

2010 Legal and Public Notices

Action 10-116

Moved by Commissioner Gross, seconded by Commissioner Akland, to approve the Mayor's Appointments to various City Advisory Boards and Commissions as outlined in Memorandum 10-81. Prior to a vote being taken, Commissioner Gross moved, seconded by Commissioner Akland, to amend the Mayor's Appointments by replacing Commissioner Ellingson on the Storm Water Advisory Board and the Towing Committee and replacing Commissioner Ellingson with Commissioner Wenande on the Dakota Territorial Museum Committee.

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

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

Action 10-117

Moved by Commissioner Wenande, seconded by Commissioner Lowrie, to adopt Resolution 10-16. (Memorandum 10-75)

RESOLUTION 10-16

WHEREAS, it appears from an examination of the plat of Lots 9 through 12 in Block 6, Lots 2 through 5 and Lot 8 in Block 7, and Lot 8 in Block 8 of Ridgeway North Subdivision to the City of Yankton in the S ₁ of the NE ₁ of Section 6, T 93 N, R 55 W of the 5th P.M., Yankton, South Dakota, prepared by Brett R. Kennedy of Eisenbraun and Associates a registered land surveyor in the state of South Dakota; and,

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat and associated Developer's Agreement for the above described property is hereby approved.

Roll Call: Members present voting "Aye;" Commissioners Akland, Ellingson, Gross, Lowrie, VanDerhule, Wenande, and Mayor Knoff; voting "Nay;" None; Abstaining: Commissioner Woerner. Motion adopted.

Action 10-118

Moved by Commissioner Gross, seconded by Commissioner Wenande, to adopt Resolution 10-17. (Memorandum 10-76)

RESOLUTION 10-17

WHEREAS, it appears from an examination of the plat of Lots 11 through 13 in Block 8 and Lots 8 through 11 in Block 9 of Ridgeway North Subdivision to the City of Yankton in the S ₁ of the NE ₁ of Section 6, T 93 N, R 55 W of the 5th P.M., Yankton, South Dakota, prepared by Brett R. Kennedy of Eisenbraun and Associates a registered land surveyor in the state of South Dakota; and,

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat and associated Developer's Agreement for the above described property is hereby approved.

Roll Call: Members present voting "Aye;" Commissioners Akland, Ellingson, Gross, Lowrie, VanDerhule, Wenande, and Mayor Knoff; voting "Nay;" None; Abstaining: Commissioner Woerner. Motion adopted.

Action 10-119

Moved by Commissioner Ellingson, seconded by Commissioner Gross, to adopt Resolution 10-18. (Memorandum 10-77)

RESOLUTION 10-18

WHEREAS, it appears from an examination of the plat of Lots 1 through 6 in Block 13 and Lots 2 through 4 in Block 10 in the S ₁ of Ridgeway North Subdivision to the City of Yankton in the S ₁ of the NE ₁ of Section 6, T 93 N, R 55 W of the 5th P.M., Yankton, South Dakota, prepared by Brett R. Kennedy of Eisenbraun and Associates a registered land surveyor in the state of South Dakota; and,

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat and associated Developer's Agreement for the above described property is hereby approved.

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Roll Call:

Members present voting "Aye;" Commissioners Akland, Ellingson, Gross, Lowrie, VanDerhule, Wenande, and Mayor Knoff; voting "Nay;" None; Abstaining: Commissioner Woerner. Motion adopted.

Action 10-120

Moved by Commissioner Lowrie, seconded by Commissioner Wenande, to adopt Resolution 10-19. (Memorandum 10-78)

RESOLUTION 10-19

WHEREAS, Kirby Hofer, President of Kirby Hofer Construction Company, Inc., has petitioned the City of Yankton, pursuant to SDCL 9-4-1, to annex certain real property into the corporate limits of the City of Yankton.

NOW, THEREFORE, BE IT RESOLVED by The Board of City Commissioners of the City of Yankton, South Dakota, that the following described real property is hereby annexed into the corporate limits of the City of Yankton, South Dakota:

DESCRIPTION OF TRACT TO BE ANNEXED

All that portion of the North Half (N1/2) of the Northeast Quarter (NE1/4), Section 6, Township 93 North, Range 55 West of the 5th P.M., Yankton County, South Dakota, more particularly described as follows:

Commencing on the north 1/16th corner Section 6/5, thence S 87 degrees 51 minutes and 36 seconds W, along the 1/16th line, a distance of 330.06 feet to the Southwest Corner of Kuchta 2nd Addition and being the true point of beginning; thence S 87 degrees 54 minutes 25 seconds W, along the said 1/16th line, a distance of 1,259.92 feet to the Northeast Corner of Lot 6, Block 5 Ridgeway North Subdivision; thence N 2 degrees 05 minutes 35 seconds W a distance of 160.76 feet; thence N 87 degrees 54 minutes 25 seconds E a distance of 1,276.59 feet to the west line of said Kuchta 2nd Addition; thence S 3 degrees 49 minutes 43 seconds W, along the west line of said Kuchta 2nd Addition, a distance of 161.62 feet to the true point of beginning and containing 4.69 acres more or less.

Roll Call: Members present voting "Aye;" Commissioners Akland, Ellingson, Gross, Lowrie, VanDerhule, Wenande, and Mayor Knoff; voting "Nay;" None; Abstaining: Commissioner Woerner. Motion adopted.

Action 10-121

Commissioner Gross introduced and Mayor Knoff read the title of Ordinance No. 930, AN ORDINANCE CREATING THE REFERENCED SECTIONS OF ZONING ORDINANCE NO. 711 MAKING WIND ENERGY CONVERSION SYSTEMS A CONDITIONAL USE IN THE B-2 HIGHWAY BUSINESS DISTRICT, INDUSTRIAL DISTRICTS, AND CERTAIN NEW RESIDENTIAL DISTRICTS WHEN ESTABLISHED AS A COMMUNITY UNIT PLAN; AND ESTABLISHING REGULATIONS FOR THE SAME, and set the date for the second reading and public hearing as June 14, 2010. (Memorandum 10-79)

Action 10-122

Commissioner VanDerhule introduced and Mayor Knoff read the title of Ordinance No. 931, AN ORDINANCE CREATING THE REFERENCED SECTIONS OF ZONING ORDINANCE NO. 797, EXTRATERRITORIAL JURISDICTION REGULATIONS, MAKING WIND ENERGY CONVERSION SYSTEMS A CONDITIONAL USE IN THE B-2 HIGHWAY BUSINESS DISTRICT AND INDUSTRIAL DISTRICT; AND ESTABLISHING REGULATIONS FOR THE SAME, and set the date for the second reading and public hearing as June 14, 2010. (Memorandum 10-80)

Action 10-123

Moved by Commissioner Wenande, seconded by Commissioner Gross, to authorize the South Dakota Department of Transportation to contract for the pavement maintenance project at the Chan Gurney Airport; and, to also authorize the City Manager to sign an agreement for transfer of entitlement funds and certify the necessity of using these funds for the project. (Memorandum 10-83)

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

Action 10-124

Moved by Commissioner Wenande, seconded by Commissioner Akland, to adjourn at 7:24 p.m. **Roll Call:** All members present voting "Aye;" voting "Nay;" None. Motion adopted.

David D. Knoff Mayor
ATTEST:
Al Viereck Finance Officer

Stocks Finish Worst Month Since Feb. 2009

NEW YORK (AP) — Stocks closed out their worst month in more than a year by sliding again on more unsettling news about Europe.

The Dow Jones industrials dropped 122 points Friday after Fitch Ratings gave Spain the second downgrade of its credit rating in a month. The rating agency's action was another reminder to traders of the long-term economic problems still facing several European countries, and perhaps the rest of the continent and the global economy as well.

May was difficult as persistent and intensifying worries about Europe's debt problems sent the Dow down 7.9 percent and the broader Standard & Poor's 500 index down 8.2 percent. Both indexes had their worst monthly performance since February 2009, the month before stocks began their recovery from 12-year lows.

The Dow had its biggest May drop since 1962.

Stocks were already down before the news about Spain broke in early afternoon.

The market's reaction was an example of how quick investors have been to sell during May. Although the day didn't see the huge swings stocks had earlier this month — including the May 6 plunge that took the Dow to a loss of 1,000 points in less than 30 minutes — there was still plenty of emotion. Greece, the most troubled European country, has received a bailout and several companies are cutting their budgets to make it easier for them to pay their bills, but investors fear that the region's debt problems can't be contained. They're also worried that austerity measures will stifle economic growth, and that Europe's slowdown will become the world's slowdown.

HONOR

From Page 1A

a presentation of the five service flags and hundreds of American flags. The avenues intersect at the war memorial.

The flags are displayed six times a year: Loyalty Day, Memorial Day, Flag Day, Fourth of July, Labor Day and Veterans Day.

The flags are donated by family members of deceased veterans. Sometimes the flag is the original casket flag, while other

times the flag is a replacement flag purchased by the family.

The poles that hold the flags are also purchased by families. Each pole has a nameplate that bears the name or names of fallen soldiers from a particular family.

"The VFW members and Auxiliary basically put them up and they've been getting help from the Boy Scouts," said Don List, 81, a former commander of the VFW and American Legion in Yankton, "but anybody can help."

According to a booklet printed by the VFW Post 791, 55 poles were purchased when Yankton began presenting the flags on

EVENTS

From Page 1A

- A program will be held at 10:30 a.m. at the Bon Homme High School gym, after a 10 a.m. procession that will meet in the high school parking lot.

- Members of the American Legion Post No. 183 and Auxiliary of Tabor will observe Memorial Day with a ceremony in Sokol Park at 10 a.m. Monday, with the Memorial Day address by James Black. In case of rain, the program will be in Beseda Hall.

- Irene's Hall Thompson American Legion and Auxiliary will host a Memorial Day program at 10 a.m. Monday.

- A program will be held at Wagner Armory at 10 a.m. Monday.

- At Lake View Cemetery in Lake Andes, a program will be held at 10 a.m. Monday.

- A ceremony will be held at Rosehill Cemetery in Scotland at

10:30 a.m. Monday. In case of inclement weather, the ceremony will be held in the Scotland High School gym.

- The Wakonda American Legion Hall will host a program at 11 a.m. Monday, to be preceded by a firing at various area cemeteries by the Legion Rifle Squad.

- Springfield Community Center will host a program at 11 a.m. Monday, to be preceded by smaller observances at area cemeteries.

- A ceremony will be held at 2 p.m. Monday at the Trinity Presbyterian Cemetery in Avon.
- Sen. John Thune will speak at Freeman Veterans Memorial at 7:30 p.m. Monday.

Also, the Summit Activities Center, Yankton Community Library and Heartland Humane Society will be among the businesses that are closed Monday in honor of the holiday.

To see what your town is doing, be sure to check your local weekly newspaper or your community's website.

patriotic holidays. In 1987 the first pole was sold to a Yankton woman in honor of her son.

Today, more than 300 flags are displayed in the park. The flying flags are just part of the importance of the holiday.

Attending Memorial Day services is about honoring "the patriotism of the ones who have served, the ones who have given their all and the ones who are still serving," List said.

That sacrifice is neverending. The first three poles in Memorial Park going south on Douglas Street are in memory of those lost in the Yankton-based Charlie Battery.

While older the Memorial Park monument may be somewhat overshadowed today, it still plays a role in what remains a powerful and important occasion to Yankton and its veterans.

"The reason (Memorial Day) is relevant is because it honors all veterans. It was started by General Logan (in 1868) and has included every war since," Fiedler said. "And of course, we think it's a good thing to do."

This year's Memorial Day Program at Fantele Memorial Park will take place at 11 a.m. on Monday, May 31.

ASK THE EXPERTS?

Family Medicine

Q What is Bio-identical Hormone Therapy?

A Natural or bioidentical hormones are synthesized from natural plant substances to be identical in structure and function to those our bodies produced naturally before menopause. When hormone production starts to drop below normal levels in the years leading up to menopause, natural hormones are the best and safest way for women to supplement. Bio-identical hormones are available via prescription and tailored-made to meet an individual's needs by a compounding pharmacist. Saliva testing can easily test for imbalances in each of the major hormones, particularly testosterone, progesterone, estrogen, DHEA and cortisol.

If you are experiencing perimenopausal or menopausal symptoms and are interested in learning more about saliva testing and bio-identical hormone replacement, schedule an appointment to see Brandi Pravecek, CNP at Lewis and Clark Family Medicine, PC.

LEWIS & CLARK FAMILY MEDICINE, PC

1101 Broadway, Suite 103A
Morgen Square, Yankton, 260-2100

Pharmacy/Nutrition

Q What can I do to lower my risk of skin cancer?

A Skin cancer is the most common form of cancer in the United States. Research has shown that exposure to the sun's UV rays increases the chance of developing skin cancer. Even a few serious sunburns, especially those that occur during childhood and adolescence, can increase the risk of developing one of the most dangerous forms of skin cancer - malignant melanoma.

Tips for protecting your skin:

- Use sunscreen
- Wear clothing that covers the most skin
- Wear sunglasses that block 100% of UV rays
- Limit your time in the sun
- Wear a hat with a wide brim

Sunscreens with a Sun Protection Factor (SPF) of 15 or more are used to protect the skin from the damaging ultraviolet (UV) radiation of the sun. All sunscreens block UVB radiation - the "burning" rays. Broad-spectrum sunscreens block UVB and some UVA - the "aging" rays. SPF is a measure of the sunscreen's ability to prevent sunburn by the sun's UVB rays. The number indicates how much longer a person can stay in the sun without burning as compared to wearing no sunscreen. For example, if it takes your skin 10 minutes to redden without sunscreen, then when wearing a sunscreen with an SPF 15 it would take 150 minutes for your skin to redden. To provide good sun protection, sunscreens must be applied in a thick even layer over all sun-exposed skin 15 to 30 minutes before going outside. Reapply sunscreen every 2 hours or after swimming, toweling off, or sweating. Even water-resistant sunscreens need to be reapplied often. When used correctly sunscreens provide effective sun protection. Ideally, sunscreen should be used in addition to shade and protective clothing.

Pharmacy 665-8261

HyVee EMPLOYEE OWNED

Ear, Nose & Throat

Q Dr. Rumsey is it important to schedule a hearing test for my newborn?

A It is very important to have your newborn's hearing tested. Fortunately, it is not something most parents have to worry about. Current newborn hearing screening programs are screening more than 90% of newborns prior to discharge from the hospital. Our goal is to confirm normal hearing or identify hearing difficulties prior to one month of age and be providing appropriate treatment or rehabilitation prior to six months of age in all newborns. Although these programs are very good at identifying problems, don't underestimate how well you know your child. If you feel he or she is having a difficulty hearing you should have it tested. It takes about an hour and you will leave with full understanding of the results. If you would like more information regarding newborn hearing screening programs feel free to contact me at Avera Yankton Ear, Nose & Throat - (605) 665-6820.

Jeffrey J. Luidahl, M.D.
Matthew Rumsey, AuD., CCC-A
Professional Office Pavilion,
Suite 2800, 409 Summit, Yankton
665-6820 • 888-515-6820 • www.yanktonent.com

Avera
Yankton Ear, Nose & Throat

Fitness/Health

Q I would like to know if the new athletic shoes that are out now that have the special 'rocker' soles on them or the balance ball technology really work. If so, what exactly do they do differently than a regular athletic shoe.

A Feet and shoes I am familiar with, but I certainly don't claim to be an expert in "rocker soles or balance ball technology"! That being said, I do have an opinion on these types of shoes. These seem to me, just another fad. While manufacturers say they improve overall balance as well as strengthen various lower body muscles and burn more calories than traditional shoes, it wouldn't be any more significant than perhaps a few new exercises to your routine or walking a bit faster or longer. I think anything that changes your walking biomechanics, beyond what may be prescribed by your physician, has the potential to really mess you up. These particular shoes purposely make you less stable increasing the risk for ankle sprains and more. Although the latest fads and trends do seem to motivate people to exercise more for a while, I would save your money on this one. The medical bills in the long run could cost you much more than any small benefits you might receive would be worth. Just buy a good pair of normal walking shoes that fit your feet properly and go!

Angie O'Connor
Clinical Exercise Specialist

Avera
Sacred Heart Wellness Center
501 Summit • 665-9006

Podiatry

Q I am in my fifties, and have developed arthritis. What can I do for this?

A There are more than 100 different types of arthritis, including gout and rheumatoid arthritis. The most common forms to affect the foot & ankle is post-traumatic and osteoarthritis, especially in the big toe, ankle and midfoot joints. Seeking treatment early can improve the odds of preventing irreversible joint damage. For many patients with early-stage foot or ankle arthritis, changes in shoes or advanced custom orthotics can make a huge difference. While there is no fountain of youth for arthritis, there are more medical options available than ever before.

Big Toes - Baby Boomers are most likely to develop osteoarthritis in their big toe joint. During walking, the big toe absorbs forces equal to nearly twice a person's body weight. It plays an important role in stooping and standing. Some boomers start to develop big toe stiffness, a condition called hallux limitus, in their forties.

Better surgical procedures now offer improved pain relief and joint movement to Boomers with early stage arthritis at the big toe. Patients with advanced and severe arthritis may need to have the joint fused or replaced. But stronger screws and hardware are helping fusions last longer while slashing recovery times. A new generation of big toe joint replacements shows promise.

Ankles - Ankles are another prime spot for arthritis. Ankles are more likely to develop post-traumatic arthritis than osteoarthritis. For many Baby Boomers, the trauma was an ankle fracture or a bad sprain that may have happened in their teens or twenties. Innovative new surgical techniques allow foot and ankle surgeons to transplant small plugs of cartilage from one part of the ankle to another in some patients, slowing joint deterioration.

Ankle replacements are becoming more popular, and better ankle replacement implants are now available. Sometimes the ankle becomes too arthritic to resolve the pain without surgery. The only option used to be a fusion. Now, with advancements in implant technology, the ankle can be replaced just like they do for a shoulder, knee, or hip.

Yankton Foot and Ankle Center
Avera

2nd Floor Rehabilitation & Wellness Institute,
501 Summit, Yankton • 668-8601

Surgery

Q I am beginning to wonder about all the news I hear about being out in the sun and sunscreen. I've been out in the sun since I was kid, do I need to be concerned?

A Yes, everyone needs to be concerned and take precautions against skin damage and skin cancer. The Skin Cancer Foundation says that up to 90 percent of the visible changes commonly attributed to aging are caused by the sun. Skin cancer is the most common form of cancer in the United States. More than one million skin cancers are diagnosed annually. One in five Americans will develop skin cancer in the course of a lifetime. There are precautions you can take and you can find them listed on the Skin Cancer Foundation website at www.skincancer.org. If you have any questions or concerns, contact our office for a consultation. We specialize in skin cancer diagnosis and treatment, office removal of skin lesions, melanoma excision and sentinel node biopsy and skin cyst excisions.

Lisa A. Miller, MD
Kyanan C. Trail, MD, FACS
Lisa Ann Miller, MD

Yankton Surgical Associates, PC

409 Summit, Yankton,
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