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AN ORDINANCE APPROPRIATING MONIES FOR DEFRAYING THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF YANKTON, SOUTH DAKOTA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2012, AND ENDING DECEMBER 31, 2012, AND PROVIDING FOR THE LEVY OF THE ANNUAL TAX FOR ALL FUNDS CREATED BY THE ORDINANCE WITHIN SAID CITY.

BE IT ORDAINED by the City of Yankton, South Dakota

That thereby and hereby is appropriated by the Board of Commissioners of the City Yankton, South Dakota, for the year commencing the first moment of the first day of January 2012, the following sums of money for the purposes, which are deemed necessary to defray all necessary expenses and liabilities of the City of Yankton, South Dakota, to wit:

SECTION I - GENERAL FUND

A. Appropriations	
General Government:	
Board of City Commissioners	\$ 122,935
City Manager	298,996
City Attorney	49,433
Finance Office	565,147
Information Services	252,834
Community Development	333,034
Contingency	200,000
TOTAL GENERAL GOVERNMENT	1,822,379
Public Safety:	
Police Department	2,425,238
Animal Control	57,846
Fire Department	651,163
Civil Defense	6,025
TOTAL PUBLIC SAFETY	3,140,272
Public Works:	
Engineering & Inspection	576,466
Street & Highways	1,523,372
Snow & Ice Removal	143,353
City Hall	198,291
Traffic Control	327,990
Chan Gurney Airport	204,717
TOTAL PUBLIC WORKS	2,974,189
Special Appropriations	283,468
TOTAL SPECIAL APPROPRIATIONS	283,468
Culture - Recreation:	
Senior Citizens Center	145,154
Community Library	686,413
TOTAL CULTURE - RECREATION	831,567
Other Financing Uses / Transfers Out	2,648,754
TOTAL OTHER FINANCING USES	2,648,754
TOTAL APPROPRIATIONS	\$11,700,629

B. Means of finance	
Unappropriated Fund Balances	\$ 1,274,831
Current Property Taxes	2,196,490
Sales & Other Taxes	4,732,475
Licenses & Permits	349,300
Intergovernmental Revenue	683,486
Charges for Goods & Services	2,010,506
Fines & Forfeits	26,800
Miscellaneous Revenues	39,300
TOTAL REVENUE	10,038,357
Other Financing Sources / Transfers In	387,441
TOTAL MEANS OF FINANCE	\$11,700,629

SECTION II - SPECIAL REVENUE

A. Appropriations	
Parks & Recreation	\$ 1,008,984
Memorial Park Pool	193,361
Summit Activities Center	705,196
Marne Creek	209,096
Casualty Reserve Fund	5,000
Bridge & Street Fund	123,000
911/Dispatch	579,473
Lodging Sales Tax	521,648
Revolving - Transfer to Infr. Imp. Constr.	70,000
TOTAL APPROPRIATIONS	\$ 3,415,758
B. Means Of Finance	
Unappropriated Fund Balance	\$ 779,604
Parks & Recreation Revenue	52,600
Memorial Pool Revenue	63,020
Summit Activities Center Revenue	466,950
Marne Creek Revenue	500
Casualty Reserve - Interest	600
Bridge & Street Revenue	21,897
911/Dispatch	60,000
Lodging Tax	525,545
Infrastructure Improvement Revolving	71,400
TOTAL REVENUE	1,262,512
Transfer From General Fund	1,967,112
Transfer From Special Capital Fund	161,602
TOTAL MEANS OF FINANCE	\$ 4,170,830

SECTION III - CAPITAL PROJECT FUNDS

A. Appropriations	
Public Improvement	\$ 15,000
Airport Capital Projects	785,000
Park Capital Projects	393,613
Infrastructure Improvement Construction	85,000
Special Capital Improvement	8,222,448
Tax Increment District #2 Morgan Square	30,994
Tax Increment District #5 Menards	3,200
TOTAL APPROPRIATIONS	\$ 9,535,255
B. Means of Finance	
Unappropriated Fund Balance	\$ 5,242,226
Public Improvement Revenue	-
Airport Capital Projects	761,450
Park Capital Revenue	-
Infrastructure Improvement Construction	-
Special Capital Improvement	4,548,570
TID #2 Morgan Square	30,994
TID #5 Menards	3,200
TOTAL REVENUE	5,344,214
Transfer from General Fund	408,582
Transfer from Park Improvement Fund	-
Transfer from BBB Fund	-
Transfer from Infrastructure Impr. Fund	70,000
Transfer from Special Capital Fund	23,701
TOTAL OTHER FINANCING SOURCES	502,283
TOTAL MEANS OF FINANCE	\$11,088,723

SECTION IV - ENTERPRISE FUNDS

MEMO ONLY

	Water	Waste-Water	Cemetery	Collection	Solid Waste	Joint Powers (Yankton Only)	Golf Course
Unappropriated Fund Balance	\$2,535,993	\$ 1,546,030	\$ 485	\$ 434,698	\$ 40,263	\$ 56,879	
Estimated Revenues:							
Operations	3,185,147	2,721,048	24,300	811,206	905,500	939,500	
Other	22,000	635,400	2,700	4,000	3,600	200	
TOTAL REVENUE	3,207,147	3,356,448	27,000	815,206	909,100	939,700	
Operating Transfer In	-	-	74,860	-	-	-	-
Depreciation	506,675	1,109,086	-	35,352	126,443	55,305	-
Amortization	-	-	-	-	-	-	-
Revolving Loan Funds	-	-	-	-	-	-	-
Grant Funds	-	-	-	-	-	-	-
TOTAL FUNDS AVAILABLE	\$6,249,815	\$ 6,011,564	\$102,345	\$1,285,256	\$1,075,806	\$1,051,884	
Appropriations:							
Operating	\$2,552,944	\$ 3,015,658	\$ 76,845	\$ 882,541	\$ 1,135,990	\$ 930,156	
Non-Operating	234,237	241,865	-	-	-	-	
Operating Transfer Out	52,000	40,700	-	-	-	-	
Improvement & Exts/Capital	2,495,239	1,639,301	25,500	40,000	125,413	71,000	
Unobligated	915,395	1,074,040	-	362,715	(185,597)	50,728	
TOTAL APPROPRIATIONS	\$6,249,815	\$ 6,011,564	\$102,345	\$1,285,256	\$1,075,806	\$1,051,884	

SECTION V - INTERNAL SERVICE FUNDS

CENTRAL GARAGE

Unappropriated Fund Balance	\$ 107,762
Estimated Revenue - Billings	782,190
TOTAL ESTIMATED BALANCE & REVENUES	889,952
Less Appropriations	765,124
Estimated Surplus	\$ 124,828

SECTION VI - TAX LEVY

That there is hereby levied upon all taxable property within said City of Yankton, South Dakota, for the purposes of providing funds to meet the lawful expenses and liabilities of the City of Yankton, South Dakota, as herein set forth for the fiscal year of 2012, a tax sufficient to raise \$2,196,490 in regular property taxes, which as received by the Finance Officer shall be credited to the General Fund, and an additional \$190,232 in opt-out property taxes which will be used for the annual debt service requirement for the Second Fire Station.

That the Finance Officer of the City of Yankton be and hereby is authorized and directed to certify the said regular tax levy, \$2,196,490 and the opt-out levy, \$190,232 to the County Auditor of the County of Yankton, South Dakota, to the end that the same may be spread and assessed as provided by law.

SECTION VII - EFFECTIVE DATE

This Ordinance being necessary for the support of the government of the City of Yankton and its existing institutions shall take effect upon its passage and publication.

Adopted: _____
David D. Knoff
Mayor

ATTEST: _____
Al Viereck
Finance Officer

Introduction and first reading: August 22, 2011
Second reading: September 12, 2011
Published in the Yankton Daily Press and Dakotan, Official Newspaper: 9/20/11

I so certify

Al Viereck
Finance Officer

Contracts

From Page 1

SDCL1-27-1.5(7), only released the base salary and home address of Sioux Falls School District superintendent Pam Homan.

However, even South Dakota Gov. Dennis Daugaard is now weighing in on the issue.

Monday via Twitter, Daugaard said, "Every public employee contract should be an open record, and I would sign legislation to make that very clear."

In an interview with the *Argus Leader*, he added that new laws often require changes once they're put into practice and felt the statute should be changed — so much so, that he is willing to have his staff draw up the new wording to present to the Legislature.

"I'd be happy to have my office initiate something. It doesn't really matter where it comes from," he said. "Any time the state is paying for contractual services ... the terms of the contract should be open to the public."

"I think that as we open government up, we will continue to find bureaucrats that think they own the government. I think the Legislature needs to remind them that they do not own the checkbook, that the citizens own the checkbook and they have a right to see it."

It is a stance that Aberdeen Sen. Al Novstrup (R-District 3) believes would find support on both sides of the aisle in Pierre.

"This shouldn't be a Democratic or Republican issue, this is our government and we have a right to this information," he told the *Press and Dakotan*. "I think that as we open government up, we will continue to find bureaucrats that think they own the government. I think the Legislature needs to remind them that they do not own the checkbook, that the citizens own the checkbook and they have a right to see it."

Novstrup has gone on the record saying he will put forward legislation to change the wording of codified law 1-27-1.5(7).

He also noted that there are valid reasons for keeping some information back from the public.

"There has to be a very good reason to hide information from the citizens," he said. "We have specified 18 good reasons. For example, if I walked into the Yankton police department and said I want to know the home addresses of every police officer that works here, including the one that arrested me yesterday, that is a good reason to protect that police officer. There is a need for privacy. But it is not in a superintendent's contract."

Novstrup was one of the legislators that, during the 2010 session, put forward a penalty for governmental agencies not complying with a public record request.

"One of the statutes says you can walk into a government office and say, 'I want to copy your records,'" he said. "It has been state law for a few years, but it hasn't been put into practice. So the Legislature was able to pass the law last year that said there is a \$50 per-day penalty for failure to allow the practice. I don't think it will deter a large government entity to from denying the information, but it is enough so that if they do try to deny information, the person denied can go to the press and say, 'I am clearly right, they are clearly wrong as they stonewall.'"

Hunhoff has said open government laws are a work in progress, and that he isn't surprised that issues have been found with the 2009 laws.

"There are so many issues that can come up, so many gray areas, it is just going to be an ongoing process to look at what is there and how the laws should be applied," he said. "Open records are important because it is the public's business, the public's tax dollars. ... The public has a right to know what public officials, including legislators, are making working for the tax payer."

Novstrup echoed, Hunhoff's thoughts. "When we are spending the tax payer's money, everything in that contract is public information in my mind," Novstrup said. "It is a contract between a government employee and a governmental agency, in this case with the school district. The taxpayers have a right to know the entire agreement."

Novstrup questioned why anyone would have anything to hide, saying it makes it seem suspicious.

"Let's assume the school district is providing a free home or free car as part of the benefits package, anything above the salary. Those are taxpayers' dollars and are part of the total compensation," he said. "So, if (a district) feels they can hide 10-20-30 percent of the expenses from the public, they are wrong. The reason the public is asking the question is they are trying to determine if it is a reasonable contract. The only way you can make that judgment is to see the entire contract."

Both legislators added that if there were a valid reason presented for keeping details in a contract private, they would hear the arguments, but felt there will be broad support to close the loophole.

"As a Legislature has passed laws, we haven't passed perfect laws, which is why we will have a session next year to fix the holes and loopholes in the law currently," Novstrup said. "That is why we will need to go back and change the law in such a way that it is very clear to everybody that the contract between a government employee and governmental agency is public record."

Dunes

From Page 1

homeowner Gene Knudsen told KELO-TV. "It's not a disaster like a tsunami or a tornado; it's kind of a disaster in slow motion."

Many residents feel fortunate despite what they have gone through.

"We had 5 feet (of water) in the basement, we don't have 5 feet in the kitchen, so God blessed us really quite well," homeowner Lew Smith told KELO.

Not all residents are finding it easy to move back home, however. Tony Simoni told KTVI-TV that he continues to fight groundwater leaching into his basement, which he finds frustrating.

"I'm looking at four to six weeks before I can get in it yet," he said. "It's going to be a happy day."

That happy day is a little closer for many.

"It was so surreal all summer — you'd come around and (it) looked like an abandoned city," Smith said. "And now all the neighbors are back doing cleanup and stuff and everybody's just looking forward to getting through until next spring."

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