

2010 Legal and Public Notices

(Supplies) \$75.13, Yankton County Treasurer (Cash Items) \$305.67, Yankton Daily P & D (Publishing) \$75.80; **Road and Bridge:** Karla Bossman (Supplies) \$46.47, B-Y Water District (Utilities) \$73.00, Butler Machinery Co. (Supplies) \$4,159.18, Cox Auto Supply (Supplies) \$71.12, Concrete Materials (Supplies) \$121,160.82, Filter Care (Repairs & Maintenance) \$222.00, Graham Tire Yankton (Maintenance) \$1,472.72, Hewlett-Packard Company (Supplies) \$1,047.00, Hansen Locksmithing, Inc. (Supplies) \$18.00, Investigative Services (Professional Services) \$348.00, Janssen's Garbage Service (Utilities) \$45.00, Kimball Midwest (Supplies) \$88.26, SD State Treasurer (Publishing) \$89.10, Truck Trailer Sales Services (Maintenance) \$2,921.82, Titan Machinery (Rentals) \$2,000.00, Tabor Lumber Cooperative (Supplies) \$125.57, Vanderhules (Supplies) \$80.00, Verizon (Utilities) \$77.17, Western Office Technologies (Supplies) \$109.15, Yankton Daily P & D (Publishing) \$373.70; 911 Fund: Vast Business (Utilities) \$124.64, City of Yankton (2nd Qtr Dispatch) \$15,000.00, CenturyLink (Utilities) \$83.20, Western Office Technologies (Supplies) \$329.90; **Emergency Management:** Kopetsky's Ace Hardware (Supplies) \$160.34, Bomgaars (Supplies) \$211.41, Vast Business (Utilities) \$426.43, City of Yankton (Supplies) \$111.14, Danko Emergency Equipment (Supplies) \$4,056.43, Midwest Stripping (Supplies) \$230.00, Menards (Maintenance) \$45.90, Midwest Card & ID 2012 (Supplies-LEPC) \$472.34, Tabor Lumber Cooperative (Supplies) \$656.75, Verizon (Utilities) \$167.60, Yankton County Treasurer (Cash Items-LEPC) \$12.24, Yankton County Treasurer (Cash Items) \$41.00; **Miscellaneous:** Agent Annual Fee (Debt Service) \$800.00; **Non-Departmental:** South Dakota Attorney General (2nd Qtr 24/7 State PBT Fees) \$630.00, South Dakota Attorney General (Scram Fees-24/7) \$3,168.00, **Total General Fund** \$206,561.98, **Road & Bridge** \$134,528.08, **911 Fund** \$15,537.74, **Emergency Management** \$6,591.58. All present voted aye; motion carried.

Action 15282C: A motion was made by Bodenstedt and seconded by Freng to approve the budget supplement in the amount of \$89,000 to the General Fund for the Emergency Warning Sirens. All present voted aye; motion carried.

Oath of Office: Tammy Seitzinger was sworn in by Auditor Hojem as the new Deputy Treasurer for Yankton County, replacing newly sworn in Yankton County Treasurer Patty Vavra in that role.

Highway: Highway Superintendent Brian Gustad presented applications for right-of-way and for entrance and also discussed the no parking sign project on Deer Boulevard. Superintendent Gustad suggested to the board delaying placing the signs until next year after the Department of Transportation (DOT) finishes a signage study.

Action 15283H: A motion was made by Epp and seconded by Freng to approve application for entrance from Jared Schrempp. All present voted aye; motion carried.

Action 15284H: A motion was made by Bodenstedt and seconded by Kettering to approve right of way application from Concrete Materials. All present voted aye; motion carried.

Action 15285H: A motion was made by Freng and seconded by Kettering to delay placing parking signs on Deer Boulevard after the Signage Project study is complete by the Department of Transportation. All present voted aye; motion carried.

Ambulance: Emergency Medical Services Administrator Steve Hawkins presented his monthly report and informed the board that Yankton County EMS has teamed up with the Yankton Area Arts to hold an art contest to increase awareness and hopefully access to public AEDs (Automatic External Defibrillators) in our community. The project will give contestants of all ages opportunities to design art work that will be placed around public access AEDs. Administrator Hawkins also discussed the Residential Knox Box program, which will allow fire and EMS services to enter commercial and residential buildings. Funds to purchase the Knox Boxes will be secured by grants and donations. There will be a \$50 refundable deposit which will be refunded when the box is no longer needed.

Action 15286A: A motion was made by Freng and seconded by Kettering to accept the Ambulance monthly report for June 2016. All present voted aye; motion carried.

OEMHS: Paul Scherschlight Emergency Management Director appeared before the board to request permission, in conjunction with Yankton City to have a county wide radio frequency study. Yankton Countys cost would be \$8,330.00 dollars. Scherschlight also informed the board that he has applied for a Homeland Security Grant for security system for the County Government Center. The county would only be responsible for cost of the cameras.

Action 15287OEMHS: A motion was made by Bodenstedt and seconded by Kettering to not approve \$8,330.00 for the radio frequency study. All present voted aye; mo-

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tion carried.

Action 15288C: A motion was made by Bodenstedt and seconded by Freng to accept the petition submitted to form the Marina Park Road District. All present voted aye; motion carried.

Action 15289Z: A motion was made by Freng and seconded by Bodenstedt to adopt the following resolution: Whereas it appears Roy Soukup, owner of record, has caused a plat to be made of the following real property: Soukup Tract 1, Govt Lot 4, S1/2, NW1/4, S14-T96N-R57W, hereinafter referred to as Odessa Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and the Yankton County Commission for approval. Now therefore be it resolved that such plat has been executed according to law and conforms to all existing applicable zoning, subdivision and erosion and sediment control and the same is hereby approved. The County Auditor is hereby authorized and directed to endorse on such the proper resolution and certify the same. All present voted aye; motion carried.

Action 15290Z: A motion was made by Kettering and seconded by Freng to adopt the following resolution: Whereas it appears Dennis Hacecky Family, owner of record, has caused a plat to be made of the following real property: Tract 2, Marsh Ridge Addition, SW1/4, S7-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and the Yankton County Commission for approval. Now therefore be it resolved that such plat has been executed according to law and conforms to all existing applicable zoning, subdivision and erosion and sediment control and the same is hereby approved. The County Auditor is hereby authorized and directed to endorse on such the proper resolution and certify the same. All present voted aye; motion carried.

Action 15291Z: A motion was made by Kettering and seconded by Bodenstedt to adopt the following resolution: Whereas it appears Robert and Mary Kaye Law, owners of record, have caused a plat to be made of the following real property: East Meadow View Ridge, NW1/4, SE1/4, S7-T93N-R56W, hereinafter referred to as Utica South Township, County of Yankton, S.D., and has submitted such plat to the Yankton County Planning Commission and the Yankton County Commission for approval. Now therefore be it resolved that such plat has been executed according to law and conforms to all existing applicable zoning, subdivision and erosion and sediment control and the same is hereby approved. The County Auditor is hereby authorized and directed to endorse on such the proper resolution and certify the same. All present voted aye; motion carried.

Rezone/ETJ: Dave Mingo appeared before the board to request rezoning of property owned by Ryken Legacy Land Trust at 2512 W. 8th St. The rezone would be from R-2 single family residential to B-2 highway business.

Action 15292C: A motion was made by Bodenstedt and seconded by Freng to approve rezoning of property owned by Ryken Legacy Land Trust at 2512 W. 8th St. The property is in the ETJ (Extraterritorial Jurisdiction) area. All present voted aye; motion carried.

Memorandum: Toby Morris from Dougherty & Company LLC appeared before the board to give an overview of the Memorandum of Understanding that was submitted for Napa Junction project.

Action 15293C: A motion was made by Bodenstedt and seconded by Kettering to approve a Memorandum of Understanding for Napa Junction (Dakota Plains LLC). All present voted aye; motion carried.

Assessment: Judy Heffele appeared before the board to discuss the increase of her real estate taxes, due to the tax freeze not being implemented.

Action 15294C: A motion was made by Epp and seconded by Bodenstedt to approve Sheriff, Jail and Welfare reports from June 2015. All present voted aye; motion carried.

Community Meetings: Commissioners discussed locations for community meetings attended by commissioners.

Action 15295C: 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, August 4th, 2015.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor
Published once at the total approximate cost of \$199.28.

7+29&8+5+12
STATE OF SOUTH DAKOTA)

COUNTY OF YANKTON)

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

66PRO15000030

2010 Legal and Public Notices

NOTICE TO CREDITORS

IN THE MATTER OF THE ESTATE OF

RYAN MOZART NGUYEN,

Deceased.

Notice is given that on July 22, 2015, VIVIAN NGUYEN, whose address is 3013 Mulligan Drive, Yankton, South Dakota 57078, was appointed as personal representative of the estate of RYAN MOZART NGUYEN.

Creditors of decedent must file their claims within four (4) 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.

Dated this 24th day of July, 2015.

/s/ David D. Knoff
David D. Knoff
KENNEDY PIER KNOFF
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Attorney for Personal Representative

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VIVIAN NGUYEN
3013 Mulligan Drive
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(605) 670-2626
Personal Representative

Marriage

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states, couples in Minnesota had several months to decide whether to apply for a license before it became legal. News reports also showed citizens from other states flocked to Minnesota to marry in 2013.

Rosenbrahn, who married her wife in Minneapolis last year, said gay South Dakotans have to feel they're secure at their job and in their housing before they decide to go into a public government office and ask to be married.

"That's a risky venture in South Dakota," she said. "In Minnesota, hell no. You could go in and not have to worry

Number Of Groups Hiring Nebraska Lobbyists Reaches New High

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. (AP) — More groups than ever are turning to lobbyists to try to exert influence in the Nebraska Legislature, but spending on specific lawmakers remains difficult to track, a government watchdog group said Tuesday.

Common Cause Nebraska said in a report that the number of groups hiring lobbyists rose to a record 527 this year, from 506 in 2014. The groups spent nearly \$14.1 million last year, most of which went to lobbyists.

Common Cause Nebraska said tracking perks such as food, golf outings and event tickets is difficult because all are categorized as entertainment. Jack Gould, the group's issues chairman, said money spent by the groups can't be tracked to specific events or recipients.

"The public should be able to know how much their senator is getting lobbied," Gould said. "Then the public can make a decision as to whether that lobbying is paying off by looking at the legislation that senator is backing."

Common Cause Nebraska compiled the report from disclosures filed with the Legislature by lobbyists and the groups that hire them, like companies, trade groups, hospitals and more.

The group that spent

about it."

At the county level, half of licenses issued to same-sex couples in South Dakota have been in Pennington County. Five were issued in Minnehaha County, which includes Sioux Falls.

All other counties issued three or fewer licenses since gay marriages began in the state, which means at least 49 counties have not issued a marriage license to a gay couple. The state Department of Health doesn't release license data at the county level unless at least four have been issued for privacy reasons.

Eleven of the same-sex couples consisted of two men and 29 were made up of two women.

The number of marriage licenses issued in South Dakota

the most last year was the Association of Nebraska Ethanol Producers, at \$190,191, according to the report. The second-largest was the League of Nebraska Municipalities, at \$179,551; at third was the University of Nebraska, which spent \$160,135.

The report also criticizes lobbyist-sponsored fundraisers for senators, some of whom aren't eligible to run again because of term limits.

Senators can use the money to seek another state office, according to the Nebraska Accountability and Disclosure Commission. They also can spend the funds on tickets to campaign fundraising events for other candidates, travel related to their official duties or to solicit opinions from their constituents, said Frank Daley, the commission's executive director.

Many of the events are held during the legislative session, and the Common Cause Nebraska report said most contributions are kept below \$250, the limit beyond which individual donations must be disclosed.

As a result, the "bundled" money raised during such events appears as a single cash total, making it more difficult to track. The events are often billed as legislative breakfasts or lunches, with invitations that call for \$100 contributions at the door.

"By acting as a conduit for

so far appears to be in line with projections, according to Christy Mallory, senior counsel at UCLA's Williams Institute, which tracks the demographics of gay and lesbian Americans.

In a report published by the institute in October 2014, researchers projected that approximately 357, or about half, of the state's same-sex couples would marry after same-sex marriage was legalized in South Dakota. The report estimated that 64 percent of those couples — or about 228 — would marry within the first year following legalization.

Mallory noted that a slight bump in licenses issued in the first month is expected.

Evan Wolfson, the founder and president of Freedom To Marry, the national organization that led the push to

campaign funds, the lobby grows in its ability to gain access and influence," the report said.

Gould said 20 states prohibit in-session fundraisers, but efforts to pass similar restrictions in Nebraska have stalled in the Legislature.

The report calls for more specific disclosure requirements, including a breakdown of lobbyist expenses per elected official and creating a separate reporting category for food and beverages. Nebraska should prohibit lobbyists from "bundling" campaign contributions and ban all in-session fundraisers, the report said.

Gould said lawmakers should also receive more than their current \$12,000 salary, arguing that the low pay increases the allure of gifts from special interests.

Nebraska's legislative sessions last up to 90 days in odd-numbered years and 60 days in even-numbered years, but senators have said they also work during the interim on legislative studies and on weekends meeting with constituents. Many senators are retired, or work jobs that give them the flexibility to spend long hours at the Capitol.

Raising their salaries would require a constitutional amendment approved by voters. The last attempt to do so failed, when voters rejected a measure in 2012 that would have raised legislative salaries to \$22,500 a year.

legalize same-sex across the country, said despite the low numbers, South Dakota's statistics are telling. He said people can now plan their weddings and get married without the anxiety that a law could be blocked or somehow stopped before they can marry.

Mawhiney, a manager at a Mitchell grocery store, said anybody in southeastern South Dakota wanting to get married in the last few years could have driven to either Minnesota or Iowa, where he and his husband Kyle Margheim were married in May 2012.

But Mawhiney said just because couples can get married now, they don't have to, and said many are waiting until they feel they're ready for such a commitment, like he was.

River

From Page 1

ral Resources approved the change during its June 25 meeting, Smoyer said.

Klimisch will now represent the city of Yankton east of West City Limits Road, west of Peninah Street, south of Highway 50 (or 31st Street) and census blocks 4055 and 4056.

"When you look at the 'before' and 'after' maps, the changes are a little sliver by the airport, a little sliver of Highway 52 to the west and a little sliver of Whiting Drive to the east," he said. "Now, my district is more of a square."

Klimisch doesn't think JRWDD members will see much change under the redistricting. The biggest difference will come at election time when the new boundaries determine who can run, sign nominating petitions and vote in the election for the District 8 and 9 director seats, he said.

"Nothing is really changing for anybody in the area. It's so minor that it won't affect anything," he said. "I don't think most people will notice it, to tell you the truth."

Bauer couldn't be reached Tuesday for comment.

Klimisch said he tries to assist any party regardless of whether that individual or entity lies in his JRWDD district.

"Most of Yankton County is in (Bauer's) district, but I work with the (Yankton) county commission," Klimisch said. "We just did some projects with the Yankton County highway department and (highway superintendent) Brian Gustad."

While he now lives in Yankton, Klimisch grew up in rural Yankton County and has maintained those ties when it comes to water projects.

"People come to me for projects outside my (JRWDD) district," he said. "All of the directors have good working relationships. If I hear of a project that will help that person, I will contact the (appropriate) director."

In that respect, Klimisch looks at not only the needs

of his area but also the JR-WDD as a whole.

"We try to take a holistic approach of everything and understand what is best for the good of everybody in the river district," he said. "You have to understand that the north and south (ends of the district) work together."

The JRWDD board has placed an emphasis on assisting local governments and property owners with grants or cost-sharing arrangements for projects, Klimisch said.

Along those lines, Klimisch said he's excited to see the JRWDD take on a number of new projects related to water quality and reducing erosion.

"We're just in the initial stages of doing some bank stabilization by the Stone Church in northern Yankton County," he said.

In addition, the JRWDD is covering 75 percent of the cost for qualifying farmers to build small earthen dams, Klimisch said. The dams help trap silt, sediment, nitrates and other chemicals in the fields from going directly into small streams and other water sources, he said.

"We've built close to 20 dams in Yankton County in the last several years. It's been an overwhelming success," he said. "I think Yankton County has by far more dams than all the other counties in the district."

Even with the large number of those projects, Klimisch finds many people don't know about the 75 percent cost share for the small earthen dams.

"When I go out, I tell farmers what we have to offer," he said. "They've been real responsive."

The JRWDD also works with the Farm Service Agency (FSA) and conservation districts, including grants for grass seeding drills, he said.

While his JRWDD representation area will change, Klimisch said he won't change his commitment to working together with other board members.

"I believe it's more about getting the job done than necessarily whose district it is," he said. "I think most of the other people share the same view."

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Follow @ReillyBiel on Twitter.