

2010 Legal and Public Notices

Action 15363H: A motion was made by Bodenstedt and seconded by Freng to approve right of way application from Bon Homme Yankton Electric. All present voted aye; motion carried.

Action 15364H: A motion was made by Freng and seconded by Bodenstedt to approve right of way application from Bon Homme Yankton Electric. All present voted aye; motion carried.

Action 15365H: A motion was made by Freng and seconded by Freng to approve right of way application from Bon Homme Yankton Electric. All present voted aye; motion carried.

Action 15366H: A motion was made by Freng and seconded by Epp to approve right of way application from Bon Homme Yankton Electric. All present voted aye; motion carried.

Action 15367H: A motion was made by Bodenstedt and seconded by Epp to approve right of way application from Bon Homme Yankton Electric. All present voted aye; motion carried.

Commissioner Kettering joined the meeting at 4:15 p.m.

Bridges: Dan Johnson from Johnson Engineering along with Nathan Moray from the Corps of Engineers appeared before the board to report the findings of the advance scouring under span two of the Johnson Bridge on 303rd St. Mr. Johnson's recommendation is to apply for a 404 permit application through the Corps of Engineer and work with Highway Superintendent Brian Gustad in placing class D rip rap under span two of the Johnson Bridge. Johnson also reported that the rock placed earlier this year on the Fleg's Bridge seems to be holding and sees no reason to place rock immediately, but he did state that the south east bank of the bridge is in need of repair.

Action 15368H: A motion was made by Bodenstedt and seconded by Epp to have Johnson Engineering move forward with the 404 permit for the Johnson Bridge. All present voted aye; motion carried.

Zoning: The board approved Zoning Administrator Pat Garrity to move forward in initiating a planning grant for a sewer system west of Yankton.

Website: Daniel Buresh along with Josh VanDyke from Intuvio Solutions appeared before the board to present their quotes for the new county website.

Website: Tom Ritchie from Team CreativeFire appeared before the board to present a quote for the new county website.

MI Bills: Yankton County States Attorney Rob Klimisch appeared before the board to discuss MI hold claims from Avera Sacred Heart.

Action 15370C: A motion was made by Bodenstedt and seconded by Kettering to have the States Attorney continue negotiations with Avera Sacred Heart to determine the one day Medicare cost for ICU for MI holds. All present voted aye; motion carried.

Action 15371: A motion was made by Epp and seconded by Kettering to recess the regular session and convene in executive session for litigation. All present voted aye; motion carried.

Action 15372C: A motion was made by Bodenstedt and seconded by Freng to adjourn from executive session and reconvene in regular session. All present voted aye; motion carried.

No action was taken on LRC litigation issue.

Action 15373C: A motion was made by Bodenstedt and seconded by Freng to proceed with Meierhenry Sargent LLP on the Property Tax Appeal for the NuStar Pipeline and Keystone Pipeline. All present voted aye; motion carried.

Convention: The report from the convention will be given at the next regular meeting.

Rail board: Commissioner Bodenstedt presented a report on the Railroad Authority Board.

Action 15374ROD/Pooled Cash/Aud-Treas/Sheriff/Ambulance/MI Income/VSO/WELFARE: A motion was made by Freng and seconded by Epp to approve the following monthly department reports. All present voted aye; motion carried.

ROD: The Register of Deeds report from August 2015 showed collection of \$13,528.50, in regular fees; \$6,791.00 in transfer fees; and \$1,587.00 in copies revenue.

Auditor/Treasurer: The Auditors Monthly Settlement with the Treasurer as of August, 2015 showed Total Cash of \$7,007,592.82. The General Fund was \$5,233,532.07; Special Funds were \$982,238.60; and Trust and Agency Funds were \$791,822.15 adding to a Grand Total of General Ledger Cash and Investments of \$7,007,592.82. A detailed report is on file with the County Auditor.

Sheriff: Sheriff's office collected \$8,074.05 in fees last month. Jail income was \$124,696.20 in August. There were 76 county inmates, 103 city inmates, 19 state inmates and 55 federal inmates, with a total of 8,285 inmate meals

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served. Income from the 24-7 program was \$4,467.

EMS: Emergency Medical Services monthly report for August 2015 listed 195 total calls. Yankton County EMS has collected year to date \$529,846 and spent \$576,163.

MI Income: The MI Illness income for August 2015 was \$7,973.50.

Veteran's Office: VSO Michael McDonalds report showed 61 contacts on behalf of veterans last month. McDonald also coordinated transportation of 17 veterans (seven trips) to appointments at the VA Hospital in Sioux Falls.

The Yankton County Welfare Report for August 2015 included 16 contacts, 10 notices of hospitalization, five medical bills for the County Jail and 2 county burials.

Action 15375C: A motion was made by Epp and seconded by Kettering to adjourn. All present voted aye; motion carried.

The next regular meeting will be Tuesday, October 6th, 2015.

Todd Woods, Chairman
Yankton County Commission

ATTEST:
Patty Hojem, County Auditor
Published once at the approximate cost of \$186.18.

10+1+8 NOTICE OF AUDIT OF THE FISCAL AFFAIRS OF THE CITY OF YANKTON

Notice is hereby given that the records and books of account of the City of Yankton, South Dakota have been audited by Williams & Company, P.C., Certified Public Accountants of Le Mars, Iowa for the year ended December 31, 2014. A detailed report thereon is filed with the City of Yankton and the Department of Legislative Audit in Pierre, South Dakota for public inspection.

The following finding and recommendation referred to in the report are hereby listed in accordance with the provisions of SDCL 4-11-12.

CURRENT AUDIT FINDING AND RECOMMENDATION

Finding:

Due to the limited number of employees, the City does not have sufficient controls in place to ensure that all payables were properly recorded and that all other applicable adjustments are made.

Recommendation:

The City should implement procedures to ensure all payables are identified and included in the City's financial statements and that any required adjustments are made.

Response:

We will double check the financial statements in the future and all supporting schedules to verify that all adjustments are made properly.

MARTIN L. GUIDON, CPA,
AUDITOR GENERAL
DEPARTMENT OF
LEGISLATIVE AUDIT
Published twice at the total approximate cost of \$31.58.

9+28&10+1 PUBLIC NOTICE Tree Trimming Required

Under the Ordinance Chapter 24 of the City of Yankton, any tree overhanging any street, sidewalk, alley or right of way within the city shall have the branches trimmed so that the branches do not block or otherwise inhibit street, alley and sidewalk traffic. Trees shall be trimmed in a manner to allow 10 feet of clearance over sidewalks and 12 feet of clearance over streets and alleys. Notice is hereby given to the owners of any premises abutting upon any street, sidewalk, alley or right of way, that all trees or tree branches hanging lower than 10 feet above sidewalks and 12 feet above streets, alleys or right-of-ways are hereby declared a nuisance and the city shall have the authority to trim trees and branches for the purpose of abating the nuisance and assess the costs of the abatement to the property owner by special assessment.

Brad Bies
Department of Community
Development
City of Yankton
Published twice at the total approximate cost of \$19.91.

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Shooting

From Page 1

Wednesday before pulling out a handgun and firing a single shot that left the principal with a flesh wound. Assistant Principal Ryan Rollinger tackled the student and held him down with help from athletic director Joey Struwe, said Harrisburg Superintendent Jim Holbeck.

"You really never know what this student would have done if they haven't confronted him," Holbeck said. "I believe what happened there, what those guys did, probably helped saved somebody else from maybe getting shot. I can't tell you what was in his mind, but if he already shot once, who knows."

Officers quickly took the student into custody. Lincoln County State's Attorney Tom Wollman declined to confirm the student's identity but said he expected charges to be filed within a day. South Dakota law gives prosecutors some latitude in deciding whether to

pursue felony charges against those under 18 years of age in juvenile or adult court.

A South Dakota man told The Associated Press that his 16-year-old son is the student who shot Lein. He said his ex-wife, with whom his son lives, called to tell him that their son had been arrested following the shooting. He said his son's been quiet over the past year.

"Something's just going on inside of him and he's just mad at everybody, I think," the father said. "I don't know what would've made him do something like this."

He didn't say where his son got the handgun, but said that he and his son would regularly target shoot outside and that his son had taken gun safety courses.

The Associated Press is not naming the man so as not to identify his son, who has not been charged in the shooting or identified by authorities.

Officials say they don't know what spurred the dispute at the school, which has about 635 students from Harrisburg and other commu-

nities. Harrisburg, a town of about 5,000 residents, sits 10 miles south of Sioux Falls.

Okerlund, 18, said she was in college algebra when a classmate ran into the room to tell everyone he had seen a student near the principal's office with a gun.

She said Lein came onto the intercom shortly afterward to tell students there was a school-wide lockdown. Lein later told students by intercom that he had been shot.

"You could hear the fracticness in his voice," she said. "It's just so surreal."

Okerlund said her classmates were crying and shaking in the corner of the classroom while they waited for news during the lockdown.

As authorities continued to shut off access to the high school, students were taken by bus to Harrisburg South Middle School, where parents were asked to pick them up.

Junior Jerica Warwick, 16, said students were texting or calling parents to let them know they were safe after they were all gathered at the middle school.

"Everybody either was

shocked or crying," Warwick said.

Warwick's mother, Sheryl Holt, 35, of Sioux Falls, arrived to pick up her daughter. Holt said she hopes more safety measures will be put in place at the school, which does not have metal detectors.

Nick Pohlmann, who lives just across the street and has a son who is a senior at the school, said he found out about the shooting through a friend who called him asking if his son was OK. Pohlmann said he immediately drove back to his home and ran over to the school to try to get some information.

"This is good ol' Harrisburg," Pohlmann said. "This doesn't happen here."

South Dakota has seen a handful of firearm incidents at schools. In 2013, a Britton-Hecla student was injured in the school parking lot when a .22-caliber handgun, thought to be unloaded, went off. And as far back as 1961, a Delmont High School student was killed after being accidentally struck with a .22-caliber bullet during a school play rehearsal.

College

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The Historical Society is currently working toward a goal of \$750,000 which will cover the basic cost of moving in, restoration and remodeling the interior for display purposes.

Yankton College has kept a very extensive collection of records from years at the campus, which is now the location of the Federal Prison Camp.

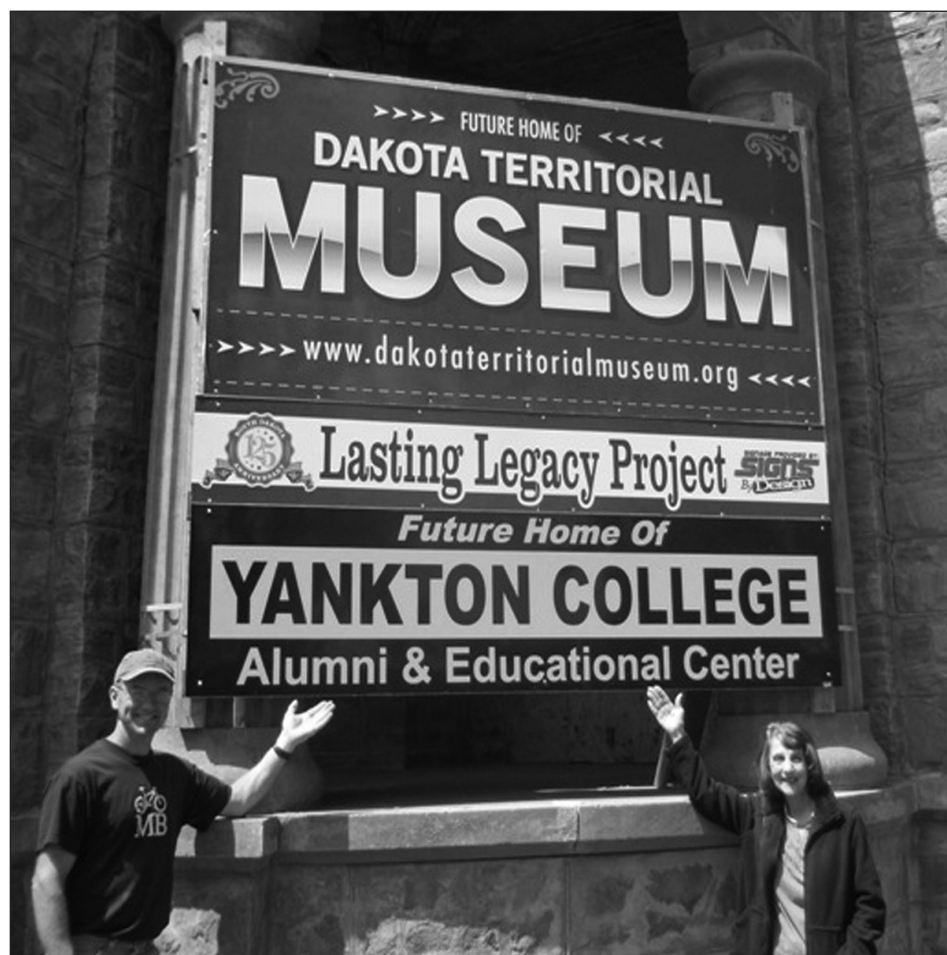
After beginning to contact existing alumni in May, a fundraising team has raised more than \$325,000. With 3,500 alumni registered world-wide and the extensive documentation of Yankton College graduates, Neubauer is hoping to continue the fundraising with an even bigger result.

"We have information about everyone who has ever attended, beginning in the 30s and 40s," Neubauer said. "But we have been working at this rather quietly for a really long time. That is why we are calling this a kick-off part."

The Historical Society cannot begin setting up its new space until the state turns over the title of the building. In order to do that, the state must receive a certificate of occupancy by 2018. This will clarify that the building's restoration, or at least enough of the building, is applicable to conduct business.

"Our major goal is to take occupancy as soon as possible," Neubauer said, "to continue moving our treasures from where we are now and then making the process of moving in, just like moving into a new home."

Anticipating the big move and awaiting final plans, the Historical Society's committee meets twice a month to take a look at the many things that are in collections at the current Dakota Territorial Museum. Taking inventory will be a major



COURTESY PHOTO

Gregg Homstad, project designer (left) and Yankton County Historical Society President and Board of Trustees Chair for Yankton College Alumni Joan Neubauer (right) stand in front of Yankton's Mead building. This will soon be the new home of the Dakota Territorial Museum featuring the Yankton College Alumni & Educational Center will showcase an extensive collection of Yankton College memorabilia for generations to visit.

step in solidifying the future dwelling.

"It is a great training ground for me because I know that that's what we are going to have to do with the many treasures that Yankton College has, as well," Neubauer said. "We are working on all these things at the same time. It is kind of a balancing act."

For more than 20 years, the Yankton College office, records, memorabilia, historical artifacts and student files have been housed at the north end of the Summit Activities Center.

In 1994, the Yankton College Alumni helped fund the alumni hall theatre currently at Yankton High School. In exchange for that, a 30-

year lease was given to the organization for their offices and artifacts.

Between the deadline of 2018, for the state's approval, and 2024, when the lease at the Summit Center will expire, Neubauer sees 2020 as a good year to begin moving toward a permanent space.

"We have this vacant space of time inbetween deadlines that should facilitate the actual moving," Neubauer said. "I think you can imagine what moving all of this would be like."

Between 1881 and 1985, Yankton College has accumulated a vast trove of memories from generations of the Yankton community. Although the college has

since closed, the opportunities that arose from that institution make its history worth preserving.

"We have pictures, we have relics and we have things that are ours now, taken when it was turned over to the Board of Prisons," Neubauer said. "It will become as much a museum and historical area as an alumni center. All those things just work together and molded beautifully."

For more inquiries about the project or donation opportunities visit www.yanktoncollege.org or call Joan Neubauer, Board of Trustees Chair at (605) 260-9564.

Follow @alwooc01 on Twitter.

Tribe

From Page 1

another two years."

During his second term, Flying Hawk wants his people to focus on themselves and what they want for their future.

"Our identity is an understanding of who we are and a sense of knowing ourselves and where we're at," he said.

One of those important decisions looms straight ahead with legal, medical, social and economic implications. The Oct. 15 general council meeting will include an informational session and discussion of draft ordinances for hemp, medicinal marijuana and recreational marijuana.

The issue has been prompted by the approval of limited marijuana use by the Santee Sioux at Flandreau, Flying Hawk said.

"We have interest from some (Yankton Sioux) members, but we are cautious because it's still illegal in the state," he said.

The YST chairman emphasized the marijuana issue remains in the discussion phase for the Yankton Sioux.

"We will get more information," he said. "We are watching what happens at Flandreau. We are keeping our eyes and ears open."

In addition, the YST is also talking about the commercial production of hemp, he said.

Several speakers at Wednesday's inauguration referred to past disagreements on the council and among tribal members.

Flying Hawk said he agrees on the need for tribal unity in

dealing with issues. However, the noted the situation is not unique to the Yankton Sioux, pointing to the strong divide seen across the nation.

In looking ahead, Flying Hawk spoke of the importance of tackling education, jobs, law enforcement and drugs.

The Yankton Sioux have already made major strides during the past two years, he said.

In terms of law enforcement, the tribal correctional facility has been constructed and opened about two weeks ago, he said.

"The detention center is completed," he said. "We started with a soft opening for adult males and eventually will add females and juveniles."

On the medical front, the Yankton Sioux Tribe has purchased the Prairie Health Clinic in Wagner. The tribe will convert it the building into a new dialysis unit in partnership with the Avera health care system.

The dialysis unit won't be limited to tribal members or other American Indians, he said. "This (center) will be for the community. It will be a 'color-less' service," he said.

Besides offering dialysis, the tribe wants to emphasize wellness and education in preventing diabetes, Flying Hawk said.

In terms of economic development, the tribe has talked about possible ventures for Fort Randall Casino but has taken no steps, he said. "We have plans for the casino but want to make sure that things are stable before taking on projects," he said.

Flying Hawk and tribal veterans are working with the effort to construct a Code Talkers Monument in

Pierre. The monument will honor American Indians who provided important code and translation work during World Wars I and II, using their native language which couldn't be broken by the enemy.

Wednesday's inauguration was broadcast on Lake Andes radio station KDKO. Flying Hawk said the radio station, while not a tribal operation, would provide another avenue for reaching out and communicating with tribal members and the general public.

Wednesday's inauguration included the swearing into office of tribal officials.

The YST Business and Claims Committee includes Chairman Robert Flying Hawk, Vice Chairman Jody Zephier, Secretary Glenford "Sam" Sully, Treasurer Leo O'Connor and council members Diane Merrick, Roseanne Wade, Mona Wright, Jason Cooke and Gregory Cournoyer Jr.

The new council members include Cournoyer Jr., Wade and Merrick, while Zephier had previously served in another tribal office.

The incoming officers talked about their desire to work together and to create positive change for the Yankton Sioux, particularly the young people. They spoke of the importance of culture and education in creating better lives. They also spoke about economic development, although one council member expressed opposition to the proposed TransCanada XL pipeline.

Farewell remarks were delivered by departing tribal council members Jeannie Archambeau and Quentin "J.B." Bruguier. They offered thanks for the opportunity to serve in office. They also spoke of

the difficult decisions facing the council and the need to remain united as a council and as a tribe.

Guest speaker Lionel Bordeaux, president of Sinte Gleska University in Mission, offered encouragement to the Yankton Sioux and their leaders.

He shared the path that led to him to become president of Sinte Gleska University. That path required a major career change as a young man. "My life took a 180-degree turn," he said.

In the same way, many of the Yankton Sioux tribal leaders are putting away their desires and their goals in order to serve their people, he said.

Bordeaux said he has remained committed throughout his life to bettering the lives of his people through education. He challenged the Yankton Sioux to keep their language and other facets of their culture despite outside pressures to abandon it.

"The tribal leaders need to stand up for this," he said, adding that American Indian culture remains very popular in foreign nations.

Wednesday's program included remarks from Marty and Andes Central students along with the attendance of Wagner students. In addition, the South Dakota congressional delegation of U.S. Sens. John Thune and Mike Rounds and U.S. Rep. Kristi Noem sent greetings to the Yankton Sioux Tribe and its leaders.

Follow @RDockendorf on Twitter.