

## 2010 Legal and Public Notices

A motion was made by Freng and seconded by Johnson to correct a clerical error on parcel 78.980.006.300 - \$400.00 incorrectly assessed to seller.

Voting Aye: All    Nay: None  
Motion carried

**Action 12199BOE:** A motion was made by Johnson and seconded by Freng to adjourn as a Board of Equalization and reconvene in regular session.

Voting Aye: All    Nay: None  
Motion carried

**Action 12200C:** A motion was made by Freng and seconded by Johnson to refund \$8.28 on Parcel 78.980.006.300 to correct a clerical error.

Voting Aye: All    Nay: None  
Motion carried

The Board discussed complaints regarding persons fishing from the Johnson bridge. The Highway Superintendent was asked to look into warning signage.

An animal control ordinance was also discussed. The States Attorney advised he is working on an ordinance that would be integrated with the Nuisance Ordinance. The issue will be returned to the table at a later date.

Commissioner Moore reported on the meeting regarding the NAPA Junction railway line. Ownership/authority for the line was discussed at the meeting and the consensus was the NAPA Railway Authority was the preferred option and local control was important.

**Action 12201H:** A motion was made by Johnson and seconded by Freng to approve the following application for occupancy of County right-of-way: Bon Homme-Yankton Electric - 15 KU primary underground cable adjacent to 408th Avenue in Sections 28 & 29, Township 96N, Range 54W, and 441st Avenue, Section 31, Township 96N, Range 55W, Yankton County, SD.

Voting Aye: All    Nay: None  
Motion carried.

**Action 12202WIC:** A motion was made by Johnson and seconded by Freng to approve the following application for occupancy of County right-of-way: Bon Homme-Yankton Electric - 15 KU primary underground cable adjacent to 408th Avenue in Sections 28 & 29, Township 96N, Range 54W, and 441st Avenue, Section 31, Township 96N, Range 55W, Yankton County, SD.

Voting Aye: All    Nay: None  
Motion carried.

A motion was made by Johnson and seconded by Moore to adjourn.

The next regular meeting of the Board will be Tuesday, May 15th, 2012 at 4:30 PM in the Commission chambers.

Bruce Jensen, Chairman  
Yankton County Commission  
ATTEST: Paula Jones, Auditor

## Report:

# Nebraska School District Lobbying Increasing

BY GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — Nebraska public schools spent more than \$457,000 last year on lobbying legislators, an amount that has increased recently despite a law that bans the use of state money for district lobbying.

The report by the open-government group Common Cause Nebraska, given to The Associated Press before its formal release, shows the amount spent has increased from \$407,683 in 2008. The 16 districts that spent money on lobbyists in 2011 include the state's largest, according to Common Cause Nebraska, which has pushed to stop the use of state and local tax dollars for lobbying.

Some claim the money spent by larger districts with bigger budgets creates an unfair advantage over smaller districts that can't afford a regular lobbyist in Lincoln.

Crete Public Schools Superintendent Kyle McGowan said Friday that he can reach lawmakers to talk about his district's concerns, but schools with a lobbyist can talk to lawmakers more frequently and seek changes that help their funding. State money makes up half of his 1,850-student district's \$19 million budget.

"Do I talk to the senators? Absolutely. And I like that about Nebraska," McGowan said. "The senators I'm involved with are sincerely interested in hearing open and honest comments. But can I be at the Legislature every day, like a lobbyist? No way. I haven't run into a senator who I feel gives me any less attention than a lobbyist. It's more about being able to have those regular discussions" about school funding and other concerns.

State Sen. Greg Adams of York said his Education Committee spends up to half of its time on so-called equalization aid, which is state money based on a formula that considers each district's needs and funding. The money goes to 147 of Nebraska's 249 public school districts, and the formula distributes funds based largely on property values within each district.

Rising farmland values have disqualified a growing number of schools from receiving state aid in recent years, and lawmakers have adjusted the formula to compensate for a sharp decline in state revenue. The

number of schools squeezed out of state aid and forced to rely solely on property tax revenue has more than doubled to 102 since 2008.

Lawmakers in 2010 voted to ban school districts from using state money on lobbying, but they rejected an earlier proposal to stop the use of local tax dollars for district lobbying.

"It's terribly unfair to the little schools," said Jack Gould, who oversees Common Cause Nebraska's legislative agenda.

Omaha Public Schools spent \$79,162 in 2011, the most of all districts. Bellevue Public Schools in suburban Omaha came in second at \$73,800, followed by Lincoln Public Schools at \$70,448. Millard Public Schools in Omaha spent \$65,472, and five other urban districts — Bennington, Elkhorn, Grand Island, Ralston and Westside — each spent more than \$20,000.

A spokeswoman for Omaha Public Schools declined to comment.

Adams, a former teacher, said school districts that hire lobbyists may be able to present their interests to lawmakers more often than other schools. But he said smaller and rural schools are also represented by their own advocacy groups, such as the Nebraska Rural Community Schools Association, and by lawmakers from within their district.

"It's each district's prerogative" to hire a lobbyist, Adams said. "However, I'd tell you that just because they have them doesn't mean they benefit from them."

The recession prompted lawmakers to dramatically slow the growth of state aid in recent years. The changes to the formula are set to expire next year, and Adams said lawmakers will have to adjust it again to avoid a 21 percent increase in state aid.

McGowan said his district spent \$1,500 on direct lobbying one time during his seven-year tenure, to fight a plan that ended up merging smaller, kindergarten through eighth-grade school districts with larger ones.

"I'd like to put on my rose-colored glasses and say that everybody does everything for the good of the people," McGowan said. "The fact is, superintendents are doing what's best for their districts. They're investing to make sure their schools are getting taken care of. And good for them. But I don't have the same tools available to me."

## Pine Ridge Store Under Closure Order

BY KRISTI EATON AND AMBER HUNT  
Associated Press

PINE RIDGE — Residents of the Pine Ridge Indian Reservation might have to wait until next week before their sole grocery store is back in business because the tribe's president is worried its re-opening might spark a protest, The Associated Press has learned.

The Sioux Nation Shopping Center has been closed for a week after allegations surfaced it was selling outdated meat. President John Yellow Bird Steele filed a temporary restraining order last Friday. The order was lifted earlier this week by the tribe's attorney general after the store addressed the health concerns, but the business has remained closed.

Steele's spokeswoman, Donna

Salomon, confirmed a second restraining order had been filed after the AP learned about it from an employee.

The closure represents more than an inconvenience for tribe members. The reservation is among the poorest areas of America, and many residents don't have cars and buy food with state assistance.

"It's a need. It affects everybody when it's closed," registered tribe member David Renteria said.

The closest grocery store to Sioux Nation is in Whiteclay, Neb., but South Dakota vouchers aren't recognized there. Some residents are forced to find transportation to Rapid City, S.D., which is more than 200 miles away round trip, or make do with fast food or items bought from convenience stores. A hearing is set for Tuesday.

Salomon said Steele is trying to coordinate a meeting with Sioux Nation lawyers in hopes of opening sooner "because he does realize the hardship placed on tribal members."

Employee Ramona Vocu and her husband, Tony Vocu, were among those gathered outside of the store Friday afternoon. They said the store's employees are anxious to get back to work.

"I just want my paycheck," office manager Ramona Vocu said.

A lawyer for Sioux Nation has not responded to repeated requests from the AP for comment.

In an open letter released earlier this week, store owner Richard Whitmarsh acknowledged that the Indian Health Service found several violations May 4. He said they were corrected by the end of the next day.

## Oglala Sioux Tribe Testing Sentencing Circles As Alternative To Prison

BY KRISTI EATON  
Associated Press

PINE RIDGE — A South Dakota tribe has been testing a form of restorative justice called sentencing circles in hopes it will make community members more accountable to each other and reduce the number of people who commit more crimes.

Sentencing circles provide an alternative to prison, with a group discussing the case and recommending a punishment that tailored to the offender. The circle can include prosecutors, police, the offender, victims, relatives of the offender and victims and anyone else in the community who has a stake in the situation.

The Oglala Sioux tribe currently has one sentencing circle in operation, and the tribe's attorney general said she hopes the method could be extended to all cases.

"It has a more healing affect because you're mending broken relationships and broken people," Attorney General Rae Ann Red Owl told The Associated Press. "I think if you compare that with a penal system, you're locking them up,

you may or may not see the light from the incarceration. A lot of times, those in the penal system, it's such a different culture of its own, and it's based on a kind of survival mentality so you don't really know what you're going to get when you're done."

Red Owl declined to provide details on the case being handled by the sentencing circle but said it originated in Family and Child Court, which handles custody issues, juvenile crimes and child abuse cases. The tribe has been working with the Rapid City-based Center for Restorative Justice to develop the sentencing circle. A new one would be formed for each case.

"It's a lot like a talking circle," Red Owl said, referring to a traditional Native American process in which each member of the circle is allowed time to speak without interruption. "Everybody gets a chance to talk without interruption. It's done in a respectful way. It's confidential."

Red Owl, who is also a proponent of peace making practices, acknowledged that sentencing circles take time — the offender and victim have yet to be brought to-

gether in the case that started in February — but she said the result will be worth it.

"I think if we really want to better our communities, we have a responsibility of helping them. I think our penal system kind of falls short, especially in our court system where we don't have services. It's kind of a hit or miss," she said, noting that the tribal court does not have probation services. "With the sentencing circle, that's something that would help alleviate that because it would put that juvenile back in the community and the community would give them direction."

Police Sgt. John Mousseau, of the Medicine Roots district of the Oglala Sioux Department of Public Safety, said sentencing circles could be beneficial but would need to be properly managed.

"I think it's going to have to be watched because it could trigger horrific memories," said Mousseau, who is not involved in the current sentencing circle. "As long as its managed properly, it could be positive, but you have to have a support system — like counselors — in place."

## Nebraska Jobless Rate 2nd Lowest In U.S.

LINCOLN, Neb. (AP) — Nebraska's unemployment rate dipped to 3.9 percent in April, marking the state's lowest rate since December 2008, officials said Friday.

The state's preliminary April rate is slightly better than the revised March rate of 4.0 percent. The national rate also improved from March's 8.2 percent to 8.1 percent in April.

State Labor Commissioner Catherine Lang said the number of jobs created from March to April marked the highest percentage increase in a decade.

"These statistics, combined with decreases in unemployment claims for April, show that the labor market continues to be strong," Lang said.

Nebraska had the second-lowest unemployment rate in the U.S. in April. North Dakota again had the lowest, at 3.0 percent.

The number of unemployed people in Nebraska was estimated at 39,578 in April. That was a drop from 40,566 in March and from 44,732 in April 2011. The total workforce in the state is just more than 1 million.

Unemployment in the state's largest city of Omaha dropped to 4.1 percent in April, from 4.7 percent the previous month and from 4.8 percent last April.

In Lincoln, the rate fell to 3.3 percent in April. The rate had been 3.7 percent in March and 3.9 percent in April 2011.

The unemployment rates for Lin-

coln and Omaha are not seasonally adjusted, so they cannot be directly compared to the state unemployment rate.

Here are preliminary area labor market unemployment rates for April, followed by the revised March rates:

- Beatrice: 3.9, 4.5
- Columbus: 3.3, 3.6
- Fremont: 4.0, 4.6
- Grand Island: 3.5, 4.0
- Hastings: 3.6, 4.1
- Kearney: 2.9, 3.2
- Lexington: 4.2, 4.8
- Norfolk: 3.5, 4.0
- North Platte: 3.3, 3.7
- Red Willow: 3.0, 3.6
- Scotts Bluff: 4.5, 5.1

## Group Sues Neb. Over Denial Of Medicaid

OMAHA, Neb. (AP) — An advocacy group has filed a class-action lawsuit against the Nebraska Department of Health and Human Services over its Medicaid coverage for children with autism and other developmental disabilities.

Nebraska Appleeed says in the Friday filing in Lancaster County District Court that the state routinely denies coverage of medically necessary treatments that are allowed under federal Medicaid law.

The lawsuit was filed on behalf of two Nebraska children.

Nebraska Appleeed attorney James Goddard says there are many other children who've been denied treatment for autism or developmental disorders that their doctors say are medically necessary. In some case, he says, parents relinquish custody of their children to state in order to get the treatments.

Messages left Friday with the Department of Health and Human Services weren't immediately returned.

## Flooded South Dakota State Park Reopens

MADISON (AP) — A South Dakota state park that was closed after damage from a May 5 storm has reopened.

Lake Herman State Park reopened Friday, though 15 campsites remained under water. Park Manager John Bame told the *Madison Daily Leader* that crews were pumping water and would reopen the sites as soon as they were dry.

Lake Herman rose to record levels after the storm, topping roads in the park. Campers were evacuated May 6 and the park had been closed to vehicle traffic since.

Bame expects all of the flood-damaged facilities to be repaired by Memorial Day weekend.

## School Board Member In S.D. Charged

KADOKA (AP) — A school board member and rodeo club adviser in Kadoka is accused of allowing five high school-age boys to drink beer during a work day in April at the rodeo grounds in the southwest South Dakota town.

Kadoka School Board member Dale Christensen, 46, is due in court May 30 on five misdemeanor counts that each carry a maximum punishment of a year in jail and a \$1,000 fine. He did not immediately return telephone calls to the *Rapid City Journal* or to The Associated Press.

Christensen is accused of telling the boys that they could have beer if they went behind some trees to drink it, and telling some team ropers they would be rewarded with beer if they beat another roping team. The police report indicates that the high school principal suspended the boys from two weeks of competition for breaking South Dakota High School Activities Association rules. Rodeo is not a sanctioned high school sport but is considered an extracurricular activity.

School Board President Mark DeVries declined comment to the Journal, saying the legal process needs to run its course.

Last weekend, police in the southeast South Dakota city of Harrisburg busted a high school graduation party at the home of the school board chairwoman and cited 25 teenagers for underage drinking. The chairwoman said she didn't know the teens were consuming alcohol at the backyard bonfire, and she hasn't been charged.

## S.D. Man Pleads Not Guilty To Murder Charge

WINNER (AP) — A man accused of beating another man to death at a tribal housing facility in the South Dakota city of Winner has pleaded not guilty to murder.

Nineteen-year-old Taylor White Buffalo of Winner was indicted by a federal grand jury earlier this month in the April 13 death of Ernest White Buffalo Chief. Court documents show he is charged with second-degree murder and assault with a dangerous weapon.


The *Rapid City Journal* reports that the case is scheduled for trial in July. White Buffalo could face life in prison if convicted.

## 3 Males Hold Up Sioux Falls Convenience Store

SIOUX FALLS (AP) — Sioux Falls police are looking for three males who held up a convenience store.

Authorities say the suspects in their late teens or early twenties walked into a Shop N Cart store shortly before 3:30 a.m. Friday and demanded money from the clerk. Police say two of the suspects were armed with handguns.

The suspects fled on foot with an undetermined amount of money and alcohol. Police say no one was hurt.



# With Fondest Memories

We remember those who have passed  
away and are especially dear to us.

*On Saturday, May 26th we will publish in print and online at Yankton.net  
a Memorial Day section devoted to those who are gone but not forgotten.*

Select one of the verses below to accompany your tribute.

1. We hold you in our thoughts and memories forever.
2. May God cradle you in his arms, now and forever.
3. Forever missed, never forgotten. May God hold you in the palm of His hand.
4. Thank you for the wonderful days we shared together.  
My prayers will be with you until we meet again.
5. The days we shared were sweet. I long to see you again in Gods heavenly glory.
6. Your courage and bravery still inspire us all, and the memory of your smile fills us with joy and laughter.
7. Though out of sight, you'll forever be in my heart and mind.
8. May the light of peace shine on your face for eternity.
9. May God's angels guide you and protect you throughout time.
10. You were a light in our life that burns forever in our hearts.
11. May God's graces shine over you for all time.
12. You are in our thoughts and prayers from morning to night and from year to year.
13. We send this message with a loving kiss for eternal rest and happiness.
14. May the Lord bless you with His graces and warm, loving heart.
15. I have written my own message and it is included.

To remember your loved one in this special way, send \$10.00 per listing.

Fill out the form below and mail to:

Yankton Daily Press & Dakotan/With Fondest Memories

319 Walnut Street, Yankton, SD 57078

**Deadline: Tuesday, May 22, 2012**

**“With Fondest Memories” • Deadline: May 22 • Submission Fee \$10**

Name of deceased \_\_\_\_\_

Date of birth \_\_\_\_\_ Date of passing \_\_\_\_\_

Number of selected verse \_\_\_\_\_ OR Personal message \_\_\_\_\_

Print your name here \_\_\_\_\_ Phone \_\_\_\_\_

Number \_\_\_\_\_