

2010 Legal and Public Notices

9+24&10+1+8+15
STATE OF SOUTH DAKOTA)
)s:;
COUTY OF YANKTON)

IN CIRCUIT COURT
FIRST JUDICIAL CIRCUIT

PRO. #14-58
NOTICE TO CREDITORS

ESTATE OF:

TODD H. HUDSON,

Deceased.

NOTICE IS HEREBY
GIVEN
THAT on September 19, 2014,
Rebecca Hudson, whose mailing
address is 100 Privet Drive, Yank-
ton, SD 57078, was appointed the
Personal Representative of the Es-
tate of Todd Hudson.

Creditors of Decedent
must
file their claims withing four (4)
months after the date of the first
publication of this notice or their
claims may be barred.

Claims may be filed
with the
Personal Representative or may
be filed with the Yankton County
Clerk of Courts, whose address is
410 Walnut, Suite #205, Yankton,
South Dakota 57078 with a copy
of the claim being mailed to the
Personal Representative.

Dated this 19th day of
Septem-
ber, 2014.

/s/_____
Rebecca Hudson
100 Privet Street
Yankton, SD 57078
(605)760-3912

Jody L. Johnson
YANKTON COUNTY CLERK
OF COURTS
410 Walnut Street - Suite #205
Yankton, SD 57078
(605) 668-3080

Wanda Howey-Fox
HARMELINK, FOX &
RAVNSBORG LAW OFFICE
721 Douglas - Suite #101
Yankton, SD 57078
(605) 665-1001

10+8
**CHAMBER OF THE BOARD
OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
SEPTEMBER 22, 2014**

Regular meeting of the Board of
City Commissioners of the City of
Yankton was called to order by
Mayor Carda.

Roll Call: Present: Commis-
sioners Akland, Blaaid, Ferdig,
Gross, Hoffner, Knoff, and Woer-
ner. City Attorney Den Herder,
and City Manager Nelson were
also present. Absent: Commis-
sioner Sommer.
Quorum present.

Action 14-238

Moved by Commissioner Knoff,
seconded by Commissioner Ak-
land, to approve the Minutes of
the regular meeting of September
8, 2014.

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

Mayor Carda read a proclamation
declaring September 29 through
October 3, 2014, as *Yankton
Manufacturing Week*.

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

Action 14-239

Moved by Commissioner Knoff,
seconded by Commissioner
Blaaid, that the following items
on the consent agenda be ap-
proved.

1. **Establishing public hearing for
sale of alcoholic beverages**
Establish October 13, 2014, as
the date for the public hearing on
the request for a New Retail
(on-off sale) Malt Beverage Li-
cense for July 1, 2014, to June 30,
2015, from Tank Ming Sze db/a
Tokyo Japanese Cuisine, 2007
Broadway, Suite J, Yankton,
South Dakota.

2. **Establishing public hearing for
sale of alcoholic beverages**
Establish October 13, 2014, as
the date for the public hearing on
the request for a New Retail
(on-off sale) Wine License for
January 1, 2014, to December 31,
2014, Tank Ming Sze db/a To-
kyo Japanese Cuisine, 2007
Broadway, Suite J, Yankton,
South Dakota.

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

Action 14-240

This was the time and place for
the public hearing on the applica-
tion for a Special Events Malt
Beverage (on-sale) Retailers Li-
cense and a Special (on-sale)
Wine Retailers License for one

2010 Legal and Public Notices

day, October 24, 2014, from A-
vera Sacred Heart Health Services
(Taylor Tramp, Foundation Assis-
tant), such event to be held at Pa-
vilion Center, 1st, 2nd and 3rd
Floors and 1st and 2nd Floor of
Surgical Center on Avera Cam-
pus, Yankton, South Dakota.
(Memorandum 14-164) No one
was present to speak for or against
approval of the license. Moved
by Commissioner Blaaid, sec-
onded by Commissioner Akland,
to approve the license application.

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

Action 14-241

Eric Ambrosen, District III, began
the public hearing regarding the
proposed Boys and Girls Club of
Yankton facility project with an
information update and then an-
swered questions. Nancy
Wenande, member of the Board
of the Yankton Boys and Girls
Club, appeared in favor of the
project. Moved by Commissioner
Gross, seconded by Commis-
sioner Knoff, to adopt Resolution
14-40. (Memorandum 14-172)

RESOLUTION 14-40 AUTHORIZING RESOLUTION

WHEREAS, The City of
Yankton has identified the
community's need to provide
quality youth programs, and

WHEREAS, The City of Yank-
ton proposes to assist the Boys
and Girls Club of Yankton con-
struct a new facility by submitting
a Community Development Block
Grant (CDBG) application; and

WHEREAS, the City of
Yankton is eligible for federal as-
sistance for the proposed project;
and

WHEREAS, with the
submission of the CDBG applica-
tion The City of Yankton assures
and certifies that all CDBG pro-
gram requirements will be ful-
filled; and

WHEREAS, The City of
Yankton has published the re-
quired publications for the CDBG
application.

**THEREFORE, BE IT RE-
SOLVED,** that the City of Yank-
ton of duly authorizes the submis-
sion of the CDBG application re-
questing approximately \$515,000
for the Boys and Girls Club Fac-
ility Project.

**THEREFORE, BE IT RE-
SOLVED,** that the City Manager
be authorized to execute the
CDBG application for The City of
Yankton.

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

Action 14-242

Moved by Commissioner Blaaid,
seconded by Commissioner
Gross, to adopt Resolution 14-41.
(Memorandum 14-172)

RESOLUTION 14-41 DESIGNATING CDBG PROJECT CERTIFYING OFFICER AND ENVIRONMENTAL CERTIFYING OFFICER BOYS AND GIRLS CLUB CONSTRUCTION PROJECT

**WHEREAS, The City of Yank-
ton** is applying to the Commu-
nity Development Block Grant
from the U.S. Department of
Housing and Urban Development
as administered by the State of
South Dakota, and;

**WHEREAS, The City of Yank-
ton** is required to designate a cer-
tifying officer for the purpose of
signing required documents per-
taining to these grants, and;

**WHEREAS, The City of Yank-
ton** is required to designate an en-
vironmental certifying officer for
the purpose of signing required
environmental documents pertain-
ing to these grants, and;

**NOW THEREFORE, BE IT
RESOLVED,** that the City Man-
ager of *The City of Yankton* be
hereby designated as the City's
certifying officer for the purpose
of signing correspondence, pay re-
quests, and other required docu-
ments.

**AND BE IT FURTHER RE-
SOLVED,** that the City Manager
of *The City of Yankton* be hereby
designated as the City's environ-
mental certifying officer for all
environmental review procedures
associated with these CDBG pro-
jects.

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

Action 14-243

This was the time and place to

2010 Legal and Public Notices

award the bid for 2015 Sludge Re-
moval from the Wastewater Plant.
The following bids were received
and opened on September 11,
2014: Dakota Rock Farms, Ver-
million, South Dakota -
\$0.025/gallon; Willard Schmidt,
Yankton, South Dakota -
\$0.025/gallon. (Memorandum
14-170) Since the two bids re-
ceived were identical, per South
Dakota Codified Law 5-18A-5
(10) a lottery (coin flip) was used
to determine the award of the bid.
Willard Schmidt won the coin flip
conducted at the bid opening.
Moved by Commissioner Knoff,
seconded by Commissioner Ak-
land, to award the bid for 2015
Sludge Removal from the Waste-
water Plant to Willard Schmidt
per South Dakota Codified Law
for the cost of \$0.025 per gallon.

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

Action 14-244

Moved by Commissioner Blaaid,
seconded by Commissioner Woer-
ner, to adopt Resolution 14-35.
(Memorandum 14-165)

RESOLUTION 14-35 A RESOLUTION APPROVING AN AIRPORT HANGAR LAND LEASE AGREEMENT WITH MYLES TIESZEN

WHEREAS, The Board of City
Commissioners of the City of
Yankton has been given the
authority to approve Airport Han-
gar Land Lease Agreements at
Chan Gurney Airport; and,

WHEREAS, Myles Tieszen de-
sires to lease a 34' deep by 44'
wide lot at Chan Gurney Airport
on which he intends to build an
airplane hangar; and,

WHEREAS, it is in the best inter-
est of the City of Yankton and
Chan Gurney Airport for the
Board of City Commissioners to
approve the Land Lease Agree-
ment with Myles Tieszen,

**NOW, THEREFORE, BE IT RE-
SOLVED** by the Board of City
Commissioners of the City of
Yankton, SD, that the Airport
Hangar Land Lease Agreement
with Myles Tieszen for building
location 702 E 31st Street Number
32 is hereby approved at a rate of
\$0.10 per square foot of building
space.

Roll Call: Members present
voting "Aye;" Commissioners Ak-
land, Blaaid, Ferdig, Gross,
Knoff, Woerner, and Mayor
Carda; voting "Nay;" None; Ab-
staining: Commissioner Hoffner.
Motion adopted.

Action 14-245

Approval of Resolution 14-169,
supporting the Transportation Al-
ternatives Program Application
for the Fox Run Trail
System-Phase 1, was considered.
(Memorandum 14-169) City
Manager Nelson read a letter from
Jean Hunhoff supporting the pro-
ject. Dan Hunhoff was present in
support of approval of adopting
the Resolution. Moved by Com-
missioner Blaaid, seconded by
Commissioner Akland, to adopt
Resolution 14-39.

TRANSPORTATION ALTERNATIVES PROGRAM AUTHORIZING RESOLUTION 14-39

WHEREAS The City of Yankton
endorses the Transportation Al-
ternatives Program Grant Applica-
tion for a project that will improve
non-motorized vehicle access
along South Dakota Highway 50
in the vicinity of the Fox Run
Neighborhood; and

WHEREAS the project will com-
ply with all local planning and
zoning requirements; and

WHEREAS the City of Yankton
assumes full responsibility for
providing all necessary match
funding, project coordination, and
future site maintenance.

**NOW THEREFORE BE IT RE-
SOLVED** by the Yankton City
Commission that it will sponsor
the Transportation Alternatives
Program Grant Application as
well as provide the administrative
assistance needed to ensure com-
pliance with all grant require-
ments; and

BE IT FURTHER RESOLVED
that the Yankton City Commis-
sioner authorizes the City Manager
to execute all documents associ-
ated with the grant application or
administration thereof.

Roll Call: Members present
voting "Aye;" Commissioners Ak-
land, Blaaid, Ferdig, Gross, Hoff-
ner, Knoff, and Mayor Carda; vot-
ing "Nay;" None; Abstaining:
Commissioner Woerner.
Motion adopted.

Action 14-246

Moved by Commissioner Knoff,
seconded by Commissioner Woer-

2010 Legal and Public Notices

ner, to approve the Ice Melt Sup-
ply Agreement between the City
of Yankton and Yankton School
District 63-3. (Memorandum
14-168)

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

Action 14-247

Moved by Commissioner Blaaid,
seconded by Commissioner Hoff-
ner, to authorize payment of
\$25,000.00 to Sports Games,
Sioux Falls, South Dakota, as a
deposit for the Sports Court mat-
erial floor tiles that will be instal-
led in the City Hall Gymnasium in
October, 2014. (Memorandum
14-173)

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

Action 14-248

Moved by Commissioner Knoff,
seconded by Commissioner Woer-
ner, to adopt Resolution
14-36. (Memorandum 14-166)

RESOLUTION 14-36

WHEREAS, the City of Yank-
ton has determined that it is nec-
essary to adjust the existing solid
waste collection rates to a level
which will reduce the operating
deficit of the municipal solid
waste collection system;

**NOW, THEREFORE, BE IT
RESOLVED** by the Board of City
Commissioners:

That the following solid waste
collection rates shall be adopted
effective with billings after No-
vember 1, 2014;

Class I Residential - \$16.63 per
month plus tax.

Class II Commercial / Industrial -
\$16.63 per month per unit plus
tax.

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

Action 14-249

Moved by Commissioner Blaaid,
seconded by Commissioner
Knoff, to adopt Resolution 14-37.
(Memorandum 14-167)

RESOLUTION 14-37

WHEREAS, the City of Yank-
ton has determined that it is nec-
essary to adjust the existing mu-
nicipal water rates to a level
which will maintain the operation
of the municipal water system on
a self-sustaining user basis, and
fund debt service and depreciation
costs, and;

WHEREAS, the City of Yank-
ton has conducted a water rate re-
view based on forecasted cost and
consumption, and;

WHEREAS, the City of Yank-
ton determined during the recent
budget workshop that a three per-
cent (3%) increase should be ap-
plied to the surcharge;

**NOW, THEREFORE, BE IT
RESOLVED** by the Board of
City Commissioners:

That the following municipal
water monthly surcharge rates and
regulations shall be adopted;

1. Surcharge Rates

The monthly surcharge water
charge for all water meters shall
be in accordance to the size of the
water meter. The following 3%
increase in monthly surcharge
rates shall be effective with the
billings issued after November 1,
2014: 5/8 & 3/4" meter-\$15.45
surcharge; 1" meter-\$27.54 sur-
charge; 1-1/2" meter-\$61.99 sur-
charge; 2" meter-\$110.12 sur-
charge; 2-1/2" meter-\$195.60 sur-
charge; 3" meter-\$247.72 sur-
charge; 4" meter-\$438.37 sur-
charge; 6" meter-\$988.01 sur-
charge; 8" meter-\$2,026.36 sur-
charge; 10" meter-\$3,498.84 sur-
charge; 12" meter-\$4,552.29 sur-
charge.

The surcharge shall be billed
monthly to all water users based
on the above effective water rate
surcharge table.

2. Fifty percent (50%) of the
monthly surcharge will be classifi-
ed as the surcharge for Drinking
Water Loan-05, Series 2014
(DW-05). The remaining fifty
percent (50%) of the surcharge
will continue to be used for the
existing debt service of Drinking
Water Loans 01 through 04 until
such time as Drinking Water
Loan-06 is established. The total
surcharge will then be reassessed
and adjusted to reflect the com-
bined required debt service for
Drinking Water Loans 05 and 06
only.

3 Non-City Residential, Commer- cial, and Industrial Surcharge Rates

The monthly surcharge water
charge for any meter location lo-
cated outside the city limits of

2010 Legal and Public Notices

Yankton shall be at a rate twice
that charged for City water users
as established by this resolution
unless otherwise established by
the City Commission.

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

Action 14-250

Moved by Commissioner Knoff,
seconded by Commissioner
Blaaid, to adopt Resolution
14-38. (Memorandum 14-167)

RESOLUTION 14-38

WHEREAS, the City of Yank-
ton has determined that it is nec-
essary to adjust the existing mu-
nicipal water rates to a level
which will maintain the operation
of the municipal water system on
a self-sustaining user basis, and
fund debt service and depreciation
costs, and;

WHEREAS, the city of Yank-
ton has conducted a water rate re-
view based on forecasted cost and
consumption;

WHEREAS, the City of Yank-
ton determined during the recent
budget workshop that a three per-
cent (3%) increase should be ap-
plied to the water consumption
rate;

**NOW, THEREFORE, BE IT
RESOLVED** by the Board of
City Commissioners:

That the following municipal wa-
ter rates and regulations shall be
adopted;

1. Residential, Commercial, and Industrial Con- sumption Rates

Effective with the billing issued
after November 1, 2014, water
used or consumption will be
charged at a rate of \$5.08 per each
thousand gallons consumed.

2. Non-City Residential, Commercial, and Industrial Rates

All water sold by the City for re-
sidential, commercial, or industrial
use to any meter location outside
the city limits of Yankton shall be
at a rate twice that charged for
City water users as established by
this resolution unless otherwise
established by the City Commis-
sion.

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

Action 14-251

Moved by Commissioner Blaaid,
seconded by Commissioner Ak-
land, to adjourn into Executive
Session at 7:49 p.m. to discuss
contractual matters.

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 Carda.

Roll Call: Present: Commis-
sioners Akland, Blaaid, Ferdig,
Gross, Knoff, and Woerner. City
Attorney Den Herder and City
Manager Nelson were also pre-
sent. Absent: Commissioners
Hoffner and Sommer. Quorum
present.

Action 14-252

Moved by Commissioner Woer-
ner, seconded by Commissioner
Akland, to adjourn at 8:52 p.m.

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

First Womb Transplant Baby Won't Be Alone For Long

BY MARIA CHENG
AP Medical Writer

GOTHENBURG, Sweden — The world's first baby
born from a transplanted
womb is soon to have com-
pany.

Two more women who
became pregnant after hav-
ing womb transplants are
due to deliver in the next
few weeks — and that could
be the start of a new wave
of babies born this way, say
the Swedish doctors who pi-
oneered the technique.

"It means a lot to me that
we are able to help patients
who have tried for so long
to have families," said Dr.
Mats Brannstrom, a profes-
sor of gynecology and ob-
stetrics at the University of
Gothenburg, who led the
project that brought about
last month's pioneering
birth. "This is the last piece
of the puzzle in finding a
treatment for all women
with infertility problems."

Brannstrom predicted
there would soon be many
more babies born to women
who have received donated
wombs in countries where
doctors are studying the
technique, including Aus-
tralia, Britain, the U.S.,
Japan and China.

Brannstrom said he has
also started work on trying
to grow a womb in the lab.
That involves taking a womb
from a deceased donor,
stripping it of its DNA, then
using cells from the recipi-
ent to line the structure. He
has started preliminary
tests in animals and esti-
mated it would be another
five years before the tech-
nique can be tried on hu-
mans.

While that may sound
like science fiction, the
techniques that led to the
birth announced last week
also sounded outlandish
just years ago.

Water

From Page 1

ment of aerosol dry-cleaning
products.

Mayor Muriel Pratt said
the partial ban represents a
precaution.

"Most of the results came
back clear except for one iso-
lated location in town," she
said. "Actually, it's a different
spot than before."

Recent tests revealed PCE
of 108 parts per billion —
nearly 22 times the accept-
able level of 5 parts per bil-
lion — for the Lesterville
water system.

"Now, we're down to the
one spot in town, and it's
right at the 5 parts per bil-
lion," she said.

Tests were taken following
a high reading of the volatile
organic compound discov-
ered during annual testing
last month. A reading near
the maximum acceptable
level for drinking water at
one of the sites led to addi-
tional sample being taken
Tuesday.

Lesterville residents are
still being provided water by
local officials.

Pratt said they are contin-
uing the door-to-door deliv-
ery of cases of bottled water.
The portable shower will re-
main available until test re-
sults are available today.

Pratt said the drinking
water ban will remain in ef-
fect at least until testing on
the most recent water sample
is completed.

"We should get the results
by late afternoon (today),
hopefully by 3 p.m.," she said.
"We'll know a lot more after
that."

*You can follow Randy
Dockendorf on Twitter at
twitter.com/RDockendorf.
Discuss this story at
www.yankton.net.*

Police Chief In Huron Stepping Down On Nov. 1

KOKK radio reports that
Public Safety Director Gary
Will Jr. announced his deci-
sion to step down on Nov. 1
at Monday night's City Com-
mission meeting.