2010 Legal and Public Notices	2010 Legal and N
September 5, 2012	9+5 CHAMBER OF THE BO
South Dakota Housing Development Authority 221 South Central Avenue	OF CITY COMMISSIO YANKTON, SOUTH DA AUGUST 27, 2012
Pierre, SD 57501 (605) 773-3181	Regular meeting of the B City Commissioners of the
COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND INTENT TO REQUEST RELEASE OF FUNDS	Yankton was called to or Mayor Wenande. <b>Roll Call:</b> Present: Comm ers Akland, Carda, Gross ner, Knoff, Lowrie, Somm Woerner. Interim City M Viereck was also present.
This Notice shall satisfy the above-cited two separate but re- lated procedural notification re-	City Attorney Hosmer. Opresent.
quirements. <u>REQUEST FOR RELEASE OF</u> <u>FUNDS</u>	<u>Action 12-197</u> Moved by Commissioner ner, seconded by Comm Akland, to approve the Mii the regular meeting of Aug
On or about September 20, 2012, the South Dakota Housing Devel- opment Authority will submit a request to HUD for the release of HOME funds under Title II of the National Affordable Housing Act	Roll Call: All members voting "Aye;" voting None. Motion adopted.
of 1990, and the release of Neigh- borhood Stabilization Program funds under the Housing and Eco- nomic Recovery Act of 2008, as amended, to undertake a project known as Woodland Place Apart-	Mayor Wenande presented lamation to Pam Ketteri Lauren Hanson from Unit Services of Greater Yankt ognizing the United Wa

known as Woodland Place Apartments. This project will involve construction of six, single-room, congregate units in one building. These homes are targeted for individuals with development disabili-

### FINDING OF NO SIGNIFI-CANT **IMPACT**

The South Dakota Housing Development Authority has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at South Dakota Housing Development Authority, 3060 East Elizabeth St., Pierre, SD, and may be examined or copied weekdays from 8:00 a.m. to 5:00 p.m.

# PUBLIC COMMENT

Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Mark Lauseng, Executive Director, South Dakota Housing Development Authority, PO Box 1237, Pierre, SD, 57501. All comments received by September 20, 2012, will be considered by SDHDA prior to authorizing sub mission of a request for release of funds. Commentors should specify which part of this Notice they are addressing.

# RELEASE OF FUNDS

The South Dakota Housing Development Authority certifies to HUD that Mark Lauseng in his capacity as Executive Director consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certificiation satisfies its responsibilities under NEPA and related laws and authorities, and allows the South Dakota Housing Development Authority to use Program funds.

# Notices OARD DNERS АКОТА 2

Public

Board of e City of order by missions, Hoffmer, and Manager Absent: Ouorum

# r Woernissioner inutes of ugust 13,

present "Nay:"

l a procring and ited Way ton rec-Way's 55 years of promoting voluntary giving and services to support human needs in the Yankton area and declaring September 4 through 7. 2012, as United Way Week.

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

# Action 12-198

Moved by Commissioner Knoff, seconded by Commissioner Woerner, that the following items on the consent agenda be approved. 1. Establishing public hearing for sale of

# alcoholic beverages

Establish September 10, 2012, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Malt Beverage and a Special RE-TAIL (on-sale) Wine dealers License for three days, September 14-16, 2012, from Flusswerks LLC, d/b/a The Landing, (Paul Remmes, Owner) 104 Capitol Street, d/b/a The Landing, 110 Capitol Street, Yankton, South Dakota.

Roll Call: Members present voting "Aye:" Commissioners Akland, Carda, Gross, Hoffner, Knoff, Sommer, Woerner, and Mayor Wenande; voting "Nay:" None; Abstaining: Commissioner Lowrie.

Motion adopted.

# Action 12-199

This was the time and place for the public hearing on the application for a Special Events RETAIL (on-sale) Liquor License for one day, September 11, 2012, from Minerva's Grill & Bar, (Jade Somsen, Sales & Catering Director) d/b/a Minerva's Grill & Bar, Kolberg-Pioneer Inc., 700 West 21st Street, Yankton, South Dakota.

### 2010 Legal and Public 2010 Notices 3010 Broadway, Suite 1, Yankton, South Dakota. No one was present to speak for or against ap-None. proval of the license application. Motion adopted. (Memorandum 12-143) Moved by Commissioner Carda, sec-Action 12-208 onded by Commissioner Woerner, Moved by Commissioner Knoff, to approve the license application. seconded by Commissioner Som-Roll Call: All members present mer, to approve city initiated revoting "Aye;" voting "Nay:" zoning from I-1 Industrial to B-3 None. Central Business on Lots 7, 8 and

# Motion adopted. Action 12-203

This was the time and place for the public hearing on the application for a Special Events RETAIL (on-sale) Liquor License for one day, September 13, 2012, from Minerva's Grill & Bar, (Jade Somsen, Sales & Catering Director) d/b/a Minerva's Grill & Bar, Lewis & Clark Specialty Hospital New Building, 2601 Fox Run Pkwy, Yankton, South Dakota. No one was present to speak for or against approval of the license application. (Memorandum 12-144) Moved by Commissioner Akland, seconded by Commissioner Woerner, to approve the li-

cense application. Roll Call: All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

Action 12-204 Commissioner Gross introduced and Mayor Wenande read the title

of Ordinance No. 947, AN ORDI-NANCE TO APPROPRIATE MONIES FOR DEFRAYING THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF YANKTON, SOUTH DAKOTA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013, AND ENDING DECEM-BER 31, 2013, AND PROVID-ING FOR THE LEVY OF AN-NUAL TAXES FOR ALL FUNDS CREATED BY ORDI-NANCE WITHIN SAID CITY.

and set September 10, 2012, as

the date for the second reading and public hearing. Action 12-205

Moved by Commissioner Lowrie, seconded by Commissioner Sommer, to approve Change Order No. 1 from Dakota Traffic Services, LLC, for the Epoxy pavement marking paint installation project, a decrease of \$3,936.85 for a new contract total of \$37,076.90, to accept the project

as complete, and to authorize the City Finance Officer to issue a manual check in the amount of \$37,076.90 to Dakota Traffic Services, LLC, of Tea, South Dakota, as final payment for the project. (Memorandum 12-139) Roll Call: All members present

voting "Aye;" voting "Nay:" None. Motion adopted.

### Action 12-206 This was the time and place to

award the bid for the annual Sludge Removal contract for the Wastewater and Water Treatment Plants. One bid was received and opened on August 16, 2012: Willard Schmidt, Yankton, South Da-

Legal and Public 2010 Notices Roll Call: All members present voting "Aye;" voting "Nay:" None.

9, Block 1, Lower Yankton Addi-

tion to the City of Yankton, South

Dakota (100 Douglas Avenue,

Jane VanDerhule-Brown, owner).

Ross VanDerhule, co-owner of

the property, was present and

thanked City staff for their sup-

port of rezoning the property.

Roll Call: All members present

Commissioner Gross introduced

and Mayor Wenande read the title

of Ordinance No. 948, AN ORDI-

NANCE TO REZONE PROP-

ERTY DESCRIBED HEREIN,

and set September 24, 2012, as

the date for the second reading

and public hearing. (Memoran-

Adoption of Resolution 12-33, ap-

proving a development proposal

for a single-family home on an

unimproved parcel, was consid-

ered. Ross VanDerhule, property

owner, was present and spoke in

favor of adoption of the resolu-

tion. Moved by Commissioner

Knoff, seconded by Commis-

sioner Sommer, to adopt Resolu-

**RESOLUTION 12-33** 

of Lots D, E and F, VanDerhule's

Addition to the City of Yankton,

South Dakota has requested a per-

mit to develop the property with a

single family residence and asso-

ciated private improvements, and

to allow such development could

not be issued by the city because

the required adjacent public infra-

structure improvements have not

improvement requirements and is

asking the city to allow the devel-

opment of said property prior to

WHEREAS, as a part

of the request for development

prior to the completion of infra-

structure improvements the owner

has agreed that the owner is liable

for the costs of their fair share of

the future improvements and

agrees not to protest assessment

for the improvements at such time

the city commission so directs

THEREFORE

the

а

(Memorandum

owner

permit

owner

public

"Nay:

(Memorandum 12-146)

None.

Motion adopted.

Action 12-209

dum 12-147)

Action 12-210

tion 12-33.

WHEREAS,

WHEREAS.

been completed, and

WHEREAS, the

is aware of said

their completion, and

their installation.

NOW,

12-149)

voting "Aye;" voting

Mayor

ATTEST: Ann L. Clough

# Sting Leaves Ariz. Woman With Huge Bill Legal and Public

PHOENIX (AP) - An Arizona woman is wondering what hurt more: getting stung by a scorpion or seeing her hospital bill after treatment.

Marcie Edmonds says the bill from Chandler Regional Medical Center was more than \$83,000. That includes two doses of anti-venom at nearly \$40,000 per dose.

The Arizona Republic says Edmonds' insurer has paid more than \$57,000 and the suburban Phoenix hospital is asking Edmonds for the balance of about \$25,000.

The 52-year-old Ahwatukee Foothills resident was stung in June while opening a box of air conditioner filters in her garage.

Edmonds says an emergency room doctor told her about the Mexican anti-venom Anascorp that could quickly relieve her symptoms, but she was never told about the cost.

# National Debt Hits \$16T

# **BY ANDREW TAYLOR**

The news was greeted with a round of press releases from Barack Obama's GOP rivals, who used the grim-but-expected news to criticize the president for the government's fiscal performance over his 3 1/2years in office. Obama has presided over four straight years of trillion dollar-plus deficits after inheriting a weak economy

cisions until tomorrow," said No. 2 House Republican Eric Cantor, R-Va. "It's time to address the serious fiscal challenges we face and stop spending money we don't have." Last summer, Cantor dropped out of a set of budget talks hosted by Vice President Joe Biden, citing the insistence of the White House on tax increases to help close deficits that require the government to borrow 33 cents of every dollar it spends.

ers and the eventual winner of the White House in November will have to pass a law early next year to raise the government's borrowing cap from the current ceiling of \$16.39 trillion. Passing such legislation last year proved enormously difficult and the nation's credit rating suffered.

ing a post-election lame duck session to renew Bush-era tax cuts and head off a round of forced budget austerity as automatic budget cuts are scheduled in January to slam both the Pentagon and domestic programs. Those cuts were required by another failed set of budget talks last fall by a

Ryan of Wisconsin piled on as well.

dent Obama, this is probably the worst

ACROSS 1 Cougar 5 Swabbing 41 Years tools gone by

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DEANCURE



TRADESCHOOL

W I D E I T A L I A O D O R F I N E L Y

Yesterday's answer

# Notices mer, to adjourn at 7:51 p.m. Roll Call: All members present "Nay:" voting "Aye;" voting Motion adopted. Nancy Wenande

Deputy Finance Officer

Associated Press

WASHINGTON — The Treasury Department said Tuesday that the national debt has topped \$16 trillion, the result of chronic government deficits that have poured more than \$50,000 worth of red ink onto federal ledgers for every man, woman and child in the United States.

from his predecessor, George W. Bush.

We can no longer push off the tough de-

The spiraling debt means that lawmak-

First, however, lawmakers will try durbipartisan "supercommittee.'

GOP vice presidential nominee Rep. Paul "Of all the broken promises from Presi-

**Auto Sales To 3-Year High 9** By grandchildren get a diminished future,' Ryan told supporters in Cedar Rapids, Iowa. Ryan was named to Obama's debt commission but voted against a proposal by its co-chairs. He declined an invitation by House Speaker John Boehner, R-Ohio, to try again on the supercommittee. Sen. Rob Portman, R-Ohio, said: "This debt will not only be a liability for our kids

and grandkids, but economists also tell us that it will limit economic growth and kill millions of jobs now and in the future.' Portman was a member of last year's failed supercommittee, which deadlocked over taxes and cuts to popular benefit programs.

one, because this debt is threatening jobs

it is guaranteeing that our children and

today, it's threatening prosperity today and

The debt topped the \$16 trillion mark on Friday.

**Treasury Secretary Timothy Geithner** has said the government will likely reach its debt limit at the end of the year. However, Geithner has said he will be able to employ various "extraordinary measures" to keep the government operating until sometime early next year. Geithner would need to use these measures if Congress, as expected, fails to tackle the debt limit by year's end.

Last year's prolonged impasse between the GOP-dominated House and Democrats controlling the Senate and the White House contributed to a move by the ratings agency Standard & Poor's to lower America's AAA bond rating for the first time in the country's history, nudging it down a notch to AA+ for long-term securities.

GOP presidential nominee Mitt Romney promises sharp spending cuts and a balanced budget by 2020 if he wins the White House, but has provided little detail about how that might be accomplished.

For his part, Obama has declined to tackle the spiraling growth of benefit programs like Medicare and the Medicaid health program for the poor and disabled. His proposals to hike taxes on upper income earners have been repeatedly rejected by Republicans, but he promises to insist on them if he wins re-election.

CROSSWORD **By THOMAS JOSEPH** 40 First place

**Trucks Drive** 

### OBJECTIONS TO RELEASE OF FUNDS

HUD will consider objections to its release of funds and the South Dakota Housing Development Authority's certification received by October 5, 2012, or a period of fifteen days from its receipt of the request (whichever is later) only if they are on one of the following basis: (1) the certification was not executed by the Certifying Officer or other officer of the South Dakota Housing Development Authority approved by HUD; (2) SDHDA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (3) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (4) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR part 58) and shall be addressed to Mr. Dave Rigirozzi, HUD-Denver Office at 1670 Broadway, Denver, CO 80202-3690. Potential objectors should contact HUD to verify the actual last day of the objection period.

Mark Lauseng Executive Director



No one was present to speak for or against approval of the license application. (Memorandum 12-140) Moved by Commissioner Knoff, seconded by Commissioner Akland, to approve the license application.

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

Action 12-200

This was the time and place for the public hearing on the application for a Special Events RETAIL (on-sale) Liquor License for one day, September 6, 2012, from Minerva's Grill & Bar, (Jade Somsen, Sales & Catering Director) d/b/a Minerva's Grill & Bar, Lewis & Clark Specialty Hospital New Building, 2601 Fox Run Pkwy, Yankton, South Dakota. No one was present to speak for or against approval of the license application (Memorandum 12-141) Moved by Commissioner Lowrie, seconded by Commissioner Woerner, to approve the license application. Roll Call: All members present

voting "Aye;" voting "Nay:" None.

Motion adopted.

# Action 12-201

This was the time and place for the public hearing on the application for a Special Events RETAIL (on-sale) Liquor License for one day, September 17, 2012, from Minerva's Grill & Bar, (Jade Somsen, Sales & Catering Director) d/b/a Minerva's Grill & Bar, Kolberg-Pioneer Inc., 700 West 21st Street, Yankton, South Dakota. No one was present to speak for or against approval of the license application. (Memorandum 12-142) Moved by Commissioner Gross, seconded by Commissioner Sommer, to approve the license application. Roll Call: All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

# Action 12-202

This was the time and place for the public hearing on the application to transfer ownership of a Retail (on-sale) Liquor License for January 1, 2012, to December 31, 2012, from Yankton Bowl Inc., d/b/a Yankton Bowl, Inc., (Anthony L. Benjamin, Pres.) 3010 Broadway, Suite 1, to Yankton Bowl Inc., d/b/a Yankton Bowl Inc., (James L. Palmer, Pres.)

Wastewater Treatment kota Plant liquid sludge removal-\$.03 per gallon; Water Treatment Plant caked lime sludge removal-\$9.25 per ton. (Memorandum 12-145) Moved by Commissioner Woerner, seconded by Commissioner Sommer, to award the bid to the only bidder, Willard Schmidt, Yankton, South Dakota, for Wastewater Treatment Plant liquid sludge removal at \$.03 per gallon and Water Treatment Plant caked lime sludge removal at

\$9.25 per ton. Roll Call: All members present "Aye;" voting "Nay:" voting None. Motion adopted.

### Action 12-207

Moved by Commissioner Woerner, seconded by Commissioner Carda, to adopt Resolution 12-31. (Memorandum 12-138)

**RESOLUTION 12-31** RESOLUTION OF NECESSITY (YANKTON ROAD TAX)

WHEREAS, the Board of City Commissioners of the City of Yankton has deemed that the City streets, alleys and roadways must be properly reconstructed and repaired, and;

City WHEREAS, the of Yankton's streets are repaired by grading, crack filling, spall repair, patching and chip sealing, and:

WHEREAS, yearlv а inventory of City streets is conducted in order to determine the streets in need of repair,

NOW. THEREFORE, BE IT RESOLVED, that for the purpose of repairing the streets, and surfacing thereof, that an assessment of forty cents per front foot be levied upon all parcels or portions of parcels fronted or abutting streets and forty cents per front foot be levied upon all parcels or portions of parcels fronted or abutting alleys within the City of Yankton.

The City Finance Officer is hereby directed to certify such assessments together with the regular assessments for 2012 collectable in 2013 to the County Auditor to be collected as municipal taxes for general purposes.

BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the owner of Lots D E and E. VanDerhule's Addition to the City of Yankton, South Dakota shall be allowed to develop said property in the manner described herein without subdivision based on the owner's waiver of the right to protest assessment for future improvements.

Roll Call: Members present voting "Aye:" Commissioners Carda, Hoffner, Knoff, and Lowrie; voting "Nay:" Commissioners Akland, Gross, Sommer, Woerner, and Mayor Wenande. Motion failed.

Action 12-211

Moved by Commissioner Sommer, seconded by Commissioner Akland, to adopt Resolution 12-32. (Memorandum 12-148)

# **RESOLUTION 12-32**

WHEREAS, it appears from an examination of the preliminary plat of Lots 1, 2, 3, 4 and 8, Block 1 of Marquardt Subdivision in the SE 1/4, NE 1/4 of Section 2, T93N, R56W in the City of Yankton, South Dakota. Ralph Marquardt, Douglas Marquardt, Peggy Marquardt, Chad Kapla and Jennifer Kapla, owners. Address, west side of the 2700 Block of West City Limits Road prepared by Johnson Engineering, registered land surveyors in the State of South Dakota, and

WHEREAS. such preliminary plat has been prepared according to law and has been reviewed based on the provisions set forth in the City's overall Comprehensive Development Plan.

NOW THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the preliminary plat for the above described property is hereby approved.

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

Action 12-212

Moved by Commissioner Carda, seconded by Commissioner Som-

DETROIT (AP) - After years of sputtering, sales of big pickups kicked into overdrive last month.

Demand for full-size pickups jumped 16 percent, helping make August the strongest month for U.S. auto sales in three years. Overall auto sales increased 20 percent from a year earlier to nearly 1.3 million. according to Autodata corp. The rising demand

shows that businesses need to replace aging trucks and feel more confident about the recovery in U.S. housing - a market where pickups are essential for hauling equipment and crews.

"Businesses don't usually go buy a fleet of trucks unless they have good reason to believe that business will be ramping up," said Jesse Toprak, vice president of market intelligence for the TrueCar.com auto pricing service

Ford, GM and Chrysler, the biggest makers of fullsize trucks, notched doubledigit gains in overall sales last month.

In pickups, Ford's F-Series, the top-selling vehicle in America, saw a 19 percent sales increase, as did Chrysler's Ram pickup. Sales of General Motors' Chevy Silverado rose 4 percent, while the GMC Sierra was up 9 percent. Toyota's struggling big truck, the Tundra, posted a huge increase of 68 percent.

The rising demand helped push total U.S. auto sales last month to an annual rate of 14.5 million. That's the best monthly sales pace since the government's "Cash for Clunkers" rebate program in August of 2009.

Pent-up demand is part of the reason for the truck increase. The average vehicle on U.S. roads is nearing 11 years old, and some are simply wearing out.

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7 Race
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**10** Seinfeld **25** Chant neighbor 27 Sevilla's 11 Chums nation 28 Orchestra 16 House muncher pieces 18 Track 29 Dispatch 30 Prayer shape 21 Some hair end treat-31 Bring to ments bear 33 Wrinkle 23 Menlo Park whiz remover 24 Pulled in 37 Tear features

NEW CROSSWORD BOOK! Send \$4.75 (check/m.o.) to P.O. Box 536475, Orlando, FL 32853-6475



# AXYDLBAAXR is LONGFELLOW

One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

9-5	CRYPTOQUOTE
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	WMCK VDMNCM

WMCK XRMNCM Yesterday's Cryptoquote: HAPPINESS IS NOT SOMETHING YOU POSTPONE FOR THE FUTURE; IT IS SOMETHING YOU DESIGN FOR THE PRESENT. — JIM ROHN

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