

2010 Legal and Public Notices

College Campus, 1105 W 8th Street, Yankton, South Dakota. (Memorandum 12-107) No one was present to speak for or against approval of the license application. Moved by Commissioner Sommer, seconded by Commissioner Hoffner, to approve the license application.

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

Motion adopted.

Action 12-156

This was the time and place to award bids for the 2012-13 Annual Supply of Petroleum and Transport Tank Wagon Petroleum Products. The following bids were received and opened on June 13, 2012:

Stern Oil, Freeman, South Dakota: Gasoline lead free (transport)-\$.0168/gal.; gasoline lead free (tank wagon)-\$.0889/gal.; dyed diesel fuel No. 1 (transport)-\$.0385/gal.; dyed diesel fuel No. 1 (tank wagon)-\$.01235/gal.; dyed diesel fuel No. 2 (transport)-\$.0168/gal.; dyed diesel fuel No.2 (tank wagon)-\$.0889/gal.; dyed diesel fuel No.1&2 50/50 mix (transport)-\$.0215/gal.; dyed diesel fuel No. 1&2 50/50 mix (tank wagon)-\$.01235/gal.; clear or hwy. diesel fuel No. 1 (transport)-\$.0385/gal.; clear or hwy. diesel fuel No. 2 (transport)-\$.0168/gal.; clear or hwy. diesel fuel No. 1&2 50/50 mix (transport)-\$.0215/gal.; motor oil SAE 15W-40 EO-I (drum)-\$8.56/gal.; motor oil SAE 5W-20 (drum)-\$7.66/gal.; motor oil SAE 5W-30 (drum)-\$7.66/gal.; motor oil SAE 10W-30 (drum)-\$7.61/gal.; hydraulic oil-10W (55 gal. drum)-\$6.78/gal.; Dextron VI (30 gal. drum)-\$14.29/gal.; Mobile Fluid 424 (30 gal. drum)-\$9.48/gal.

Gerstner Oil, Yankton, South Dakota: Gasoline lead free (transport)-\$.0008/gal.; gasoline lead free (tank wagon)-\$.0908/gal.; dyed diesel fuel No. 1 (transport)-\$.0089/gal.; dyed diesel fuel No. 1 (tank wagon)-\$.1089/gal.; dyed diesel fuel No. 2 (transport)-\$.0089/gal.; dyed diesel fuel No.2 (tank wagon)-\$.1089/gal.; dyed diesel fuel No.1&2 50/50 mix (transport)-\$.0089/gal.; dyed diesel fuel No. 1&2 50/50 mix (tank wagon)-\$.1089/gal.; clear or hwy. diesel fuel No. 1 (transport)-\$.0089/gal.; clear or hwy. diesel fuel No. 2 (transport)-\$.0089/gal.; clear or hwy. diesel fuel No. 1&2 50/50 mix (transport)-\$.0089/gal.; motor oil SAE 15W-40 EO-I (drum)-\$9.33/gal.; motor oil SAE 5W-20 (drum)-\$8.73/gal.; motor oil SAE 5W-30 (drum)-\$8.73/gal.; hydraulic oil-10W (55 gal. drum)-\$13.94/gal.; Dextron VI (30 gal. drum)-\$14.50/gal.; Mobile Fluid 424 (30 gal. drum)-\$10.75/gal.

Petroleum Traders Corporation, Fort Wayne, Indiana: Gasoline lead free (transport)-\$.0201/gal.; dyed diesel fuel No. 1 (transport)-\$.008/gal.; dyed diesel fuel No. 2 (transport)-\$.0189/gal.; dyed diesel fuel No.1&2 50/50 mix (transport)-\$.01345/gal.; clear or hwy. diesel fuel No. 1 (transport)-\$.008/gal.; clear or hwy. diesel fuel No. 2 (transport)-\$.0239/gal.; clear or hwy. diesel fuel No. 1&2 50/50 mix (transport)-\$.01595/gal.

Barton Solvents, Council Bluffs, Iowa: Motor oil SAE 15W-40 EO-I (drum)-\$10.67/gal.; motor oil SAE 5W-30 (drum)-\$13.02/gal.; motor oil SAE 10W-30 (drum)-\$10.68/gal.; hydraulic oil-10W (55 gal. drum)-\$8.69/gal.; Dextron VI (30 gal. drum)-\$14.47/gal.

Bids received represent the suppliers handling costs (profit margin), which are added to the Oil Price Information Service daily published price on the date the product is ordered. (Memorandum 12-105)

Petroleum Traders Corporation, Fort Wayne, Indiana, withdrew their bid prior to the bids being awarded.

Moved by Commissioner Akland, seconded by Commissioner Lowrie, to award the bid to the low bidders as follows:

Gasoline: Lead Free (Transport)-Gerstner Oil, \$.0008/gal.; Lead Free (Tank wagon)-Stern Oil, \$.0889/gal.

Dyed Diesel Fuel: No. 1 (Transport)-Gerstner Oil, \$.0089/gal.; No. 1 (Tank wagon)-Stern Oil, \$.01235/gal.; No. 2 (Transport)-Gerstner Oil, \$.0089/gal.; No. 2 (Tank wagon)-Stern Oil, \$.0889/gal.; No. 1 & No. 2 50/50 Mix (Transport)-Gerstner Oil, \$.01235/gal.

Clear or Hwy Diesel Fuel: No. 1 (Transport)-Gerstner Oil, \$.0089/gal.; No. 2 (Transport)-Gerstner Oil, \$.0089/gal.; No. 1 & No. 2 50/50 Mix (Transport)-Gerstner Oil, \$.0089/gal.

Petroleum Products: Motor Oil SAE 15W-40 EO-L (Drum)-Stern Oil, \$8.56/gal.; Motor Oil SAE 5W-20 (Drum)-Stern Oil, \$7.66/gal.; Motor Oil SAE 5W-30 (Drum)-Stern Oil, \$7.66/gal.; Motor Oil SAE 10W-30 (Drum)-Stern Oil, \$7.61/gal.; Hydraulic Oil (55 gal. Drum)-Stern Oil, \$6.78/gal.; Dextron VI Oil, (30 gal. Drum)-Stern Oil,

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\$14.29/gal.; Mobile Fluid 424 (30 gal. Drum)-Stern Oil, \$9.48/gal.

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

Motion adopted.

Action 12-157

Moved by Commissioner Lowrie, seconded by Commissioner Woerner, to adopt Resolution 12-24. (Memorandum 12-111)

RESOLUTION 12-24

Conditional Use

WHEREAS, Larry's Rentals, LLP is the owner of Lots 1, 17 and 18, Block 31, Lower Yankton Addition to the City of Yankton, South Dakota. Located on the south side of the 300 Block of East 8th Street, and

WHEREAS, the above described property is zoned B-2 Highway Business in the City of Yankton's zoning jurisdiction which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, this conditional use request is necessary for the owner to construct and operate a self-storage facility in the manner depicted on the attached site plan and has been reviewed and recommended for approval by a vote of the City Planning Commission with a three-year time limit for completion of the project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a Conditional Use Permit for the construction and operation of a self-storage facility in accordance with all applicable ordinances and regulations on the above described property within three years.

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

Motion adopted.

Action 12-158

Moved by Commissioner Akland, seconded by Commissioner Sommer, to adopt Resolution 12-25. (Memorandum 12-112)

RESOLUTION 12-25

ETJ Conditional Use

WHEREAS, Affordable Self Storage, LLC is the owner of South 325' of the S., NE., SE., Section 11, T93N, R56W of the 5th P.M., Yankton County South Dakota. Address, 1501 and 1505 West City Limits Road, and

WHEREAS, the above described property is zoned ETJ B-1 Local Business in the City of Yankton's zoning jurisdiction which allows conditional uses under the City of Yankton's ETJ Zoning Ordinance No. 797 as amended, and

WHEREAS, this conditional use request is necessary for the owner to construct and operate a self-storage facility in the manner depicted on the attached site plan and has been reviewed and recommended for approval by a vote of the City Planning Commission including ETJ members with a five-year time limit for completion and storm water detention requirements.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a Conditional Use Permit for the construction and operation of a self-storage facility in accordance with all applicable ordinances and regulations on the above described property within five years.

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

Motion adopted.

Action 12-159

Moved by Commissioner Carda, seconded by Commissioner Akland, to approve the Funding Agreement with the South Dakota Department of Transportation for Design, Letting, and Construction of Project EM 8068(10), City of Yankton, PCRD 0109-a bike path on the railroad underpass on the Auld-Brokaw Trail, with the City being reimbursed for 81.95 percent of costs to a maximum of \$174,268.75. (Memorandum 12-104)

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

Motion adopted.

The Commission discussed a request from Bob Law for consideration of an amendment to the Extra Territorial Jurisdiction Zoning Ordinance that would allow him to create a septic dumping lagoon approximately one-half mile west of West City Limits Road. (Memorandum 12-109) Chuck Harper, a local septic hauler, spoke in favor of the proposal.

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Citizen Ed Gleich voiced concern over potential costs that everyday users would have to subsidize. The consensus of the Commission was to direct staff to look at how other cities are handling this and report back at a future meeting.

Action 12-160

Moved by Commissioner Gross, seconded by Commissioner Knoff, to approve city initiated rezoning from I-1 Industrial to B-3 Central Business on the north 100 feet of Lots 5 and 6, all of Lot 7, Block 3; and Lots 1, 2 and 3 of the T.W. Thompson Replat of Block 3, all in Todd's Addition to the City of Yankton, South Dakota, located in the northeast side of the intersection of Riverside Drive and Cedar Street. (Memorandum 12-110)

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

Motion adopted.

Action 12-161

Moved by Commissioner Carda, seconded by Commissioner Sommer, to adjourn at 7:45 p.m.

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

Motion adopted.

Nancy Wenande

Mayor

ATTEST:

Ann L. Clough

Deputy Finance Officer

Housing

From Page 1

market is, there is a definite need for rental housing in a price range from \$600 a month to \$1,200," he said. "There is not a lot of rental housing available right now, especially for people with pets. It's a crunch. I think there is some opportunity out there for potential investors to gain a lead in the rental market."

In the homebuying market, Specht said there is also a shortage compared to what is normally available.

EMPLOYERS REPORT FEW HOUSING PROBLEMS

Yankton employers interviewed by the *Press & Dakotan* reported few instances of employees experiencing extreme difficulty in finding a place to live.

Dusty Westra, assistant store manager for Yankton's Menards, said when management for the new location moved to Yankton recently, they did have some issues. He estimated that 15-20 people relocated to the community at the same time. "I think that's what put some people in a bind," he stated.

"It was more of an issue for families finding houses to rent in their price range," he added. "I don't think it was a problem for the single people to find apartments."

All those individuals have now found suitable housing in the community, Westra said.

Kolberg-Pioneer, Inc., said it has had several new employees relocate to Yankton in the past six months.

"None of them indicated to me that they had an extremely difficult time finding housing," stated Rhonda Kocer, the company's human resources manager. "It seemed to me that they found suitable housing within a fairly short or reasonable amount of time after beginning their search."

She said at least one employee was told during his search that the influx of

employees for Menards had tightened the rental market. A lack of rental properties that allow pets was also reported, Kocer added.

Other employers — Applied Engineering, Avera Sacred Heart Hospital and the South Dakota Human Services Center — said they were not aware of any employees experiencing unreasonable difficulties in finding homes.

VERMILLION ALSO HAS TIGHT HOUSING MARKET

The housing situation in Vermillion is very similar to Yankton, according to Steve Howe, the executive director of the Vermillion Area Chamber and Development Company.

When it comes to people living in Vermillion and commuting to Yankton as related by Gross at the City Commission meeting, Howe said he has heard just the opposite.

"We're hearing that our workforce is living in Yankton because the housing is cheaper there," he stated.

"Generally speaking, communities that are as close as Vermillion and Yankton are going to share a workforce, and people are going to commute," Howe added. "I don't know that one community has a disproportionate amount of the other's labor force."

The housing market in Vermillion is tight, he stated, with a shortage of available lots to build new homes. Additionally, Howe said the shortage has caused house prices to be higher than other communities in the region.

Contributing to the issue is the fact that Vermillion has added 300 jobs in the past 18 months.

"The situation in Vermillion is, we're having job growth greater than our population growth," Howe said. "One of the things affecting our population, in our opinion — we haven't validated this yet — is that the lack of affordable housing is limiting the growth of our population base. In order to keep our companies supplied with labor, we're going to have to address what we feel is a housing shortage."

Community leaders are beginning to

- Vermillion, 14.13 inches since Oct. 1, or 1.84 inches below normal; 9.75 inches since April 1, or 0.36 inches above normal;
- Yankton, 13.17 inches since Oct. 1, or 2.7 inches below normal; 7.14 inches since April 1, or 2.42 inches below normal.

CRITICAL TIME

Crops matured quickly thanks to a warm spring, but the plants used more water and dried out the soil faster, Today said. Now, crops are feeling the impact as the region falls behind on precipitation.

"We are lucky that we still have some chances for some precipitation that will get us by," he said. "But we do have some very dry soil, and a lot of corn has been getting closer to tasseling. If we don't see some decent precipitation sometime soon, we should start to see some yield loss."

So far in eastern Nebraska, based on the indicators used in the Drought Monitor, precipitation has been sufficient enough to keep crop stress at a minimum so far.

"If we keep getting precipitation, I don't expect any deterioration of conditions," Dutcher said. "However, we are entering a high water use period for corn, and subsoil moisture levels are below normal in this region because of our dry fall and spring."

This means eastern Nebraska could easily be moved from normal to a severe drought in a couple of weeks.

Dutcher said a big problem is

concern about federal overreach as well as executive overreach," said Michael Petrilli, executive vice president at the Thomas B. Fordham Institute, a Washington-based think tank.

The five states approved for waivers Friday were among 26 states that submitted requests for flexibility in February. The Education Department announced waivers for eight of those states in May. Another 13 are still under review. Waivers for the first 11 were granted in February.

In Arkansas, schools will continue to be assessed annually on student performance in math and reading, but now also on achievement growth and high school graduation rates.

"We are not turning our back on accountability," Tom Kimbrell, the state's education commissioner, said in a statement. "With our new system of accountability, support and intervention, we will focus on specifics problems unique to each public school in Arkansas."

Some concern has arisen over whether accountability for the performance of struggling students will be weakened through the waiver process. Rather than

evaluating schools based on the performance of each group of students, some states have proposed combining multiple groups.

"The real fear with those super subgroups is we could return to a place where the performance of some groups of students masks the challenges that other groups of students are experiencing," said Daria Hall, director of K-12 policy development for The Education Trust.

She said the plans for many of the first states granted waivers are vague in ensuring safeguards are in place in case any one group of students falls behind.

"That's not going to say nothing is going to happen for these kids," Hall said. "But I think it's critically important that advocates and families keep states' feet to the fire and make sure they are living up to their commitment to all schools and all students and not focusing only on those schools that are considered focus or priority."

In a call with reporters Friday, Duncan said the waivers will result in more students being counted in state accountability plans. In Arkansas, for example,

study the housing situation and determine what solutions may be needed.

"It is a good problem to have and is fixable as long as there is leadership and resource allocation," Howe said.

DELLINGER: INCENTIVES MAY NEED CONSIDERATION

Mike Dellinger, the executive director of the Yankton Office of Economic Development, said he has heard of housing issues in the community.

"Anecdotally speaking, the market has recently indicated that housing might be tighter," he stated. "We've heard of situations where local companies have had three or four handfuls of new employees and found it difficult to find a place to live."

He said office staff are currently doing an inventory of multi-family housing units in Yankton.

"It seems to me, at first glance, that we have an inventory of housing units that are available that have income restrictions on them that make it more difficult for people to reside in them," Dellinger stated. "They exceed the income limitations."

He remains optimistic that the market will respond to housing needs one way or another.

"If the market sees there is a housing shortage, something will occur to fill that gap because there is money to be made off of it," Dellinger said. "It might be that we have to incentivize a developer to alleviate some risk, just as we do with industrial development or the Menards development. That may be a question we have to ask ourselves in the near future."

However, Dellinger also predicts the economy will soften through the next three quarters and could ease the pressure on the housing market.

"The soft economy means we're probably not going to see a tremendous amount of job growth in the community from our existing employers over the next year," he said. "Then we have to ask ourselves, 'Does that mean we might now see an alleviation of this housing issue?'"

high evapotranspiration (ET) rates across the state. ET rates are determined by temperature, wind, relative humidity and solar radiation. Wind has also played a major factor by demanding more moisture.

Alfalfa, wheat, pasture grass and even trees that vegetated out in March of this year are a whole month ahead in the growing season and have been using water for an additional month this year, Dutcher said.

"We are seeing July-type conditions in June pastures," he said.

Corn has avoided major problems so far, Dutcher said. "We have not seen too early of development because it essentially got planted when it was supposed to," he said.

The crop insurance deadline of April 11 made it so many farmers did not start planting until after that date, Dutcher said. "If we would have seen a lot of early planted corn, the situation right now would be much more extreme on the corn crop," he said.

As far as the future forecast, precipitation chances diminish starting this week, Dutcher said.

"We are really being dominated by an upper ridge," he said. "However, the good news is that a lot of times, we can get some pretty tremendous thunderstorms in this type of scenario as parts of eastern Nebraska did (recently) when it got 2 1/2 inches of rain."

You can follow Randy Dockendorf on Twitter at twitter.com/RDockendorf

he said hundreds of additional schools will be held accountable for the achievement of students with disabilities, English-language learners or from low-income families.

Currently, some schools have escaped counting these students if only a small number are enrolled.

"These were again students that were invisible under No Child Left Behind," Duncan said. "We think this is a huge step in the right direction."



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