

2010 Legal and Public Notices

Said special assessments being levied for Snow Removal and Tree Trimming.

Said Special Assessment Rolls are open for public inspection at the office of the City Finance Officer, City Hall, 5th and Walnut Street, Yankton, South Dakota and is referred to for further particulars.

This notice is given pursuant to SDCL 9-43-14.

Al Viereck
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Conservatives Ask How They Lost Culture War Over Transgender Rights

BY DAVID WEIGEL
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On May 28, Sean Fieler wrote a warning about the transgender rights movement, directed to fellow social conservatives. The chairman of the American Principles Project worried that the movement had blown it on Bruce Jenner's story of gender transition.

"Rather than dismiss this change as a politically irrelevant story that belongs in the tabloids, Republicans should view it as a case study in the political power of principle," Fieler argued. "The idea is simple: Your sexual desire, not your biology, constitutes your identity ... the rapidly growing acceptance of the previously marginal idea that underlies the transgender moment was only made possible by the Republican decision to opt out of this debate entirely."

Just days later, Jenner — who now asks to be identified as a woman named Caitlyn — became the biggest story in pop culture. She was the cover subject for the next issue of *Vanity Fair*, a strikingly beautiful woman who resembled Jessica Lange. (Lange herself seemed de-



PHOTO: VANITY FAIR
Caitlyn Jenner on the cover of "Vanity Fair."

lighted by the comparison.) Within 24 hours, the debate among supporters of trans rights was not whether Jenner was brave and beautiful. That was obvious. The debate was over whether the media was celebrating Jenner because, as academic Marc

Lamont Hill put it, "she conforms to tradition (sic) cis/and European standards of beauty."

There was no debate about how to handle the people who criticized Jenner or insisted on calling her a man. They had to be taught a lesson. Snoop Dogg called Jenner a "science project," and was deluged by fans saying they'd deleted his music from their computers. Timbaland posted a meme about calling Jenner "Bruce," and half-apologized after the comments on that post condemned him.

The root of the conservative Jenner-angst: As recently as 2004, conservatives could take a conservative position on LGBT rights — specifically, arguing for officially defining marriage as between a man and a woman — and scare Democrats into their bunkers. In 2015, their candidates for president were unhappy about answering any questions about sexuality or gender. And the transgender rights movement appeared to be making 99.7 percent of the population change its behavior to make 0.3 percent of the population comfortable. Maybe the victory of the gay rights movement was inevitable, given that most people knew a

gay person; were their children going to be told that gender was mutable, based on the experience of some celebrities, and the coverage of the mainstream media?

The *Washington Post's* Robert Costa and Philip Rucker have profiled some of the conservatives taking an "apocalyptic view" of Jenner's transition, and noted that many are citing military heroes as an alternative for media attention and asking where their Internet-breaking coverage is. (The news that Jenner will receive a courage award has spawned a misleading story line about how she beat out a deserving veteran. There was technically no "runner-up" for the prize.)

The more telling *Post* story about Jenner is digital culture critic Caitlin Dewey's account of creating a Twitter bot, she — not — he, to "politely correct misgendering errors" and get people to stop calling Jenner a man. "Misgendering," as this practice is known in the LGBT community, isn't just a style error in violation of AP's own rules — it's a stubborn, long-time hurdle to transgender acceptance and equality, a fundamental

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Commission is Commissioner Nathan Johnson, who took office last month.

Johnson, formerly the city editor for the *Press & Dakotan*, said there's a growing need to add transparency to all governing entities in the state.

"Being one of the guys that used to sit in the back of the room with the journalists, open government is something that's always been important to me," Johnson said. "If you look at how South Dakota is rated, a lot of times when it comes to open government issues, we get very low ratings."

Johnson said adding more transparency would help to put Yankton at the forefront.

"What I see this enabling us to do is become a more transparent government," he said. "It eliminates some of the questions or appearances of secrecy the public may perceive, and I think if you can get rid of the perception of secrecy, it creates more trust."

Commissioner David Knoff said

there's a need to make sure potentially recording or releasing minutes of such sessions wouldn't conflict with state law first.

"We obviously wouldn't want to put an ordinance in place that would be found to be unconstitutional because it goes beyond what the statutes say we can do," Knoff said. "I think that we could get an attorney general opinion. ... I think that would be the best ruling we could get to determine whether it's even lawful to do it and I would say in prudence, at a minimum, we should do that if we want to go forward."

However, Commissioner Charlie Gross said he's not sure there's any need for such measures.

"I don't want to change it at all," Gross said. "I've been sitting through executive sessions for the last 20-plus years. I'm not remembering any abuses of that."

Gross said he believes the commission has always made sure to stay within its parameters.

"I think that we are very careful to follow codified law," he said. "It's one of those things where it's working and we are careful. The courts have caught other communities that

have violated these rules at different times and they've been chastised, but I don't see that happening here."

Johnson said the process doesn't necessarily need to be broken to move forward.

"I don't think it's a question of it being broken," he said. "We do really well. We haven't been formally accused of breaking any laws, so maybe we're the A-student that's going to excel and we're going to bring the rest of the class with us."

Commissioner Brooke Blaaid said she saw any potential action as a positive.

"Of course I don't want us to get into a sticky situation, but it would be nice to move our state ahead and not have F-rating," Blaaid said. "South Dakota is known for its F in being open with the open meeting laws, and I think right now with the state of our country, that transparency is important."

Commissioner Jake Hoffner said he's not seeing the public questioning the current state of executive sessions.

"I'd like to look into it further, but I would not like to spend a lot of time on it," Hoffner said. "I don't know how many commissioners get

hit by our boss — the constituents — asking us, 'Hey! What's going on here? We have too many executive sessions. I want to know what's going on. I think you need more transparency.' I'm not getting that."

Blaaid, however, said she's seen some concerns raised and thinks it's in the commission's best interest to make sure every step is taken to put them to rest.

"I don't know the type of people that Jake is hanging out with, but I get questions all the time," she said.

(Mayor) Dave (Carda) have done a really good job of stating that we are working towards things and being more open about that, but if there is a way to reassure the public that we are working on our community and that we are not being exclusive, that would be a bonus."

Former Commissioner Pauline Aklund was also on hand during Monday's meeting.

Aklund advised that Johnson, who has sat through two executive sessions since May 11, should approach the subject when he's had more experience.

"I would give it six months," Aklund said. "If you think after six

months on the commission that you want to bring this back to the commission for discussion, then by all means do it. But I think you need to get through several sessions — you've only been through two."

She added that he also needs to make the transition to being a commissioner.

"Have you taken your reporter hat off and are you fully a commissioner?" she asked. "You have to make that change. I know, myself, when you first get on the commission, you want to make all these changes and you want to let the public know things, but you really have to guard yourself and step back."

No official action was taken Monday.

In other business, the commission:

* Considered a number of dance licenses.

* Approved a special assessment for 15th St. between West City Limits Rd. and Dakota St.

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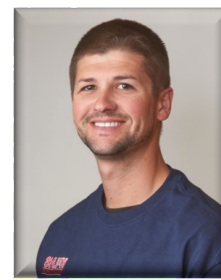
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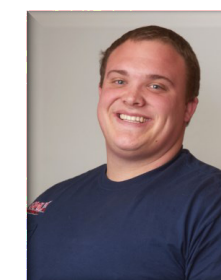
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