

**2010 Legal and Public Notices**

sion; Matthew Jensen - \$8.75 hr. - Rec Division; Kyler Johnson - \$10.25 hr. - Golf Division; Brianna Kelly - \$8.75 hr. - Rec Division; Joseph Kelly - \$8.75 hr. - Rec Division; Elizabeth Kinsley - \$10.75 hr. - Rec Division; Ethan Klimisch - \$9.00 hr. - Rec Division; Carrie LaBrie - \$11.50 hr. - Rec Division; LaVonne Lorenzen - \$11.50 hr. - Rec Division; Hailey Luken - \$9.25 hr. - Rec Division; Kyra Liebig - \$8.75 hr. - Rec Division; Mary Loecker - \$11.50 hr. - Rec Division; Jase Likness - \$8.75 hr. - Rec Division; Andrew Peitz - \$9.25 hr. - Rec Division; Sarah Rockne - \$9.00 hr. - Rec Division; Katie Rodig - \$8.75 hr. - Golf Division; Taylor Rothenberger - \$9.25 hr. - Rec Division; Meghan Schenk - \$8.75 hr. - Rec Division; Alexis Sejnoha - \$9.00 hr. - Rec Division; Jenna Trail - \$8.75 hr. - Rec Division; Lynette Uhing - \$10.25 hr. - Parks Division; Michael Wilcox - \$9.75 hr. - Rec Division. Longevity: Brian Carda - \$1627.08 bi - wk. - Solid Waste Status Change: Ben Jensen - \$9.25 hr. from Rec. Division to Golf Division; Dylan Moderegger - \$9.00 hr. from Rec. Division to Parks Division.

City Manager Nelson submitted a written report giving an update on community projects and items of interest.

Action 15 - 173 Moved by Commissioner Gross, seconded by Commissioner Knoff, that the following items on the consent agenda be approved.

- CIP Budget Workshop Meeting Dates Consideration of Memorandum 15 - 130 regarding setting CIP Budget workshop meeting dates on June 15 & June 16 if necessary.
- Dance License Consideration of Memorandum 15 - 132 regarding Application from Eagle Eye Ride Board for Special Events Dance License for September 3, 2015.
- Dance License Consideration of Memorandum 15 - 134 regarding Application from Riverfront Event Center for Special Events Dance License for July 4, 2015.
- Establishing public hearing for sale of alcoholic beverages Establish June 22, 2015, as the date for the public hearing on the request for a Special Events (on - sale) Liquor License for July 4, 2015 from Riverfront Events Center, (Melcene Bernard, Manager) Walnut Street between 2nd & 3rd Street, Yankton, South Dakota.
- Establishing public hearing for sale of alcoholic beverages Establish June 22, 2015, as the date for the public hearing on the Special Events RETAIL (on - sale) Malt Beverage and a Special RETAIL (on - sale) Wine Dealers License for one day, June 27, 2015, from Mount Marty College, Inc., Mount Marty College Campus, 1105 W. 8th Street, Yankton, South Dakota.
- Transient Merchant License Consideration of Memorandum 15 - 136 regarding Application from Riverfront Event Center for Transient Merchant License for July 4, 2015.

Roll Call: Members present voting Aye; Commissioners Blaaid, Ferdig, Gross, Hoffner, Johnson, Knoff, Sommer and Woerner; voting Nay: None; Abstaining: Mayor or Carda. Motion adopted.

Action 15 - 174 This was the time and place for the public hearing on the applications for renewal of Malt Beverage Licenses for the 2015 - 16 licensing period. (Memorandum 15 - 125) No one was present to speak for or against approval of the license application. Moved by Commissioner Blaaid, seconded by Commissioner Gross, to approve the following license renewals for the 2015 - 2016 licensing period:

RETAIL (ON - OFF SALE) MALT BEVERAGE: Hanten, Inc. dba Bens Brewing Company, 222 West 3rd St.; Charles Pizza House, Inc., dba Charlie's Pizza House, 804 Summit St.; Cheers Bar & Grill, LLC, dba Cheers Bar & Grill, 1208 Broadway; Chuck Stop, LLC, dba Chuck Stop, 800 Summit Street; City of Yankton, dba Fox Run Golf Course, 600 West 27th St.; Cork 'N Bottle, Inc., dba Cork 'N Bottle, 1500 Broadway; CCC II, Inc., dba Custom Computer II, 2217 Broadway, Suite B; Czechers, Inc., dba Czechers, Inc., 407 Walnut; Diggers Inc., dba Diggers Casino, 2020 Elm St. #7; El Tapatio Family Mexican Restaurant, Inc., dba El Tapatio Family Mexican Restaurant, 2502 Fox Run Parkway; Fryn Pan of Yankton, Inc., dba FrynPan Family Restaurant, 502 West 21st St.; Freedom Valu Center, Inc., dba Goldmine, 301 Broadway; J & J Conveyance, LLC, dba Gramps, 700 East 4th St.; GNA Ventures, Inc., dba Happy Hourz, 311 Douglas; SYMS, LLC, dba Holiday Inn Express, PO Box 113; SMM DESAI, LLC, dba JRs Oasis, 2400 East Hwy 50; King Buffet Mongolian Grill, Inc., dba King Buffet, 3013 N. Broadway, Suite 5; San Jose, Inc., dba Mexico Viejo, 1809 Broadway; WR Capital I, LLC, dba Minervas Grill & Bar, 1607 E. Hwy 50, Suite A; Annis Properties, Inc., dba Patriot Express, 2217 Broadway; TST, Inc., dba Phinney's Pub & Casino, Yankton Mall; NPC International, Inc., dba Pizza Hut #2791, 2003 Broadway; Pump - N - Stuff Yankton, Inc., dba Pump - N - Stuff, 215 West 2nd St.; Pure Ice Partners, LLC, dba Pure Ice Company, 101 Capital St.; TST, Inc., dba River City Harbor, Yankton Mall; Bernard Properties, LLC dba Riverfront Events Center & Emporium, 121 - 113 W. 3rd; Bernard Properties, LLC dba The

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Brewery, 200 - 204 Walnut; Zacccon, Inc., dba Roadrunner Convenience Mart, 300 West 23rd St.; Drotzmann & Portillo, LLC, dba Rounding 3rd Bar & Casino, 304 West 3rd St.; Kathy J. Shelburg, dba Shelburg's Concessions, Serotoma Park; Morgen, LLC, dba South Point, 1101 Broadway, Suite 109; Morgen, LLC, dba South Point, 1101 Broadway, Suite 107A; Morgen, LLC, dba Suite 107A; Morgen, LLC, dba Suite 107B; Flusswerks, LLC, dba The Landing, 104 Capital St.; Tward, LLC, dba Tuckers Tavern, 2901 Broadway, Suite C; Tokyo Japanese Cuisine of Yankton, Inc., dba Tokyo Japanese Cuisine of Yankton, Inc., 2007 Broadway, Suite J; Gerstner Oil Company, Inc., dba Triple Time Rudy's, 1606 Broadway; Dave Tunge, dba Mule Train, 901 Broadway, Suite A; Dave Tunge, dba Kankotas, 901 Broadway, Suite C; Dave Tunge, dba Sportsmans, 901 Broadway, Suite B; Upper Deck, Inc., dba Upper Deck, 311 - 315 Broadway; Walnut Tavern, Inc., dba Walnut Tavern, 100 West 3rd St.; Yankton Morning Optimist, Inc., dba Yankton Morning Optimist, Riverside Park; Yesterdays Inc., dba Yesterdays Cafe, 2216 Broadway; Dayhuff Enterprises, Inc., dba Zebra Club & Cockatoo II & Safari Club, 106 - 112 East 3rd St.; 5 O'Clock Somewhere LLC, dba 5 O'Clock Somewhere, 2007 Broadway, Suite M; 5 O'Clock Somewhere LLC, dba 5 O'Clock Somewhere, Parrots Cove, 2007 Broadway, Suite M - A. RETAIL (ON - OFF SALE) MALT BEVERAGE & SD FARM WINE: East Eight, LLC, dba EconoLodge, 611 West 23rd St.; Annis Properties, Inc., dba Prairie Pumper, 909 Broadway; Annis Properties, Inc., dba Patriot Express 02, 100 East 4th Street; KA - CHING KA - CHING, Inc., dba KA - CHING KA - CHING, 807 Bill Baggs Road. PACKAGE (OFF - SALE) MALT BEVERAGE: Freedom Valu Centers, Inc., dba Freedom Valu Center, 301 Broadway; Hy - vee Inc., dba Hy - vee Gas, 2110 Broadway; Wal - Mart Stores, Inc. dba Wal - Mart Super-Center #1483, 3001 Broadway; Walgreen Co., dba Walgreens #09806, 2020 Broadway. PACKAGE (OFF - SALE) MALT BEVERAGE & SD FARM WINE: Boomers, Inc., dba Boomers Lounge, 100 East 3rd St.; Casey's General Stores, Inc., dba Casey's General Store, 1000 Broadway; Casey's General Stores, Inc., dba Casey's General Store, 801 Burlleigh; Casey's General Stores, Inc., dba Casey's General Store, 515 West 4th St.; JoDeans Corp. dba JoDeans, 2809 Broadway.

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

Action 15 - 175 This was the time and place for the public hearing on the application for a Special Malt Beverage (on - sale) Retailers License and a Special (on - sale) Wine Retailers License for one day, July 18, 2015, from Yankton Area Arts, (Julie Amsberry, Executive Director) Meridian Bridge, rain date set for Avera Scared Heart Pavilion Center, Avera Campus, changed to City Hall Auditorium, 416 Walnut, Yankton, South Dakota. (Memorandum 15 - 126) No one was present to speak for or against approval of the license application. Moved by Commissioner Blaaid, seconded by Commissioner Johnson, to approve the license application. Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15 - 176 This was a time and place for the public hearing for the application for a Special Events (on - sale) Liquor License for August 1, 2015, from Dayhuff Enterprises, Inc., (Jeff Dayhuff, President) dba Dayhuff Enterprises. The block of 3rd Street between Douglas & Capital Street, Yankton, South Dakota. (Memorandum 15 - 127) No one was present to speak for or against approval of the license. Moved by Commissioner Sommer, seconded by Commissioner Gross, to approve the license application. Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15 - 177 This was the time and place for the public hearing to discuss a petitioned rezoning from R - 1 Single Family to I - 1 Industrial on the North 82.5 except the East 33 and except the West 30 of Outlot 131, Auditors Outlots, City and County of Yankton, South Dakota. Address, 706 W. 15th Street. (Memorandum 15 - 137) Mayor Carda opened the public hearing to take comments on the rezoning petition. Community Development Director Mingo explained the property rezoning ownership issue and that public comment would be taken but no action taken on the petition. Citizen Lonnie Huber was present and stated he has a Contract for Deed for the above described property. City Attorney Den Herder explained that legal title transfer has not occurred, therefore no City action may be taken at this time.

Action 15 - 178 This was the time and place for the public hearing on Resolution 15 - 11. (Memorandum 15 - 142) Citizen Mark Gizewski was present and expressed concern about the amount of assessment and the term length for the assessment. Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 15 - 11.

**RESOLUTION 15 - 11  
A RESOLUTION  
DECLARING THE****2010 Legal and Public Notices****NECESSITY OF  
CONSTRUCTING  
STREET AND UTILITY  
IMPROVEMENTS FOR  
15TH STREET FROM WEST  
CITY LIMITS ROAD TO  
DAKOTA STREET**

BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota:

SECTION 1. That it is deemed and declared necessary to construct improvements in accordance with plans and specifications therefore, prepared under the direction of the Department of Public Works on 15th Street from WCLR Street to Dakota Street, in the City of Yankton, South Dakota, abutting upon the following described property to be assessed therefore:

NW4, SW4, of Section 12 - 93 - 56, Excluding Lots 1 - 10, Block 1 & Excluding Lots 1 - 8 of Block 2 & Excluding Lots 4 - 9 of Block 3 & Excluding Lots 1 - 12 of Block 4 & Excluding Lots 1 - 20 of Block 5 & Excluding Lots 1 - 6 of Block 6 & Excluding Lots 1A - 12 of Block 7 & Excluding Outlot 2; and Excluding the East 173.9 of the South 225; and a Parcel in the SW4, of the SW4, Excluding Lots 1 - 7 of Block 1, Lots 1 - 5 of Block 2 and Lot 1 of Block 3, in the Dakota West Estates Addition (Parcels);

SECTION 2. That the nature of said improvements is to construct a concrete pavement surface with curb and gutter, along with items such as aggregate base course installation, unclassified excavation/earthwork and grading, water, sanitary sewer and storm sewer installation, seeding and all other incidentals in the above named location.

This project does not include improvements outside of the street right - of - way.

SECTION 3. That the cost and expense of the above listed improvements, as outlined in the attached special assessment role, shall be levied by special assessment upon the above described properties in accordance with Chapter 9 - 43 of the South Dakota Codified Laws. Said improvements shall be assessed upon the above described properties abutting thereon according to the benefits derived in accordance with Chapter 9 - 45 of the South Dakota Codified Laws.

SECTION 4. Said assessment may be paid in ten (10) equal annual installments. Any such assessment or any installment thereof unless paid within thirty (30) days after the filing of the Assessment Roll in the Office of the City Finance Officer shall be collected under Plan Two, with interest in accordance with the procedure provided in SDCL 9 - 43 - 42 through 9 - 43 - 53, as amended. In all cases where interest on such assessment or the installment thereof is to be charged and collected in accordance with the law, the rate to be charged shall be as established by the Board of City Commissioners.

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

Action 15 - 179 Moved by Commissioner Johnson, seconded by Commissioner Blaaid, to approve the Mayors appointments to the following City Advisory Boards and Committees: (Memorandum 15 - 128) Planning Commission - 3 Year Term: Steve Pier, Jon Economy, Lynn Peterson Library Board - 3 Year Term: David Koerner, Amy Nelson (not the City Manager) Park Advisory Board - 3 Year Term: Lola Harnes, Darcie Briggs Fox Run Golf Advisory Board - 3 Year Term: Steve Sager, Annette Kohoutek Airport Advisory Board - 3 Year Term: Jim Cox Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15 - 180 Moved by Commissioner Blaaid, seconded by Commissioner Sommer, to adopt Resolution 15 - 22. (Memorandum 15 - 131)

**RESOLUTION 15 - 22  
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, Eagle Eye Ride Board Event has made a request to enact this no parking zone for their Eagle Eye Ride to be held on September 5 - 6, 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 at the described location in the manner shown on the attachments to this resolution for September 5, 2015 starting at noon September 6, 2015 at noon, on 3rd Street to the empty lot on Douglas Avenue north of beer garden of Happy Hourz.

Roll Call: Members present voting Aye: Commissioners Blaaid, Ferdig, Gross, Hoffner, Johnson, Knoff, Sommer, and Woerner; voting Nay: None; Abstaining: Mayor Carda. Motion adopted.

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Action 15 - 181 This was the time and place to award the bids for the 2015 - 16 Annual Supply of Petroleum & Transport Tankwagon Petroleum Products. The following bids were received and opened on May 28, 2015: (Memorandum 15 - 133)

Mike Gullickson, Yankton, South Dakota: Gasoline, Lead Free (Transport) - \$0.0188/gal; Diesel Fuel, Dyed, No. 1 (Transport) - \$0.0488/gal; Diesel Fuel, Dyed, No. 2 (Transport) - \$0.0338/gal; Diesel Fuel, Dyed, No 1 & No. 2 - 50/50 Mix (Transport) - \$0.0413/gal; Diesel Fuel, Clear or Hwy, No. 1 (Transport) - \$0.0488/gal; Diesel Fuel, Clear or Hwy, No. 2 (Transport) - \$0.0338/gal; Diesel Fuel, Clear or Hwy, No. 1 & 2 - 50/50 mix (Transport) - \$0.0413/gal.

Gerstner Oil, Yankton, South Dakota: Gasoline, Lead Free (Transport) - \$0.0089/gal; Gasoline, Lead Free (Tank Wagon) - \$0.1189/gal; Diesel Fuel, Dyed, No. 1 (Transport) - \$0.1189/gal; Diesel Fuel, Dyed, No. 1 (Tank Wagon) - \$0.1189/gal; Diesel Fuel, Dyed, No. 2 (Transport) - \$0.0089/gal; Diesel Fuel, Dyed, No. 2 (Tank Wagon) - \$0.1189/gal; Diesel Fuel, Dyed, No. 1 & 2 - 50/50 Mix (Transport) - \$0.0089/gal; Diesel Fuel, Dyed, No. 1 & 2 - 50/50 Mix (Tank Wagon) - \$0.1189/gal; Diesel Fuel, Clear or Hwy, No. 1 (Transport) - \$0.0089/gal; Diesel Fuel, Clear or Hwy, No. 2 (Transport) - \$0.0089/gal; Diesel Fuel, Clear or Hwy, No. 1 & 2 - 50/50 Mix (Transport) - \$0.0089/gal.

Petroleum Traders Corporation, Fort Wayne, Indiana: Gasoline, Lead Free (Transport) - \$0.0436/gal; Diesel Fuel, Dyed, No. 1 (Transport) - \$0.0122/gal; Diesel Fuel, Dyed, No. 2 (Transport) - \$0.0122/gal; Diesel Fuel, Dyed, No. 1 & 2 - 50/50 Mix (Transport) - \$0.0122/gal; Diesel Fuel, Clear or Hwy, No. 1 (Transport) - \$0.0027/gal; Diesel Fuel, Clear or Hwy, No. 2 (Transport) - \$0.0027/gal; Diesel Fuel, Clear or Hwy, No. 1 & 2 - 50/50 Mix (Transport) - \$0.0027/gal.

Stern Oil Company, Freeman, South Dakota: Gasoline, Lead Free (Transport) - \$0.0080/gal; Gasoline, Lead Free (Tank Wagon) - \$0.0810/gal; Diesel Fuel, Dyed, No. 1 (Transport) - \$0.0215/gal; Diesel Fuel, Dyed, No. 1 (Tank Wagon) - \$0.1060/gal; Diesel Fuel, Dyed, No. 2 (Transport) - \$0.0080/gal; Diesel Fuel, Dyed, No. 2 (Tank Wagon) - \$0.0810/gal; Diesel Fuel, Dyed, No. 1 & 2 - 50/50 Mix (Transport) - \$0.0215; Diesel Fuel, Dyed, No. 1 & 2 - 50/50 Mix (Tank Wagon) - \$0.1410/gal; Diesel Fuel, Clear or Hwy, No. 1 (Transport) - \$0.0215/gal.; Diesel Fuel, Clear or Hwy, No. 2 (Transport) - \$0.0080/gal; Diesel Fuel, Clear or Hwy, No. 1 & 2 - 50/50 Mix (Transport) - \$0.0215/gal.

The bids received represent the suppliers handling costs (profit margin), which are added to the OPIS (Oil Price Information Service) daily published price on the date the product is ordered.

Moved by Commissioner Blaaid, seconded by Commissioner Blaaid, to award the bids to the low bidders as follows:

Gerstner Oil, Yankton, South Dakota: Diesel Fuel, Dyed, No. 1 (Transport) - \$0.0089 gal; Diesel Fuel, Dyed, No 1 & 2 - 50/50 Mix (Transport) - \$0.0089 gal; Diesel Fuel, Dyed, No. 1 & 2 - 50/50 Mix (Tankwagon) - \$0.1189 gal; Motor Oil SAE 15W - 40 - EO - L (Drum) - \$7.88 gal.; SAE 5W - 40 Synthetic (Drum) - \$13.50 gal.; SAE 5W - 30 Synthetic (Drum) - \$8.75 gal.; SAE 5W - 20 Synthetic (Drum) - \$8.75 gal.; Hydraulic Oil (55 gal. Drum) - \$5.75 gal.

Petroleum Traders Corporation, Fort Wayne, Indiana: Diesel Fuel, Clear or Hwy, No. 1 (Transport) - \$0.0027 gal; Diesel Fuel, Clear or Hwy, No. 2 (Transport) - \$0.0027 gal; Diesel Fuel, Clear or Hwy, No. 1 & No. 2 50/50 Mix (Transport) - \$0.0027 gal.

Stern Oil Company, Freeman, South Dakota: Gasoline, Lead Free (Transport) - \$0.0088 gal; Gasoline, Lead Free (Tankwagon) - \$0.0810 gal; Diesel Fuel, Dyed, No. 1 (Tankwagon) - \$0.1060 gal; Diesel Fuel, Dyed, No 2 (Transport) - \$0.0008 gal; Diesel Fuel, Dyed, No. 2 (Tankwagon) - \$0.0810 gal.

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

Action 15 - 182 Moved by Commissioner Gross, seconded by Commissioner Woerner, to adopt Resolution 15 - 23. (Memorandum 15 - 135)

**RESOLUTION 15 - 23  
NORTH SIDE OF 30TH  
STREET, FROM WEST CITY  
LIMITS ROAD TO ADKINS  
DRIVE FROM 30TH STREET  
TO 31ST STREET**

WHEREAS, 30th Street and Adkins Drive are the only two access points into Fox Run development, and

WHEREAS, there is sufficient off - street parking spaces for existing facilities, and

WHEREAS, there is concern that allowing on - street parking could create congestion and/or site distance issues, and

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

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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 the north side of 30th Street from West City Limits Road to Adkins Drive and on Adkins Drive from 30th Street to 31st Street.

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

Action 15 - 183 City Commissioners discussed the possibility of recording Executive Sessions for possible release later in time. No consensus to change was reached at this time. City Attorney Den Herder will look into legal constraints and alternatives. (Memorandum 15 - 141)

Action 15 - 184 Moved by Commissioner Blaaid, seconded by Commissioner Hoffner, to adjourn into Zoning Board of Adjustment at 8:28 p.m. 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 or Carda.

Roll Call: Present: Commissioners Blaaid, Ferdig, Gross, Hoffner, Johnson, Knoff, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 15 - 185 Moved by Commissioner Blaaid, seconded by Commissioner Knoff, to adjourn at 8:31 p.m. Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

**6+17  
ZONING BOARD OF  
ADJUSTMENT  
YANKTON, SOUTH DAKOTA  
JUNE 8, 2015**

David Carda Mayor

ATTEST: Al Viereck Finance Officer Published once at the total approximate cost of \$463.40.

**6+17  
ZONING BOARD OF  
ADJUSTMENT  
YANKTON, SOUTH DAKOTA  
JUNE 8, 2015**

Regular meeting of the Zoning Board of Adjustment of the City of Yankton was called to order by Chairman Carda. Roll Call: Present: Members Blaaid, Ferdig, Gross, Hoffner, Johnson, Knoff, Sommer, and Woerner. City Manager Nelson and City Attorney Den Herder were also present. Absent: None. Quorum present.

Action 15-04 Moved by Member Blaaid, seconded by Member Knoff, to approve the Minutes of the May 26, 2015, meeting. Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

Action 15-05 This was the time and place for the public hearing on the request from Bob Law, Inc., and Yankton Area Progressive Growth, Owner/applicant, 2400-2600 Block of West City Limits Road, to consider a variance from the four foot maximum height requirements for a fence in a front yard setback on property in a B-2 Highway Business and R-2 Single-Family Residential District located in the East 700 feet of the East Half of the Southeast Quarter, except the South 560 feet; Section 2, Township 93 North, Range 56 West of the 5th P.M., Yankton County, South Dakota. (Memorandum 15-140) No one was present to speak for or against the variance request. Moved by Member Blaaid, seconded by Member Knoff, to approve the variance request.

Action 15-06 Moved by Member Woerner, seconded by Member Blaaid, that the meeting adjourn at 8:30 p.m. Roll Call: All members present voting Aye; voting Nay: None. Motion adopted.

David Carda Chair

ATTEST: Al Viereck Finance Officer Published once at the total approximate cost of \$26.15.

**6+17+24  
NOTICE TO BIDDERS**

Sealed bids will be received by the Board of Directors of the Yankton Fire Protection District, Yankton, South Dakota, at 201 West 23rd Street, Yankton, South Dakota, at the office of the Yankton Fire Chief until 3:00 P.M. on the 15th day of July, 2015, or may be hand delivered to the place of opening at 3:00 P.M. on the 15th day of July, 2015, at which time they will be publicly opened and read at Yankton Fire Station #2,

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201 West 23rd Street, Yankton, South Dakota.

Disposition of said bids will be held within 30 days of the bid opening. Bidders will be notified of date of disposition at least 48 hours prior.

Bids will be received on the following:

One (1) complete CAFS wildland fire apparatus and all fixtures and other accessories in accordance with specifications on file in the office of the Yankton, SD Fire Chief.

Each bid must be accompanied by a certified check, cashiers check or bank draft drawn upon a State or National bank and made payable to the Yankton Fire Protection District, Yankton, South Dakota, in a sum equal to at least five percent (5%) of the total amount of the bid, or by a bid bond drawn in favor of the Yankton Fire Protection District, Yankton, South Dakota, in a sum equal to at least ten percent (10%) of the total amount of the bid.

Copies of the specifications may be obtained at the office of the Fire Chief, 201 West 23rd Street, PO Box 176, Yankton, South Dakota 57078 or by telephoning (605) 668-5228.

The Yankton Fire Protection District, Yankton, South Dakota, reserves the right to reject any and all bids and to waive any informalities therein to determine which is the best and most advantageous bid to the Yankton Fire Protection District.

Thomas Kurtenbach, Fire Chief  
Yankton Fire Department  
Yankton, South Dakota

Dated June 15, 2015  
Published twice at the total approximate cost of \$46.47.

**6+17+24&7+3+7  
LEGAL NOTICE  
NOTICE OF STATE LAND  
SALE**

Pursuant to South Dakota Codified laws, Chapter 5-9, the following described parcels of state land will be offered for sale to the highest bidder at a public auction to be at the Yankton County Courthouse and Safety Center (West Entrance) at 1:00PM CST on July 14, 2015, at Yankton, South Dakota:

Section 21 Township 94N Range 55W- SE1/4 of SE1/4 Lot 13 (10.84 acres)  
Starting bid appraised value \$27,000

Section 21 Township 94N Range 55W- SE1/4 of SE1/4 Lot 14 (13.91 acres)  
Starting bid appraised value \$45,000

Property information: Lot 14 is recreational wooded area in the flood plain. Access to both parcels is provided at your own risk via section lines by foot traffic. Please open and close gate on access to Lot 14. The northern portion of Lot 13 requires access via river. Properties will be sold separately.

Open houses: the state will be available in Yankton to discuss and show the property June 24th from 12:00 PM to 8:00 PM and June 25th from 8:00 AM to 1:00 PM. Additional times are available by appointment.

For more information contact Mike Lauritsen with the Office of School and Public Lands  
Website: <http://www.sdpubliclands.com/>  
Phone: 605-773-3303  
Address: 500 East Capitol Ave. Pierre, SD 57501

Individuals in need of assistance pursuant to the Americans with Disabilities Act should contact School and Public Lands at least 48 hours in advance of the auction to make any necessary arrangements.

The bidder is invited, urged, and cautioned to inspect the property prior to auction. Failure to inspect property shall not constitute cause for cancellation of sale.

The bidder understands and agrees that the property is offered, purchased and accepted by the buyer "AS IS" and "WITH ALL FAULTS". The State makes no warranties or guarantees whatsoever whether written, oral, or implied as to quality, condition or habitability. All information contained in this notice and online was derived from sources believed to be correct, but there is no guarantee. Buyer acknowledges that he/she relied entirely on his/her own information, judgment and inspection of the property. Closing will be held 60 days of the date the State signs the Purchase Agreement accepting the Buyer's offer. Published four times at the total approximate cost of \$103.54.

**We've Got  
Deals For  
YOU**  
Press & Dakotan  
Classifieds In Print  
& Online  
[www.yankton.net](http://www.yankton.net)