes.

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

Action 15-225  
Moved by Commissioner Johnson, seconded by Commissioner Sommer, to adjourn into Executive Session at 7:57 p.m. to discuss personnel and contractual 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 Carda.

Roll Call: Present: Commissioners Blaaidid, Gross, Hoffner, Johnson, Knoff, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioners Ferdig and Woerner. Quorum present.

Action 15-226  
Moved by Commissioner Blaaidid, seconded by Commissioner Johnson, to adjourn at 8:58 p.m.  
Roll Call: All members present voting Aye; voting Nay: None.  
Motion adopted.

David Carda  
Mayor

ATTEST:  
Al Viereck  
Finance Officer  
Published once at the approximate cost of \$403.66.

## Archer

From Page 1

east of the capital city, Port of Spain), a town with 14,000 residents, which meant the adjustment to Yankton – of a similar size – wasn't as great as it could have been.

It wasn't until she saw Yankton for herself that the differences became clear. "Back home, we call what we have a 'concrete jungle,'" she said. "It's a lot greener here. ... We have a lot of buildings."

But not nearly as many archers as the United States. Although Cezair arrived in Yankton after the World Archery Youth Championships, she has still seen how popular the sport is in the Yankton region.

"We don't see the kind of hobby like it is here," Cezair said. "It's mainly competition back home."

Archery in her home country is also dominated by recurve – Olympic style – shooters. The ratio between recurve and compound shooters would be somewhere close to 1:20, she said.

While in Yankton, Cezair has spent a couple days each week training at the Yankton complex, with coaches such as Josahan Jaime-SantaCruz, a Level 4 coach.

Aside from simply pulling back an arrow and aiming at a target, Cezair – who calls the opportunity "mind-blowing" – has learned new techniques, has learned how to tune her bow, and has experienced 3D archery for the first time. Those are all skills she hopes to retain for her eventual goal of becoming a coach herself.

"I haven't been exposed to anything like this," Cezair said. "Archery is small in my country."

Through the first of her five weeks in Yankton, Cezair has also found time to have fun with her host family – Craig and Amy Bruening, and their two daughters.

Among the highlights for Cezair? She went kayaking for the first time ("You all have the perfect water for it"), rode a motorcycle for the first time, and saw her first rodeo, down in Nebraska ("It's one thing to see on TV, but I had to ask if they were real cowboys").

In other words, her extended stay in Yankton has been worth it.

"I didn't know what to expect, coming here all alone," Cezair said. "But I've loved it."

Follow @jhoeck on Twitter.

# Video Shows How Traffic Stop Escalated Into Confrontation

BY MICHAEL GRACZYK  
Associated Press

HEMPSTEAD, Texas — A police dashboard video released Tuesday shows how a routine traffic stop escalated into a shouting confrontation between a Texas state trooper and a black woman who was later found dead in her jail cell.

The video posted by the Texas Department of Public Safety shows the trooper stopping Sandra Bland, a 28-year-old Illinois woman, for failure to signal a lane change. After he hands her a written warning, the trooper remarks that Bland seemed irritated. Bland replies that she is irritated because she had changed lanes to make way for the trooper's car.

The conversation quickly turns hostile when the officer asks Bland to put out her cigarette and she asks why she can't smoke in her own car. The trooper then orders Bland to get out of the car. She refuses, and he tells her she is under arrest.

Further refusals to get out bring a threat from the trooper to drag her out. He then pulls what appears to be a weapon and says, "I will light you up."

The Waller County Jail, about 60 miles northwest of Houston, is under investigation in Bland's death. Her family disputes authorities' finding that she hanged herself with a plastic garbage bag in her cell.

When she finally steps out of the vehicle, the trooper orders her to the side of the road. There, the confrontation continues off-camera but is still audible. The two keep yelling at each other as the officer tries to put Bland in handcuffs and waits for other troopers to arrive.

Out of the camera's view,

## Merger

From Page 1

work for any future cooperative efforts, Hamm said.

"We want to continue to explore opportunities for sharing that would benefit our students," he said.

Bob Marks, superintendent for both the Bloomfield and Wausa districts, could not be reached for comment Tuesday.

Creighton superintendent Stephanie Petersen also could not be reached immediately for comment Tuesday.

Petersen took over her Creighton duties July 1. She formerly served as elementary principal for the Laurel-Concord/Coleridge school system. She replaced Creighton superintendent Jeff Jensen, who had been with the district for 15 years.

Jensen left the Creighton district July 1 to take a similar position with the Central City, Nebraska, school system.

The original five-school

## County

From Page 1

forth what it is that would be asked of the county and what it is that would be asked of the developer."

Woods said he anticipates the next major move will come early next year.

"Our next step is going to be the developer's agreement, which it sounds like is probably going to come next spring," he said. "This is a step to actually allow us to talk to the DOT and get some funding in a no-interest loan possibly."

Woods added that financial liability would ultimately

## Pipeline

From Page 1

be able to present its specific case and conduct its cross-examinations.

Taylor wanted the opponents to jointly use one lawyer to cross-examine a witness.

"Denying that opportunity really does unduly burden our due-process rights," Clark said.

The three PUC members generally agreed with the opposition arguments.

However, the commission approved a statement prohibiting repetitive or redundant questions. "I'd like it set from the beginning so there's no question," chairman Chris Nelson said.

Opponents can give their opening statements in writ-

Bland continues protesting her arrest, repeatedly using expletives and calling the officer a "pussy." At one point, she screams that he's about to break her wrists and complains that he knocked her head into the ground.

The trooper said in an affidavit that after handcuffing her for becoming combative, she swung her elbows at him and kicked him in his right shin.

In the affidavit released Tuesday, trooper Brian Encinia said he then used force "to subdue Bland to the ground," and she continued to fight back. He arrested her for assault on a public servant.

Bland was taken to the jail on July 10 and found dead in her cell July 13.

Texas authorities said last week that the trooper violated procedures and the Department of Public Safety's courtesy policy during the traffic stop and was placed on administrative leave.

Encinia has been a trooper for just over a year.

A Texas Rangers investigation into Bland's death is being supervised by the FBI.

Although a medical examiner has ruled Bland's death a suicide, supporters insist she was upset and looking forward to a new job at Prairie View A&M University, where she graduated in 2009. Bland's family and clergy members have called for a Justice Department probe, and an independent autopsy has been ordered.

However, Bland posted a video to her Facebook page in March, saying she was suffering from "a little bit of depression as well as PTSD," or post-traumatic stress disorder. Family members have said nothing in her background suggested she was mentally troubled, and at least one

proposal drew attention statewide and even outside Nebraska's borders. The talks included officials from the Nebraska Department of Education in Lincoln and from Northeast Community College in Norfolk.

The five schools set up committees, held joint board meetings and gathered information from districts which had gone through a similar process.

The schools covered a number of concerns during the wide-ranging discussions.

Those issues included declining enrollment, difficulty in attracting and retaining qualified staff, the small student numbers in some courses, staff overload, aging facilities and finances.

Other concerns included creating more opportunities for academics and extracurricular activities. The discussion eventually broadened to include workforce training and finding the necessary labor supply for economic development.

In addition, the five schools discussed ways of educating the public about

fall on Dakota Plains rather than the county.

"Looking at this, we're just a conduit — a pass-through, so to speak — to get these items done," he said. "Right now, the memorandum of understanding is really that Dakota Plains would take on the role if they default."

In the meantime, Woods said they're doing everything possible to assure a smooth path to the development.

"I see us just trying to secure the footing to get this completed," he said. "There's a lot of work to be done yet, but we're making really good progress, I think. It's a large project with a lot of moving parts and we're just trying

ing if they choose but won't be allowed to follow up with a verbal statement on the first day of the hearing.

All parties can offer a verbal opening statement if they didn't submit one in writing.

"I've gone from a yes to a no to a yes to a no," commissioner Gary Hanson said about the request to require written opening statements.

Nelson said different lawyers can cross-examine the same witness but they'll be limited to eliciting additional information.

"I don't want 10 lawyers asking the same question 10 times," Nelson said.

Parties who are represented by lawyers will have to use only the lawyers for cross-examinations and they will be limited to the direct topic.

TransCanada holds a permit for the pipeline, which would cross from Montana

friend said she was just venting after a bad day.

Her death comes after nearly a year of heightened national scrutiny of police and their dealings with black suspects who have been killed by officers.

The case has resonated on social media, with posts questioning the official account and featuring the hashtags (hash) JusticeForSandy and (hash) WhatHappenedToSandyBland. Others referred to (hash) SandySpeaks, the hashtag Bland used in monologues she posted on Facebook in which she talked about police brutality and said she had a calling from God to speak out against racism and injustice.

Court records show Bland had several encounters with police in both Illinois and Texas over the past decade, including repeated traffic stops and two arrests for drunk driving, one of which was later dismissed.

She was also charged twice with possession of a small amount of marijuana. A 2009 case was dismissed, but she pleaded guilty last year to the other charge and was sentenced to 30 days in jail.

A decade earlier, in June 2004, Bland was charged with one count of retail theft of less than \$150 in Elmhurst, Illinois. She pleaded guilty and was fined.

The Waller County Sheriff's Office has acknowledged violating state rules on jail training and the monitoring of inmates.

The Texas Commission on Jail Standards last week cited the jail for not providing documents proving that jailers in the past year had undergone training on interacting with inmates who are mentally disabled or potentially suicidal.

issues and challenges facing their districts.

The original five-school feasibility study said the districts were committed to retaining the elementary school in each community. Discussion was held on operating a centralized secondary facility for grades 7-12 or grades 9-12.

The idea of a five-school plan and the process itself raised concerns among patrons opposed to the talks.

Those issues included a possible loss of school and community identity; the impact on local businesses; and the cost, facilities and size of a new district.

Other concerns included the impact of larger enrollment on one-on-one instruction and extracurricular opportunities.

For more information about the five-school effort, visit online at <http://5schoolfeasibility.esu1.org>.

Follow @RDockendorf on Twitter.

to make sure we do it in the right steps."

In other business Tuesday, the commission:

- Approved a preliminary 2016 budget of \$14 million.
- Approved a number of plats in the county.
- Approved a rezone of a property along Highway 52.
- Held an executive session on poor relief. No action was taken.
- Rejected a request from Yankton County Emergency Management to join in a study in conjunction with the City of Yankton on emergency radio frequencies in the county.

Follow @RobNielsenPandD on Twitter.

through western and south-central South Dakota into Nebraska, but President Barack Obama hasn't given federal approval for the pipeline to pierce the U.S. border from Alberta.

State law requires a review of a permit after four years if construction hasn't started. The review is to certify the permit conditions will still be met.

That is the purpose of the evidentiary hearing that begins Monday, July 27, at 9 a.m. CT at the Capitol in room 414. The hearing will proceed July 28 through July 31, starting at 8 a.m. CT each day, and resume Aug. 3-4.

An Internet link to hear live proceedings will be available at [www.puc.sd.gov](http://www.puc.sd.gov) starting each day.