

2010 Legal and Public Notices

sion discussed the mandates that have to be in place by June 1, 2015 in conjunction with the Affordable Care Act and discussed the employee health insurance renewal.

Action 15182C: A motion was made by Epp and seconded by Kettering to renew the contract with Avera Health Plans for the 12-month period that begins June 1, 2015 with premiums being \$596.48 for single per month. All present voted aye; motion carried.

Action 15183C: A motion was made by Bodenstedt and seconded by Kettering to Approve the following resolution. All present voted aye; motion carried.

A Resolution Adopting The Transportation Master Plan For Yankton County, South Dakota

WHEREAS, Yankton County and the South Dakota Department of Transportation have actively worked to develop a Transportation Master Plan for Yankton County, South Dakota; and WHEREAS, it is recognized that the proper movement utilizing all modes of travel within and through Yankton County is a highly desirable element of the plan for the orderly growth and development of the County; and WHEREAS, SB No. 1 annually requires an adopted county highway and bridge improvement plan to be eligible for distributions from the local government highway and bridge fund, which the Transportation Master Plan satisfies; and

WHEREAS, after full study of the plan and providing an opportunity for public comments, the County Commissioners feel it to be in the best interests of the County to adopt a plan; NOW THEREFORE, BE IT RESOLVED: That the Yankton County Commission hereby adopts the Yankton County Transportation Master Plan beginning in March 2014 and completed May 5, 2015, that is within its jurisdiction. This plan should be approved and adopted as a guide in the development and maintenance of the transportation system in Yankton County

Motion: Bodenstedt Second: Kettering Aye: 5 Nay: 0

E911: The Board discussed the selling of the E911 Directory. It was the consensus of the Board to have Planning & Development District III attend the next commission meeting for their input.

Safety Center Bathroom: The Board discussed the restroom issues in the basement of the Yankton County Safety Center.

Action 15184C: A motion was made by Epp and seconded by Bodenstedt to approve the following resolution. All present voted aye; motion carried.

A Resolution Establishing Right to Spray Noxious Weeds

WHEREAS, The Yankton County Commission, Yankton, SD is concerned about noxious weeds in proposed location, legally described as NE1/4, Exc. Lot H1 & Exc Lt R-52 SE1/4, NE1/4 S1-T94N-R54W hereinafter referred to as Volin Township, County of Yankton, State of South Dakota, these weeds have the potential to decimate areas; and

WHEREAS, The control of noxious weeds by the Owner of said property shall be as set forth and specified under South Dakota Codified Law 38-22-23.12, 38-22-23.13 which states weed management will be the responsibility of the individual property owner and that all property owners will control noxious weeds on land under their ownership; and

WHEREAS, if it is determined that the landowner failed to accomplish noxious weed control on both unimproved and improved land and that Yankton County may enlist a contractor to complete the work (aerial spraying); and

WHEREAS, The State agrees that failure to comply with said request results in weed mitigation action by Yankton County. Yankton County may cause the noxious weeds to be controlled South Dakota Codified Law 38-22-16.2 and SDCL 38-22.17 stated mitigation costs shall be charged to the land owner and if not paid by November 1st of the calendar year in which Yankton County incurred the expenses, shall constitute a penalty. In the event the cost of such ratification is not paid, there will be a lien against the property.

NOW, THEREFORE, BE IT RESOLVED, that noxious weed eradication needs to take effect in Yankton County in order to establish spraying of weed infestation on abandon production ground. Total number of Acres: 155.2 The landowner has been informed of and has not remedied the situation.

Correspondence has been sent to Martin Madsen on July 14, 2014, July 24, 2014 was the deadline to rectify the situation.

Motion: Epp Second: Bodenstedt Aye: 5 Nay: 0

Moved, passed and adopted the 5th day of May, 2015

Effective Date: May 15, 2015

Action 15185C: A motion was made by Freng and seconded by Bodenstedt to recess the regular session and enter executive session to discuss indirect issues with Poor Relief Director Jennifer Adamson. All present voted aye; motion carried.

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Action 15186C: A motion was made by Freng and seconded by Kettering to reconvene in regular session. All present voted aye; motion carried.

Chairman Woods reported no action would be taken as a result of the executive session.

Action 15187C: A motion was made by Bodenstedt and seconded by Freng to approve the April, 2015 gross payroll: Commissioners: \$5,104.42; Auditor: \$10,679.60; Treasurer: \$15,076.56; States Attorney: \$23,451.76; Custodian: \$3,246.61; Director of Equalization: \$20,784.75; Register of Deeds: \$12,376.41; Veterans Service: \$1,328.48; Courthouse & Safety Center: \$6,305.87; Sheriff: \$57,741.22; County Jail: \$52,593.21; Coroner: \$800.00; Juvenile: \$126.50; Nurse: \$2,688.82; Ambulance: \$47,666.00; WIC: \$1,432.10; Extension: \$6,364.39; Soil Conservation: \$2,578.83; Weed: \$615.00; Planning & Zoning: \$6,844.88; Road & Bridge: \$60,523.66; E911: \$99.04; OEMHS: \$5,455.60; 24-7 Program: \$3,692.50. South Dakota Retirement System \$25,773.76 (Other Employees), South Dakota Retirement System \$15,826.26 (Sheriff/EDS), South Dakota Retirement System (Payroll Deduction-Spouse Opt) \$217.43, South Dakota Retirement System (Supplemental) \$3,150.00, American Family Life Assurance Company (AFLAC) \$3,538.48, Legalschild \$64.75, Office of Child Support \$903.00, Nationwide Retirement Solutions \$69.44, First Dakota National Bank \$32,024.04 (Withholding), First Dakota National Bank \$42,050.04 (FICA) First Dakota National Bank \$9,834.20 (Medicare), Boston Mutual Life Insurance \$503.09, Colonial Life & Accident \$1,473.80, Avera Health Plans \$45,954.70, Optilegra \$409.25. Gross Payroll \$347,651.21, Net Payroll \$258,249.73. All present voted aye; motion carried.

Action 15188C: A motion was made by Freng and seconded by Bodenstedt to approve the addition of taxes in the amount of \$9,950.30 for Satyrish 11, LLC, due to non tax exempt status. All present voted aye; motion carried.

Action 15189C: A motion was made by Freng and seconded by Epp to approve the March 2015 Cash analysis report and the Veterans Office report for April 2015. All present voted aye; motion carried.

Cash Analysis: County Auditor Hojem presented the General Fund Surplus Analysis. The current unassigned fund balance percentage is 29.48%.

Veterans Office: VSO Michael McDonald report showed 70 contacts on behalf of veterans last month. McDonald also coordinated transportation of 21 veterans (nine trips) to appointments at the VA Hospital in Sioux Falls.

Bike Trail: Francis Serr appeared before the board to discuss concerns about the parking at the Bike Trail on Deer Boulevard.

CASA: Sheri Rogers-Conti appeared before the board to request some extra storage at the Safety Center for the CASA (Court Appointed Special Advocates) program.

Road: Jay Jorgensen appeared before the board to discuss placing stop signs on Roads 311 and 452 in Gayville Township.

Action 15190C: A motion was made by Freng and seconded by Epp to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, May 19, 2015.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor
Published once at the approximate cost of \$205.22.

5+14
YANKTON COUNTY
COMMISSION MEETING
May 6, 2015

A special meeting of the Yankton County Commission was called to order by Chairman Todd Woods at 7:00 PM on Wednesday, May 6, 2015.

Roll call was taken with the following Commissioners present: Donna Freng, Raymon Epp, Don Kettering and Todd Woods. Absent: Debra Bodenstedt. Speakers included Brian McGinnis of Planning & Development District III and Toby Morris of Dougherty and Company. Also present were officials from the Napa-Platte Regional Rail Authority.

The special session was called to address the proposed Yankton County Rail Road Authority between Yankton County and Yankton City.

Action 15191C: A motion was made by Kettering and seconded by Epp to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, May 19, 2015.

Classifieds Work!
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www.yankton.net

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Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor
Published once at the approximate cost of \$16.22.

5+14+18
NOTICE TO BIDDERS

Sealed bids will be received by the City Commission of the City of Yankton, South Dakota, at 416 Walnut Street, Yankton, South Dakota, at the Office of the City Finance Officer of said City until 3:00 P.M. or may be hand delivered to the place of opening at 3:00 P.M. on the 28th day of May, 2015, at which time they will be publicly opened and read in the Second Floor Meeting Room of City Hall, Yankton, South Dakota. Disposition of said bid will be held on the 8th day of June, 2015 at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Technical Education Center at 1200 W. 21st Street, Yankton, South Dakota.

Bids will be received on the following:

ANNUAL SUPPLY OF
PETROLEUM PRODUCTS

Copies of the specifications may be obtained at the Office of the Manager of Public Works, 700 Levee Street, Yankton, South Dakota 57078 or by telephoning (605) 668-5211.

All bids must be submitted on forms provided by the City of Yankton.

The City of Yankton, South Dakota reserves the right to reject any or all bids and to waive any informalities therein to determine which is the best and the lowest bid, and to approve the bond, if required.

Kevin Kuhl, PE
Director of Public Works
City of Yankton, South Dakota

Dated: May 14, 2015

-THE CITY OF YANKTON IS
AN EQUAL OPPORTUNITY
EMPLOYER-
Published once at the approximate cost of \$38.13.

5+14+18
NOTICE TO BIDDERS

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Bids will be received on the following:

ANNUAL SUPPLY OF
TRANSPORT TANKWAGON
PETROLEUM PRODUCTS

Copies of the specifications may be obtained at the Office of the Manager of Public Works, 700 Levee Street, Yankton, South Dakota 57078 or by telephoning (605) 668-5211.

All bids must be submitted on forms provided by the City of Yankton.

The City of Yankton, South Dakota reserves the right to reject any or all bids and to waive any informalities therein to determine which is the best and the lowest bid, and to approve the bond, if required.

Kevin Kuhl, PE
Director of Public Works
City of Yankton, South Dakota

Dated: May 14, 2015

-THE CITY OF YANKTON IS
AN EQUAL OPPORTUNITY
EMPLOYER-
Published once at the approximate cost of \$39.32.

5+14+21
Renovate Latrine Construct
Shower

South Dakota Army National
Guard
Yankton, South Dakota
CFMO# FYA462119M

INVITATION TO BID

Sealed bids will be received by the Construction and Facilities Management Office on behalf of the Department of the Military, at the Yankton National Guard Armory, 1204 West 31st Street, PO Box 71, Yankton, South Dakota, 57078 until 2:00 p.m. CST, Thursday, May 28, 2015, for labor and material for the Renovate Latrine-Construct Showers, South Dakota Army National Guard, Yankton, South Dakota, CFMO# FYA462119M.

Bids will be received for the renovate latrine-construct showers to include demolition, mechanical, electrical and plumbing, plumb-

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ing fixtures, interior finishes, relocation of walls, new flooring, lighting fixtures, temperature controls and communication. Work also contains fire suppression system, locker and shower facilities, HVAC and exhaust fans and all associated electrical/mechanical work. Mailed bids shall be sent to the Department of the Military, at the Yankton National Guard Armory, Attn: SFC Jay Pipes, 1204 West 31st Street, PO Box 71, Yankton, South Dakota, 57078.

Copies of the Plans and Specifications may be obtained by bidders at the office of TSP, Inc., 1112 North West Avenue, Sioux Falls, South Dakota, 57104 telephone (605) 336-1160. Copies are on file for viewing purposes at the Construction and Facilities Management Office, SDARNG, 2823 West Main Street, Building 420, Rapid City, South Dakota 57702-8170, telephone number (605) 737-6637. Anyone requesting, reviewing, or copying plans and specifications for this project (such individual is hereinafter referred to as bidder) agrees that they are doing so for the sole purpose of submitting a bid on the project. In consideration of the State of South Dakota providing such plans and specifications for the purpose of preparing a bid, bidder further agrees:

A. The plans and specifications are the sole property of the State; B. Any copies of the plans and specifications obtained directly from the State will be returned to the State immediately after the State provides notice that Bidder will not be awarded a contract, or 30 days after the bid opening for the project, whichever occurs first;

C. Any copies of the plans and specifications made by the Bidder will be destroyed immediately after the State provides notice that Bidder will not be awarded a contract, or 30 days after the bid opening for the project, whichever occurs first;

D. If Bidder does not submit a bid, Bidder will fulfill the requirements of B and C above on or before the date of the bid opening; E. The plans and specifications are to be used only with respect to this project and are not to be used for any other project or purposes other than preparing a bid for this project;

F. The plans and specifications shall not be disseminated to any person or entity for purposes other than obtaining pricing information without the express written approval of the state;

G. All information obtained in the plans and specifications is confidential, and;

H. Should the Bidder disseminate the plans and specifications to an individual or entity for purposes of obtaining pricing information, the Bidder shall require that individual or entity to adhere to the terms set forth herein. The Bidder, however, assumes no liability for the misuse of the plans and specifications by such third parties failure to comply with the provisions contained herein.

Should Bidder be awarded a contract for construction of the project, Bidder does not need to return or destroy plans and specifications until after completion of the project.

Each bid in excess of \$50,000 must be accompanied by a certified check, cashier's check or draft in the amount of 5% of the base bid and all add alternates and drawn on a State or National Bank or a 10% bid bond issued by a surety authorized to do business in the State of South Dakota and made payable to the Department of the Military of the State of South Dakota.

The Department of the Military reserves the right to reject any or all bids and to waive any irregularities therein.

CONSTRUCTION &
FACILITIES MANAGEMENT
OFFICE

/s/
Stacy Langdeau, PE
Engineering Manager II
South Dakota Department of the Military

Advertisement Dates:
Thursday, May 14, 2015
Thursday, May 21, 2015

Newspaper:
Yankton P&D
Published twice at the approximate cost of \$97.71.

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ND Man Pleads Guilty In Killing MN Man

WARREN, Minn. (AP) — A North Dakota man accused of killing a man in Minnesota has pleaded guilty in a deal with prosecutors.

Twenty-five-year-old Ray Littlewolf Jr., of Devils Lake, pleaded guilty to manslaughter and felony theft in the March death of 64-year-old Ronald Foss near Viking, Minnesota. KFGO radio reports that sentencing is June 16.

Aid

From Page 1

Daugaard visited Delmont Sunday, declaring a state of emergency for the town of around 250 residents. U.S. Sen. John Thune and U.S. Rep. Kristi Noem visited the town Monday. U.S. Sen. Mike Rounds was unable to attend but sent his East River director, Mark Johnston.

Thune told the *Press & Dakotan* on Wednesday that his staff remains in contact with the governor and local leaders.

"We want to provide as much assistance as possible to the people of Delmont in what will continue to be a difficult time," the senator said.

Based on his Delmont visit, Thune said a number of individuals believe a disaster declaration would help them rebuild and open up various options.

"If FEMA assistance isn't available, there are still other resources," the senator said, noting examples such as low-interest loans.

The Delmont tornado resulted in nine people hospitalized for injuries, but there were no fatalities.

"People were very fortunate to get cover and to get downstairs before this hit," Thune said, adding that others didn't get downstairs and still survived the storm.

In the wake of the Delmont tornado, Thune renewed his call for efforts to improve weather forecasting — particularly long-range models — that can benefit everything from agriculture to public safety.

Thune noted an outpouring of support came from outside Delmont shortly after the twister. "In times of crisis, our communities really do come together to help those in need," he said.

ANSWERING THE CALL

One group of Yankton residents traveled to Delmont this week, offering their assistance in helping farmers clean up after Sunday's tornado.

The Yankton men offered whatever help they could in getting local residents back on their feet. Three men didn't want their name used in the *Press & Dakotan*, while Terry Sayler said he was willing to allow his name to be used for this article.

"We're not seeking any publicity for ourselves," Sayler said. "We're just sharing our story so people know what needs are out there. We're building awareness of what's needed."

It was a case of pay it forward, as one of the Yankton men's farm was hit hard by a tornado nearly a decade ago. The first time, he went to Delmont on his own. Upon learning authorities weren't allowing non-residents into Delmont, he offered his help to farmers just outside town.

In particular, he noticed tremendous damage south of Delmont, particularly along Highway 18. At one farm, he helped catch and sort cattle.

The tornado created tremendous devastation, with one Delmont farmer alone facing overwhelming clean-up and recovery.

"He stepped out on his yard and was looking at all this destruction. He was distraught and didn't know what to think," Sayler said. "The first thing he was doing was getting the cattle sorted out and hauled to different farms."

Sunday's tornado was followed by Monday's blustery conditions — temperatures in the 40s with winds gusting to 30 miles per hour — that made clean-up efforts nearly impossible.

The first Yankton farmer decided to return Wednesday to Delmont, bringing along three other men to join in the clean-up effort. They hauled away debris, took down fencing, moved livestock and tackled whatever else was needed.

Wednesday offered temperatures in the 70s, but stiff winds created challenges with the clean-up, Sayler said. "The wind was picking up little pieces of things like insulation," he said.

The farm losses included destroyed buildings, a silo that was half gone and livestock deaths. At one spot, a calf was found under debris

in the yard.

Ironically, some farms were demolished while neighboring farms suffered little or no damage, Sayler said. "One old wooden barn that was leaning over to the side before the storm was still there," he said.

In response to the tornado, volunteers showed up to offer not only their labor but also their equipment. One party brought four skid loaders on a semi-trailer. A Hutterite colony brought food for residents and workers.

The volunteers included farmers from the Nebraska communities of Pilger and Ponca who has suffered their own tornado damage, Sayler said.

"These were people who had gone through this (destruction) before," he said.

A HELPING HAND

A number of relief organizations and efforts are offered or will soon become available to Delmont residents.

- A one-stop site opens today (Thursday) in Delmont for citizens who need tornado recovery assistance. The Multi Agency Resource Center (MARC) will be opened from noon to 8 p.m. today and Friday in the basement of the Delmont American Legion, located on Main Street.

- The Red Cross has set up a bulk distribution site for clean-up. That site is located at the American Legion in Delmont, as well. Lowe's and Home Depot are helping provide the items.

- Two response vehicles are driving through storm-damaged neighborhoods this week delivering food and water as clean-up and removal of debris continues. Since Sunday, nearly 35 Red Cross workers have served more than 4,000 meals and snacks.

- A donations management center opened Wednesday in Delmont to help residents impacted by the tornado. The donations management center is located at the Delmont American Legion Hall. Hours of operation are 8 a.m.-6 p.m. each day.

Because the town is not yet opened to the general public, those wanting to give items are asked to take them to the east side of town where the state Highway Patrol is stationed. That site is at the corner of 284th Street and 402nd Avenue, also known as the intersection of old Highway 18 and Betts Road. A pickup and trailer will remain available until 6 p.m. each day to accept donated items. The items will be transported to the American Legion Hall.

Once the town is opened to the public, the items can be taken directly to the Legion Hall site.

- A relief fund has been established. Cash donations designated to the Delmont Disaster Relief Fund can be dropped off at First State Bank locations in Delmont, Tripp, Armour and Geddes. Donations can also be mailed to First State Bank, P.O. Box 68, Delmont, SD 57330.

- At this time, donations of items are not being accepted. More information about item donations and the need for volunteers will be released later.

Unfortunately, the disaster can also bring out those with less than honest intentions when it comes to dealing with tornado victims. State officials are warning about the possible presence of scam artists.

Attorney General Marty Jackley and the South Dakota Department of Public Safety urge Delmont tornado victims to proceed with caution when moving into the recovery phase of this disaster. Consumers who need repair work done quickly following a natural disaster are often targets of unscrupulous business practices.

Despite the overwhelming feeling after the tornado, Delmont residents have made tremendous strides in a few days, said Incident Assistance Team member Sandy Frenz.

"While it may feel like it's been a little slow, it really isn't," she said.

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